Ibirimo/Summary/Sommaire page/urup.

Iteka rya Minisitiri/ Ministerial Order/ Arrêté Ministériel

Nº01/CAB.M/019 ryo ku wa 06/02/2019
Iteka rya Minisitiri rihindura Iteka rya Minisitiri nº 04/CAB.M/08 ryo ku wa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisiviri…….....2
Nº01/CAB.M/019 of 06/02/2019
Ministerial Order amending Ministerial Order nº 04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations…….2
Nº01/CAB.M/019 of 06/02/2019
Arrêté Ministériel portant modification de l'Arrêté Ministériel nº 04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile…….2

ITEKA RYA MINISITIRI Nº01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº 04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

ISHAKIRO

Ingingo ya mbere: Ibikubiye muri iri teka

Ingingo ya 2: Ivanwaho ry'ingingo zinyuranyije n'iri teka

Ingingo ya 3: Igihe iri teka ritangira gukurikizwa

TABLE OF CONTENTS

Article One: Content of this Order

Article 2: Repealing provision

Article 3: Commencement

TABLE DES MATIÈRES

Article premier: Contenu du présent arrêté

Article 2: Disposition abrogatoire

Article 3: Entrée en vigueur

ITEKA RYA MINISITIRI Nº01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

Minisitiri w'Ibikorwa Remezo;

Ashingiye ku Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu 2003 ryavuguruwe mu 2015, cyane cyane mu ngingo zaryo, iya 121, iya 122 n'iya 176;

Ashingiye ku Itegeko nº 20/2018 ryo ku wa 29/04/2018 rigena amabwiriza mu by'indege za gisivili, cyane cyane mu ngingo yaryo ya 10;

Asubiye ku Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisiviri;

Inama y'Abaminisitiri, yateranye ku wa 24/10/2018 imaze kubisuzuma no kubyemeza;

ATEGETSE:

<u>Ingingo ya mbere</u>: Ibikubiye muri iri teka

Ingingo ya 2 y'Iteka rya Minisitiri nº04/CAB.M/08 ryo ku wa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za

MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

The Minister of Infrastructure;

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 121, 122 and 176;

Pursuant to Law nº 20/2018 of 29/04/2018 establishing regulations governing civil aviation, especially in Article 10;

Having reviewed the Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations;

After consideration and approval by the Cabinet, in its session of 24/10/2018;

HEREBY ORDERS:

<u>Article One</u>: Content of this Order

Article 2 of Ministerial Order nº 04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations is amended as follows:

ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Le Ministre des Infrastructures;

Vu la Constitution de la République du Rwanda de 2003 révisée en 2015, spécialement en ses articles 121, 122 et 176;

Vu la Loi nº 20/2018 du 29/04/2018 portant réglementation de l'aviation civile, spécialement en son article 10;

Revu l'Arrêté Ministériel nº 04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile;

Après examen et approbation par le Conseil des Ministres, en sa séance du 24/10/2018;

ARRETE:

<u>Article premier</u>: Contenu du présent arrêté

L'article 2 de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile est modifié

gisiviri ihinduwe ku buryo bukurikira:

"Iri teka rikubiyemo amabwiriza akurikira:

1º *General Policies, Procedures and definitions* ari ku mugereka wa I w'iri teka;

2º *Aircraft Registration and Marking* ari ku mugereka wa II w'iri teka;

3º *Aircraft and Component Original Certification* ari ku mugereka wa III w'iri teka;

4º *Airworthiness of Aircraft* ari ku mugereka wa IV w'iri teka;

5º *Approved Maintenance Organisations* ari ku mugereka wa V w'iri teka;

6º *Required Instruments and Equipment* ari ku mugereka wa VI w'iri teka;

7º *Personnel Licensing* ari ku mugereka wa VII w'iri teka;

8º *Medical Assessment and Certification* ari ku mugereka wa VIII w'iri teka;

9º *Approved Training Organizations* ari ku mugereka wa IX w'iri teka;

"This Order contains the following regulations:

1º General Policies, Procedures and definitions in Annex I to this Order;

2º Aircraft Registration and Marking in Annex II to this Order;

3º Aircraft and Component Original Certification in Annex III to this Order;

4º Airworthiness of Aircraft in Annex IV to this Order;

5º Approved Maintenance Organisations in Annex V to this Order;

6º Required Instruments and Equipment in Annex VI to this Order;

7º Personnel Licensing in Annex VII to this Order;

8º Medical Assessment and Certification in Annex VIII to this Order;

9º Approved Training Organizations in Annex IX to this 0rder;

comme suit :

"Le présent arrêté contient les règlements suivants:

1º *General Policies, Procedures and definitions* en annexe I au présent arrêté;

2º *Aircraft Registration and Marking* en annexe II au présent arrêté;

3º *Aircraft and Component Original Certification* en annexe III au présent arrêté;

4º *Airworthiness of Aircraft* en annexe IV au présent arrêté;

5º *Approved Maintenance Organisations* en annexe V au présent arrêté;

6º *Required Instruments and Equipment* en annexe VI au présent arrêté;

7º *Personnel Licensing* en annexe VII au présent arrêté;

8º *Medical Assessment and Certification* en annexe VIII au présent arrêté;

9º *Approved Training Organizations* en annexe IX au présent arrêté;

10º *Operations of Aircraft* ari ku mugereka wa X w'iri teka;

11º *Aerial Work Operations* ari ku mugereka wa XI w'iri teka;

12º *Air Operator Certification and Operation* ari ku mugereka wa XII w'iri teka;

13º *Additional Passenger Carrying Requirements* ari ku mugereka wa XIII w'iri teka;

14º *AOC Personnel Qualification* ari ku mugereka wa XIV w'iri teka;

15º *Fatigue Management* ari ku mugereka wa XV w'iri teka;

16º *Operational Control* ari ku mugereka wa XVI w'iri teka;

17º *Mass, Balance and Performance* ari ku mugereka wa XVII w'iri teka;

18º *Transportation of Dangerous Goods by Air* ari ku mugereka wa XVIII);

19º *Accident and Incident Reporting and Investigation* ari ku mugereka wa XIX w'iri teka;

20º *Foreign Operators* ari ku mugereka wa XX w'iri teka;

10º Operations of Aircraft in Annex X to this Order;

11º Aerial Work Operations in Annex XI to this Order;

12º Air Operator Certification and Operation in Annex XII to this Order;

13º Additional Passenger Carrying Requirements in Annex XIII to this Order;

14º AOC Personnel Qualification in Annex XIV to this Order;

15º Fatigue Management in Annex XV to this Order;

16º Operational Control in Annex XVI to this Order;

17º Mass, Balance and Performance in Annex XVII to this Order;

18º Transportation of Dangerous Goods by Air in Annex XVIII to this Order;

19º Accident and Incident Reporting and Investigation in Annex XIX to this Order;

20º Foreign Operators in Annex XX to this Order;

10º *Operations of Aircraft* en annexe X au présent arrêté;

11º *Aerial Work Operations* en annexe XI au présent arrêté;

12º *Air Operator Certification and Operation* en annexe XII au présent arrêté;

13º *Additional Passenger Carrying Requirements* en annexe XIII au présent arrêté;

14º *AOC Personnel Qualification* en annexe XIV au présent arrêté;

15º *Fatigue Management* en annexe XV au présent arrêté;

16º *Operational Control* en annexe XVI au présent arrêté;

17º *Mass, Balance and Performance* en annexe XVII au présent arrêté;

18º *Transportation of Dangerous Goods by Air* en annexe XVIII au présent arrêté;

19º *Accident and Incident Reporting and Investigation* en annexe XIX au présent arrêté;

20º *Foreign Operators* en annexe XX au présent arrêté;

21º *Aeronautical Communications* ari ku mugereka wa XXI w'iri teka;

22º *Air Traffic Services* ari ku mugereka wa XXII w'iri teka;

23º *Flight Procedure Services* ari ku mugereka wa XXIII w'iri teka;

24º *Aeronautical Meteorological Service* ari ku mugereka wa XXIV w'iri teka;

25º *Aeronautical Information service* ari ku mugereka wa XXV w'iri teka;

26º *Aerodromes* ari ku mugereka wa XXVI w'iri teka;

27º *Unmanned Aircraft Systems* ari ku mugereka wa XXVII w'iri teka;

28º *General Aviation: Corporate Operators, Turbojet and Large Airplanes* ari ku mugereka wa XXVIII w'iri teka;

29º *Aviation Security* ari ku mugereka wa XXIX w'iri teka;

30º *Safety Management Regulations* ari ku mugereka wa XXX w'iri teka;

31º *Aeronautical Charts* ari ku mugereka wa XXXI w'iri teka;

21º Aeronautical Communications in Annex XXI to this Order;

22º Air Traffic Services in Annex XXII to this order;

23º Flight Procedure Services in Annex XXIII to this Order;

24º Aeronautical Meteorological Service in Annex XXIV to this Order;

25º Aeronautical Information service in Annex XXV to this order;

26º Aerodromes in Annex XXVI to this Order;

27º Unmanned Aircraft Systems in Annex XXVII to this Order;

28º General Aviation: Corporate Operators, Turbojet and Large Airplanes in Annex XXVIII to this Order;

29º Aviation Security in Annex XXIX to this Order;

30º Safety Management Regulations in Annex XXX to this Order;

31º Aeronautical Charts in Annex XXXI to this Order;

21º *Aeronautical Communications* en annexe XXI au présent arrêté;

22º *Air Traffic Services* en annexe XXII au présent arrêté;

23º *Flight Procedure Services* en annexe XXIII au présent arrêté;

24º *Aeronautical Meteorological Service* en annexe XXIV au présent arrêté;

25º *Aeronautical Information service* en annexe XXV au présent arrêté;

26º *Aerodromes* en annexe XXVI au présent arrêté;

27º *Unmanned Aircraft Systems* en annexe XXVII au présent arrêté;

28º *General Aviation: Corporate Operators, Turbojet and Large Airplanes* en annexe XXVIII au présent arrêté;

29º *Aviation Security* en annexe XXIX au présent arrêté;

30º *Safety Management Regulations* en annexe XXX au présent arrêté;

31º *Aeronautical Charts* en annexe XXXI au présent arrêté;

32º *Search and Rescue* ari ku mugereka wa XXXII w'iri teka;

33º *Parachuting Operations* ari ku mugereka wa XXXIII w'iri teka;

34º *Sport Aviation Operations* ari ku mugereka wa XXXIV w'iri teka;

35º *Registration of Interest in Aircraft* ari ku mugereka wa XXXV w'iri teka;

36º *Economic Regulations* ari ku mugereka wa XXXVI w'iri teka;

37º *Licensing of Air Services* ari ku mugereka wa XXXVII w'iri teka;

38º *Units of Measurement* ari ku mugereka wa XXXVIII w'iri teka;

39º *Unmanned Free Balloons* ari ku mugereka wa XXXIX w'iri teka;

40º *Rules of the Air* ari ku mugereka wa XL w'iri teka".

<u>Ingingo ya 2</u>: Ivanwaho ry'ingingo zinyuranyije n'iri teka

Ingingo zose z'amateka abanziriza iri teka kandizinyuranyije na ryo zivanyweho.

32º Search and Rescue in Annex XXXII to this Order;

33º Parachuting Operations in Annex XXXIII to this Order;

34º Sport Aviation Operations in Annex XXXIV to this Order;

35º Registration of Interest in Aircraft in Annex XXXV to this Order;

36º Economic Regulations in Annex XXXVI to this Order;

37º Licensing of Air Services in Annex XXXVII to this Order;

38º Units of Measurement in Annex XXXVIII to this Order;

39º Unmanned Free Balloons in Annex XXXIX to this Order;

40º Rules of the Air in Annex XL to this Order".

<u>Article 2</u>: Repealing provision

All prior provisions contrary to this Order are repealed.

32º *Search and Rescue* en annexe XXXII au présent arrêté;

33º *Parachuting Operations* en annexe XXXIII au présent arrêté;

34º *Sport Aviation Operations* en annexe XXXIV au présent arrêté;

35º *Registration of Interest in Aircraft* en annexe XXXV au présent arrêté;

36º *Economic Regulations* en annexe XXXVI au présent arrêté;

37º *Licensing of Air Services* en annexe XXXVII au présent arrêté;

38º *Units of Measurement* en annexe XXXVIII au présent arrêté;

39º *Unmanned Free Balloons* en annexe XXXIX au présent arrêté;

40º *Rules of the Air* en annexe XL au présent arrêté".

<u>Article 2</u>: Disposition abrogatoire

Toutes les dispositions antérieures contraires au présent arrêté sont abrogées.

Ingingo ya 3: Igihe iri teka ritangira gukurikizwa

Iri teka ritangira gukurikizwa ku munsi ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda.

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Article 3: Commencement

This Order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Article 3: Entrée en vigueur

Le présent arrêté entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA I W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KU WA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX I TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE I A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 1

General Policies, Procedures & Definitions

SUBPART A: GENERAL 4
1.001 CITATION & APPLICABILITY 4
1.005 ORGANISATION OF THESE REGULATIONS 4
1.010 RULES OF CONSTRUCTION 5
1.013 UNITS OF MEASUREMENT. 5
1.015 DEFINITIONS 6
1.020 ACRONYMS 9

SUBPART B: GENERAL ADMINISTRATIVE RULES 9
1.025 DISPLAY AND INSPECTION OF LICENCSES & CERTIFICATES 9
1.030 CHANGE OF NAME 10
1.035 CHANGE OF ADDRESS 10
1.040 REPLACEMENT OF A LOST OR DESTROYED DOCUMENT 10
1.045 FALSIFICATION, REPRODUCTION OR ALTERATION OF REQUIRED DOCUMENTS 10
1.050 SURRENDER, SUSPENSION OR REVOCATION OF LICENCE OR CERTIFICATE 11
1.055 REAPPLICATION AFTER REVOCATION 11
1.060 REAPPLICATION AFTER SUSPENSION 11
1.065 VOLUNTARY SURRENDER OR EXCHANGE OF LICENCE 11
1.070 PROHIBITION ON PERFORMANCE DURING MEDICAL DEFICIENCY 11
1.075 DRUG & ALCOHOL TESTING & REPORTING 12

SUBPART C: VALIDATION OR CONVERSION OF OFFICIAL DOCUMENTS 12
1.080 VALIDATION OR CONVERSION: GENERAL 12
1.085 TERM OF VALIDITY 12
1.090 HOLDERS OF VALIDATED DOCUMENTS 13
1.095 VALIDATION OF TYPE CERTIFICATES & SUPPLEMENTAL TYPE CERTIFICATES 13
1.100 VALIDATION OF CERTIFICATES OF AIRWORTHINESS 13
1.105 VALIDATION OF MEDICAL CERTIFICATES 13
1.110 VALIDATION OR CONVERSION OF AIRMAN LICENCSES & RATINGS 13
1.115 VALIDATION OF AIR OPERATOR CERTIFICATES 13
1.120 VALIDATION OF APPROVED ORGANISATIONS 13
1.125 VALIDATION OF APPROVALS, AUTHORISATIONS & DESIGNATIONS 14
1.127 VALIDATION OF FOREIGN OPERATORS 14

SUBPART D: ENFORCEMENT OF THESE REQUIREMENTS 15
1.130 APPLICABILITY 15
1.135 INDIVIDUAL REGULATORY COMPLIANCE REQUIRED 15
1.140 MINIMUM ACCEPTABLE STANDARDS REQUIRED 15
1.145 ADMINISTRATIVE HANDLING AUTHORISED 15
1.150 REPORTS OF VIOLATIONS 16
1.155 INVESTIGATIONS: GENERAL 16
1.160 ADMINISTRATIVE ACTION FOLLOWING INVESTIGATION 16
1.165 CIVIL PENALTIES 16
1.170 LICENCE OR CERTIFICATE ACTION 17
1.175 CRIMINAL PENALTIES 17

1.180 DETENTION OF AIRCRAFT 18

SUBPART E: EXEMPTIONS AND DIVIATIONS 18
1.185 APPLICABILITY 18
1.190 AUTHORITY TO APPROVE EXEMPTIONS & DEVIATIONS 18
1.195 ACTING ON UNACCEPTABLE AUTHORISATIONS 18
1.200 APPLICATION: GENERAL INFORMATION 18
1.205 APPLICATION: DESCRIPTION OF PROPOSAL 18
1.210 APPLICATION: JUSTIFICATION OF PROPOSAL 19
1.215 PROCESSING THE APPLICATION 19
1.220 TECHNICAL EVALUATION RESULTS 19
1.225 PUBLICATION OF PROPOSAL & TECHNICAL EVALUATION 19
1.230 APPLICATION FOR PARTY STATUS 20
1.235 APPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE 20
1.240 DISAPPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE 20
1.245 PUBLICATION & AVAILABILITY OF DECISION 20

SUBPART F: AMENDMENTS TO RWANDA CIVIL AVIATION LEGISLATION 20
1.250 APPLICABILITY 20
1.255 AUTHORITY TO DEVELOP & APPROVE RULE MAKING 21
1.260 ISSUANCE OF A SPECIAL REGULATION 21
1.265 RESPONSIBILITY FOR CURRENCY OF THESE REQUIREMENTS 21
1.267 INCORPORATION OF STANDARDS BY REFERENCE 22
1.270 PUBLIC SUBMISSION OF PROPOSED REQUIREMENT 22
1.275 DESCRIPTION OF RULE MAKING PROPOSAL 22
1.280 DISTRIBUTION OF THE NPRM 23
1.285 CONSIDERATION OF COMMENTS OF REGULATED ENTITIES 23
1.290 PUBLICATION OF PROPOSAL & TECHNICAL EVALUATION 23
1.295 PUBLICATION & AVAILABILITY OF REQUIREMENTS 24
1.296 ESTABLISHING CIVIL AVIATION REGULATIONS COMMITTEE 24

SUBPART G: AUTHORISED PERSONS 25
1.300 APPLICABILITY 25
1.305 AUTHORISED PERSONS 25
1.310 POWERS OF AUTHORISED PERSONS 25
1.315 RIGHT OF ACCESS FOR INSPECTION 25
1.320 PROVISION OF DOCUMENTS FOR INSPECTIONS 26
1.325 PRESERVATION OF REPORTS, DOCUMENTS & RECORDS 26

SUBPART H: DESIGNATED REPRESENTATIVES 27
1.330 APPLICABILITY 27
1.335 FORMAL PROCESS 27
1.340 SELECTION 27
1.345 CERTIFICATION 27
1.350 DURATION OF CERTIFICATES 27
1.355 REPORTS 28
1.360 PRIVILEGES 28
1.365 INSPECTION 28

SUBPART I: IMPLEMENTATION OF ARTICLE 83 *BIS* IN RWANDA 29
1.366 Aircraft under an agreement for transfer of functions and duties in accordance with article 83 bis of the Chicago Convention 29

APPENDICES 30
APPENDIX 1 TO 1.015: DEFINITIONS 30
APPENDIX 2 TO 1.015: CLASSIFICATION OF AIRCRAFT.....68
APPENDIX 1 TO 1.020: GLOSSARY OF ACRONYMS & ABBREVIATIONS 69

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SUBPART A: GENERAL

1.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (General Policies, Procedures and Definitions) Regulations.

(b) This Part prescribes requirements of Rwanda that are applicable to the structure and processes of all Parts of these Regulations.

(c) Each Part of these Regulations provides specific technical safety requirements prescribed by the appropriate authorities in support of the Law establishing regulations governing civil aviation and supporting legislation to ensure that individuals, organisations and other entities under the oversight of the Authority are in compliance with the international standards for aviation safety and security.

(d) Each Part of these Regulations provides specific technical safety and security requirements prescribed by the appropriate authorities in support of the Law establishing regulations governing civil aviation and supporting legislation to ensure that individuals, organisations and other entities under the oversight of Rwanda are in compliance with the international standards for aviation safety and security.

(e) Each Part shall, as indicated in that particular Part apply to all individuals, organizations and other entities operating, maintaining, supporting, or providing services to—

(1) Rwanda-registered aircraft;

(2) Aircraft registered in another Contracting State that are operated by a person licensed by Rwanda, and must be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed, except when there is another agreement in place;

(3) Aircraft of other Contracting States operating in Rwanda.

(f) Where a particular requirement is applicable only to a particular segment of aviation operations, it will be identified by a reference to those particular operations, such as “for commercial air transport” or “for Class 1 medicals.”

1.005 ORGANISATION OF THESE REGULATIONS

(a) These Regulations are subdivided into five hierarchical categories—

(1) *Part* refers to the primary subject area.

(2) *Subpart* refers to any subdivision of a Part.

(3) *Subdivision* refers to a further breakdown of a Subpart necessary to designate a group of related subsections and designated by a bold Roman number.

(4) *Regulation* refers to the Arabic numbered and titled requirement.

(5) *Paragraph* refers to the text describing the requirements. All paragraphs are outlined alphanumerically in the following hierarchical order: (a), (1), (i), (A).

(b) Numbering of these Regulations will be as follows—

(1) The first Regulation of Subpart A of each Part will use the number .001.

(2) Thereafter, the original numbering of the Parts will be sequenced in the format; -5 and -10, leaving the numbers -1, -2, -3 -4, -6, -7, -8, and -9 for future expansion of the Part to accommodate new ICAO standards or the growing safety complexity of world aviation.

(c) Definitions used throughout these Regulations are organised as follows—

(1) Definitions applicable any Part may appear in this Part.

(2) Definitions considered critical to a specific Part may appear in this Part and also to the

Part where it is considered critical.

(3) Definitions applicable only to a specific Part may only appear in that Part.

(4) Definitions will not conform to the numbering requirements of Regulation 1.005(a)(5) following the practice used in the ICAO Annexes. Only a change bar will indicate a new definition.

(d) Acronyms used throughout these Regulations are organised as follows—

(1) Acronyms applicable to any Part may appear in this Part.

(2) Acronyms considered critical to a specific Part may appear in this Part and also to the Part where it is considered critical.

(3) Acronyms applicable only to a specific Part may only appear in that Part.

(4) Acronyms will not conform to the numbering requirements of Regulation 1.005(a)(5) following the practice used in the ICAO Annexes. Only a change bar will indicate new acronyms.

(e) Notes appear in Regulations to provide exceptions, explanations, examples to individual requirements and references to specific supporting appendices.

(f) Regulations and notes may refer to Appendices, which provide detailed requirements that support the purpose of the Regulation, and where specifically referenced, gain the legal force and effect of the referring Regulation. Under the rules of construction, the term "Appendix" is applied to these supplementary requirements.

(g) Parts and Regulations may incorporate by reference a Civil Aviation Technical Standards document, which consolidates lengthy related requirements that support the purpose of the Part or a specific Regulation and gain the legal force and effect of the referencing Regulation. Under the rules of construction, the acronym "RCATS (Rwanda Civil Aviation Technical Standards)" is applied to these supplementary standards.

1.010 RULES OF CONSTRUCTION

(a) Throughout these Regulations, the following word usage applies—

(1) *Shall* indicates a mandatory requirement.

(2) The words "*no person may...*" or "a *person may not...*" mean that no person is required, authorised, or permitted to do an act described in a regulation.

(3) May when used without the word "*no*" or "*not*" indicates that discretion can be used when performing an act described in a regulation.

(4) *Will* indicates an action incumbent upon the Authority.

(5) *Includes* means "*includes but is not limited to*."

(6) *Approved* means the Authority has reviewed the method, procedure, or policy in question and issued a formal written approval.

(7) *Acceptable* means the Authority has reviewed the method, procedure, or policy and has no technical objection to its proposed use or implementation.

(8) *Prescribed* means the Authority has issued written policy or methodology which imposes either a mandatory requirement, if the written policy or methodology states "shall," or a discretionary requirement if the written policy or methodology states "may."

(9) *Should* indicates a recommended practice.

1.013 UNITS OF MEASUREMENT.

(a) Part 38 of these regulations contains specifications for the use of a standardized system of units of measurement in international civil aviation air and ground operations. This standardized system of units of measurement is based on the International System of Units (SI) and certain non-SI units considered necessary to meet the specialized requirements of international civil aviation.

(b) The units of measurements specified in this Regulation and in greater detail in Part 38 shall be applicable to all aspects of international civil aviation air and ground operations occurring within the jurisdiction areas of Rwanda.

(c) Except as provided in paragraph (d) of this Regulation and Part 38 of these Regulations, the units of measurement used for aeronautical purposes in Rwanda are those specified in the International System of Units as adopted in Annex 5 to the ICAO Convention.

(d) The adjacent table outlines Non-International System of Units that are used in civil aviation in Rwanda. The complete requirements are specified in Part 38 of these Regulations.

Value	Unit of Measurement
Distance	Nautical mile
Altitudes, Elevations and Heights	Foot
Visibility	Statute mile
Speed, including wind speed	Knot
Vertical Speed	Foot per minute

(e) Coordinated Universal Time (UTC) is used with the day beginning at 0000 hours and ending at 2400 hours—

(1) Rwanda Standard Time (RST) is Greenwich Mean Time (GMT) plus 2 hours.

(f) Date and time in civil aviation operations is expressed as a six figure group of UTC day, hours and minutes, except that in NOTAM and pre-flight information bulletins a ten figure group of year, UTC month, day, hours, minutes in used.

(g) The geographical coordinates indicating latitude and longitude are expressed in terms of the World Geodetic System 1984 (WGS84). WGS84 positions based on source data that do not meet the survey accuracies recommended in ICAO Annex 14 are marked with an asterisk (*).

1.015 DEFINITIONS

(a) The definitions provided in Appendix 1 to 1.015 of this Part apply to all requirements included in the Civil Aviation Regulations ["these Regulations"] and any published Civil Aviation Technical Standards.

(b) Where found in these Regulations, the term "**the Authority**" indicates Rwanda Civil Aviation Authority (RCAA). The RCAA employs technical personnel qualified and authorised to conduct evaluations, inspections and investigations on behalf of Rwanda and make recommendations regarding the licencing and certification of individual and entities and corrections of safety concerns.

(c) The following words and phrases, where found in these Regulations, outline the authority delegated to this organisation—.

Acceptable to the Authority. Where used in these Regulations, identifies documents, portions of documents, formal procedures, facilities, equipment, or personnel that must be found satisfactory by a technical review of the Authority prior to use in aviation.

Administrative partnership. Delegation of administering tasks in this Volume from one State to another State(s).

Aerodrome. 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.

Aerodrome pair. A group of two aerodromes composed of a departing aerodrome and an

arrival aerodrome.

Aeroplane. A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Aeroplane owner. Person(s), organization(s) or enterprise(s) identified via Item 4 (Name of owner) and Item 5 (Address of owner) on the certificate of registration of an aeroplane.

Air operator certificate (AOC). A certificate authorizing an operator to carry out specified commercial air transport operations.

Approval. A formal document issued by the Authority based on a prior technical evaluation that authorises the use of documents, portions of documents, or formal procedures in aviation.

Approved by the Authority. As used in these Regulations, this phrase identifies a document, person, facility, policy or procedure for which there must be a formal document issued prior to their use in aviation. The separate use of the word "approved" in these Regulations shall be assumed to be "approved by the Authority"

Authorised by the Authority. This phrase identifies a requirement that involves a technical evaluation and the issuance of a formal document of authorisation.

Authorisation. A formal document issued by a civil aviation authority based on a technical evaluation that officially conveys to the holder certain privileges in aviation under the Law establishing regulations governing civil aviation, Regulations and Parts.

Certificate. A formal document issued by a civil aviation authority that authorises the holder to perform the aviation activities identified on the document.

Conversion process. A type of technology used to convert a feedstock into aviation fuel.

CORSIA eligible fuel. A CORSIA sustainable aviation fuel or a CORSIA lower carbon aviation fuel, which an operator may use to reduce their offsetting requirements.

CORSIA lower carbon aviation fuel. A fossil-based aviation fuel that meets the CORSIA Sustainability Criteria under this Volume.

CORSIA sustainable aviation fuel. A renewable or waste-derived aviation fuel that meets the CORSIA Sustainability Criteria under this Volume.

Designation. A formal document issued by the Authority, based on a technical evaluation process, that authorises the holder to act on behalf of the Authority in the performance of the functions identified in the document.

Designated by the Authority. This phrase identifies a requirement that requires a technical evaluation process and a formal document issued by the Authority before a person may be authorised to perform a specific function or functions on behalf of the Authority.

Deviation. An official exception from a requirement of these Regulations issued to a grouping of persons, aircraft or type of operations when the Authority determines that the requirement is not consistent with relevant aviation safety standards for that grouping and it would be in the public interest to issue the exception.

Director. The Director General of Rwanda Civil Aviation Authority appointed under the Law establishing regulations governing civil aviation.

Exemption. An official exception from a requirement of these Regulations issued to an individual, aircraft or organisation by the Authority where the applicant can show that it is in the public interest, an equivalent level of safety can be maintained and such an exception will not be inconsistent with relevant aviation safety standards.

Feedstock. A type of unprocessed raw material used for the production of aviation fuel.

Flight plan. Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.

Fuel uplift. Measurement of fuel provided by the fuel supplier, as documented in the fuel delivery notes or invoices for each flight (in litre).

Great Circle Distance. The shortest distance, rounded to the nearest kilometre, between the

origin and the destination aerodromes, measured over the earth's surface modelled according to the World Geodetic System 1984 (WGS84).

Licence. A formal document issued by a civil aviation authority that authorises the holder to perform the functions identified on the document, subject to the applicable privileges and limitations.

National accreditation body. A body authorized by a State which attests that a verification body is competent to provide specific verification services.

New entrant. Any aeroplane operator that commences an aviation activity falling within the scope of this Volume on or after its entry into force and whose activity is not in whole or in part a continuation of an aviation activity previously performed by another aeroplane operator.

Notice of Proposed Rule Making. A public notice containing the text and background of an addition, revision or repeal of requirements to these Regulations and Parts.

Notifying State. The State that has submitted to ICAO the request for the registration of or change in the three-letter designator of an aeroplane operator over which it has jurisdiction.

Operator. The person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Pathway. A specific combination of feedstock and conversion process used for the production of aviation fuel.

Person: - means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.

Prescribed by the Authority. This phrase denotes a requirement where the Authority may, through appropriate guidance materials, outline the steps and standards necessary to meet the requirement.

Rating. An authorisation entered on or associated with a licence or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence or certificate.

Reporting period. A period which commences on 1 January and finishes on 31 December in a given year for which an aeroplane operator or State reports required information. The flight departure time (UTC) determines which reporting period a flight belongs to.

Section. May also be referred as Regulation

Special Regulation. An interim amendment or addition to existing regulations issued by the Authority and effective on a priority basis in the public interest and/or to meet international safety obligations.

State pair. A group of two States composed of a departing State or its territories and an arrival State or its territories.

Validation. The acceptance of a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the primary basis for the Authority's issuance of a certificate, licence, approval, designation, or authorisation containing the same or more restrictive privileges.

(i) ***Rendering (a licence) valid.*** The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.

(ii) ***Rendering (a Certificate of Airworthiness) valid.*** The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.

Verification of report. An independent, systematic and sufficiently documented evaluation process of an emissions report and, when required, a cancellation of eligible emissions units report.

Verification body. A legal entity that performs the verification of an Emissions Report and, when required, an Emissions Unit Cancellation Report, as an accredited independent third party.

Verification team. A group of verifiers, or a single verifier that also qualifies as a team leader, belonging to a verification body conducting the verification of an Emissions Report and, when required, an Emissions Unit Cancellation Report. The team can be supported by technical experts

Verification report. A document, drafted by the verification body, containing the verification statement and required supporting information.

Waiver. A possible exception from a requirement of these Regulations, the criteria for which is provided in a regulation, requirement or directive.

1.020 ACRONYMS

(a) The acronyms and abbreviations provided in Appendix 1 to 1.020 of this Part apply to all requirements included in these Regulations and Parts.

SUBPART B: GENERAL ADMINISTRATIVE RULES

1.025 DISPLAY AND INSPECTION OF LICENCSES & CERTIFICATES

(a) Pilot licence:
   (1) To act as a pilot of a civil aircraft of Rwanda registry, a pilot shall have in his or her physical possession or readily accessible in the aircraft a valid pilot licence or special purpose authorisation issued under these Regulations.
   (2) To act as a pilot of a civil aircraft of foreign registry within Rwanda, a pilot shall be the holder of a valid pilot licence, and have the pilot licence in his or her physical possession or readily accessible in the aircraft.

(b) Flight instructor licence: A person who holds a flight instructor licence shall have that licence, or other documentation acceptable to the Authority, in that person's physical possession or readily accessible in the aircraft when exercising the privileges of that licence.

(c) Other airman licence: A person required by any part of these Regulations to have an airman's licence shall have it in their physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that licence.

(d) Medical certificate: A person required by any Part of these Regulations to have a current medical certificate shall have it in their physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that certificate.

(e) Approved Training Organisation (ATO) certificate: Each holder of a certificate shall display that certificate in a place in the school that is normally accessible to the public and that is not obscured.

(f) Aircraft Certificate of Registration: Each owner or operator of an aircraft shall carry the aircraft certificate of registration on the aircraft and have it available for inspection.

(g) Aircraft Certificate of Airworthiness: Each owner or operator of an aircraft shall display that certificate in the cabin of the aircraft or at the entrance to the aircraft flight deck.

(h) Approved Maintenance Organisation (AMO) Certificate: Each holder of an AMO certificate shall prominently display that certificate in a place accessible to the public in the principal business office of the AMO.

(i) Aerial work certificate: Each owner or operator of an aircraft engaged in aerial work shall carry that certificate or a copy of that certificate on the aircraft and have it available for inspection.

(j) Air operator certificate: Each owner or operator of an aircraft engaged in commercial air transport shall carry the air operator certificate or a certified true copy of that certificate on the aircraft and a copy of the operations specifications.

(k) Inspection of licence: Each person who holds an airman or crew member licence, medical certificate, or authorisation required by these Regulations shall present it for inspection upon a request from:
   (1) The Authority; or
   (2) Any national or local law enforcement officer.

1.030 CHANGE OF NAME

(a) A holder of a licence or certificate issued under these Regulations may apply to change the name on a licence or certificate. The holder shall include with any such request—
   (1) The current licence or certificate; and
   (2) A copy of the marriage licence, court order, or other document verifying the name change.

(b) The Authority will return to the airman the documents specified in paragraph (a) of this subsection.

1.035 CHANGE OF ADDRESS

(a) The holder of an licence or certificate who has made a change in permanent mailing address may not, after 30 days from that date, exercise the privileges of the licence or certificate unless the holder has notified the Authority in writing of the new permanent mailing address, or current residential address if the permanent mailing address includes a post office box number.

1.040 REPLACEMENT OF A LOST OR DESTROYED DOCUMENT

(a) An applicant who has lost or destroyed one of the following documents issued under these Regulations shall request a replacement in writing from the office designated by the Authority:
   (1) An airman licence.
   (2) A medical certificate.
   (3) A knowledge test report.

(b) The airman or applicant shall state in the request letter—
   (1) The name of the airman or applicant;
   (2) The permanent mailing address, or if the permanent mailing address includes a post office box number, the person's current residential address;
   (3) The national identification number (or equivalent);
   (4) The date and place of birth of the airman or applicant; and
   (5) Any available information regarding the—
      (i) Grade, number, and date of issuance of the licence, and the ratings, if applicable;
      (ii) Date of the medical examination, if applicable; and
      (iii) Date the knowledge test was taken, if applicable.

(c) After receiving a letter from the Authority confirming that the lost or destroyed document was issued, an airman may carry the letter in lieu of the lost or destroyed document for up to 60 days pending the airman's receipt of a duplicate document.

1.045 FALSIFICATION, REPRODUCTION OR ALTERATION OF REQUIRED DOCUMENTS

(a) No person may make or cause to be made concerning any licence, certificate, rating, qualification, or authorisation, application for or duplicate thereof, issued under these Regulations:

(1) Any fraudulent or intentionally false statement;
(2) Any fraudulent or intentionally false entry in any logbook, record, or report that these Regulations require, or used to show compliance with any requirement of these Regulations;
(3) Any reproduction for fraudulent purpose; or
(4) Any alteration.

(b) Any person who commits any act prohibited under paragraph (a) of this Regulation may have his or her airman licence, rating, certificate, qualification, or authorisation revoked or suspended.

1.050 SURRENDER, SUSPENSION OR REVOCATION OF LICENCE OR CERTIFICATE

(a) Any licence or certificate issued under these Regulations ceases to be effective if it is surrendered, suspended, or revoked.

(b) The holder of any licence or certificate issued under these Regulations that has been suspended or revoked shall return that licence or certificate to the Authority when requested to do so by the Authority within 14 days from the date of revocation, suspension or variation.

(c) The breach of any condition subject to which any certificate, license, approval, permission, exemption or any other document has been granted or issued under the Civil Aviation Regulations shall render the document invalid during the continuance of the breach.

1.055 REAPPLICATION AFTER REVOCATION

(a) Unless otherwise authorised by the Authority, a person whose licence, certificate, rating, or authorisation has been revoked may not apply for any licence, certificate, rating, or authorisation for 1 year after the date of revocation.

1.060 REAPPLICATION AFTER SUSPENSION

(a) Unless otherwise authorised by the Authority, a person whose licence has been suspended may not apply for any licence, rating, or authorisation during the period of suspension.

1.065 VOLUNTARY SURRENDER OR EXCHANGE OF LICENCE

(a) The holder of a licence or certificate issued under these Regulations may voluntarily surrender it for—
(1) Cancellation;
(2) Issuance of a lower grade licence; or
(3) Another licence with specific ratings deleted.

(b) An applicant requesting voluntary surrender of a licence shall include the following signed statement or its equivalent: *"This request is made for my own reasons, with full knowledge that my (insert name of licence or rating, as appropriate) may not be reissued to me unless I again pass the tests prescribed for its issuance."*

1.070 PROHIBITION ON PERFORMANCE DURING MEDICAL DEFICIENCY

(a) A person who holds a current medical certificate issued under these Regulations shall not act in a capacity for which that medical certificate is required while that person—
(1) Knows or has reason to know of any medical condition that would make the person unable to meet the requirements for the required medical certificate; or
(2) Is taking medication or receiving other treatment for a medical condition that results in the person being unable to meet the requirements for the required medical certificate.

1.075 DRUG & ALCOHOL TESTING & REPORTING

(a) An employee who performs any function requiring a licence, rating, qualification, or authorisation prescribed by these Regulations directly or by contract for a certificate holder under the provisions of these Regulations, if tested positive for any of the prohibited psychoactive substance, may—

(1) Be denied any licence, certificate, rating, qualification, or authorisation for a period of up to 1 year after the date of such refusal; and

(2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

(b) Any person subject to these Regulations who is convicted for the violation of any national statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, or depressant or stimulant drugs or substances, may—

(1) Be denied any licence, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to 1 year after the date of final conviction; or

(2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

(c) Any person subject to these Regulations who refuses to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer, or refuses to furnish or to authorise the release of the test results requested by the Authority may—

(1) Be denied any licence, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to 1 year after the date of that refusal; or

(2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

SUBPART C: VALIDATION OR CONVERSION OF OFFICIAL DOCUMENTS

1.080 VALIDATION OR CONVERSION: GENERAL

(a) The Authority may, with prescribed restrictions and after a process of technical evaluation and confirmation, use a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the basis for the issuance of a certificate, licence, approval, designation or authorisation containing the same or more restrictive privileges.

(b) The Authority may not use the process of validation to abdicate its responsibility to ensure that the source documents used are valid and were issued in accordance with applicable ICAO Standards.

(c) The Authority may conduct any additional test or inspection deemed technically or administratively necessary to confirm the competency of the holder and the validity of the certificate, licence, approval, designation or authorisation.

(d) The Authority will not use a document issued by another ICAO Contracting State through the process of validation as the primary basis for issuance of a Rwanda certificate.

1.085 TERM OF VALIDITY

(a) Each certificate, license, approval, designation or authorisation issued by the Authority through a validation process is subject to the same procedures for modification, suspension, revocation or termination applicable to other documents issued by the Authority.

(b) Unless otherwise prescribed, each certificate, license, approval, designation or authorisation issued by the Authority through a validation process will become invalid when the document used as the basis of issuance becomes invalid, non-current, or expires or is suspended or revoked by the ICAO Contracting State that originally issued it.

(c) The Authority must notify the Authority of the other ICAO Contracting State if, through the processes of certification, inspection, observation or investigation, it determines that the

holder of a certificate, license, approval, designation or authorisation issued through the processes of validation is –

(1) No longer qualified or competent to hold that document;
(2) Not in conformance with the applicable ICAO Standards or national regulations applicable to that document; or
(3) Engaged in sub-standard practices with respect to the international safety practices relevant to that document.

1.090 HOLDERS OF VALIDATED DOCUMENTS

(a) No act of validation by the Authority relieves the holder of the certificate, licence, approval, designation or authorisation from conformance with these Regulations or the applicable laws of the ICAO Contracting State that issued the original document.

(b) No act of validation by the Authority relieves the holder of the certificate, licence, approval, designation or authorisation from inspection and verification by the Authority for continued competency and conformance with the original basis for issuance.

(c) The holder of a certificate, licence, approval, designation, or authorisation issued through the process of validation shall submit to any additional test or inspection deemed technically or administratively by the Authority to ensure the continued validity and competency of the holder of the certificate, licence, approval, designation or authorisation.

1.095 VALIDATION OF TYPE CERTIFICATES & SUPPLEMENTAL TYPE CERTIFICATES

(a) With the exception of experimental or restricted certificates of airworthiness, all certificates of airworthiness issued by the Authority will conform to the Type Certificate and Supplemental Type Certificates issued by the State of Design or Manufacture.

1.100 VALIDATION OF CERTIFICATES OF AIRWORTHINESS

(a) Certificates of Airworthiness issued by the Authority may use as the primary basis for original issuance another ICAO Contracting State's certificate, but the continued validity of the Rwanda certificate of airworthiness will not be linked to the other State's certificate.

1.105 VALIDATION OF MEDICAL CERTIFICATES

(a) Medical certificates issued by the Authority with validation of another ICAO Contracting State's certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.110 VALIDATION OR CONVERSION OF AIRMAN LICENCSES & RATINGS

(a) Airman licenses, ratings and limitations issued by the Authority to citizens of Rwanda with conversion of another ICAO Contracting State's certificate as the primary basis for issuance will not be linked to the continued validity of the other State's certificate.

(b) Airman licenses, ratings and limitations issued to persons not citizens of Rwanda with validation of another ICAO Contracting State's certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.115 VALIDATION OF AIR OPERATOR CERTIFICATES

(a) Validation will not be used by the Authority as the primary basis for issuance of an Air Operator Certificate to a Rwanda entity engaged in commercial air transport.

1.120 VALIDATION OF APPROVED ORGANISATIONS

(a) The holder of an Approved Maintenance Organisation Certificate issued by another ICAO Contracting State may be authorised by the Authority to perform maintenance and repair of

aircraft registered in Rwanda (or operated by the holder of AOC issued by Rwanda) using as the primary basis the certificate, privileges and limitations issued by the other State.

(b) The holder of an Approved Training Organisation Certificate issued by another ICAO Contracting State may be authorised by the Authority to provide training facilities, equipment, simulators, instructors and examiners to airmen and operators of Rwanda, using as the primary basis the certificate, privileges, designation and limitations issued by the other State.

(c) Other organisations approved by an ICAO Contracting State may be authorised by the Authority to provide services to airmen and operators of Rwanda, using as the primary basis the certificate, privileges and limitations issued by the other State.

(d) The authorisations issued to these Approved Organisations by the Authority through the process of validation are linked to the continued validity of the certificates, privileges and limitations issued by the other State.

1.125 VALIDATION OF APPROVALS, AUTHORISATIONS & DESIGNATIONS

(a) Documents, facilities, equipment, training devices, simulators separately approved by an ICAO Contracting State through a technical certification process, and subject to continued inspection or revalidation, may be separately approved by the Authority for use of airmen and operators of Rwanda, using as the primary basis the approval, privileges and limitations issued by the other State.

(b) Personnel holding an authorisation from an ICAO Contracting State to perform certain functions on behalf of the Authority of that State, based on acceptable technical requirements, qualification processes and
subject to continued inspection, may be authorised by the Authority for use of airmen and operators of Rwanda, using as the primary basis the authorisation, privileges and limitation issued by the other State.

(c) Personnel holding a designation from an ICAO Contracting State to perform certain functions on behalf of the Authority of that State, based on acceptable technical requirements, qualification processes and subject to continued inspection, may be designated by the Authority for use of airmen and operators of Rwanda, using as the primary basis the designation, privileges and limitations issued by the other State.

(d) The approvals, authorisations and designations issued by the Authority through the process of validation are linked to the continued validity of the approvals, authorisations and designations issued by the other State.

1.127 VALIDATION OF FOREIGN OPERATORS

(a) The holder of an Air Operator Certificate issued by another ICAO Contracting State may be issued operations specifications by the Authority for operations to and from Rwanda using as the primary basis the certificate and operations specifications issued by the State of the Operator.

(b) The holder of an Aerial Work Certificate issued by another ICAO Contracting State may be issued temporary operations specifications by the Authority for aerial work within Rwanda using as the primary basis the certificate, operations specifications and other authorizations issued by the State of the Operator.

SUBPART D: ENFORCEMENT OF THESE REQUIREMENTS

1.130 APPLICABILITY

(a) This Subpart outlines the delegation of responsibility and empowerment to the Authority, under the Law establishing regulations governing civil aviation, to ensure compliance with these Regulations through formal processes including factual investigation and, where necessary, enforcement or criminal penalties.

1.135 INDIVIDUAL REGULATORY COMPLIANCE REQUIRED

(a) A person who without reasonable excuse fails to comply with any requirement of these Regulations shall be subject to enforcement, following a formal investigation and judicial process.

(b) Such enforcement may result in, depending on the circumstances and mitigating factors—
   (1) Revocation of a licence, certificate, authorisation or privilege;
   (2) Suspension of a licence, certificate, authorisation or privilege;
   (3) Administrative fines, in coordination with and separate from other penalties; and/or
   (4) Criminal penalties.

1.140 MINIMUM ACCEPTABLE STANDARDS REQUIRED

(a) These Regulations and Parts specify minimum standards for the purpose of issuance of licenses, certificates, authorisations, and privileges.

(b) A person, aircraft, component or organisation that is the holder of a licence, certificate, authorisation or privilege issued by the Authority shall continue to meet the minimum standards required for original issuance.

(c) If the holder of a licence, certificate, authorisation or privilege is unable to meet the minimum standards for original issuance of that document, they shall surrender that document to the Authority.

(d) If the Authority becomes aware that the holder of licence, certificate, authorisation or privilege no longer meets the minimum standards to hold that document, it may seek, depending on the circumstances, mitigating factors and risk to air safety—
   (1) An emergency suspension of the licence, certificate, authorisation or privilege in the interest of public safety;
   (2) A suspension of the licence, certificate, authorisation or privilege;
   (3) A revocation of the licence, certificate, authorisation or privilege;
   (4) Administrative fines;
   (5) Variance to an existing licence, certificate, authorisation or privilege;
   (6) Re-examination of the basis for issuance of the licence, certificate, authorisation or privilege; or
   (7) Issuance of a Prevent Flying Order to prevent an imminent safety of flight situation.

1.145 ADMINISTRATIVE HANDLING AUTHORISED

(a) In lieu of the requirements of Regulations 1.135 and 1.140, if the Authority determines that it is possible to achieve immediate and lasting compliance with the requirements and minimum standards of these Regulations through the administrative handling, such handling is permissible provided that it—
   (1) Is in accordance with procedures prescribed by the Authority;
   (2) Involves a formal written record; and
   (3) That record of the resolution is retained.

(b) Variance of a previously issued formal authorisation or approval is permissible through

administrative handling. This variance may be issued as a formal record and is effective—

(1) Immediately and without appeal if determined to be necessary in the interest of public safety, or
(2) Following a 20 business-day period to allow an appeal of the basis to the Authority.

1.150 REPORTS OF VIOLATIONS

(a) Any person who knows of a violation of the Law establishing regulations governing civil aviation or these Regulations or failure to conform to an applicable Implementing Standard shall report it to the Authority.

(b) Each report made under this Regulation together with any other information the Authority may have that is relevant to the matter reported will be reviewed by the Authority to determine the nature and type of any additional investigation or enforcement action the Authority will take.

(c) Complaints submitted to the Authority under paragraph (a) shall be in a form and manner prescribed by the Authority.

1.155 INVESTIGATIONS: GENERAL

(a) If the Authority determines through inspection, incident, accident of any other method that a non-compliant situation described in Regulations 1.135 and 1.140 may exist, they shall complete a formal investigation.

(b) Under the Law establishing regulations governing civil aviation, the Director, or his authorised representative, may conduct investigations, hold hearings, issue subpoenas, require the production of relevant document, records, and property, and take evidence and depositions.

(c) A formal investigation record, complete with the recommendations for resolution of the matter, shall be forwarded to the Director for subsequent action to resolve the non-compliant situation.

(d) The process for the subsequent formal administrative, enforcement or criminal action, including any appeals, shall be subject to the Law establishing regulations governing civil aviation.

1.160 ADMINISTRATIVE ACTION FOLLOWING INVESTIGATION

(a) If it is determined that a violation or an alleged violation of the Law establishing regulations governing civil aviation or these Regulations, is appropriate for administrative handling, the Authority may take administrative action by one of the following—

(1) A “Warning Notice” that shall recite available facts and information about the incident or condition and indicate that it may have been a violation; or
(2) A “Letter of Correction” which confirms the Authority’s decision in the matter and states the necessary corrective action the alleged violator has taken or agreed to take. If the agreed corrective action is not fully completed, formal certificate action may be taken in accordance with Regulation 1.175.

(b) An administrative action under this Regulation does not constitute a formal adjudication of the matter.

1.165 CIVIL PENALTIES

(a) Any person, other than a person conducting an operation in domestic commercial air transport or international commercial air transport, who violates any provision of the Law establishing regulations governing civil aviation or any Part of the Civil Aviation Regulations, is subject to a civil penalty imposed by the Authority in accordance with the provisions of the Law establishing regulations governing civil aviation and these Regulations.

(b) Any person conducting an operation in domestic commercial air transport or international commercial air transport, who violates any provision of the Law establishing regulations governing civil aviation or any Part of the Civil Aviation Regulations, is subject to a civil penalty imposed by the Authority in accordance with the provisions of the Law establishing regulations governing civil aviation or these Regulations.

(c) Civil penalties may be assessed instead of or in addition to any licence or certificate action.

1.170 LICENCE OR CERTIFICATE ACTION

(a) Suspension or revocation of a licence or certificate for violation of these Regulations—

(1) The holder of any licence or certificate issued under these Regulations who violates any provision of the Law establishing regulations governing civil aviation, as amended, or these Regulations is subject to suspension or revocation of the licence or certificate, in accordance with the provisions of the Law establishing regulations governing civil aviation and these Regulations.

(2) Any licence or certificate issued under these Regulations ceases to be effective, if it is surrendered, suspended, or revoked.

(3) The holder of any licence or certificate issued under these Regulations that has been suspended or revoked shall return that licence to the Authority when requested to do so by the Authority.

(b) Re-examination or re-inspection of a certificate or licence for lack of qualification—

(1) Under the Law establishing regulations governing civil aviation or these Regulations, the Authority may re-inspect any civil aircraft, aircraft engine, propeller, appliance, air operator, approved training organisation, or approved maintenance organisation, approved aerial work organisation, or any organization or civil airman holding a certificate, licence, approval or authorization issued by the Authority.

(2) If, as a result of that re-inspection or re-examination, or any other investigation made by the Authority, the Authority determines that a lack of qualification exists, and that safety in air transport and the public interest requires it, the Authority may issue an order to amend, vary, modify, suspend, or revoke the licence, certificate or approval in whole or in part.

(c) Notice and opportunity to be heard. Unless safety in air transport requires immediate action, prior to a final determination under this Regulation, the Authority shall provide the person with an opportunity to be heard as to why such certificate or licence should not be amended, modified, suspended, or revoked.

(d) Reapplication after revocation. Unless otherwise authorised by the Authority, a person whose licence, certificate, rating, or authorisation has been revoked may not apply for any licence, certificate, rating, or authorisation for 1 year after the date of revocation.

(e) Reapplication after suspension. Unless otherwise authorised by the Authority, a person whose licence has been suspended may not apply for any licence, rating, or authorisation during the period of suspension.

1.175 CRIMINAL PENALTIES

(a) The Law establishing regulations governing civil aviation establishes criminal penalties for any person who knowingly and wilfully violates specified provisions of the Law, these Regulations or order issued thereunder.

(b) If the Authority becomes aware of a possible violation of any criminal provision of the Law establishing regulations governing civil aviation that is under the jurisdiction of another Rwanda government agency, the Authority shall immediately report it to the appropriate agency in a manner prescribed by both government agencies

1.180 DETENTION OF AIRCRAFT

(a) As provided by the Law establishing regulations governing civil aviation, an aircraft that is involved in a violation for which a civil penalty has been imposed or may be imposed on its owner or operator may be subject to detention by the Authority in accordance with enforcement procedures set forth by the Authority.

SUBPART E: EXEMPTIONS AND DIVIATIONS

1.185 APPLICABILITY

(a) This Subpart prescribes procedures for the issuance, modification and termination of exemptions or deviations from the requirements of the Regulations.

1.190 AUTHORITY TO APPROVE EXEMPTIONS & DEVIATIONS

(a) The Authority may, in accordance with the procedures contained in this Subpart, approve an exemption or deviation or waiver from these Regulations.

(b) No person may authorise an exemption, deviation or waiver from the requirements of any Part to these Regulations except in accordance with these procedures.

1.195 ACTING ON UNACCEPTABLE AUTHORISATIONS

(a) No person may take, or cause to be taken, an action that contravenes the requirements of any Part to these Regulations unless in personal possession of an exemption or deviation that was issued in accordance with the procedures contained in this Subpart.

1.200 APPLICATION: GENERAL INFORMATION

(a) Each application must be written in English and—
  (1) Be submitted in duplicate, and for timely consideration, at least 60 days before the requested effective date to the Director.
  (2) That request must contain, for the applicant, the—
    (i) Name;
    (ii) Street address;
    (iii) Mailing address;
    (iv) Telephone number;
    (v) Fax number (optional);
    (vi) Email address (optional); and
    (vii) Person designated an agent of the applicant for all purposes related to the application.

(b) If the applicant is not a citizen or legal resident of Rwanda, a designation of a Rwanda agent for service.

1.205 APPLICATION: DESCRIPTION OF PROPOSAL

(a) The application must include the following information this is relevant to the proposal—.
  (1) A citation of the specific requirement from which the applicant seeks relief;
  (2) Specification of the types of operations that are to be conducted with this relief;
  (3) A detailed description of the proposed alternate requirement to meet an equivalent level of safety in the public interest;
  (4) A specification of the proposed duration or schedule of events for which this relief will be needed;
  (5) A statement outlining the applicant's basis for seeking relief from compliance with the specified requirements and, if the relief is requested for a fixed period, a description of

how compliance will be achieved at the end of this period;

(6) If the applicant seeks emergency processing, as statement of the supporting facts and reasons that it is an emergency;

1.210 APPLICATION: JUSTIFICATION OF PROPOSAL

(a) The application must demonstrate that the alternative proposal—

(1) Achieves a level of safety at least equal to that of the requirement of the cited Regulations of this Part, or

(2) If a required safety level does not exist, that it is consistent to with public interest.

(b) At a minimum the application must provide the following—

(1) Information describing relevant incidents or accident experience of which the applicant is aware that relates to the application;

(2) A statement identifying any increased risk to safety or property that may result if the alternative proposal is granted and a description of the measures to be taken to address that risk; and

(3) Substantiation that the argument for public safety and equivalent level of safety is valid.

1.215 PROCESSING THE APPLICATION

(a) The Authority will—

(1) Process the application for completeness and accuracy of the information,

(2) Conduct a technical evaluation of the viability of the proposal; including a determination if a grant of exemption would result in a significant difference with—

(i) Current ICAO Standards and Recommended Practices; or

(ii) A published and relevant international safety practice;

(3) If the decision is favourable, publish the proposal, technical evaluation and recommended action to interested parties;

(4) Consider the comments of the interested parties;

(5) Make a final decision as to approval or disapproval of the proposal; and

(6) If the decision is for approval—

(i) Issue that decision and approval to the applicant; and

(ii) Publish that decision in final form to the interested parties.

1.220 TECHNICAL EVALUATION RESULTS

(a) The Authority shall conduct a technical evaluation of the proposed alternative method of compliance.

(b) The person conducting the technical evaluation will author an internal report outlining their findings regarding—

(1) The need for the relief from the requirement(s) is valid;

(2) Whether an equivalent level of safety is possible;

(3) Whether the grant of such an exemption would result in a difference with—

(i) Current ICAO Standards and Recommended Practices; or

(ii) A published and relevant international safety practices

(4) Whether the approval of the alternative method will be in the public interest; and

(5) Recommendations for the final form of a decision.

1.225 PUBLICATION OF PROPOSAL & TECHNICAL EVALUATION

(a) The Authority shall publish any proposed favourable decision and disseminate this information to—

(1) Persons that have previously registered with the Authority as being interested in any

exemption or deviation to the requirements of the Civil Aviation which may be approved; and

(2) Persons or organisations that have a similar licence, certificate, operations specifications or other form of approval or authorisation that might be affected by the decision.

(b) These persons or organisations shall have a period of 30 days to respond favourably or unfavourably to the proposed decision in order for their comments to be considered.

1.230 APPLICATION FOR PARTY STATUS

(a) Other persons or organisations may apply for party status to the specific proposal or approved exemption or deviation at any time during or following the processing of the original proposal.

(b) That application shall be made in accordance with the procedures of this Subpart as if the application is an original application.

1.235 APPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE

(a) The approval of the exemption or deviation request shall be granted by the Authority by—

(1) Letter of decision; or

(2) Operations specifications.

1.240 DISAPPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE

(a) The disapproval of the exemption or deviation request shall be accomplished by a letter of decision issued by the Authority.

1.245 PUBLICATION & AVAILABILITY OF DECISION

(a) The Authority shall publish any exemption or deviation granted through the updating and re-issuance of the Advisory Circular for Exemptions and Deviations to—

(1) Persons that have previously registered with the Authority as being interested in any exemption or deviation to the requirements of the Civil Aviation which has been granted;

(2) Persons or organisations that have a similar licence, certificate, operations specifications or other form of approval or authorisation; and

(3) New applicants for a licence, certificate, operations specifications or related form of approval or authorisation.

(b) The Authority shall publish any exemption or deviation granted that relates to general requirements for the aviation community through the method of the Aeronautical Information Publication of Rwanda.

(c) The Authority shall provide notification to ICAO of any exemption or deviation granted that results in a difference to ICAO Standards and Recommended Practices.

SUBPART F: AMENDMENTS TO RWANDA CIVIL AVIATION LEGISLATION

1.250 APPLICABILITY

(a) This Subpart prescribes procedures for the addition, amendment or deletion of requirements to these Regulations to—

(1) Maintain conformance to the applicable ICAO Annex Standards;

(2) Incorporate the applicable ICAO Annex Recommended Practices;

(3) Incorporate published and relevant international safety practices critical to aviation safety;

(4) Incorporate requirements specific to Rwanda aviation environment identified as

necessary to the public interest and safety; and

(5) Replace or delete requirements that are no longer applicable.

(b) Interested parties of Rwanda aviation community are invited to submit proposed regulatory requirements for inclusion in the rule making process.

1.255 AUTHORITY TO DEVELOP & APPROVE RULE MAKING

(a) The Authority may, in accordance with the procedures contained in this Subpart, develop the technical text and supporting documentation necessary to the proposed addition, revision or deletion of requirements.

(b) The Director General shall publish a Notice of Proposed Rule Making (NPRM) to the aviation community and the general public and process the public comments.

(c) The Director General may as an interim measure and in the interest of public safety or to meet Rwanda international aviation obligations, publish a Special Regulation to place a requirement in force pending completion of the NPRM process.

(d) The Minister may, upon determination that the proposed requirement conforms to one or more of the objectives of Regulation 1.250, sign the measure into force.

1.260 ISSUANCE OF A SPECIAL REGULATION

(a) A special regulation may be issued by the Director when—

(1) An emergency in the public interest has been identified; or

(2) A new ICAO Standard has become effective and the time period for notification of any possible differences has been initiated.

(b) The text of the special regulation shall contain—

(1) The Special Regulation number and title;

(2) A descriptive paragraph summarizing the requirements;

(3) Identification of the objective(s) of Regulation 1.250 that are the basis for initiation of the NPRM;

(4) The background resulting in the issuance;

(5) The text of the requirements;

(6) The effective date of the requirements; and

(7) The transition period for conformance with the requirements.

(c) The requirements of a special regulation shall cease to be effective—

(1) When the requirements have been incorporated into Rwanda law through the rule making process described in this Subpart;

(2) Upon repeal by the Authority; or

(3) After 12 months, whichever occurs first.

1.265 RESPONSIBILITY FOR CURRENCY OF THESE REQUIREMENTS

(a) The Authority is responsible for the assessing the need for an addition, revision or deletion of the aviation regulatory requirements to meet the objectives of Regulation 1.250 through continuing review of the—

(1) ICAO Annexes;

(2) Relevant requirements of mature safety oversight organisations; and

(3) Published and relevant international aviation safety practices.

(b) The Authority shall ensure that Rwanda aviation requirements continue to be in conformance with the applicable ICAO Annex Standards and Recommended Practices and that all notification requirements that are associated with the content and differences of Rwanda requirements are completed within the prescribed time periods.

(c) The Authority shall ensure that, with regard to international aviation safety practices, Rwanda aviation requirements are maintained in a status that will allow the holder of a Rwanda licence, certificate or authorisation to be accepted in other States.

(d) The Authority shall develop and publish an NPRM for all rule making projects that add or upgrade requirements to the aviation Regulations and Parts.

(e) The Authority may, when the criteria for issuance exist, issue a Special Regulation that is effective before or during the issuance of an NPRM and the rule making comment period.

1.267 INCORPORATION OF STANDARDS BY REFERENCE

(a) The Authority may incorporate, by reference, an implementing standards document in support of the requirements of these Regulations—
   (1) Where these standards are necessary for compliance with the ICAO Standards and Recommended Practices or critical relevant international safety practices;
   (2) Where it is determined that these standards should be provided in a single consolidated reference document; and/or
   (3) Where the inclusion of the text of these standards would be too lengthy or incompatible with the formatting of these Regulations.

(b) Except as provided in paragraph (c), the Authority shall not promulgate an implementing standards document or an amendment to this document unless they have followed the processes required in this Subpart for consultations with the aviation public.

(c) An implementing standards document or an amendment to the document may be made and brought into effect by the Authority without regard to paragraphs (a) and (b) where the standards or amendment is urgently required to ensure aviation safety or the safety of the public.

1.270 PUBLIC SUBMISSION OF PROPOSED REQUIREMENT

(a) A regulated entity may submit a proposed requirement for inclusion in the NPRM process.

(b) The submission must be written in English and submitted in duplicate to the Director detailing—
   (1) The proposed text of the requirement;
   (2) The supporting background and basis for the request; and
   (3) Why the requirement would be in the public interest.

(c) That request must contain, for the applicant, their—
   (1) Name;
   (2) Street address;
   (3) Mailing address;
   (4) Telephone number;
   (5) Fax number (optional); and
   (6) Email address (optional).

(d) The sponsor of this proposed requirement must be a citizen or legal resident of Rwanda.

(e) The Authority shall conduct an evaluation of the proposed requirement and take the following action(s)—
   (1) Notify the sponsor of the results of the evaluation; and
   (2) If the proposal meets one or more of the objectives of Regulation 1.250, publish an NPRM.

1.275 DESCRIPTION OF RULE MAKING PROPOSAL

(a) The NPRM must include the following information this is relevant to the proposed rulemaking—.
   (1) The Control Number issued by the Authority for tracking of NPRM and comments;
   (2) A descriptive paragraph summarizing the proposed requirements;

(3) Identification of the objective(s) of Regulation 1.250 that are the basis for initiation of the NPRM;
(4) The background for initiating development of the proposed text;
(5) The proposed number and header of the requirement(s);
(6) The proposed text of the requirement;
(7) The address to which comments may be submitted;
(8) The time periods and deadlines for submission of comments; and
(9) How the comments will be summarized and provided to the public.

1.280 DISTRIBUTION OF THE NPRM

(a) The Authority shall distribute a copy of the NPRM to all interested parties.

(b) Licence and certificate holders regulated by the Authority shall be provided a copy of the NPRM and invited to provide formal written comments regarding the proposed regulatory requirements.

1.285 CONSIDERATION OF COMMENTS OF REGULATED ENTITIES

(a) After the comment period has expired, the Authority shall conduct a technical evaluation of the comments that considers, with regard to the objectives of Regulation 1.250, if—
  (1) The original basis for issuance met one or more of those objectives;
  (2) The original text of the proposed requirement exceeds those objectives;
  (3) Any other recommended alternative course of action would also meet those objectives; or
  (4) The recommendations would fail to meet one or more of those objectives.

(b) If the commenters provide alternative recommendations that would also meet the objectives of Regulation 1.250, each of these recommendations will be compared to the NPRM requirement proposed by the Authority.

(c) Each comment that meets the objectives of Regulation 1.250 shall be assessed separately to determine if that recommended revision to the original text would—
  (1) Improve or clarify the requirement; and
  (2) Result in a similar level of safety and cost effectiveness;
  (3) Result in a significant difference with ICAO Standards and Recommended Practices;
  (4) Be in conflict with a published and relevant international safety practice; or
  (5) Exceed the original NPRM requirements in complexity or costs;

(d) Before completing this evaluation process, the Authority may also elect to—
  (1) Hold public meetings of regulated entities to discuss and obtain more comments;
  (2) Publish a revised NPRM to include revisions resulting from consideration of the comments and recommendations; or
  (3) Withdraw the NPRM.

(e) Before the proposed regulatory requirement becomes effective, the Authority shall publish a report of this evaluation and provide to each commenter to the original NPRM.

1.290 PUBLICATION OF PROPOSAL & TECHNICAL EVALUATION

(a) The new or revised regulation shall contain—
  (1) The regulation number and title;
  (2) The text of the requirements;
  (3) The effective date of the requirements; and
  (4) The transition period for conformance with the requirements.

(b) Where possible, these requirements shall also be incorporated into these Regulations and

Parts in their proper numerical location and the revisions shall be identified by change bars on the left margin of the text.

(c) The proposed new or revised regulation shall be provided to the Minister of Transport for processing and publication through the Government Printing Office.

1.295 PUBLICATION & AVAILABILITY OF REQUIREMENTS

(a) The Authority shall ensure that any regulatory requirement that becomes legally effective is provided in digital or hard copy form to—

(1) Persons that have previously registered with the Authority as being interested in being advised when aviation requirements have been promulgated, amended or repealed;

(2) Persons or organisations that have a similar licence, certificate, operations specifications or other form of approval or authorisation; and

(3) New applicants for a licence, certificate, operations specifications or related form of approval or authorisation.

(b) The Authority shall publish any regulation amendment that relates to general requirements for the aviation community through the method of the Aeronautical Information Publication of Rwanda.

(c) The Authority shall provide notification to ICAO of any regulation amendment that contains a significant difference to an ICAO Standard or Recommended Practice.

1.296 ESTABLISHING CIVIL AVIATION REGULATIONS COMMITTEE

(d) The Director General shall institute a Civil Aviation Regulations Committee to advise the Director on proposals with regard to—

(1) the introduction of any regulation to be made;

(2) the amendment or withdrawal of any regulation made;

(3) the introduction of any technical standard to be issued;

(4) the amendment or withdrawal of any technical;

(5) any matter relating to civil aviation, including any such matter referred to it by the Director General.

(e) The members of the committee shall consist of:

(1) a person designated by the Director General as chairperson;

(2) the chairperson of each subcommittee established by the committee in terms of the prescribed procedures, and

(3) representatives of organizations, bodies or institutions approved, designated, certificated or licensed in terms of the Rwanda Civil Aviation Regulations.

(f) The committee shall, in consultation with the Director General, determine the procedures to be followed in the performance of its functions.

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SUBPART G: AUTHORISED PERSONS

1.300 APPLICABILITY

(a) This subpart outlines the delegation of responsibility and authority to the Authority to ensure compliance with these Regulations.

1.305 AUTHORISED PERSONS

(a) The Authority may designate "authorised persons" to conduct functions on their behalf.

(b) The aviation inspectors assigned to the Authority shall have the status of authorised persons under these Regulations and shall be issued a unique credential for the performance of their functions.

(c) No person may possess or use these aviation inspector credentials unless he is—

(1) Employed by the Government of Rwanda to perform the functions related to oversight; and

(2) Using the credential in the performance of a specific oversight function required by the Authority.

(d) For the purpose of exercising his responsibilities under these Regulations, the authorised person shall carry at all times the means of identification specified in paragraph (b).

1.310 POWERS OF AUTHORISED PERSONS

(a) An authorised person has the power as delegated by the Authority to—

(1) Carry out audits or surveillance activities;

(2) Enter and inspect any aerodrome, hanger or other place (at which an aircraft is located or stored), aircraft or any organisation performing tasks and services related to aviation safety;

(3) Inspect any aircraft, aircraft equipment, components, materials, facilities, personnel or crew members for the purpose of ensuring compliance with these Regulations;

(4) Require any person to produce documents or any other article subject to these Regulations;

(5) Inspect and copy any certificate, licence, logbook, document or record which he has the power pursuant to these Regulations and any directions issued thereunder to require to be produced to him;

(6) Detain the flying of an aircraft in the interest of public safety when an imminent safety of flight situation exists regarding the airworthiness of the aircraft and operational capability of its crew; and

(7) Cause such re-examinations, evaluations, inspections, investigations, tests, experiments, and flight trials to be made as deemed necessary to ensure compliance with these Regulations.

(b) No person may intentionally obstruct or impede any authorised person acting in the exercise of his powers or the performance of his duties under these Regulations.

(c) No person shall intentionally obstruct or impede any authorised person from accessing, inspecting or copying documents subject to these Regulations.

1.315 RIGHT OF ACCESS FOR INSPECTION

(a) The Authority (or any authorised person} may conduct inspections, investigations and observations at any time and place that aircraft operations, maintenance, training and other activities subject to these Regulations are in progress.

(b) The Authority (or any authorised person) shall be given free and uninterrupted right of access—

(1) To any place, whether public or private, where an aircraft is located for the purpose of

inspecting the aircraft or any document subject to these Regulations;

(1) To any aerodrome for the purpose of inspecting the aerodrome or any aircraft on the aerodrome or any document subject to these Regulations;

(2) To any aircraft and flight deck compartment, for the purpose of checking while in flight the—

(i) Performance of the aircraft or any of its equipment; and

(ii) efficiency of flight crew members in the performance of their duties.

(c) No person may intentionally obstruct or impede any authorised person from access to the locations specified in paragraph (b).

1.320 PROVISION OF DOCUMENTS FOR INSPECTIONS

(a) Any documents and reports specified by this Part and or any other Parts shall be provided to an authorised person upon his request for such information.

(b) Each person involved or participating in an aviation activity shall, within a reasonable time after being requested to do so by an authorised person, provide the licences, certificates and documents which he is required to have, carry, complete or preserve during the course of his activities.

(c) For the purpose of this sub Regulation, a reasonable time is considered to be—

(1) At the time of the request, for documents required to be—

(i) Carried on the person; or

(ii) On board the aircraft during flight.

(2) During normal business hours, for documents required to be—

(i) Completed and retained at an aerodrome;

(ii) Completed and retained at the administrative facilities; or

(iii) Preserved.

1.325 PRESERVATION OF REPORTS, DOCUMENTS & RECORDS

(a) Any reports or documents generated during activities subject to these Regulations shall be made within times, comply with the methods and shall contain such information as is specified by relevant Parts of these Regulations.

(b) A person assigned under these Regulations and any Implementing Standards to preserve any document or record shall continue to preserve that document or record until such time as the responsibility may be transferred to another assigned person.

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SUBPART H: DESIGNATED REPRESENTATIVES

1.330 APPLICABILITY

(a) This Subpart prescribes the general requirements and administrative rules for designating private persons to act as representatives of the Authority in evaluating, examining, inspecting, and testing persons, aircraft and organisations for the purpose of issuing licenses, certificates or authorisations.

1.335 FORMAL PROCESS

(a) All actions in the nomination, selection, designation, supervision and termination of designated representatives of the Authority shall conform to a formal process of policies and procedures.

1.340 SELECTION

(a) The Authority may select designated representatives from persons with appropriate technical qualifications to perform in the required function(s).

(b) The selected person must submit an application in a form and manner prescribed by the Authority.

(c) The Authority will assess the experience, training and commitment of these persons before issuing a designation to perform on behalf of the Authority. This assessment shall determine if the nominated designee—

(1) Has sufficient facilities, resources, and personnel, to perform the functions for which authorisation is requested;

(2) Has sufficient experience with the requirements, processes, and procedures of the Authority to perform the functions for which authorisation is requested; and

(3) Has sufficient, relevant experience to perform the functions for which authorisation is requested.

1.345 CERTIFICATION

(a) A “Certificate of Authority” shall be issued to each designee specifying the kinds of designation for which the person concerned is qualified and stating an expiration date.

(b) Each designee shall also be provided a “Certificate of Designation” for display purposes, designating the holder as an authorised person and specifying the kind of designation for which he is qualified.

1.350 DURATION OF CERTIFICATES

(a) Unless sooner terminated, the designation is effective until the expiration date listed on the designation document.

(b) No designation will give an expiration date exceeding 24 calendar months after the date it is issued.

(c) The designation may be renewed for additional periods at the Authority’s discretion. A renewal is effected by a letter and issuance of a new document specifying the renewal period.

(d) A designation made under this Subpart terminates—

(1) Upon the written request of the representative;

(2) Upon the written request of the employer in any case in which the recommendation of the employer is required for the designation;

(3) Upon the representative being separated from the employment of the employer who recommended him for certification;

(4) Upon a finding by the Authority that the representative has not properly performed his

duties under the designation;

(5) Upon the assistance of the representative being no longer needed by the Authority; or

(6) For any other reason the Authority considers appropriate.

1.355 REPORTS

(a) The designated representative shall make such reports as are prescribed by the Authority.

(b) The designated representative shall retain a copy of all documentation issued in the performance of his designation in a location suitable to the Authority.

1.360 PRIVILEGES

(a) A designated representative may, within limits prescribed by, and under the general supervision of the Authority as appropriate to and within the limits of his designation—

(1) Perform authorised functions at any authorised location;

(2) Accept applications;

(3) Conduct evaluations, examinations, tests and/or inspections;

(4) Issue or deny licences or authorisations;

(5) Approve technical documents; and/or.

(6) Charge a fee for his or her services.

1.365 INSPECTION

(a) The Authority, at any time and for any reason, may inspect a designated representative in the performance of his authorised functions and his records.

(b) The designated representative shall allow the Authority unrestricted access to his location, personnel, records and function in support of the requirement of paragraph (a).

(c) To facilitate inspections, the designated representative shall provide the Authority with timely prior notification of the time and location where the performance of an authorised function is planned.

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SUBPART I: IMPLEMENTATION OF ARTICLE 83 *BIS* IN RWANDA

1.366 AIRCRAFT UNDER AN AGREEMENT FOR TRANSFER OF FUNCTIONS AND DUTIES IN ACCORDANCE WITH ARTICLE 83 BIS OF THE CHICAGO CONVENTION

(a) Notwithstanding any provision to the contrary in the Rwanda Civil Aviation Regulations, in case of an aircraft under an Agreement for Transfer of Functions and Duties in Accordance with Article 83 *bis* of the Chicago Convention –

(1) the Civil Aviation Regulations apply to a foreign-registered aircraft operated by a Rwanda operator and to persons performing any functions or duties in respect of the aircraft if the requirements set out in the Civil Aviation Regulations are specifically included under the terms of an agreement in force between Rwanda and another Contracting State in accordance with Article 83 *bis* of the Convention;

(2) the Civil Aviation Regulations do not apply to a Rwanda aircraft operated by a foreign operator or to persons performing any functions or duties in respect of the aircraft if the requirements set out in the Civil Aviation Regulations are specifically excluded under the terms of an agreement in force between Rwanda and another Contracting State in accordance with Article 83 *bis* of the Convention;

(3) if the responsibility set out in Article 31 of the Convention to issue or to render valid a certificate of airworthiness for a Rwanda aircraft is transferred to another Contracting State in accordance with Article 83 *bis* of the Convention, the certificate of airworthiness for that aircraft shall cease to have effect upon commencement of the transfer;

(4) the registered owner of the aircraft shall surrender the certificate of airworthiness to the Authority, when notified by the Authority that an agreement in accordance with Article 83 *bis* of the Convention has been entered into, within seven days after the coming-into-force date of the agreement;

(5) upon termination of a transfer to another Contracting State, in accordance with Article 83 *bis* of the Convention, of the responsibility to issue or to render valid a certificate of airworthiness for a Rwanda aircraft as set out in Article 31 of the Convention, the Authority shall reinstate the certificate of airworthiness if the registered owner of the aircraft complies with the requirements on airworthiness of the Civil Aviation Regulations;

(6) if an agreement for the lease, charter or interchange of an aircraft or any similar arrangement, subject to an agreement in accordance with Article 83 *bis* of the Convention, is terminated on a date earlier than the date of expiration set out in the agreement or arrangement, the Rwanda operator of the aircraft if it is a foreign-registered aircraft or the registered owner of the aircraft if it is a Rwanda aircraft shall inform the Authority in writing of the actual date of termination within seven days of its occurrence;

(7) if an aircraft that is subject to an agreement for the lease, charter or interchange of an aircraft or any similar arrangement is also subject to an agreement in accordance with Article 83 *bis* of the Convention to which Rwanda is not a party and is operated in Rwanda, any references in the Civil Aviation Regulations to the "State of registry" with respect to the transferred responsibilities shall be interpreted to read "State of the operator";

(8) if Rwanda enters into an agreement in accordance with Article 83 *bis* of the Convention, the agreement and the sub-regulations in this regulation shall take precedence over any conflicting provisions of the Civil Aviation Regulations of Rwanda

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APPENDICES

APPENDIX 1 TO 1.015: DEFINITIONS

(a) In addition to the definitions of Regulation 1.015 and for the purpose of the Civil Aviation Regulations and any Civil Aviation Technical Standards, the following definitions shall apply—

Accelerate-stop distance available (ASDA). The length of the take-off run available plus the length of stopway, if provided.

Acceptance checklist. A document used to assist in carrying out a check on the external appearance of packages of dangerous goods and their associated documents to determine that all appropriate requirements have been met.

Accident. An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which—

(i) A person is fatally or seriously injured as a result of—

(A) Being in the aircraft;

(B) Direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or

(C) Direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew.

(ii) The aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

(iii) The aircraft is missing or is completely inaccessible.

Accident investigation authority. The authority designated by a State as responsible for aircraft accident and incident investigations within the context of ICAO Annex 13.

Acclimated. A condition in which a flight crew member has been in a theater for 72 hours or has been given at least 36 consecutive hours free from duty.

Accountable manager. The person acceptable to the Authority who has corporate authority for ensuring that all operations and maintenance activities can be financed and carried out to the standard required by the Authority, and any additional requirements defined by the operator.

Accredited medical conclusion. The conclusion reached by one or more medical experts acceptable to the Authority for the purposes of the case concerned, in consultation with flight operations or other experts as necessary.

Accredited representative. As relating to an aircraft accident, a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another party. Where the State has established an accident investigation authority, the designated accredited representative would normally be from that authority.

Acrobatic flight. Manoeuvers intentionally performed by an aircraft involving an abrupt

change in its attitude, an abnormal attitude, or an abnormal variation in speed.

Acts of unlawful interference. These are acts or attempted acts such as to jeopardize the safety of civil aviation and air transport, i.e—

(i) Unlawful seizure of aircraft in flight;
(ii) Unlawful seizure of aircraft on the ground;
(iii) Hostage-taking on board an aircraft or on aerodromes;
(iv) Forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility;
(v) Introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
(vi) Communication of false information as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility.

ADS-C agreement. A reporting plan that establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services or control unit and frequency of ADS-C reports that have to be agreed to prior to the provision of the ADS-C services).

ADS contract. A means by which the terms of an ADS agreement will be exchanged between the ground system and the aircraft, specifying under what conditions ADS reports would be initiated, and what data would be contained in the reports.

Advisor. As relating to an aircraft accident, a person appointed by a State on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation.

Advisory airspace. An airspace of defined dimensions, or designated route, within which air traffic advisory service is available.

Advisory route. A designated route along which air traffic advisory service is available.

Aerial work. An aircraft operation in which an aircraft is used for specialised services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

Aerodrome/Airport/Heliport. 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.

Aerodrome control service. Air traffic control service for aerodrome traffic.

Aerodrome control tower. A unit established to provide air traffic control service to aerodrome traffic.

Aerodrome/Heliport operating minima. The limits of usability of an aerodrome for—

(i) Takeoff, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;
(ii) Landing in 2D instrument approach operations, expressed in terms of visibility and/or runway visual range and minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions; and
(iii) Landing in 3D instrument approach operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H); and as appropriate to the type and/or category of the operation.

Aerodrome RFFS category. The RFFS category for a given aerodrome, as published in the appropriate Aeronautical Information Publication (AIP).

Aeroplane RFFS category. The category derived from RCATS (Aerodromes) Table 9-1 for a given aeroplane type.

Aerodrome/standby reserve. A defined duty period during which a flight crew member is required by a operator to be at an airport for a possible assignment.

Aerodrome traffic. All traffic on the maneuvering area of an aerodrome and all aircraft flying in the vicinity of an aerodrome

Aerodrome traffic zone. An airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic.

Aeronautical experience. Pilot time obtained in an aircraft, approved flight simulation training device for meeting the training and flight time requirements of these Regulations.

Aeronautical Information Publication (AIP). A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

Aeronautical product. Any aircraft, aircraft engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon.

Aeronautical station (RR S1.81). A land station in the aeronautical mobile service. In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea.

Aeroplane. A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Aeroplane flight manual. A manual, associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of theaeroplane.

Agricultural aircraft operation. The operation of an aircraft for the purpose of—

(i) Dispensing any economic poison;

(ii) Dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control; or

(iii) Engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects.

Airborne collision avoidance system (ACAS). An aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders.

Aircraft. 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 avionics. A term designating any electronic device – including its electrical part – for use in an aircraft, including radio, automatic flight control and instrument systems.

Aircraft – category. Classification of aircraft according to specified basic characteristics, e.g. aeroplane, helicopter, glider, free balloon, airship, powered-lift.

Aircraft certificated for single-pilot operation. A type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of one pilot.

Aircraft certificated for multi-pilot operation. A type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of two pilots.

Aircraft required to be operated with a co-pilot. A type of aircraft that is required to be operated with a co-pilot, as specified in the flight manual or by the air operator certificate.

Aircraft component. Any component part of an aircraft up to and including a complete powerplant and/or any operational/emergency equipment.

Aircraft engine. Any engine used, or intended to be used, for propulsion of aircraft and includes all parts, appurtenances, and accessories thereof other than propellers.

Aircraft operating manual. A manual, acceptable to the State of the Operator, 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.

Aircraft piracy. Any actual or attempted seizure or exercise of control, by force or violence, or by any other form of intimidation, with wrongful intent, of an aircraft within the jurisdiction of Rwanda.

Aircraft required to be operated with a co-pilot. A type of aircraft that is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate.

Aircraft technical log. Documentation for an aircraft that includes the maintenance record for the aircraft and a record for each flight made by the aircraft. The aircraft technical log is comprised of a journey records section and a maintenance section.

Aircraft tracking. A ground-based process that maintains and updates, at standardized intervals, a record of the four dimensional position of individual aircraft in flight.

Aircraft – type of. All aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics.

Airframe. The fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces (including rotors but excluding propellers and rotating airfoils of a powerplant), and landing gear of an aircraft and their accessories and controls.

Air-ground control radio station. An aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area.

Airman. This term refers to—

(i) Any individual who engages, as the person in command or as pilot, mechanic, or member of the crew, or who navigates an aircraft while the aircraft is underway;

(ii) Any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, and any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances; or

(iii) Any individual who serves in the capacity of flight dispatcher.

Airmanship. The consistent use of good judgment and well-developed knowledge, skills and attitudes to accomplish flight objectives.

Air navigation facility. Any facility used in, available for use in, or designed for use in aid of air navigation, including airports, landing areas, lights, any apparatus or equipment for disseminating weather information, for signalling, for radio directional finding, or for radio or other electromagnetic communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and takeoff of aircraft.

Air operator. Any organisation which undertakes to engage in domestic commercial air transport or international commercial air transport, whether directly or indirectly or by a lease or any other arrangement.

Air operator certificate (AOC). A certificate authorising an operator to carry out specified commercial air transport operations.

Airport. [See Aerodrome].

Airship. A power-driven lighter than air aircraft.

Air-taxiing. Movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt).

Air Taxi AOC Holder. This term applies to operators of aircraft with a maximum passenger seating capacity of 19 or less passengers. For AOC certification purposes, there are three general groupings of these air operators which involve differing requirements based on the complexity of the operation. These groupings are—

(i) Single Pilot Air Taxi;

(ii) Basic Air Taxi; and

(iii) Commuter.

Air traffic. All aircraft in flight or operating on the maneuvring area of an aerodrome.

Air traffic advisory service. A service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans.

Air traffic control clearance. Authorisation for an aircraft to proceed under conditions specified by an air traffic control unit.

Air traffic control (ATC) facility. A building holding the persons and equipment responsible for providing ATC services (e.g., airport tower, approach control, centre). May also be called air traffic control unit.

Air traffic control service. A service provided for the purpose of—

(i) Preventing collisions—

(A) Between aircraft; and

(B) On the manoeuvring area between aircraft and obstructions; and

(ii) Expediting and maintaining an orderly flow of air traffic.

Air traffic control unit. A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Air traffic service. 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).

Air traffic services airspaces. Airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.

Air traffic services reporting office. A unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure.

Air traffic services unit. A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office.

Airway. A control area or portion thereof established in the form of a corridor.

Airworthiness approval tag. A tag that may be attached to a part. The tag must include the part number, serial number, and current life status of the part. Each time the part is removed from a type certificated product, a new tag must be created or the existing tag must be updated with the current life status. The airworthiness approval tag has two distinct purposes—

(i) As a certification of release to service of a part, component or assembly after maintenance, preventive maintenance, overhaul or rebuilding; and

(ii) For shipping of a newly manufactured part.

Airworthiness data. Any information necessary to ensure that an aircraft or aircraft component can be maintained in a condition such that airworthiness of the aircraft, or serviceability of operational and emergency equipment, as appropriate, is assured.

Airworthiness directive. Continuing airworthiness information that applies to the following products: aircraft, aircraft engines, propellers, and appliances. An airworthiness directive is mandatory if issued by the State of Design.

Airworthy. The status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation.

Alerting service. A service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations as required.

Alternate aerodrome/airport/heliport. An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or land at the aerodrome/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 aerodromes/heliports include the following—

(i) *Takeoff alternate.* An alternate aerodrome/heliport at which an aircraft would be able to land should this become necessary shortly after takeoff and it is not

possible to use the aerodrome of departure.

(ii) *En-route alternate.* An alternate aerodrome/heliport at which an aircraft would be able to land in the event that a diversion becomes necessary en route.

(iii) *ETDO en-route alternate*. A suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shut-down or other abnormal or emergency condition while en route in an ETDO operation.

(iv) *Destination alternate*. An alternate aerodrome/heliport at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Note.—The aerodrome from which a flight departs may also be an en-route or a destination alternate aerodrome for that flight.

Altimetry system error (ASE). The difference between the altitude indicated by the altimeter display, assuming a correct altimeter barometric setting, and the pressure altitude corresponding to the undisturbed ambient pressure.

Altitude. The vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL).

Annexes to the Chicago Convention. The documents issued by the International Civil Aviation Organisation (ICAO) containing the Standards and Recommended Practices applicable to civil aviation. (Law).

Anticipated operating conditions. Those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include—

(i) Those extremes which can be effectively avoided by means of operating procedures; and

(ii) Those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical.

Appliances. Instruments, equipment, apparatus, parts, appurtenances, or accessories, of whatever description, which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight (including parachutes and including communication equipment and any other mechanism or mechanisms installed in or attached to aircraft during flight), and which are not part or parts of aircraft, aircraft engines, or propellers.

Approach and landing operations using instrument approach procedures. *[Refer to Instrument Approach Operations – classifications of.]*

Approach and landing phase – helicopters. 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.

Approach control service. Air traffic control service for arriving or departing controlled flights.

Approach control unit. A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.

Appropriate ATS or ATC authority. The relevant authority designated by Rwanda responsible for providing air traffic services in the airspace concerned.

Appropriate airworthiness requirements. The comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft,

engine or propeller under consideration.

Appropriate authority.

(i) *Regarding flight over the high seas*: The relevant authority of the State of Registry.

(ii) *Regarding flight other than over the high seas*: The relevant authority of the State having sovereignty over the territory being overflown.

(iii) *Regarding flight over Rwanda*: Rwanda Civil Aviation Authority, which, under the Law establishing regulations governing civil aviation, is responsible for the oversight of civil aviation in Rwanda.

Approval (as related to Dangerous goods). An authorisation granted by an appropriate national authority for—

(i) The transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or

(ii) Other purposes as provided for in the Technical Instructions.

Approval for return to service. *See maintenance release*.

Approved continuous maintenance program. A maintenance program approved by the State of Registry.

Approved data. Technical information approved by the Authority.

Approved maintenance organization. An organisation approved by the Authority, in accordance with Part 5 of these Regulations, to perform maintenance of aircraft or parts thereof and operating under supervision approved by that State.

Approved standard. A manufacturing, design, maintenance, or quality standard approved by the Authority.

Approved training. Training conducted under special curricula and supervision approved by the Authority.

Approved training organisation (ATO). An organisation approved by and operating under the supervision of the Authority and in accordance with Part 9, to perform to perform approved training.

Apron. A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

Apron management service. A service provided to regulate the activities and the movement of aircraft and vehicles on an apron.

Area control centre. A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.

Area control service. Air traffic control service for controlled flights in control areas.

Area navigation (RNAV). A method of navigation that permits aircraft operations on any desired flight path within the coverage of station-referenced navigation aids or within the limits of the capability of self-contained aids, or a combination of these. Area navigation includes performance-based navigation as well as other operations that do not meet the definition of performance-based.

Arresting System. A system designed to decelerate an aeroplane overrunning the runway.

Article. Any item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part.

ATS or ATC route. A specified route designed for channelling the flow of air traffic as necessary for the provision of air traffic services, defined by route specifications that include an ATS or ATC route designator, the track to or from significant points (way points), distance between significant points, reporting requirements, and as determined by the appropriate ATS or ATC authority, the lowest safe altitude.

ATS surveillance service. A term used to indicate a service provided directly by means of an ATS surveillance system.

ATS surveillance system. A generic term meaning variously, ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft.

Augmented flight crew. A flight crew that has more than the minimum number of flight crew members required by the aircraft type certificate to operate the aircraft to allow a flight crew member to be replaced by another qualified flight crew member for in-flight rest.

Authorised instructor. A person who—

(i) Holds a valid ground instructor certificate issued under Part 7 when conducting ground training;

(ii) Holds a current flight instructor certificate issued under Part 7 when conducting ground training or flight training; or

(iii) Is authorised by the Authority to provide ground training or flight training under any of these Regulations.

Authorised person. Persons with delegated authority under law with responsibility to perform aviation safety supervision tasks, including evaluations, inspections and investigations, on behalf of the State. These persons are employed or designated by the State and assigned to the Authority. These persons may also evaluate, authorise and supervise other qualified persons from the aviation community to perform tasks as "authorised persons".

Authority. Rwanda civil Aviation Authority

Automatic dependent surveillance – broadcast (ADS-B). A means by which aircraft aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.

Automatic dependent surveillance — contract (ADS-C). A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.

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.

Automatic deployable flight recorder (ADFR). A combination flight recorder installed on the aircraft which is capable of automatically deploying from the aircraft.

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

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

Autonomous runway incursion warning system (ARIWS). A system which provides autonomous detection of a potential incursion or of the occupancy of an active runway and a direct warning to a flight crew or a vehicle operator.

Aviation personnel. Aviation personnel shall include persons whose duties are directly related to ensuring aviation safety and security, aircraft operation, air transport, and air navigation. They shall possess licencses and certificates which are issued or validated by the Authority.

Axial ratio. The ratio, expressed in decibels, between the maximum output power and the minimum output power of an antenna to an incident linearly polarized wave as the polarization orientation is varied over all directions perpendicular to the direction of propagation.

Balloon. A non-power-driven lighter-than-air aircraft.

Balked landing. A landing manoeuvre that is unexpectedly discontinued at any point below the obstacle clearance altitude/height (OCA/H).

Banner. An advertising medium supported by a temporary framework attached externally to

the aircraft and towed behind the aircraft.

Banner Towing. The operation of an aircraft for the purpose of towing or displaying an advertisement in- flight.

Basic air taxi. An operator of non-turbojet aircraft having a maximum certificated configuration for nine or less passengers, that has no more than—

(i) 5 total aircraft, consisting of no more than 3 different types; and

(ii) 5 total pilots-in-command,

Basic instrument flight trainer. *See flight simulation training device.*

Break. A period free of all duties, which counts as duty, being less than a rest period.

Cabin crew member. A 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.

Calendar. The use of this word is used in these Regulations describes a consecutive period of time.

Calendar day. The period of elapsed time, using Coordinated Universal Time or local time, that begins at midnight and ends 24 hours later in the next midnight.

Calendar month. A period of a month beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered month (as January 1 through January 31 in the Gregorian calendar).

Calendar year. A period of a year beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered year (as January 1 through December 31 in the Gregorian calendar).

Calibration. A set of operations, performed in accordance with a definite documented procedure that compares the measurement performed by a measurement device or working standard with a recognised bureau of standards for the purpose of detecting and reporting or eliminating adjustment errors in the measurement device, working standard, or aeronautical product tested.

Cargo aircraft. Any aircraft carrying goods or property but not passengers. In this context the following are not considered to be passengers—

(i) A crew member.

(ii) An operator's employee permitted by, and carried in accordance with, the instructions contained in the Operations Manual.

(iii) An authorised representative of an Authority.

(iv) A person with duties in respect of a particular shipment on board.

Carry-on baggage (cabin baggage). The carry-on baggage means baggage that is taken care of by passengers and is brought along with them into the aircraft cabin during the flight.

Category A. With respect to helicopters, means a multi-engine helicopter designed with engine and system isolation features specified in Part IVB and capable of operations using take-off and landing data scheduled under a critical engine failure concept which assures adequate designated surface area and adequate performance capability for continued safe flight or safe rejected take-off.

Category B. With respect to helicopters, means a single-engine or multi-engine helicopter which does not meet Category A standards. Category B helicopters have no guaranteed capability to continue safe flight in the event of an engine failure, and a forced landing is assumed.

Catering stores. All items, other than catering supplies, associated with passenger in-flight services, that includes newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits;

Catering supplies. Food, beverages, other dry stores and associated equipment used on board an aircraft.

Causes. As relating to an aircraft accident or incident, actions, omissions, events, conditions, or a combination thereof which led to the accident or incident.

Ceiling. The height above the ground or water of the base of the lowest layer of cloud below 6,000 metres (20,000 feet) covering more than half the sky.

Certify as airworthy (to). To certify that an aircraft or parts thereof comply with current airworthiness requirements after maintenance has been performed on the aircraft or parts thereof.

Certifying staff. Those personnel who are authorised by the Approved Maintenance Organisation in accordance with a procedure acceptable to the Authority to certify aircraft or aircraft components for release to service.

Changeover point. The point at which an aircraft navigating on an ATC route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational references from the facility behind the aircraft to the next facility ahead of the aircraft.

Check airman (aeroplane). A person who is qualified, and permitted, to conduct an evaluation in an aeroplane, in a flight simulation training device for a particular type aeroplane, for a particular AOC holder.

Check airman (simulator). A person who is qualified to conduct an evaluation, but only in a flight simulation training device for a particular type aircraft, for a particular AOC holder.

Chief Instructor. A supervisor of training that has the responsibility for the quality of training for a grouping of curriculums approved for the ATO holder.

Chicago Convention. ("Convention") The Convention on International Civil Aviation concluded in Chicago, U.S.A., in 1944, entered into force in 1947. The Articles of the Chicago Convention govern the actions of the contracting States in matters of international civil aviation safety directly and through the Annexes to the Convention, which set forth ICAO Standards and Recommended Practices.

Citizen of Rwanda. This term refers to one of the following**—**

(i) An individual who is a citizen of Rwanda;

(ii) A partnership of which each member is a citizen of Rwanda; or

(iii) A corporation or association created or organised and authorised under the laws of Rwanda.

Civil aircraft. Any aircraft other than a military aircraft.

Civil aviation. The operation of any civil aircraft for the purpose of general aviation operations, aerial work or commercial air transport operations.

Clearance limit. The point to which an aircraft is granted an air traffic control clearance.

Combined vision system (CVS). A system to display images from a combination of an enhanced vision system (EVS) and a synthetic vision system (SVS).

Command and control link (C2). The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.

COMAT. Operator material carried on an operator's aircraft for the operator's own purposes.

Commercial air transport operation. An aircraft operation involving the public transport of passengers, cargo or mail for remuneration or hire.

Commercial air transport. An aircraft operation involving the public transport of passengers, cargo, or mail for remuneration or hire.

Common mark. A mark assigned by the International Civil Aviation Organisation to the common mark registering authority registering aircraft of an international operating agency on other than a national basis.

Common mark registering authority. The authority maintaining the non-national register or, where appropriate, the part thereof, in which aircraft of an international operating agency are registered.

Commuter Air Taxi. An operator of non-turbojet aircraft with a maximum passenger seating

capacity of 19 or less passengers and—

(i) A fleet of more than 5 aircraft with a maximum capacity of 9 passengers or less;

(ii) A fleet of more than 3 different types of aircraft with a maximum capacity of 9 passengers or less; and/or

(iii) Operating 1 or more aircraft with a maximum passenger capacity of more than 9 passengers.

Competency. A combination of skills, knowledge and attitudes required to perform a task to the prescribed standard.

Competency-Based Training: Training that is characterized by performance orientation, emphasis on standards of performance and their measurement and the development of training to the specified performance standards.

Competency element. An action that constitutes a task that has a triggering event and a terminating event that clearly defines its limits, and an observable outcome.

Competency in civil aviation. This phrase means that an individual shall have a technical qualification and management experience acceptable to the Authority for the position served.

Competency unit. A discrete function consisting of a number of competency elements.

Complex aeroplane. An aeroplane that has retractable landing gear, flaps, and a controllable pitch propeller; or in the case of a seaplane, flaps and a controllable pitch propeller.

Composite. Structural materials made of substances, including, but not limited to, wood, metal, ceramic, plastic, fiber-reinforced materials, graphite, boron, or epoxy, with built-in strengthening agents that may be in the form of filaments, foils, powders, or flakes, of a different material.

Computer system. Any electronic or automated system capable of receiving, storing, and processing external data, and transmitting and presenting such data in a usable form for the accomplishment of a specific function.

Configuration (as applied to the aeroplane). A particular combination of the positions of the moveable elements, such as wing flaps and landing gear, etc., that affect the aerodynamic characteristics of the aeroplane.

Configuration deviation list (CDL). A list established by the organisation 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. A city, town or settlement, or open air assembly of people.

Congested hostile environment. A hostile environment within a congested area.

Consignment. One or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address.

Contaminated runway. A runway is contaminated when a significant portion of the runway surface area (whether in isolated areas or not) within the length and width being used is covered by one or more of the substances listed in the runway surface condition descriptors. (Refer to ICAO Annex 14-I)

Continuing airworthiness. The set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life.

Continuous descent final approach (CDFA). A technique, consistent with stabilized approach procedures, for flying the final approach segment of a non-precision instrument approach 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 should begin for the type of aircraft flown.

Contributing factors. Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

Contracting States. All States that are signatories to the Convention on International Civil Aviation (Chicago Convention).

Control area. A controlled airspace extending upwards from a specified limit above the earth.

Controlled aerodrome. An aerodrome at which air traffic control service is provided to aerodrome traffic.

Controlled airspace. An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

Controlled flight. Any flight which is subject to an air traffic control clearance.

Controlled flight into terrain. Occurs when an airworthy aircraft is flown, under the control of a qualified pilot, into terrain (water or obstacles) with inadequate awareness on the part of the pilot of the impending collision.

Controller-pilot data link communications (CPDLC). A means of communication between controller and pilot, using data link for ATC communications.

Control zone. A controlled airspace extending upwards from the surface of the earth to a specified upper limit.

Conversion. Conversion is the action taken by the Authority in issuing its own licence on the basis of a licence issued by another Contracting State for use on aircraft registered in Rwanda.

Co-pilot. A licenced pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction. A second in command (SIC) is a co-pilot.

Corporate aviation operation. The non-commercial operation or use of aircraft by a company for the carriage of passengers or goods as an aid to the conduct of company business, flown by a professional pilot(s) employed to fly the aircraft.

Course. A program of instruction to obtain an airman licence, rating, qualification, authorisation, or currency.

Courseware. Instructional material developed for each course or curriculum, including lesson plans, flight event descriptions, computer software programs, audio-visual programs, workbooks, and handouts.

Credit. Recognition of alternative means or prior qualifications.

Crew member. A person assigned by an operator to duty on an aircraft during a flight duty period.

Crew Resource Management. A program designed to improve the safety of flight operations by optimizing the safe, efficient, and effective use of human resources, hardware, and information through improved crew communication and co-ordination.

Critical engine. The engine whose failure would most adversely affect the performance or handling qualities of an aircraft.

Critical phases of flight. Those portions of operations involving taxiing, takeoff and landing, and all flight operations below 10,000 feet, except cruise flight.

Cross-country. A flight between a point of departure and a point of arrival following a pre-planned route using standard navigation procedures.

Cross-country time. That time a pilot spends in flight in an aircraft which includes a landing at a point other than the point of departure and, for the purpose of meeting the cross-country time requirements for a private pilot licence (except with a rotorcraft rating), commercial pilot licence, or an instrument rating, includes a landing at an aerodrome

which must be a straight-line distance of more than 50 nautical miles from the original point of departure.

Cruise climb. An aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases.

Cruise relief pilot. A flight crew member who is assigned to perform pilot tasks during cruise flight to allow the PIC or co-pilot to obtain planned rest.

Cruising level. A level maintained during a significant portion of a flight.

Current flight plan. The flight plan, including changes, if any, brought about by subsequent clearances.

Curriculum. A complete training agenda specific to a inspector technical specialty, such as a "baseline" curriculum.

Curriculum Segment. The largest subdivision of a curriculum, generally the specific courses that will be completed.

Danger area. An airspace of defined dimensions within which activities dangerous to the flight of the aircraft may exist at specified times.

Dangerous goods. 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 ICAO Technical Instructions (see definition below) or which are classified according to those Instructions.

Dangerous goods accident. An occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property damage or environmental damage.

Dangerous goods incident. An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property or environmental damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardises an aircraft or its occupants is deemed to constitute a dangerous goods incident.

Dangerous goods transport document. A document specified by the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air. It is completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods. The document bears a signed declaration indicating that the dangerous goods are fully and accurately described by their proper shipping names and UN numbers (if assigned) and that they are correctly classified, packed, marked, labelled and in a proper condition for transport.

Data link communications. A form of communication intended for the exchange of messages via a data link.

Data link recording system. A device that records those messages whereby the flight path of the aircraft is authorised, controlled directly or indirectly, and which are relayed over a digital data-link rather than by voice communication.

Deadhead transportation. Time spent in transportation on aircraft (at the insistence of the AOC holder) to or from a crew member's home station.

Decision altitude (DA) or decision height (DH). A specified altitude or height in a 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. Decision altitude (DA) is referenced to mean sea level and decision height (DH) is referenced to the threshold elevation. For convenience where both expressions are used they may be written in the form "decision altitude/height" and abbreviated "DA/ H". (See definition "required visual reference."

Defined Point.

(i) **Defined point after take-off (DPATO).** The point, within the take-off and initial climb phase, before which the Performance Class 2 helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required.

(ii) **Defined point before landing (DPBL).** The point, within the approach and landing phase, after which the Performance Class 2 helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required.

Design landing mass. The maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land.

Design take-off mass. The maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run.

Design taxiing mass. The maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off.

Designated postal operator. Any governmental or non-governmental entity officially designated by a Universal Postal Union (UPU) member country to operate postal services and to fulfil the related obligations arising from the acts of the UPU Convention on its territory

Detect and avoid. The capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action.

Directly in Charge. As applied to an Approved Maintenance Organisation in Part 5 - Means an appropriately licenced person having the responsibility for the work of an approved maintenance organisation that performs maintenance, preventive maintenance, modifications, or other functions affecting aircraft airworthiness. A person directly in charge does not need to physically observe and direct each worker constantly but must be available for consultation on matters requiring Director instruction or decision from higher authority.

Discrete source damage. Structural damage of the aeroplane that is likely to result from: impact with a bird, uncontained fan blade failure, uncontained engine failure, uncontained high-energy rotating machinery failure or similar causes.

Dry lease. The lease of an aircraft without the crew.

Dry runway. A runway is considered dry if its surface is free of visible moisture and not contaminated within the area intended to be used.

Dual instruction time. Flight time during which a person is receiving flight instruction from a properly authorised pilot on board the aircraft.

Duty. Any task that a flight or cabin crew member performs as required by the operator when it is likely to induce fatigue, including but not limited to flight duty period, flight duty, pre- and post-flight duties, administrative work, training, deadhead transportation, aircraft positioning on the ground, aircraft loading, and aircraft servicing.

Duty period. As related to an air operator, a period which starts when flight or cabin crew personnel are required by an operator to report for or to commence a duty and ends when that person is free from all duties.

Duty time. The total time from the moment a person identified in these Regulations begins, immediately after a rest period, any work on behalf of the certificate holder until that person is free from all restraint associated with that work.

EDTO critical fuel. The fuel quantity necessary to fly to an en-route alternate aerodrome considering, at the most critical point on the route, the most limiting system failure.

EDTO-significant system. An aeroplane system whose failure or degradation could adversely affect the safety particular to an EDTO flight, or whose continued functioning is specifically important to the safe flight and landing of an aeroplane

during an EDTO diversion.

Economic poison. Any substance or mixture of substances intended for—

(i) Preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living human beings or other animals, which Rwanda may declare to be a pest, and

(ii) Use as a plant regulator, defoliant or desiccant.

Effective length of the runway. The distance for landing from the point at which the obstruction clearance plane associated with the approach end of the runway intersects the centreline of the runway to the far end.

Electronic Flight Bag (**EFB).** An electronic information system for flight crew which allows for storing, updating, delivering, displaying and/or computing digital data to support flight operations or duties.

Element. An integral, subject-oriented (not task-oriented) part of a training, checking, or qualification module.

Elevated heliport. A heliport located on a raised structure on land.

ELT battery expiration date. The date of battery manufacture or recharge plus one half of its useful life.

ELT battery useful life. The length of time after its date of manufacture or recharge that the battery or battery pack may be stored under normal environmental conditions without losing its ability to allow the ELT to meet the applicable performance standards.

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

(i) **Automatic fixed ELT**. An automatically activated ELT which is permanently attached to an aircraft.

(ii) **Automatic portable ELT.** An automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft.

(iii) **Automatically deployable ELT.** An ELT which is rigidly attached to an aircraft and which is automatically deployed and activated by impact, and in some cases, also be hydrostatic sensors. Manual deployment is also provided.

(iv) **Survival ELT**. 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. 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 ground proximity warning. A forward looking warning system that uses the terrain data base for terrain avoidance.

Enhanced vision system. A system to display electronic real-time images of the external scene achieved through the use of image sensors.

En-route phase. 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.

Equivalent system of maintenance. An AOC holder may conduct maintenance activities through an arrangement with an AMO or may conduct its own maintenance, preventive maintenance, or alterations, so long as the AOC holder's maintenance system is approved by the Authority and is equivalent to that of an AMO, except that the approval for return to service of an aircraft/aeronautical product shall be made by an appropriately licenced aviation maintenance technician or aircraft repair specialists in accordance with Part 7, as appropriate.

Error. An action or inaction by an operational person that leads to deviations from

organisational or the operational person's intentions or expectations.

Error management. The process of detecting and responding to errors with countermeasures that reduce or eliminate the consequences of errors, and mitigate the probability of errors or undesired aircraft state.

Estimated off-block time. The estimated time at which the aircraft will commence movement associated with departure.

Estimated time of arrival. For IFR flights, the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that approach procedure will be commenced, or if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome.

Evaluator. A person employed by a certified Approved Training Organisation 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.

Event. An integral, task-oriented part of a training, checking, or qualification module that requires the use of a specific procedure or procedures.

Exercise: A prepared activity for the trainee to support the objectives of the training.

Examiner. Any person authorised by the Authority to conduct a pilot proficiency test, a skill or practical test for an airman licence or rating, or a knowledge test under these Regulations.

Exception (as related to dangerous goods). a provision in ICAO Annex 18 which the Authority may exclude a specific item of dangerous goods from the requirements normally applicable to that item.

Exemption (as related to dangerous goods). An authorisation, other than an approval, issued by an appropriate national authority providing relief from the provisions of ICAO Annex.18.

Expected approach time. The time at which ATC expects that an arriving aircraft, following a delay, will leave the holding point to complete its approach for a landing.

Extended diversion time operations (EDTO). Any operation by an aeroplane with two or more turbine engines where the diversion time to an en-route alternate aerodrome is greater than the threshold time established by the State of the Operator.

Extended flight over-water.

(i) *With respect to aircraft other than helicopters*, a flight over water at a horizontal distance of 93 km (100 nm) or 30 minutes at cruising speed, whichever is greater, away from land suitable for making an emergency landing; and

(ii) *For helicopters*, an operation over water at a horizontal distance of more than 50 nm from the nearest shoreline and more than 50 nm from an offshore heliport structure.

External load. A load that is carried, or extends outside of the aircraft fuselage.

Facility. As used in Part 5, a physical plant, including land, buildings, and equipment, which provide the means for the performance of maintenance, preventive maintenance, or alterations of any article.

Factor of overload. The ratio between the specific load weight and weight of the aircraft, expressed in terms of the aerodynamic forces, inertia or impact with the ground.

Factor of safety. A design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and fabrication.

Fatal injury. As relates to an aircraft accident, any injury which results in death within 30 days of the accident.

Fatigue. A physiological state of reduced mental or physical performance capability resulting

from sleep loss or extended wakefulness and/or physical activity that can impair a crew member's alertness and ability to safely operate an aircraft or perform safety related duties.

Fatigue Risk Management System (FRMS). A 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.

(i) It is a management system for an operator to use to mitigate the effects of fatigue in its particular operations.

(ii) It is a data-driven process and a systematic method used to continuously monitor and manage safety risks associated with fatigue-related error.

Filed flight plan. The flight plan as filed with an air traffic service unit by the pilot or a designated representative, without any subsequent changes.

Final Approach and Takeoff Area (FATO). A defined area over which the final phase of the approach maneuver to hover or landing is completed and from which the takeoff maneuver is commenced. Where the FATO is to be used by Performance Class 1 helicopters, the defined area includes the rejected takeoff area available.

Final approach segment (FAS*).* That segment of an instrument approach procedure in which alignment and descent for landing are accomplished.

Fire resistant. The capability to withstand the application of heat by a flame for a period of 5 minutes.

Fireproof material. The capability to withstand the application of heat by a flame for a period of 15 minutes. A material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose

Fish spotting. The operation of an aircraft for the purpose of locating, tracking, and reporting on the location of fish and fish schools, when those operations are conducted as part of a business enterprise or for compensation or hire.

Fit for duty. Physiologically and mentally prepared and capable of performing assigned duties at the highest degree of safety.

Flame resistant. As used in these Regulations, means not susceptible to combustion to the point of propagating a flame, beyond safe limits, after the ignition source is removed.

Flammable, As used in these Regulations with respect to a fluid or gas, means susceptible to igniting readily or to exploding.

Flash resistant. As used in these Regulations means not susceptible to burning violently when ignited.

Flight(s). The period from takeoff to landing.

Flight crew member. A licenced crew member charged with duties essential to the operation of an aircraft during flight time.

Flight data analysis. A process of analysing recorded flight data in order to improve the safety of flight operations.

Flight dispatcher. 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 Part 7 and 14, who supports, briefs, and/or assists the pilot-in-command in the safe conduct of the flight.

Flight duty period. A period which commences when a crew member is required to report for duty that includes a flight or a series of flights and which finishes when the aircraft finally comes to rest and the engines are shut down at the end of the last flight and there is no intention for further aircraft movement by the same crew member.

(i) A flight duty period includes the duties performed by the crew member on behalf of the operator that occur before a flight segment or between flight segments without a required intervening rest period.

(ii) Examples of tasks that are part of the flight duty period include deadhead transportation, training conducted in an aircraft or flight simulator, and airport/standby reserve, if the above tasks occur before a flight segment or between flight segments without an intervening required rest period.

Flight information centre. A unit established to provide flight information service and alerting service.

Flight information region. An airspace of defined dimensions within which flight information service and alerting service are provided.

Flight information service. A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.

Flight level. A surface of constant atmospheric pressure which is related to a specific pressure datum, 1,013.2 hectopascals (hPa), and is separated from other surfaces by specific pressure intervals.

Flight manual. 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 plan. Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft. The term "flight plan" is used to mean variously, full information on all items comprised in the flight plan description, covering the whole route of a flight, or limited information required when the purpose is to obtain a clearance for a minor portion of a flight such as to cross an airway, to take off from, or to land at a controlled aerodrome.

Flight recorder. Any type of recorder installed in the aircraft for the purpose of complementing accident/ incident investigation. (*See definition "Automatic Deployable Flight Recorder."*)

Flight safety document system. A set of inter-related documentation established by the operator, compiling and organising information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator's maintenance control manual.

Flight procedures trainer. *See flight simulation training device.*

Flight simulation training device. Any one of the following three types of apparatus in which flight conditions are simulated on the ground—

(i) *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.

(ii) *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.

(iii) *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 simulator. *See flight simulation training device*.

Flight status. An indication of whether a given aircraft requires special handling by air traffic services units or not.

Flight time. The period of time that the aircraft moves under its own power for the purpose of flight and ends when the aircraft comes to rest after it is parked, with engine(s) shut down if applicable.

Note. —Flight time as here defined is synonymous with the term "block-to-block"

time or "chock-to- chock" time in general usage, which is measured from the time an aircraft moves from the loading point until it stops at the unloading point.

Flight time–aeroplanes. The total time from the moment an aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight.

Flight time–gliders. The total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight.

Flight time–helicopters. 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.

Note: — Examples are: crew change without stopping the rotors; and rotors running engine wash procedure following a flight. In any case, the time when rotors are running between sectors of a flight is included within the calculation of flight time.

Flight time – instrument. Time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points.

Flight time – solo. Flight time during which a student pilot is the sole occupant of an aircraft, or that flight time during which the student acts as a PIC of a gas balloon or an airship requiring more than one flight crew member.

Flight training. Training, other than ground training, received from an authorised instructor in flight in an aircraft.

Flight visibility. The visibility forward from the cockpit of an aircraft in flight.

Foreign air operator. Any operator, not being a Rwanda air operator, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of Rwanda, whether on a scheduled or charter basis;

Foreign Authority. The civil aviation authority that issues and oversees the Air Operator Certificate of the foreign operator.

Foreign Object Debris (FOD). An inanimate object within the movement area which has no operational or aeronautical function and which has the potential to be a hazard to aircraft operations.

Freight container. *See unit load device*.

Freight container in the case of radioactive material transport. An article of transport equipment designed to facilitate the transport of packaged goods, by one or more modes of transport without intermediate reloading.

(i) It must be of a permanent enclosed character, rigid and strong enough for repeated use, and must be fitted with devices facilitating its handling, particularly in transfer between aircraft and from one mode of transport to another.

(ii) A small freight container is that which has either an overall outer dimension less than 1.5 m, or an internal volume of not more than 3m³. Any other freight container is considered to be a large freight container.

General aviation operation. An aircraft operation of a civil aircraft for other than a commercial air transport operation or aerial work operation.

Ground handling. Services necessary for an aircraft's arrival at, and departure from, an airport, other than for air traffic services.

Glider. A non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces, which remain, fixed under given conditions of flight.

Glider Towing. The operation of an aircraft for the purpose of towing gliders to a launching altitude or to another landing location.

Goods. Personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area.

Ground handling. Services necessary for an aircraft's arrival at, and departure from, an

airport, other than air traffic services.

Ground proximity warning system (GPWS). A warning system that uses radar altimeters to alert the pilots of hazardous flight conditions.

Ground visibility. The visibility at an aerodrome, as reported by an accredited observer or by automatic systems.

Gyroplane. A heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes.

Handling agent. An agency which performs on behalf of the operator some or all of the latter's functions including receiving, loading, unloading, transferring or other processing of passengers or cargo.

Heading. The direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid).

Head-up display (HUD). A display system that presents flight information into the pilot's forward external field of view.

Heavier-than-air aircraft. Any aircraft deriving its lift in flight chiefly from aerodynamic forces.

Height. The vertical distance of a level, a point or an object considered a point, measured from a specified datum.

Helicopter. 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 axis.

Helideck. A heliport located on a floating or fixed offshore structure.

Heliport. An aerodrome or defined area on a structure intended to be used wholly or in part for the arrival, departure, and surface movement of helicopters.

Heliport reference point (HRP). The designated location of a heliport or a landing location.

High speed aural warning. A speed warning that is required for turbine-engined aeroplanes and aeroplanes with a V_{MO}/M_{MO} greater than 0.80 V_{DF}/M_{DF} or V_D/M_D.

Holdover time. The estimated time de-icing/anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on the protected surfaces of an aircraft. Holdover time begins when the final application of de-icing or anti-icing fluid commences and expires when the de-icing or anti-icing fluid applied to the aircraft loses its effectiveness.

Home base. The place nominated by the operator to the crew member from where the crew member normally starts and ends a duty periods and at which place, under normal conditions, the operator is not responsible for the accommodation of the crew member concerned.

Hostile environment. An environment in which—

(i) A safe forced landing cannot be accomplished because surface and surrounding environment are inadequate; or

(ii) The helicopter occupants cannot be adequately protected from the elements; or

(iii) Search and rescue response/capability is not consistent with anticipated exposure; or

(iv) There is an unacceptable risk of endangering persons or property on the ground.

Housing. As it related to Approved Maintenance Organisations in Part 5 - Buildings, hangers, and other structures to accommodate the necessary equipment and materials of a maintenance organisation that—

(i) Provide working space for the performance of maintenance, preventive maintenance, or alterations for which the maintenance organisation is approved and rated; and

(ii) Provide structures for the proper protection of aircraft, airframes, aircraft engines, propellers, appliances, components, parts, and subassemblies thereof during disassembly, cleaning, inspection, repair, alteration, assembly, and testing; and

(iii) Provide for the proper storage, segregation, and protection of materials, parts, and

supplies.

Human factors principles. 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. Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.

ICAO. Where used in these Regulations, this is an abbreviation for the International Civil Aviation Organisation.

IFR. The symbol used to designate the instrument flight rules.

IFR flight. A flight conducted in accordance with the instrument flight rules.

IMC. The symbol used to designate instrument meteorological conditions.

Incident. An occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations.

Incompatible. Describing dangerous goods, which if mixed, would be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance.

Industry codes of practice. Guidance material developed by an industry body, for a particular sector of the aviation industry to comply with the requirements of the International Civil Aviation Organisation's Standards and Recommended Practices, other aviation safety requirements and the best practices deemed appropriate.

Inspection. The examination of an aircraft or aeronautical product to establish conformity with a standard approved by the Authority.

Instructional Event: A small sequence of training which moves the trainee towards the accomplishment of a particular intermediate objective. The following standardized words will be used in the instructional events—

(i) **Example:** Indicate that the instructor will have prepared examples relating to the subject or use examples that are already included in the course materials;

(ii) **Demonstrate:** Indicates that the instructor will visibly do (or direct) a task that the trainees can follow on the screen.

(iii) **Discuss:** Indicate that the instructor will engage the trainees to participate in a discussion.

(iv) **Display:** Indicate that a slide (or manual page) will be projected for the trainees and will be readable from every trainee's seat. (Display is synonymous with Project.)

(v) **Locate:** Indicate that the instructor or trainee will actually use the Inspector Toolkit to "locate" the appropriate document reference for review.

(vi) **Provide:** Indicates that the instructor will pass out Instructional materials for review including exercises, scenarios or examinations.

(vii) **Review:** Indicate that a portion of text will be read aloud.

(viii) **Trainee:** Indicates that the trainee will perform some task.

Instructional Objective: A statement of the expected result of training that includes the conditions and standard or level of performance

(i) **Intermediate Objective:** An objective that defines what the trainee is expected to accomplish in terms of knowledge, skills and attitudes at a specified point in a module.

(ii) **Post-Training Objective:** A performance objective to be accomplished after the trainee has returned to the job. (It completes the transition between formal training and organized on-the- job practice.)

(iii) **End-of-Module Objective:** A training objective prescribing what the trainee should be able to accomplish upon completing a module in a course. (See Training Outcome)

Instructor-dependent Training: Training whereby the responsibility for determining the

content of the course, the training material and the mode of delivery depends entirely on choices made by the Instructor. It is repeatable only with the same Instructor.

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

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

(ii) A three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance.

Note.—Lateral and vertical navigation refers to the guidance provided either by (a) a ground based radio navigation aid; or (b) Computer generated navigation data from ground-based, space-based, self-contained or a combination ofthese.

Instrument approach operations - classifications of. Classifications of instrument approach operations based on the designed lowest operating minima below which an approach operation shall only be continued with the required visual reference as follows—

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

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

(C) 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;

(D) 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;

(E) Category IIIA (CAT IIIA): a decision height lower than 30 m (100 ft) or no decision height and a runway visual range not less than 175 m;

(F) Category IIIB (CAT IIIB): a decision height lower than 15 m (50 ft), or no decision height and a runway visual range less than 175 m but not less than 50 m; and

(G) Category IIIC (CAT IIIC): no decision height and no runway visual range limitations.

Instrument approach procedure. 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.

(i) ***Non-precision approach (NPA) procedure.*** (NPA) procedure. An instrument approach procedure designed for 2D instrument approach operations Type A.

(ii) ***Approach procedure with vertical guidance (APV)***. A performance based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A.

(iii) ***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 flight time. Time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points.

Instrument ground time. Time during which a pilot is practising, on the ground, simulated instrument flight in a flight simulation training device approved by the Licencing Authority.

Instrument meteorological conditions. Meteorological conditions expressed in terms of

visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions.

Instrument time. Time in which cockpit instruments are used as the sole means for navigation and control, which may be instrument flight time or instrument ground time.

Instrument training. Training which is received from an authorised instructor under actual or simulated instrument meteorological conditions.

Integrated survival suit. A survival suit which meets the combined requirements of the survival suit and life jacket.

Interchange agreement. A leasing agreement which permits an air carrier to dry lease and take or relinquish operational control of an aircraft at an airport.

International commercial air transport. The carriage by aircraft of persons or property for remuneration or hire or the carriage of mail between any two or more countries.

International operating agency. An agency of the kind contemplated in Article 77 of the Convention on International Civil Aviation.

Investigation. As relates to an aircraft accident or incident, a process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and, when appropriate, the making of safety recommendations.

Investigator-in-charge. As relates to an aircraft accident or indent, a person charged, on the basis of his or her qualifications, with the responsibility for the organisation, conduct and control of an investigation.

Isolated aerodrome. A destination aerodrome for which there is no destination alternate aerodrome suitable for a given aeroplane type.

Job Aid: Any means made available on the job expressly designed to facilitate correct performance of the task by extending an employee's capacity to retain and utilize information.

Job Function: A series of steps and sub-tasks that result in completion of a primary job task, such as a ramp inspection.

Journey log. A form signed by the PIC of each flight that records the aeroplane's registration, crew member names and duty assignments, the type of flight, and the date, place, and time of arrival and departure.

Knowledge test. A test on the aeronautical knowledge areas required for an airman licence or rating that can be administered in written form or by a computer.

Landing area. That part of a movement area intended for the landing or takeoff of an aircraft.

Landing distance available (LDA). The length of runway which is declared available and suitable for the ground run of an aeroplane landing.

Landing decision point (LDP). The point used in determining landing performance from which, a power- unit failure occurring at this point, the landing may be safely continued or a balked landing initiated. LDP applies to performance Class 1helicopters.

Landing location. A marked or unmarked area that has the same physical characteristics as a visual heliport final approach and take-off area (FATO).

Landing surface. That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction.

Large aeroplane. An aeroplane having a maximum certified takeoff mass of over 5,700 kg (12,500 lbs).

Large helicopter. A helicopter with a maximum certificated take-off mas of over 2730 kg.

Licensing Authority. The Authority designated by a Contracting State as responsible for the licensing of personnel.

Note.— In the provisions of this Part, the Licensing Authority is deemed to have been given the following responsibilities by the Contracting State: a) assessment of

an applicant's qualifications to hold a licence or rating; issue and endorsement of licences and ratings; designation and authorization of approved persons; approval of training courses; approval of the use of flight simulation training devices and authorization for their use in gaining the experience or in demonstrating the skill required for the issue of a licence or rating; and validation of licences issued by other Contracting States.

Level. A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.

Life-limited part. Any part for which a mandatory replacement limit is specified in the type design, the Instructions for Continued Airworthiness, or the maintenance manual.

Lighter-than-air aircraft. Any aircraft supported chiefly by its buoyancy in the air.

Likely. In the context of the medical provisions in Part 8, ***likely*** means with a probability of occurring that is unacceptable to the medical assessor.

Limit loads. The maximum loads assumed to occur in the anticipated operating conditions.

Lineholder. A crew member who has an assigned flight duty period and is not acting as a reserve crew member.

Line maintenance. Any unscheduled maintenance resulting from unforeseen events, or scheduled checks that contain servicing and/or inspections that do not require specialised training, equipment or facilities.

Line operating flight time. Flight time recorded by the PIC or Co-Pilot while in revenue service for an AOC holder.

Load factor. The ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions.

Long-call reserve. A notification by the operator, prior to beginning of a required rest period, that the crew member is to report for a flight duty period following the completion of the rest period.

Long range overwater flights. Routes on which an aeroplane may be over water and at more than a distance corresponding to 120 minutes at cruising speed or 740 nm (400 NM), whichever is the lesser, away from land suitable for making an emergency landing.

Low altitude wind shear warning and guidance system. A system that will issue a warning of low altitude wind shear and in some cases provide the pilot with guidance information of the escaper manoeuvre.

Mach number indicator. An indicator that shows airspeed as a function of the Mach number.

Maintenance. The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair.

Maintenance Organisation's Procedures Manual. A document endorsed by the head of the maintenance organisation which details the maintenance organisation's structure and management responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems.

Maintenance program. A document which describes the specific scheduled maintenance tasks and their frequency of completion and related procedures, such as a reliability program, necessary for the safe operation of those aircraft to which it applies.

Maintenance release. 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 organisation's procedures manual or under an equivalent system.

Major modification. Major modification means an modification not listed in the aircraft, aircraft engine, or propeller specifications that—

(i) Might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting

airworthiness; or

(ii) Cannot be done by elementary operations.

Major repair. Major repair means a repair that—

(i) If improperly done might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness; or

(ii) Is not done according to accepted practices or cannot be done by elementary operations.

Manoeuvring area. That part of an aerodrome to be used for the takeoff, landing and taxiing of aircraft, excluding aprons.

Master Minimum Equipment List (MMEL). A list established for a particular aircraft type by the organisation 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.

(i) The MMEL may be associated with special operating conditions, limitations or procedures.

(ii) The MMEL provides the basis for development, review, and approval by the Authority of an individual operator's MEL.

Materially altered aircraft. Aircraft having powerplants installed other than those for which it is certified or alterations to the aircraft.

Maximum diversion time. Maximum allowable range, expressed in time, from a point on a route to an en- route alternate aerodrome.

Maximum mass. Maximum certificated take-off-mass.

Medical Assessment. The evidence issued a Contracting State that the licence holder meets specific requirements of medical fitness.

Medical assessor. A physician, appointed by the Licensing Authority, qualified and experienced in the practice of aviation medicine and competent in evaluation and assessing medical conditions of flight safety significance.

Medical examiner. A physician with training in aviation medicine and practical knowledge and experience of the aviation environment, who is designated by the Authority to conduct medical examinations of fitness of applicants for licences or ratings for which medical requirements are prescribed.

Medical certificate. The evidence issued by the Authority that the licence holder meets specific requirements of medical fitness. It is issued following an evaluation by the Licensing Authority of the report submitted by the designated medical examiner who conducted the examination of the applicant for the licence.

Meteorological information. Meteorological report, analysis, forecast, and any other statement relating to existing or expected meteorological conditions.

Minimum descent altitude (MDA) or minimum descent height (MDH). A specified altitude or height in a 2D approach operation or circling approach operation below which descent must not be made without the required visual reference.

Note 1: Minimum descent altitude (MDA) is referenced to mean sea level and minimum descent height (MDH) is referenced to the aerodrome elevation or to the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. A minimum descent height for a circling approach is referenced to the aerodrome elevation.

Note 2: The required visual reference means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In the case of a circling approach the required visual reference is the runway environment.

Note 3: For convenience when both expressions are used they may be written in the

form "minimum descent altitude/height" and abbreviated "MDA/H."

Minimum Equipment List (MEL). A list approved by the Authority 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 Master Minimum Equipment List established for the aircraft type.

Minimum sector altitude (MSA). The lowest altitude which may be used which will provide a minimum clearance of 300 m (1 000 ft) above all objects located in an area contained within a sector of a circle of 46 km (25 NM) radius centred on a significant point, the aerodrome reference point (ARP), or the heliport reference point (HRP).

Minister. This term means the Minister responsible for civil aviation.

Minor modification. A modification other than a major modification.

Modification. The modification of an aircraft/aeronautical product in conformity with an approved standard.

Movement area. That part of an aerodrome to be used for takeoff, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).

Movie. This term includes film, videos, and live broadcast in any format, and the preparation and rehearsal for those operations.

Navigable airspace. The airspace above the minimum altitudes of flight prescribed in these Regulations (Part 10) and includes airspace needed to insure safety in the takeoff and landing of aircraft.

Navigation of aircraft. A function which includes the piloting of aircraft.

Navigation specification. A set of aircraft and flight crew requirements needed to support performance- based navigation operations within a defined airspace. There are two kinds of navigation specifications—

(i) *RNP specification*. 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.

(ii) *RNAV specification.* 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. The hours between the end of evening civil twilight and the beginning of morning civil twilight or such other period between sunset and sunrise. Civil twilight ends in the evening when the centre of the sun's disc is 6 degrees below the horizon and begins in the morning when the centre of the sun's disc is 6 degrees below the horizon.

Non-congested hostile environment. A hostile environment outside a congested area.

Non-hostile environment. An environment in which—

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

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

(iii) Search and rescue response/capability is provided consistent with anticipated exposure; and

(iv) The assessed risk of endangering persons or property on the ground is acceptable.

Notification time. The period of time that an operator allows between the time a crew member on standby receives a call requiring a report for duty and the actual time required to report for that duty.

Obstacle clearance altitude (OCA) or obstacle clearance height (OCH). 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.

(i) Obstacle clearance altitude is referenced to mean sea level and obstacle clearance height is referenced to the threshold elevation or in the case of non-

precision approaches to the aerodrome elevation or the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. An obstacle clearance height for a circling approach is referenced to the aerodrome elevation.

(ii) For convenience when both expressions are used they may be written in the form "obstacle clearance altitude/height" and abbreviated "OCA/H".

Occurrence. In relation to an aircraft, this means any incident which—

(i) Endangers or which, if not corrected, would endanger an aircraft, its occupants or any other person; or

(ii) Resulted in an accident.

Oceanic area. For the purpose of aircraft tracking, is the airspace which overlies waters outside the territory of a State.

Offshore operations. 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.

Operating base. The location from which operational control is exercised.

Operation. 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. The exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and regularity and efficiency of the flight.

Operational flight plan. The operator's plan for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations, and relevant expected conditions on the route to be followed and at the aerodromes or heliports concerned.

Operational personnel. Personnel involved in aviation activities who are in a position to report safety information.

Operations specifications. The authorisations, conditions and limitations associated with an air operator (or other organisation) and subject to the conditions in the operations (or other specified) manual.

Operations in performance Class 1. Operations with performance such that, in the event of a critical power-unit 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. Operations with performance such that, in the event of critical power-unit 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. Operations with performance such that, in the event of a power-unit failure at any time during the flight, a forced landing will be required.

Operations manual. A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.

Operations Specifications. Formal documents issued by the Authority as a part of an approved organisation's certificate to define the authorisations and limitations conveyed by the certificate.

Operator. A person, organisation or enterprise engaged in or offering to engage in an aircraft operation, including any person who causes or authorises the operation of an aircraft, such as the owner, lessee, or bailee of an aircraft.

Operator's Maintenance Control Manual. A document that 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.

Organisation responsible for the type design. The organisation that holds the type certificate, or equivalent document, for an aircraft, engine or propeller type, issued by a Contracting State

Ornithopter. A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on planes to which a flapping motion is imparted.

Overhaul. The restoration of an aircraft/aeronautical product using methods, techniques, and practices acceptable to the Authority, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorisation (PMA) or Technical Standard Order (TSO).

Overpack. An enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage.

Package. The complete product of the packing operation consisting of the packaging and its contents prepared for transport.

Packaging. Receptacles and any other components or materials necessary for the receptacle to perform its containment.

Passenger aircraft. An aircraft that carries any person other than a crew member, an operator's employee in an official capacity, an authorised representative of an appropriate national authority or a person accompanying a consignment or other cargo.

Passenger exit seats. Those seats having direct access to an exit, and those seats in a row of seats through which passengers would have to pass to gain access to an exit, from the first seat inboard of the exit to the first aisle inboard of the exit. A passenger seat having "direct access" means a seat from which a passenger can proceed directly to the exit without entering an aisle or passing around an obstruction.

Performance-based communication (PBC). Communication based on performance specifications applied to the provision of air traffic services.

Note. —An RCP specification includes communication performance requirements that are allocated to system components in terms of the communication to be provided and associated transaction time, continuity, availability, integrity, safety and functionality needed for the proposed operation in the context of a particular airspace concept.

Performance-based navigation (PBN). Area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace.

Note. —Performance requirements are expressed in navigation specifications (RNAV specification, RNP specification) in terms of accuracy, integrity, continuity, availability and functionality needed for the proposed operation in the context of a particular airspace concept.

Performance-based surveillance (PBS). Surveillance based on performance specifications applied to the provision of air traffic services.

Note. — An RSP specification includes surveillance performance requirements that

are allocated to system components in terms of the surveillance to be provided and associated data delivery time, continuity, availability, integrity, accuracy of the surveillance data, safety and functionality needed for the proposed operation in the context of a particular airspace concept.

Performance criteria. A simple, evaluative statement on the required outcome of the competency element and a description of the criteria used to judge if the required level of performance has been achieved.

Performance Standard: A standard that clearly distinguishes between correct or acceptable performance and incorrect or unacceptable performance.

(i) **Process Standard:** A performance standard express in terms of the process through which the task should be performed. (It provides the means to evaluate performance even it there is no output.)

(ii) **Product Standard:** A performance standard expressed in terms of the result or the product of that performance.

Person. Any individual, firm, partnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative of these entities.

Physiological night's rest. 10 hours of rest that encompasses the hours of 0100 and 0700 at the flight crew member's home base, unless the individual has acclimated to a different theater.

(i) If the flight crew member has acclimated to a different theater, the rest must encompass the hours of 0100 and 0700 at the acclimated location.

Pilot in command. The pilot responsible for the operation and safety of the aircraft during flight time, including 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 the flight.

Pilot-in-command under supervision. Co-pilot performing, under the supervision of the pilot-in- command, the duties and functions of a pilot-in-command, in accordance with a method of supervision acceptable to the Authority.

Pilot time. That time a person—

(i) Serves as a required pilot;

(ii) Receives training from an authorised instructor in an aircraft, or an approved flight simulation training device; or

(iii) Gives training as an authorised instructor in an aircraft, or an approved flight simulation training device.

Pilot (to). To manipulate the flight controls of an aircraft during flight time.

Point of no return. The last possible geographic point at which an aeroplane can proceed to the destination aerodrome as well as to an available en route alternate aerodrome for a given flight.

Powered-lift. A heavier-than-air aircraft capable of vertical takeoff, vertical landing, and low speed flight that depends principally on engine-driven lift devices or engine thrust for lift during these flight regimes and on non-rotating airfoil(s) for lift during horizontal flight.

Powerplant. An engine that is used or intended to be used for propelling aircraft. It includes turbo superchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers.

Practical test. *See Skill test.*

Pre-flight inspection. The inspection carried out before flight to insure that the aircraft is fit for the intended flight.

Preliminary Report. The communication used for the prompt dissemination of data obtained during the early stages of the investigation.

Pressure altitude. An atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere (as defined in ICAO Annex 8).

Primary Standard. A standard defined and maintained by a State Authority and used to calibrate secondary standards.

Pressurised aircraft. For airman-licensing purposes, means an aircraft that has a service ceiling or maximum operating altitude, whichever is lower, above 25,000 feet MSL.

Preventive maintenance. Simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations.

Private Agricultural Application. The operation of an aircraft for the purpose of agricultural application over a property where the pilot is—

(i) The owner or lessee; or

(ii) Has ownership or other property interest in the crop located on that property.

Problematic use of substances. The use of one or more psychoactive substances by aviation personnel in a way that—

(i) Constitutes a direct hazard to the user or endangers the lives, health or welfare of others; and/ or

(ii) Causes or worsens an occupational, social, mental or physical problem or disorder.

Prohibited area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.

Propeller. A device for propelling an aircraft that has blades on a powerplant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation.

(i) It includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants.

Propeller-driven aeroplane. A piston or turbine-powered aeroplane that is derives its primary thrust from propellers.

Proper shipping name. The name to be used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packaging.

Psychoactive substances. Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

Quality. The totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs.

Quality assurance. Quality assurance, as distinguished from quality control, involves activities in the business, systems, and technical audit areas. A set of predetermined, systematic actions which are required to provide adequate confidence that a product or service satisfies quality requirements.

Quality control. The regulatory inspection process through which actual performance is compared with standards, such as the maintenance of standards of manufactured aeronautical products, and any difference is acted upon.

Quality system. Documented organisational procedures and policies; internal audit of those policies procedures; management review and recommendation for quality improvements.

Radiotelephony. A form of radio communication primarily intended for the exchange of information in the form of speech.

Rated air traffic controller. An air traffic controller holding a licence and valid ratings appropriate to the privileges to be exercised.

Rating. An authorisation entered on or associated with a licence and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence.

RCP type. A label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity.

Rebuild. The restoration of an aircraft/aeronautical product by using methods, techniques, and practices acceptable to the Authority, when it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits.

Reference Standard. A standard that is used to maintain working standards.

Regulated entity. An individual or organisation that is certificated, licenced or authorised by the Authority to conduct activities in aviation

Re-issue of a licence, rating, authorisation or certificate. The administrative action taken after a licence, rating, authorisation or certificate has lapsed that re-issues the privileges of the licence, rating, authorisation or certificate for a further specified period consequent upon the fulfilment of specified requirements.

Remote pilot station. The component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft.

Remote pilot. A person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during flight time.

Remotely piloted aircraft (RPA). An unmanned aircraft which is piloted from a remote pilot station.

Remotely piloted aircraft system (RPAS). A remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design.

Rendering (a licence) valid. The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.

Renewal of licence, rating, authorisation or certificate. The administrative action taken within the period of validity of a licence, rating, authorisation or certificate that allows the holder to continue to exercise the privileges of a licence, rating, authorisation or certificate for a further specified period consequent upon the fulfilment of specified requirements.

Repair. The restoration of an aeronautical product to an airworthy condition to ensure that the aircraft continues to comply with the design aspects of the appropriate airworthiness requirements used for the issuance of the type certificate for the respective aircraft type, after it has been damaged or subjected to wear.

Repetitive flight plan (RPL). A flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by ATC units.

Reporting point. A specified geographical location in relation to which the position of the aircraft can be reported.

Required communication performance (RCP). A statement of the performance requirements for operational communications in support of specific ATM functions.

Required communication performance (RCP) specification. A set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based communication

Required communication performance type (RCP type). A label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity.

Required inspection items. As used in Part 5, maintenance items and/or modifications that must be inspected by a person other than the one performing the work, and include at least those that could result in a failure, malfunction, or defect endangering the safe operation of the aircraft, if not properly performed or if improper parts or materials are

used.

Required Navigation Performance (RNP). A statement of the navigation performance necessary for operations with a defined airspace.

Required surveillance performance (RSP) specification. A set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based surveillance.

Required visual reference – for instrument approaches. That section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In Category III operations with a decision height the required visual reference is that specified for the particular procedure and operation.

Report time. The time at which the crew member is required to report for any duty. The reporting time is expressed in the local time at the reporting place.

Rescue. An operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety.

Reserve availability period. A duty period during which an operator requires a crew member on short call reserve to be available to receive an assignment for a duty or flight duty period.

Reserve crew member A crew member who is required by an operator to be available to receive an assignment for duty.

Rest facility. A bunk or seat accommodation installed in an aircraft that provides a crew member with a sleep opportunity.

(i) **Class 1 rest facility.** A bunk or other surface that allows for a flat sleeping position and is located separate from both the flight deck and passenger cabin in an area that is temperature- controlled, allows the crew member to control light, and provides isolation from noise and disturbance.

(ii) **Class 2 rest facility.** A seat in an aircraft cabin that allows for a flat or near flat sleeping position; is separated from passengers by a minimum of a curtain to provide darkness and some sound mitigation; and is reasonably free from disturbance by passengers or crew members.

(iii) **Class 3 rest facility.** A seat in an aircraft cabin or flight deck that reclines at least 40 degrees and provides leg and foot support.

Rest period. A continuous and defined period of time, subsequent to and/or prior to duty, during which flight or cabin crew members, maintenance personnel and flight dispatchers are free from all restraint by the operator, including freedom from present responsibility for work should the occasion arise.

Restricted area (aerodrome). Any area of an aerodrome that is identified as an area to which access is restricted to authorised persons and includes any aircraft or vehicle on that aerodrome.

Restricted area (airspace). An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions.

Restricted area pass. A document issued by the designated pass issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period.

Rotorcraft. A power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors.

Rotorcraft flight manual. A manual, associated with the certificate of airworthiness, containing limitations within which the rotorcraft is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the rotorcraft.

Rotorcraft load combinations. Configurations for external loads carried by rotorcraft—

(i) ***Class A***—external load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo.

(ii) ***Class B***—external load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations.

(iii) ***Class C***—external load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation.

(iv) *Class D*—external load suspended from the rotorcraft for the carriage of persons.

Route sector. A flight comprising take-off, departure, cruise of not less than 15 minutes, arrival, approach and landing phases.

RPA observer. A trained and competent person designated by the operator who, by visual observation of the remotely piloted aircraft, assists the remote pilot in the safe conduct of the flight.

Runway. A defined rectangular area on a land aerodrome prepared for the landing and takeoff of aircraft.

Runway condition assessment matrix (RCAM). A matrix allowing the assessment of the runway condition code, using associated procedures, from a set of observed runway surface condition(s) and pilot report of braking action.

Runway condition code (RWYCC). A number describing the runway surface condition to be used in the runway condition report.

Runway condition report (RCR). A comprehensive standardized report relating to runway surface conditions and its effect on the aeroplane landing and take-off performance.

Runway visual range (RVR). 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.

Runway-holding position. A designated position intended to protect a runway, an obstacle limitation surface, or an ILS/MLS critical/sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorised by the aerodrome control tower.

Safe forced landing. Unavoidable landing or ditching with a reasonable expectance of no injuries to person in the aircraft or on the surface.

Safety. The state in which risks associated with aviation activities are reduced and controlled to an acceptable level.

Safety-sensitive personnel. Persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers.

Safety management system (SMS). A systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures.

Safety performance. A State or a service provider's safety achievement as defined by its safety performance targets and safety performance indicators.

Safety performance indicator. A data-based safety parameter used for monitoring and assessing performance.

Safety performance target. The planned or intended objective for safety performance indicator(s) over a given period.

Safety program. An integrated set of regulations and activities aimed at improving safety.

Safety recommendation. A proposal of the accident investigation authority of the State conducting the investigation, based on information derived from the investigation made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of
blame or liability for an accident or incident. In addition to safety recommendations

arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.

Safety risk. The predicted likelihood and severity of the consequences or outcomes of a hazard.

Satisfactory evidence. A set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement.

Secondary Standards. A standard maintained by comparison with a primary standard.

Security. A combination of measures and human and material resources intended to safeguard civil aviation against acts of unlawful interference.

Security program. Measures adopted to safeguard international and domestic civil aviation against acts of unlawful interference.

Security officer or **security screening officer.** A duly trained and appointed aviation security guard

Series of flights. Series of flights are consecutive flights that—

(i) Begin and end within a period of 24 hours; and
(ii) Are all conducted by the same pilot-in-command.

Serious incident. An incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down.

Note. —An incident involving circumstances indicating that an accident nearly occurred, the difference being only in the outcome.

Serious injury. An injury which is sustained by a person in an accident and which—

(i) Requires hospitalisation for more than 48 hours, commencing within seven days from the date the injury was received;
(ii) Results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
(iii) Involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
(iv) Involves injury to any internal organ; or
(v) Involves second or third degree burns, or any burns affecting more than 5% of the body surface; or
(vi) Involves verified exposure to infectious substances or injurious radiation.

Short-call reserve (Standby). A defined period of time during which a crew member is assigned to a reserve availability period. The crew member has not been assigned to any duty, but is required by the operator to be available to receive an assignment for duty without an intervening rest period.

Sight-Seeing Flights. The operation of an aircraft involving the carriage of persons for viewing natural formations or man-made objects on the ground when those operations are conducted as part of a business enterprise or for compensation or hire, and—

(i) The flight is unquestionably advertised as “sight-seeing;” and
(ii) The flight returns to the aerodrome of departure without having landed at any other aerodrome; and
(iii) The certificated passenger capacity of the aircraft does not exceed 9 passengers.

Note. — Any other passenger carrying flight for remuneration, hire or valuable consideration must be conducted under an Air Operator Certificate (AOC).

Signal area. An area on an aerodrome used for the display of ground signals.

Signature. An individual's unique identification used as a means of authenticating a record entry or record. A signature may be hand-written, electronic, or any other form acceptable to the Authority.

Sign a maintenance release (to). To certify that maintenance work has been completed satisfactorily in accordance with the applicable Standards of airworthiness, by issuing the maintenance release required by Part 4.

Significant. In the context of the medical provisions in Part 8, ***significant*** means to a degree or of a nature that is likely to jeopardize flight safety.

Single Pilot Air Taxi. An operator of non-turbojet aircraft having a maximum certificated configuration for nine or less passengers, that has no more than—

(i) 1 aircraft; and

(ii) 1 pilot-in-command.

Skill test. A competency test on the areas of operations for a licence, certificate, rating, or authorisation that is conducted by having the applicant respond to questions and demonstrate manoeuvres in flight, or in an approved flight simulation training device, or in a combination of these.

Small aircraft. When this term is used, it refers to both small aeroplanes and helicopters.

Small aeroplane. An aeroplane having a maximum certified takeoff mass of 5,700 kg. (12,500 lbs) or less.

Small helicopter. A helicopter having a maximum certified take-off mass of less than 2730 kg.

Solo flight time. Flight time during which a student pilot is the sole occupant of the aircraft.

Spare parts. Any parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers, and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto.

Special aircraft jurisdiction of Rwanda. This includes—

(i) Civil aircraft of Rwanda; and

(ii) Any other aircraft within the jurisdiction of Rwanda, while the aircraft is in flight, which is from the moment when all external doors are closed following embarkation until the moment when one such door is opened for disembarkation or, in case of a forced landing, until the competent authorities take over the responsibility of the aircraft and the persons and property aboard.

Special Purpose Patrolling. The operation of an aircraft for the purpose of low-level patrolling for potential problems of power lines, pipe lines andcanals.

Special VFR flight. A VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC.

Specialised maintenance. Any maintenance not normally performed by an AMO (e.g., tire retreating, plating, etc.)

Specific operating provisions. the Specific Operating Provisions describe the ratings (Class and/or Limited) in detail and will contain or reference material and process specifications used in performing repair work, along with any limitations applied to the maintenance organisation. The accountable manager and the Authority sign this document.

Split duty. A flight duty period which consists of two duties separated by a scheduled break that is less than a required rest period.

Standard. An object, artifact, tool, test equipment, system, or experiment that stores, embodies, or otherwise provides a physical quantity, which serves as the basis for measurement of the quantity. It also includes a document describing the operations and process that must be performed in order for a particular end to be achieved.

State of Design. The State having jurisdiction over the organisation responsible for the type

design.

State of Destination. The State in the territory of which the consignment is finally to be unloaded from an aircraft.

State of Manufacture. The State having jurisdiction over the organisation responsible for the final assembly of the aircraft.

State of Occurrence. The State in the territory of which an accident or incident occurs.

State of the Aerodrome. The State in whose territory the aerodrome is located.

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

State of Origin (as related to dangerous goods). The State in which dangerous goods were first loaded on an aircraft. (ICAO Annex 18)

State of Registry. The State on whose register an aircraft is entered.

State Safety Program (SSP). An integrated set of regulations and activities established by a State aimed at improving safety.

Substantial damage. Damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component.

Note. —Engine failure or damage limited to an engine if only one engine fails or is damaged, bent fairings or cowling, dented skin, small punctured holes in the skin or fabric, ground damage to rotor or propeller blades, and damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips are not considered "substantial damage" for the purpose of this substantial damage relating to an aircraft accident.

Synthetic flight trainer. *See Flight simulation training device.*

Synthetic vision system (SVS). 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. 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 surface. That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction.

Takeoff decision point. The point used in determining takeoff performance of a Class 1 helicopter from which, an engine failure occurring at this point, either a rejected takeoff may be made or a takeoff safely continued.

Target level of safety (TLS). A generic term representing the level of risk which is considered acceptable in particular circumstances.

Taxiing. Movement of an aircraft on the surface of an aerodrome under its own power, excluding takeoff and landing.

Taxiway. A defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including—

(i) *Aircraft stand taxi lane*. A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only.

(ii) *Apron taxiway*. A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron.

(iii) *Rapid exit taxiway*. A taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimising runway occupancy times.

Technical log. A document carried on an aircraft that contains information to meet ICAO requirements; a technical log contains two independent sections: a journey record section and an aircraft maintenance record section.

Technical instructions. The latest effective edition of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc. 9284-AN/905), including the supplement and any addendum, approved and published by decision of the Council of the ICAO. The abbreviated term "Technical Instructions" is used in these Regulations.

Temporary downgrade. RFFS category as notified, including by NOTAM, and resulting from the downgrade of the level of RFFS protection available at an aerodrome.

Terminal control area. A control area normally established at the confluence of ATC routes in the vicinity of one or more major aerodromes.

Terrain Awareness Warning System. A system that provides the flight crew with sufficient information and alerting to detect a potentially hazardous terrain situation and so the flight crew may take effective action to prevent a controlled flight into terrain (CFIT) event.

Test: A device used to measure the level of knowledge and/or skill of the trainee at the time of administration.

(i) **Prerequisite Test:** A test applied before a course begins to allay doubts as to whether the trainees have all the skills required to meet the defined entry level for a course.

(ii) **Progress Test:** A test given at one or more points during the delivery of a lesson or module to determine whether the trainee has accomplished the intermediate objectives.

(iii) **Mastery Test:** A test used to determine whether the trainee has achieved performance of the end-of-module objective to the required standard or level of competence. It will be conducted under the conditions specified in the objective.

Threat. As relating to flight, events or errors that occur beyond the influence of an operational person, increase operational complexity and which must be managed to maintain the margin of safety. (ICAO Annex 1)

Threat management. The process of detecting and responding to the threats with countermeasures that reduce or eliminate the consequences of threats, and mitigate the probability of errors or undesired aircraft. (ICAO Annex 1)

Threshold time. The range, expressed in time, established by the State of the Operator to an en-route alternate aerodrome, whereby any time beyond requires an EDTO approval from the State of the Operator.

Tilt-rotor. A powered-lift capable of vertical take-off, vertical landing, and sustained low-speed flight, which depends principally on engine-driven rotors mounted on tiltable nacelles for the lift during these flight regimes and on non-rotating aerofoil(s) for lift during high-speed flight.

Total estimated elapsed time. For IFR flights, the estimated time required from takeoff to arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome. For VFR flights, the estimated time required from takeoff to arrive over the destination aerodrome.

Total vertical error (TVE). The vertical geometric difference between the actual pressure altitude flown by an aircraft and its assigned pressure altitude (flight level).

Traceability. A characteristic of a calibration, analogous to a pedigree. A traceable calibration is achieved when each Measurement Device and Working Standard, in a hierarchy stretching back to the National Standard, was itself properly calibrated, and the results properly documented. The documentation provides the information needed to show that all calibrations in the chain of calibrations were properly performed.

Track. The projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid).

Traffic avoidance advice. Advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision.

Traffic information. Information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision.

Training manual. A manual containing the training goals, objectives, standards syllabi, and curriculum for each phase of the approved training course.

Training outcome: An end-of-course objective.

Training procedures manual. A manual containing procedures, instructions and guidance for use by personnel of an Approved Training Organisation in the execution of their duties in meeting the requirements of the certificate.

Training program: A number of courses conducted to meet a specific national (or international) training need.

Training specifications. A document issued to an Aviation Training Organisation certificate holder by Rwanda that specifies training program requirements and authorises the conduct of training, checking, and testing with any limitations thereof.

Training program. A program that consists of courses, courseware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It may include a core curriculum and a speciality curriculum.

Transfer Standard. Any standard that is used to compare a measurement process, system, or device at one location or level with another measurement process, system or device at another location or level.

Transition altitude. The altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes.

Training time. The time spent receiving from an authorised instructor flight training, ground training, or simulated flight training in an approved flight simulation training device.

Training to proficiency. The process of the check airman administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period.

Tribal Knowledge. Knowledge that is passed individual to individual, rather than captured in written policy and procedure.

Type Certificate. A document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State.

Type Design. The set of data and information necessary to define an engine or propeller type for the purpose of an airworthiness determination.

Undesired aircraft state. Occurs when the flight crew places the aircraft in a situation of unnecessary risk. (ICAO Annex 1).

Ultimate load. The limit load multiplied by the appropriate factor of safety.

Unaided night flight. For a flight in which a pilot uses night vision goggles, the portion of the flight in which the pilot does not use night vision goggles to maintain visual surface reference.

Undesired aircraft state. Occurs when the flight crew places the aircraft in a situation of unnecessary risk.

Unforeseen factors. Factors which could have an influence on the fuel consumption to the destination aerodrome, such as deviations of an individual aeroplane from the expected fuel consumption data, deviations from forecast meteorological conditions, extended delays taxi times before take-off, and deviations from planned routings and/or cruising levels.

Unforeseen operational circumstance. An unplanned event of insufficient duration to allow for adjustments to schedules, including unforecast weather, equipment malfunction, or

air traffic delay that is not reasonably expected.

UN number. The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances.

Unit load device. Any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo.

Unmanned Aircraft. A further classification of an aircraft which is intended to be operated with no pilot on board. Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.

Unmanned free balloon. A non-power-driven, unmanned, lighter-than-air aircraft in free flight.

Validation. The acceptance of a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the primary basis for the Authority's issuance of a certificate, licence, approval, designation, or authorisation containing the same or more restrictive privileges.

(i) ***Rendering (a licence) valid.*** The action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence.

(ii) ***Rendering (a Certificate of Airworthiness) valid.*** The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.

VFR. The symbol used to designate the visual flight rules.

VFR flight. A flight conducted in accordance with the visual flight rules.

Visibility. Visibility for aeronautical purposes is the greater of—

(i) The greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognised when observed against a bright background; or

(ii) The greatest distance at which lights in the vicinity of 1,000 candelas can be seen and identified against an unlit background.

Visual line-of-sight (VLOS) operation. An operation in which the remote pilot or RPA observer maintains direct unaided visual contact with the remotely piloted aircraft.

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

V_{TOSS} The minimum speed at which climb shall be achieved with the critical engine inoperative, the remaining engines operating within **approved** operating limits.

Weapon. Anything designed, used or capable of inflicting harm and includes a firearm.

Wet Lease. The lease of an aircraft with crew and other back-up.

Wet runway. The runway surface is covered by any visible dampness or water up to and including 3 mm deep within the intended area of use.

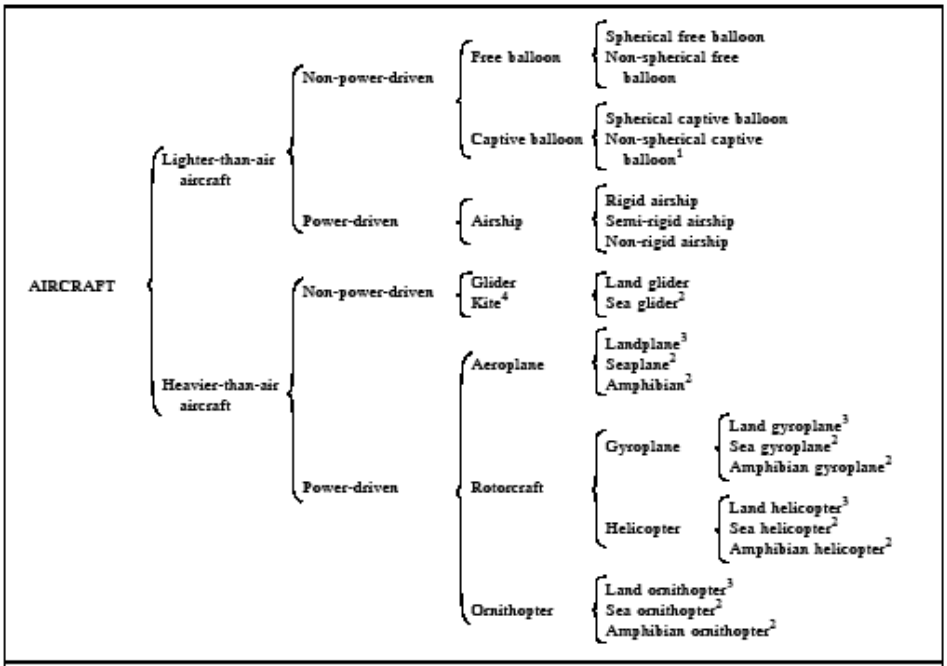
Window of circadian low A period of maximum sleepiness that occurs between 0200 and 0559 during a physiological night.

APPENDIX 2 TO 1.015: CLASSIFICATION OF AIRCRAFT

(a) The definitions involving specific classification of aircraft and sub-groupings of aircraft shall be in accordance with the following table—

(1) An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.

(2) Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.



1. Generally designated "kite-balloon".
2. "Float" or "boat" may be added as appropriate.
3. Includes aircraft equipped with ski-type landing gear (substitute "ski" for "land").
4. For the purpose of completeness only.

APPENDIX 1 TO 1.020: GLOSSARY OF ACRONYMS & ABBREVIATIONS

(a) The acronyms provided in this appendix apply to all requirements included in the Civil Aviation Regulations and its Parts—.

ACAS – Airborne collision avoidance system

ADS – Automatic dependent surveillance

AIP – Aeronautical Information Publication

AMO – Approved Maintenance Organisation

AOC – Air operator certificate
ASE – Altimetry system error
ATS – Air Traffic Services
CAT I – Category I operation
CAT II – Category II operation
CAT IIIA – Category IIIA operation
CAT IIIB – Category IIIB operation
CAT IIIC – Category IIIC operation
CDFA – Continuous Descent Final Approach
CDL – Configuration deviation list
CFIT = Controlled Flight into the Terrain
C.G. – Center of Gravity
COMAT = Operator (company) material
CPDLC – Controller-pilot data link communications
CVS = Combined Vision System
DA – Decision altitude
DH – Decision height
EFB = Electronic Flight Bag
EGPWS – Enhanced ground proximity warning

ELT – Emergency locator transmitter
ELT(AD) – Automatic deployable ELT
ELT(AF) – Automatic fixed ELT
ELT(AP) – Automatic portable ELT
ELT(S) – Survival ELT
ETDO = Extended Time Diversion Operations
EUROCAE = European Organisation for Civil Aviation Equipment
EVS – Enhanced vision system
FAS = Final Approach Segment
FATO – Final approach and take-of area
FDP = Flight Duty Period
FMC = Flight Management Computer
FRMS – Fatigue Risk Management System
HUD – Head-up display
IFR – Instrument flight rules
IMC – Instrument meteorological conditions
JRCC – Joint rescue coordination centre
LED = Light Emitting Diode
LDP – Landing decision point
MDA – Minimum descent altitude
MDH – Minimum descent height
MEL – Minimum equipment list
MMEL – Master minimum equipment list
MNPS = Minimum Navigation Performance Specifications
NM = Nautical mile
NPRM = Notice of Proposed Rule Making
NVIS = Night Vision Imaging Systems
OCA = Obstacle clearance altitude
OCH = Obstacle clearance height
PBC = Performance-based communications
PBN – Performance-based navigation
PBS = Performance-based surveillance
RCATS = Rwanda Civil Aviation Technical Standards
RCC = Rescue coordination centre
RCP = Required Communications Performance
RNP = Required navigation performance
RPA = Remotely piloted aircraft
RPAS – Remotely piloted aircraft system
RPL – Repetitive flight plan
RSC – Rescue sub centre
RVR – Runway visual range
RVSM = Reduced Vertical Separation Minimums
SMS – Safety Management System
SRR – Search and rescue region
SSP – State Safety Program
SVS = Synthetic Vision System
TLS – Target level of safety
TVE – Total vertical error
VFR – Visual flight rules

VLOS – Visual line-of-sight (VLOS) operation
VMC - Visual meteorological conditions

(b) The abbreviations provided in this appendix apply to requirements included in the Civil Aviation Regulations and its Parts—

Ampere **(A)**
Becquerel **(Bq)**
Candela **(cd)**
Celsius temperature **(t°C)**
Coulomb **(C)**
Degree
Celsius **(°C)**
Farad **(F)**
Foot **(ft)**
Gray **(Gy)**
Henry **(H)**
Hertz **(Hz)**
Joule **(J)**
Kelvin **(K)**
Kilogram **(kg)**
Knot **(kt)**
Litre **(L)**
Lumen **(lm)**
Lux **(lx)**
Metre **(m)**
Mole **(mol)**
Newton **(N)**
Ohm **(0)**
Pascal **(Pa)**
Radian **(rad)**
Second **(s)**
Siemens **(S)**
Sievert **(Sv)**
Steradian **(sr)**
Testa **(T)**
Tonne **(t)**
Volt **(V)**
Watt **(W)**
Weber **(Wb)**

APPENDIX 1 TO 1.075: LIST OF PSYCHOACTIVE SUBSTANCES

(a) The following are deemed to be psychoactive substances—

(1) Alcohol.
(2) Opioids.
(3) Cannabinoids.
(4) Sedatives and hypnotics.
(5) Cocaine and other stimulants (exceptcaffeine).
(6) Hallucinogens.
(7) Volatile solvents.

END OF RCAR PART 1

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA II W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX II TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE II A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 2

Aircraft Registration & Marking

SUBPART A: GENERAL 2
2.001 CITATION & APPLICABILITY 2
2.005 DEFINITIONS 2
2.010 ACRONYMS & ABBREVIATIONS 3

SUBPART B: AIRCRAFT REGISTRATION REQUIREMENTS 3
2.015 GENERAL 3
2.020 ELIGIBILITY FOR REGISTRATION 3
2.025 CLASSIFICATION OF AIRCRAFT 4
2.030 APPLICATION FOR REGISTRATION OF AIRCRAFT 4
2.035 REGISTRATION OF AIRCRAFT 5
2.040 CERTIFICATE OF REGISTRATION 5
2.045 CHANGE OF REGISTRATION OR OWNERSHIP PARTICULARS 5
2.050 DE-REGISTRATION 6

SUBPART C: NATIONALITY & REGISTRATION MARKS 6
2.055 MARKING & MANNER OF AFFIXATION 6
2.060 DISPLAY OF MARKS 7
2.065 LOCATION OF MARKS 7
2.070 MEASUREMENT OF MARKS 8
2.075 TYPES OF CHARACTERS FOR NATIONALITY & REGISTRATION MARKS 8
2.080 DEVIATIONS FOR SIZE & LOCATION OF MARKS 9
2.085 REMOVAL OF MARKS 9
2.090 IDENTIFICATION PLATE REQUIRED 9
2.095 INSPECTION OF CERTIFICATE OF REGISTRATION 9

APPENDICES 10
APPENDIX 1 TO 2.025: CLASSIFICATION OF AIRCRAFT 10
APPENDIX 1 TO 2.040: CONTENTS OF CERTIFICATE OF REGISTRATION 11

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SUBPART A: GENERAL

2.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Aircraft Registration and Marking) Regulations.

(b) This Part prescribes the requirements of Rwanda for registration and marking of civil aircraft.

(c) This Part is applicable to owners, lessees and operators of aircraft registered in Rwanda.

(d) This Part does not apply to—

(1) Meteorological pilot balloons used exclusively for meteorological purposes; or

(2) Unmanned free balloons without a payload.

2.005 DEFINITIONS

(a) When the following terms are used in this Part, they have the following meanings—

Aeroplane. A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Aircraft. 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. (See First Schedule, Classification of aircraft.)

Airship. A power-driven lighter-than-air aircraft.

Authority. The Rwanda Civil Aviation Authority.

Balloon. A non-power-driven lighter-than-air aircraft.

Commercial air transport. An aircraft operation involving the transport of passengers, cargo, or mail for remuneration or hire.

Contracting State. A State that is signatory to the Convention on International Civil Aviation.

Common mark. A mark assigned by the International Civil Aviation Organization to the common mark registering authority registering aircraft of an international operating agency on other than a national basis.

Common mark registering authority. The authority maintaining the non-national register or, where appropriate, the part thereof, in which aircraft of an international operating agency are registered.

Fireproof material. A material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose.

Glider. A non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Gyroplane. A heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes.

Heavier-than-air aircraft. Any aircraft deriving its lift in flight chiefly from aerodynamic forces.

Helicopter. 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.

International Operating Agency. An agency of the kind contemplated in Article 77 of the Convention.

Lighter-than-air aircraft. Any aircraft supported chiefly by its buoyancy in the air.

Ornithopter. A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on planes to which a flapping motion is imparted.

Remotely piloted aircraft (RPA). An unmanned aircraft which is piloted from a remote pilot station.

Rotorcraft. A power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors.

Seaplane. An aeroplane equipped with floats or other devices enabling it to land and take-off

from the surface of water.

State of Registry. The State on whose register the aircraft is entered.

2.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms are used in this Part—

ICAO = International Civil Aviation Organization

RPA = Remotely Piloted Aircraft

SUBPART B: AIRCRAFT REGISTRATION REQUIREMENTS

2.015 GENERAL

(a) A person shall not operate an aircraft, as classified in the Appendix 1 to 2.025, within or fly over Rwanda unless—

(1) for an aircraft eligible for registration under the laws of Rwanda, the aircraft has been registered by its owner in accordance with these Regulations and the Authority has issued a certificate of aircraft registration for that aircraft which shall be carried aboard that aircraft for all operations; or

(2) it is registered in—

(i) a Contracting State; or

(ii) some other State in relation to which there is in force an agreement between the Government of Rwanda and the Government of that State which makes provisions for the flight over Rwanda of aircraft registered in that State.

(b) Subject to this Regulation, an aircraft shall not be registered or continue to be registered in Rwanda where—

(1) the aircraft is registered outside of Rwanda;

(2) An unqualified person is entitled as owner to any legal or beneficial interest in the aircraft or to any share therein;

(3) It would be inexpedient in the public interest for the aircraft to be or to continue to be registered in Rwanda; or

(4) The aircraft does not qualify to be issued with a certificate of airworthiness as specified in the Civil Aviation (Airworthiness) Regulations.

(c) A person shall not operate or fly an aircraft unless it bears painted thereon or affixed thereto, in the manner required by the law of the State in which it is registered, the nationality and registration marks required by that law.

(d) An aircraft shall not bear any marks which purport to indicate that the aircraft is—

(1) Registered in a State in which it is not in fact registered; or

(2) A State aircraft of a particular State if it is not in fact such an aircraft unless the appropriate authority of that State has sanctioned the bearing of such marks.

(e) The Authority shall be responsible for the registration of aircraft in Rwanda and shall maintain a current register on its premises and shall record in it the particulars specified in Regulation 2.035.

2.020 ELIGIBILITY FOR REGISTRATION

(a) An aircraft is eligible for registration if it is—

(1) Owned by a qualified person mentioned in paragraph (b) of this Regulation; and

(2) Not registered under the laws of any foreign country.

(b) The following persons shall be qualified to be the owners of a legal or beneficial interest in an aircraft registered in Rwanda, or a share therein—

(1) The Government of Rwanda,

(2) Citizens of East African Community Partner States or persons legally and *bonafide* resident in the East African Community;
(3) Corporate bodies incorporated under the laws of the Republic of Rwanda

(c) No individual is qualified to be the registered owner of a Rwanda registered aircraft unless the individual is at least 16 years of age.

(d) If an unqualified person residing or having a place of business in Rwanda is entitled as owner to a legal or beneficial interest in an aircraft, or a share therein, the Authority, upon being satisfied that the aircraft may otherwise be properly registered, may register the aircraft in Rwanda and impose any other restrictions it sees fit to ensure safe operations of the aircraft.

(e) If an aircraft is leased or is the subject of a lease, charter or hire purchase agreement to a person qualified under paragraph (a) of this Regulation, the Authority may, whether or not an unqualified person is entitled as owner to a legal or beneficial interest therein, register the aircraft in the names of the parties to the charter or hire purchase agreement upon being satisfied that the aircraft may otherwise remain so registered during the continuation of the lease, charter or hire-purchase agreement.

2.025 CLASSIFICATION OF AIRCRAFT

(a) Aircraft shall be classified in accordance with the table in Appendix 1 to 2.025.
(1) An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.
(2) Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.

2.030 APPLICATION FOR REGISTRATION OF AIRCRAFT

(a) A person who wishes to register an aircraft in Rwanda shall submit an application for aircraft registration to the Authority for registration on a form prescribed by the Authority; each application shall—
(1) Certify as to the citizenship of the applicant;
(2) Show evidence identifying ownership; and
(3) Be signed in ink.

(b) The application for aircraft registration shall be submitted with the prescribed fee to the Authority.

(c) An application for the registration of an aircraft in Rwanda may be made by, or on behalf of the owner provided that—
(1) The applicant is legally entitled to the aircraft;
(2) A written notice is submitted to the authority identifying the person making the application on behalf of the owner;
(3) In case of a corporate body, a written notice identifying an officer of the body corporate (and address) who may be served with documents, including the registration certificate issued by the authority;
(4) For imported aircraft with previous registration of a foreign country, a statement issued by the authority responsible for registration of aircraft in that country stating when the registration was cancelled.

(d) The application shall contain the following information—
(1) A description of the aircraft that identifies it by reference to its manufacturer, its type and model as designated by its manufacturer, and the serial number given to it by its manufacturer;
(2) If the aircraft has previously been registered in Rwanda or anywhere else, particulars of the registration, including any registration mark given to the aircraft as a result of the registration;
(3) Particulars of the registration mark, if it has been reserved for the aircraft;

(4) An "Export Certificate of Airworthiness" or similarly titled document providing confirmation by the exporting State of a recent satisfactory review of the airworthiness status of the aircraft.
(5) The name and address of each person who holds a property interest in the aircraft and a description of the person's property interest;
(6) The name and address of the registered owner if different from paragraph (d) of this Regulation;
(7) Physical station where the aircraft will be usually stationed;
(8) Name and signature of the applicant; and
(9) Date of the application, and
(10) Any other information as required by the Authority.

2.035 REGISTRATION OF AIRCRAFT

(a) Upon receiving an application for the registration of an aircraft and being satisfied that the aircraft may properly be so registered, the Authority shall register the aircraft, and shall include in the register the following particulars—
  (1) The number of the certificate;
  (2) The nationality mark of the aircraft, and the registration mark assigned to it by the Authority;
  (3) The name of the manufacturer and the manufacturer's designation of the aircraft;
  (4) The serial number of the aircraft;
  (5) The name and address of every person who is entitled as owner to a legal interest in the aircraft or a share therein, or, in the case of a lease agreement or financial arrangement, the names and addresses of lessee and lessor or as the case may be, the financier; and
  (6) Conditions with regard to which it is registered.

(b) The register of unmanned aircraft shall contain the date, time and location of release, the type of aircraft and the name of the operator.

2.040 CERTIFICATE OF REGISTRATION

(a) The Authority shall furnish to the person or persons in whose name or names the aircraft is registered (in these Regulations referred to as the "registered owner") a certificate of registration containing the wording and content of Appendix 1 to 2.040. This certificate shall conform to the wording and content of the certificate provided by the ICAO in Annex 7 to ensure international recognition

(b) The Certificate of Aircraft Registration shall be issued in the English Language for international recognition purposes;

(c) Subject to Regulation 2.030, if at any time after an aircraft has been registered in Rwanda an unqualified person becomes entitled as owner to a legal or beneficial interest in the aircraft or share therein, or the ownership of that aircraft is transferred to a person not qualified under the provisions of Regulation 2.020, the registration of the aircraft shall thereupon become void and the certificate of registration shall forthwith be returned by the registered owner to the Authority for cancellation.

2.045 CHANGE OF REGISTRATION OR OWNERSHIP PARTICULARS

(a) A person registered as the owner of an aircraft registered in Rwanda shall, before continuing operations of the aircraft, notify the Authority of—
  (1) Any change in the particulars which were furnished to the Authority upon application being made for the registration of the aircraft;
  (2) The destruction of the aircraft or its permanent withdrawal from use;
  (3) In the case of an aircraft registered in pursuance of Regulation 2.020(d), the

termination of the lease, charter or hire-purchase agreement.

(b) A person who becomes the owner of an aircraft registered in Rwanda shall inform the Authority in writing within five days after he became owner

(c) The Authority may, where it appears necessary or appropriate, or for purposes of updating the register in accordance with paragraph (a) and (b) of this Regulation, correct or amend the particulars entered on the register.

(d) For purposes of this Regulation, reference to the registered owner of the aircraft includes, in the case of a deceased person, his legal representative and in the case of a body corporate which has been dissolved, its successor.

2.050 DE-REGISTRATION

(a) The Authority may de-register or cancel the registration of an aircraft under the following circumstances—

(1) Upon application by the registered owner for purposes of registering the aircraft in another State or for any other purpose; or

(2) Upon the destruction of the aircraft or its permanent withdrawal from use;

(b) The Authority shall, before de-registering an aircraft in accordance with this Regulation, require the registered owner to—

(1) Return to the Authority the certificate of aircraft registration;

(2) Settles any liens or encumbrances attached to the aircraft;

(3) Remove all nationality and registration marks assigned to the aircraft; and

(4) Comply with any such other conditions as the Authority may specify.

(c) Nothing in this Regulation shall require the Authority to cancel the registration of an aircraft if in its opinion it would be inexpedient in the public interest to do so.

SUBPART C: NATIONALITY & REGISTRATION MARKS

2.055 MARKING & MANNER OF AFFIXATION

(a) A person shall not operate an aircraft registered in Rwanda unless it displays nationality and registration marks in accordance with the requirements of these Regulations.

(b) The marks used to identify the nationality of Rwanda shall conform to the requirements outlined in Regulation 2.060(a) followed by a series of numbers or letters assigned by the Authority.

(c) Unless otherwise authorized by the Authority, a person shall not place on any aircraft a design, mark, or symbol that modifies or confuses the nationality and registration marks.

(d) When letters are used for the registration mark, combinations shall not be used which might be confused with the five-letter combinations used in the International Code of Signals, Part II, the three-letter combinations beginning with Q used in the Q Code, and with the distress signal SOS, or other similar urgent signals, for example XXX, PAN and TTT.

(e) Permanent marking of aircraft nationality and registration shall—

(1) Be painted on the aircraft or affixed by other means ensuring a similar degree of permanence;

(2) Be legible; and

(3) Be kept clean and visible at all times.

(f) The side marks for lighter-than-air aircraft shall be so located as to be visible both from the sides and from the ground.

2.060 DISPLAY OF MARKS

(a) An owner of an aircraft registered in Rwanda shall display on that owner's aircraft the nationality mark "9XR", as included in the Telecommunication Union and notified to the International Civil Aviation Organization, followed by the registration of the aircraft consisting of two Roman Capital letters assigned by the Authority with a hyphen placed between the nationality mark and the registration mark.

(b) If, because of the aircraft configuration, it is not possible to mark the aircraft in accordance with these Regulations, the owner may apply to the Authority for a different procedure.

2.065 LOCATION OF MARKS

(a) A person shall not operate a heavier-than-air aircraft unless the aircraft is marked as follows—

(1) for aircraft with fixed wing—

(i) The marks shall be located on the lower surface of the wing structure of the aircraft and shall be on the left half of the lower surface of the wing structure unless they extend across the lower surfaces of both of the wings and shall, as far as possible, be located equidistant from the leading and trailing edges of the wings. The top of the letters, and numbers, shall be towards the leading edge of the wing or wings;

(ii) For an aircraft having more than one set of wings, the mark shall be placed on the lower wing or the lower set of wings, as the case requires;

(iii) The marks shall also appear either on each side of the fuselage, or equivalent structure, between the wings and the tail surfaces of the aircraft or on the upper halves of the vertical tail surface of the aircraft;

(iv) The marks on the vertical tail surfaces shall be on each side of the vertical tail surface for aircraft with a single vertical surface, and shall be on each of the out board sides of the outer vertical surfaces of the tail structure for an aircraft with multi-vertical surface structure; and

(2) For rotorcraft and other heavier-than-air aircraft, the marks shall be located horizontally on both the port and starboard sides—

(i) On the fuselage; or

(ii) On the engine cowling; or

(iii) On the tank or tanks; or

(iv) On the tail boom; or

(v) On any other external surface in manner such that the aircraft can be identified clearly approved by the Authority.

(b) A person shall not operate a lighter-than-air aircraft unless the aircraft is marked as follows—

(1) For a spherical balloon (other than unmanned free balloon), the marks shall appear in two places diametrically opposite and shall be located near the maximum horizontal circumference of the balloon;

(2) For a non-spherical balloon (other than unmanned free balloon), the marks shall appear on each side and shall be located near the maximum cross-section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cable;

(3) For an airship, the marks on an airship shall appear either on the hull or on the stabilizer surfaces.

(i) Where the marks appear on the hull, they shall be located lengthwise on each side of the hull and also on its upper surface on the line of symmetry.

(ii) Where the marks appear on the stabilizer surfaces, they shall appear on the horizontal and on the vertical stabilizers; the marks on the horizontal stabilizer shall be located on the right half of the upper surface and on the left half of the lower surface, with the tops of the letters and numbers toward the leading edge;

(iii) The marks on the vertical stabilizer shall be located on each side of the bottom half stabilizer, with the letters and numbers placed horizontally;

(4) For lighter-than-air-aircraft (other than unmanned free balloon), the side marks on lighter-than-air aircraft shall be visible both from the sides and from the ground; and

(5) For an unmanned free balloon, the marks shall appear on the identification plate.

(6) For a remotely piloted aircraft, the marks shall appear as shall be prescribed by the Authority.

2.070 MEASUREMENT OF MARKS

(a) A person shall not operate an aircraft unless the aircraft is marked with the number and letters comprising one or more marks on the same aircraft of equal height.

(b) The width of each letter and number (except the letter I and the number '1') and the length of each hyphen shall be two-thirds the height of a letter or number.

(c) The letters, numbers and hyphens shall be—

(1) formed by solid lines with thickness of one-sixth of the height of the character; and

(2) of colour that is clear contrast to the colour of the background to the marks.

(d) Each character shall be separated from that which precedes or follows it, by a space not less than one quarter of the width of a character. A hyphen shall be regarded as a character for this purpose.

(e) In the case of lighter-than-air aircraft other than unmanned free balloons the height of the marks shall be at least 50 centimetres.

(f) In the case of an unmanned free balloon, the Authority shall determine the measurements of the marks, taking into account the size of the payload to which the identification plate is affixed.

(g) The marks on a balloon shall be vertical.

(h) In case of fixed wing heavier-than-air aircraft—

(1) the wing marks shall be at least 50 centimetres in height.

(2) the marks on the fuselage (or equivalent structure) shall be at least 30 centimetres in height without visually interfering with the outlines of the fuselage (or equivalent structure); and

(3) the marks on the vertical tail surface marks shall be at least 30 centimetres in height with a clearance of 5 centimetres from leading and trailing edge of the tail surface.

(i) In the case of rotorcraft and other heavier-than-air aircraft—

(1) The marks shall be at least 30 centimetres in height, or

(2) If the surface area of that part of the rotorcraft on which the marks are to be located is insufficient to enable compliance with paragraph (a), as high as possible so that the aircraft can be identified readily;

(3) In either case the mark must leave a clearance of 5 centimetres from the edge of that part of the rotorcraft on which the marks are located and must not interfere with the outlines of the rotorcraft.

(j) The marks shall be vertical or sloping at the same angle being an angle of no more than 30 degrees to the vertical axis.

2.075 TYPES OF CHARACTERS FOR NATIONALITY & REGISTRATION MARKS

(a) A person shall not operate an aircraft unless the aircraft is marked with capital letters in Roman characters without ornamentation; numbers shall be Arabic numbers without ornamentation and hyphens shall be considered as characters.

2.080 DEVIATIONS FOR SIZE & LOCATION OF MARKS

(a) Where either one of the surfaces authorized for displaying required marks is large enough for display of marks meeting the size requirements of these Regulations and the other is not, the registered owner shall place full-size marks on the larger surface.

(b) Where neither surface is large enough for full-size marks, the Authority may approve marks as large as practicable for display on the larger of the two surfaces.

2.085 REMOVAL OF MARKS

(a) When an aircraft that is registered in Rwanda is sold, the holder of the certificate of registration shall upon de-registration remove, before its delivery to the purchaser, all nationality and registration marks of Rwanda, unless the purchaser is a person described in Regulation 2.020(b).

2.090 IDENTIFICATION PLATE REQUIRED

(a) The operator shall affix to each aircraft registered under the laws of Rwanda an identification plate—
  (1) containing the aircraft type, model, serial number, nationality and registration marks;
  (2) made of fireproof metal or other fireproof material of suitable physical properties; and
  (3) secured to the aircraft in a prominent position—
    (i) near the main entrance, or,
    (ii) in the case of an unmanned free balloon, affixed conspicuously to the exterior of the payload; and
    (iii) in the case of a remotely piloted aircraft, secured in a prominent position near the main entrance or compartment or
    (iv) affixed conspicuously to the exterior of the aircraft if there is no main entrance or compartment.

2.095 INSPECTION OF CERTIFICATE OF REGISTRATION

(a) A person who holds a certificate of registration required by these Regulations shall present it for inspection upon a request from the Authority or any other person authorized by the Authority.

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APPENDIX 1 TO 2.025: CLASSIFICATION OF AIRCRAFT

(a) The definitions involving specific classification of aircraft and sub-groupings of aircraft shall be in accordance with the following table—

Note: An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.

- AIRCRAFT
  - Lighter-than-air aircraft
    - Non-power-driven: balloon
      - Free balloon
        - Spherical free balloon
        - Non-spherical free balloon
      - Captive balloon
        - Spherical captive balloon
        - Non-spherical captive balloon[1]
    - Power-driven
      - Airship
        - Rigid airship
        - Semi-rigid airship
        - Non-rigid airship
  - Heavier-than-air aircraft
    - Non-power-driven
      - Glider
        - Land glider
        - Sea glider[2]
      - Kite[4]
    - Power-driven
      - Aeroplane
        - Landplane[3]
        - Seaplane[2]
        - Amphibian[2]
      - Rotorcraft
        - Gyroplane
          - Landgyroplane[3]
          - Sea gyroplane[2]
          - Amphibian gyroplane[2]
        - Helicopter
          - Land helicopter[3]
          - Sea helicopter[2]
          - Amphibian helicopter[2]
      - Ornithopter
        - Land ornithopter[3]
        - Sea ornithopter[2]
        - Amphibian ornithopter[2]

1. Generally designated "kite-balloon".
2. "Float" or "boat" may be added as appropriate.
3. Includes aircraft equipped with ski-type landing gear (substitute "ski" for "land").
4. For the purpose of completeness only.

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APPENDIX 1 TO 2.040: CONTENTS OF CERTIFICATE OF REGISTRATION

(a) The Certificate of Aircraft Registration shall contain the following information—

(1) Title of Registering Authority = Republic of Rwanda;
(2) Title of the government body = Rwanda Civil Aviation Authority;
(3) Nationality and registration mark issued to the aircraft;
(4) Name of the manufacturer;
(5) Manufacturer's designation of the aircraft;
(6) Aircraft Serial Number;
(7) Name of the aircraft owner
(8) Address of the owner;
(9) Certification of entrance on the registry;
(10) Signature of the registering official;
(11) Date of issue; and
(12) Any other information required by the Authority.

END OF RCAR PART 2

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA III W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX III TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE III A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 3

Aircraft & Component Original Certification

SUBPART A: GENERAL 3
3.001 CITATION & APPLICABILITY 3
3.005 DEFINITIONS 3
3.010 ACRONYMS 3
3.015 GENERAL REQUIREMENTS & PROHIBITIONS 3

SUBPART B: TYPE CERTIFICATES 3
3.020 VALID CERTIFICATES 3
3.025 NO TYPE CERTIFICATE ISSUED BY RWANDA 3
3.030 ACCEPTANCE OF TYPE CERTIFICATE 3
3.035 ACCEPTANCE OF SUPPLEMENTAL TYPE CERTIFICATES 4
3.040 [RESERVED] 4

SUBPART C: AIRCRAFT CERTIFICATION REGULATIONS 4
3.045 APPLICABLE AIRCRAFT CERTIFICATION REGULATIONS 4
3.050 DESIGN & MANUFACTURE & PROOF OF COMPLIANCE WITH THE APPROPRIATE AIRWORTHINESS REQUIREMENTS 4
3.055 PROOF OF COMPLIANCE 5
3.060 SATISFACTORY EVIDENCE 6

SUBPART D: PRODUCTION 6
3.065 ACCEPTANCE OF PRODUCTION 6
3.070 PRODUCTION CERTIFICATES 6
3.075 AIRCRAFT PRODUCTION 6
3.080 PARTS PRODUCTION 7
3.085 PRODUCTION CONTROL 7
3.090 TRACEABILITY 7

SUBPART E: CERTIFICATE OF AIRWORTHINESS 7
3.095 APPLICABILITY 7
3.100 INITIAL ISSUANCE OF A CERTIFICATE OF AIRWORTHINESS 7
3.105 STANDARD FORM OF CERTIFICATE OF AIRWORTHINESS 8
3.110 AIRCRAFT LIMITATIONS & INFORMATION 8
3.115 TEMPORARY LOSS OF AIRWORTHINESS 8
3.120 DAMAGE TO FOREIGN AIRCRAFT 8
3.125 APPLICABILITY 8
3.130 REQUIREMENT OF NOISE CERTIFICATION 8
3.135 STANDARD FORM OF A NOISE CERTIFICATE 9
3.140 REQUIREMENT OF NOISE CERTIFICATION 9
3.145 ISSUE, SUSPENSION & REVOCATION OF AIRCRAFT NOISE CERTIFICATE 9
3.150 ENGINE EMISSIONS 10

APPENDICES 12
APPENDIX 1 TO 3.105: CONTENTS OF A CERTIFICATE OF AIRWORTHINESS 12
APPENDIX 1 TO 3.135: CONTENTS OF A NOISE CERTIFICATE 12
APPENDIX 1 TO 3.145: AIRCRAFT NOISE CERTIFICATION CLASSIFICATIONS 14

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SUBPART A: GENERAL

3.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Aircraft and Component Original Certification) Regulations.

(b) This Part prescribes the requirements of Rwanda for the—

(1) Aircraft type-certificate and supplemental type certificate standards that will be applied during the issuance and renewal of airworthiness certificates; and

(2) Designation of applicable rules for original certification of aircraft and components.

(c) This Part is applicable to the owners and operators of aircraft registered in Rwanda and the persons and organizations that maintain these aircraft.

(d) Civil Aviation Technical Standards published by the Authority shall also be applicable to the issuance of aircraft-related certificates and continuing airworthiness of aircraft registered in Rwanda.

3.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part1 (Appendix 1 to 1.015) of these regulations.

3.010 ACRONYMS

(a) The following acronyms are used in this Part—

AOC – Air Operator Certificate

TSO – Technical Standard Order

3.015 GENERAL REQUIREMENTS & PROHIBITIONS

(a) No person may operate or provide maintenance to or issue aircraft certificates to an aircraft unless the aircraft is in conformance with—

(1) The requirements of this Part; and

(2) Any Civil Aviation Technical Standards issued by the Authority.

SUBPART B: TYPE CERTIFICATES

3.020 VALID CERTIFICATES

(a) All aircraft to receive a Certificate of Airworthiness shall have a valid type certificate.

(b) A copy of that type certificate will be presented to the Authority.

(c) The Authority shall establish the validity of that type certificate having been issued through a process that parallels the requirements of this Subpart.

3.025 NO TYPE CERTIFICATE ISSUED BY RWANDA

(a) The Authority shall not issue Type Certificates.

3.030 ACCEPTANCE OF TYPE CERTIFICATE

(a) The Authority may accept a type certificate or equivalent document issued by a State of design in respect of an aircraft or aircraft component if—

(1) The type certificate or equivalent document was issued based on an airworthiness code recognized by the Authority; or

(2) The design, materials, construction equipment, performance and maintenance of aircraft or aircraft component technical evaluation against a recognized airworthiness code has been carried out by the Authority and has been found to meet the required

standards of an airworthiness code recognized by the Authority.

(b) Upon acceptance of the type certificate by the Authority, the Authority may, prior to issue of standard or restricted certificate of airworthiness, require the applicant to comply with any additional requirements as prescribed by theAuthority.

(c) In accepting a type certificate, information for use in developing procedures for maintaining aircraft, and or aircraft component shall beavailable.

(d) In this Part, recognized airworthiness code means standards relating to the design, materials, construction equipment, performance and maintenance of aircraft or aircraft component issued by the State of design and accepted and prescribed by the Authority, in compliance with requirements which are at least equal to the applicable standards specified in the latest effective edition of *Annex 8 – Airworthiness of Aircraft to the Chicago Convention*.

3.035 ACCEPTANCE OF SUPPLEMENTAL TYPE CERTIFICATES

(a) Any person who alters a product by introducing a major change in type design, not great enough to require a new application for a type certificate, shall apply for a Supplemental Type Certificate to the regulatory agency of the State of Design that approved the type certificate for that product, or to the State of Registry of the aircraft.

(b) The applicant shall apply in accordance with the procedures prescribed by the issuing State.

(c) An application for the acceptance of supplemental type certificate shall be made in a form and manner prescribed by the Authority.

3.040 [RESERVED]

SUBPART C: AIRCRAFT CERTIFICATION REGULATIONS

3.045 APPLICABLE AIRCRAFT CERTIFICATION REGULATIONS

(a) The Authority will apply the detailed and comprehensive aircraft certification regulations of the ICAO Contracting State which issued the type certificate to the determination of continued airworthiness of the aircraft, provided—

(1) These regulations are in conformance with the Standards of ICAO Annex 8 and 16;
(2) These regulations are in English or certified translation toEnglish;
(3) A copy of these regulations are provided with the application for the airworthiness certificate; and
(4) There is a satisfactory method of updating the Authority's copy of these regulations throughout the period of time the aircraft is registered in Rwanda.

(b) The aircraft certification regulations which are available to and applied by the Authority in the determination for issuance of a certificate of airworthiness and continuing airworthiness are those of the—

(1) United States Federal Aviation Administration.
(2) European Joint Aviation Authorities.
(3) Canadian Ministry of Transport.
(4) National Civil Aviation Agency of Brazil.
(5) Any other airworthiness code evaluated and approved by the Authority

3.050 DESIGN & MANUFACTURE & PROOF OF COMPLIANCE WITH THE APPROPRIATE AIRWORTHINESS REQUIREMENTS

(a) The design aspects of the appropriate airworthiness requirements, used by the Authority for type certification in respect of a class of aircraft or for any change to such type certification, shall be such that compliance with them will ensure compliance with the requirements which are at least equal to the

applicable standards specified in the latest effective edition of Annex 8 – *Airworthiness of Aircraft* to the Chicago Convention.

(b) There shall be an approved design consisting of such drawings, specifications, reports and documentary evidence as are necessary to define the design of the aircraft and to show compliance with the design aspects of the appropriate airworthiness requirements.

(c) The design shall not have any features or characteristics that render it unsafe under the anticipated operating conditions.

(d) The design shall have established limiting ranges whose variation may compromise the safe operation of the aircraft, aircraft components such as mass, centre of gravity location, load distribution, thrust, ambient air temperature and altitude, within which the compliance with all the pertinent standards in these regulations is shown.

(e) The aircraft shall be subjected to such inspections and ground and flight tests as are deemed necessary by the Authority to show compliance with the design aspects of the appropriate airworthiness requirements.

(f) The Authority shall take whatever other steps it deems necessary to ensure that the design approval is withheld if the aircraft is known or suspected to have dangerous features not specifically guarded against by those requirements.

(g) If an aircraft is designed and/or manufactured in Rwanda, the Authority shall ensure compliance with the provisions concerning State of design and State of manufacture detailed in the latest effective edition of Chapter 4 of Annex 8 – Airworthiness of Aircraft to the Chicago Convention.

(h) All necessary information for the safe and correct interfaces between the engine and the aircraft shall be made available including the installation instructions specifying those assumptions concerning the conditions that may be imposed on the engine when it is eventually installed in an aircraft.

(i) The approved design of an aircraft under these regulations shall use extinguishing agents that are not listed in the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer as it appears in the Eighth Edition of the Handbook for the Montreal Protocol on Substances that Deplete the Ozone Layer, Annex A, Group II, in the aircraft fire suppression or extinguishing systems in the lavatories, engines and auxiliary power unit.

Note. — Information concerning extinguishing agents is contained in the UNEP Halons Technical Options Committee Technical Note No. 1 — New Technology Halon Alternatives and FAA Report No. DOT/FAA/AR-99-63, Options to the Use of Halons for Aircraft Fire Suppression Systems.

(j) A Contracting State issuing an approval for the design of a modification, of a repair or of a replacement part shall do so on the basis of satisfactory evidence that the aircraft is in compliance with the airworthiness requirements used for the issuance of the Type Certificate, its amendments or later requirements when determined by the State.

Note 1. — While a repair may be completed and shown to be in compliance with the set of requirements that had been selected for the original type certification of the aircraft, some repairs may need to be shown to comply with the latest applicable certification requirements. In such cases, States may issue a repair design approval against the latest set of requirements for that aircraft type.

3.055 PROOF OFCOMPLIANCE

(a) The Authority shall take steps to ascertain that the proof of compliance with the design aspects is available in any situation where there is not adequate knowledge of the manufacturer and/or Contracting State's compliance with ICAO Annex 8 Standards.

(b) In addition to determining compliance with the design aspects of the appropriate airworthiness requirements for an aircraft, the Authority shall take whatever other steps they

deem necessary to ensure
that the certificate of airworthiness is withheld if the aircraft is known or suspected to have dangerous features not specifically guarded against by those requirements.

(c) Any approval for the design of a modification, of a repair or of a replacement part shall be provided to the Authority as satisfactory evidence that the aircraft continues to comply with the design aspects of the appropriate airworthiness requirements used for the type certification of that aircraft type or amended Type Certificate.

(d) The manufacturer shall be able to show an approved design consisting of such drawings, specifications, reports and documentary evidence as are necessary to define the design of the aircraft and to show compliance with the design aspects of the appropriate airworthiness requirements.

(e) The manufacturer shall be able to show that the aircraft was subjected to such inspections and ground and flight tests as are deemed necessary by the State of Design and Manufacturer to show compliance with the design aspects of the appropriate airworthiness requirements.

3.060 SATISFACTORY EVIDENCE

(a) The applicant for an airworthiness certificate shall present to the Authority satisfactory evidence that the requirements of (b) and (c) have been met.

(b) The State of Design, upon receipt of satisfactory evidence that the aircraft type is in compliance with the design aspects of the appropriate airworthiness requirements, shall issue a Type Certificate to define the design and to signify approval of the design of the aircraft type.

(c) When a Contracting State, other than the State of Design, issues a Type Certificate for an aircraft type, it shall do so on the basis of satisfactory evidence that the aircraft type is in compliance with the design aspects of the appropriate airworthiness requirements.

SUBPART D: PRODUCTION

3.065 ACCEPTANCE OF PRODUCTION

(a) The Authority shall only accept application for production of aircraft or aircraft component if the Authority is satisfied that—

(1) the work to be undertaken conforms to specified design as approved by the State of design;

(2) there is in place a suitable arrangement with the holder of a type certificate which ensures satisfactory co-ordination between production and design;

(3) there are acceptable arrangements for oversight by the State of design including the use of a quality system so that construction and assembly are satisfactory; and.

(4) records are maintained such that the identification of the aircraft and of the parts with their approved design and production can be established.

3.070 PRODUCTION CERTIFICATES

(a) Any applicant for a production certificate for any aircraft or aeronautical product thereof for manufacture in Rwanda shall comply with the type certificate as required by the State of Design for approval.

(b) At such time as the application for production is presented the Authority will make available suitable schedules or provisions for the issuance of an airworthiness certificate, or airworthiness document as appropriate for the product concerned.

3.075 AIRCRAFT PRODUCTION

(a) The Authority shall not issue a production certificate unless it has adequate qualified personnel to ensure that each aircraft, including parts manufactured by sub-contractors,

conforms to the approved design

3.080 PARTS PRODUCTION

(a) The Authority, with the issuance of a production certificate, shall ensure that the parts conform to the approved design.

3.085 PRODUCTION CONTROL

(a) When approving production of aircraft or aircraft parts, the Authority shall ensure that there are adequate quality control personnel to ensure that production is performed in a controlled manner including the use of a quality system so that construction and assembly are satisfactory.

3.090 TRACEABILITY

(a) Persons holding a production certificate shall provide traceability records such that the identification of the aircraft and of the parts with their approved design and production can be established.

SUBPART E: CERTIFICATE OF AIRWORTHINESS

3.095 APPLICABILITY

(a) The requirements of this Subpart are applicable in respect of all aircraft registered in Rwanda.

3.100 INITIAL ISSUANCE OF A CERTIFICATE OF AIRWORTHINESS

(a) A Certificate of Airworthiness shall not be issued by the Authority unless there is satisfactory evidence that the aircraft complies with the design aspects of the appropriate airworthiness requirements.

Note: More specific information regarding the issuance of a Certificate of Airworthiness is provided in Part 4 of these Regulations.

(b) The Authority shall not issue or render valid a Certificate of Airworthiness international operations unless there is satisfactory evidence that the aircraft complies with the applicable Standards of ICAO Annex 8 through compliance with appropriate airworthiness requirements.

(c) A Certificate of Airworthiness for aircraft on Rwanda registry shall be renewed or shall remain valid, subject to compliance with the system of inspection prescribed by the Authority that requires periodical inspection at appropriate intervals having regard to lapse of time and type of service.

Note: The general criteria for those inspections is provided in Part 4 of these Regulations

(d) The Authority shall accept applications for an aircraft possessing a valid Certificate of Airworthiness issued by a Contracting State to be entered on the register of Rwanda.

(e) The Authority may consider prior issuance of the Certificate of Airworthiness by another Contracting State, when issuing another Certificate of Airworthiness or rendering the original certificate valid.

(1) This Authority may accept the original Certificate of Airworthiness, in whole or in part, as satisfactory evidence that the aircraft is airworthy and in compliance with the appropriate airworthiness requirements.

(2) The validity of this authorization shall not extend beyond the period of validity of the original Certificate of Airworthiness.

(f) The Authority may exercise this alternative when the aircraft is registered for the first time and when the aircraft changes its nationality.

3.105 STANDARD FORM OF CERTIFICATE OF AIRWORTHINESS

(a) The Certificate of Airworthiness shall contain the information specified by Appendix 3.105 to these regulations.

(b) The Certificate of Airworthiness shall be issued in English.

3.110 AIRCRAFT LIMITATIONS & INFORMATION

(a) Each applicant for a Certificate of Airworthiness will make available to the Authority a flight manual, placards, or other documents stating the approved limitations within which the aircraft is considered airworthy as defined by the appropriate airworthiness requirements, and additional instructions and information necessary for the safe operation of the aircraft.

3.115 TEMPORARY LOSS OF AIRWORTHINESS

(a) Any failure of the owner or operator to maintain an aircraft in an airworthy condition as defined by the appropriate airworthiness requirements of these regulations shall render the aircraft ineligible for operation until the aircraft is restored to an airworthy condition.

3.120 DAMAGE TO FOREIGN AIRCRAFT

(a) When an aircraft not registered in Rwanda or any such equipment has sustained damage of a nature, such that the aircraft might no longer be airworthy, and if the damage is sustained or ascertained when the aircraft is within Rwanda, the Authority shall prevent, if it sees fit, the aircraft from resuming its flight on the condition that the Authority shall advise the State of registry immediately, communicating to it all details necessary to formulate the judgment as to the nature of the damage in relation with the airworthiness of the aircraft; and

(1) when the State of registry considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, it—

(i) shall prohibit the aircraft from resuming flight until it is restored to an airworthy condition; or

(ii) may, however, in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft to fly a non-commercial air transport operation to an aerodrome at which it will be restored to an airworthy condition, taking into account all limitations proposed by the Authority and the Authority shall permit such flight or flights within the prescribed limitations; or

(2) when the State of registry considers that the damage sustained is of a nature such that the aircraft is still airworthy, the aircraft shall be allowed to resume its flight.

SUBPART F: AIRCRAFT NOISE & ENGINE EMISSIONS

3.125 APPLICABILITY

(a) This Subpart is applicable to the validation of a noise certificate.

3.130 REQUIREMENT OF NOISE CERTIFICATION

(a) An aircraft to which this Part applies shall not land or take off in Rwanda unless there is in force a noise certificate issued or rendered valid by the competent authority in which the aircraft is registered.

(b) The maximum noise emission levels for the issuance of a certificate of airworthiness of a prototype in respect of an aircraft, or for a change to such a certificate to record the approval of an additional model of or an acoustical change to the aircraft, shall be those specified in this Part.

(c) The Authority shall recognize as valid a noise certification granted by another Contracting

State provided that the requirements under which such certification was granted are at least equal to the applicable Standards specified in the latest addition of ICAO Annex 16 Volume 1.

3.135 STANDARD FORM OF A NOISE CERTIFICATE

(a) The Noise Certificate shall contain the contents specified by Appendix 3.135 to these regulations.

(b) The Noise Certificate shall be issued in English.

3.140 REQUIREMENT OF NOISE CERTIFICATION

(a) An aircraft to which this Part applies shall not land or take off in Rwanda unless there is in force a noise certificate issued or rendered valid by the competent authority in which the aircraft is registered.

(b) The maximum noise emission levels for the issuance of a certificate of airworthiness of a prototype in respect of an aircraft, or for a change to such a certificate to record the approval of an additional model of or an acoustical change to the aircraft, shall be those specified in this Part.

(c) The Authority shall recognize as valid a noise certification granted by another Contracting State provided that the requirements under which such certification was granted are at least equal to the applicable Standards specified in the latest addition of ICAO Annex 16 Volume 1.

3.145 ISSUE, SUSPENSION & REVOCATION OF AIRCRAFT NOISE CERTIFICATE

(a) An aircraft included in the classification defined for noise certification purpose shall be issued with a noise certificate or a suitable statement attesting noise certification contained in another document approved by the State of Registry and that shall be carried in the aircraft.

(b) The evaluation methods of aircraft noise to be used under this regulation shall be those contained in the following Appendices of the latest effective edition of Annex 16, Volume I - *Environmental Protection - Aircraft Noise* to the Chicago Convention—

(1) **APPENDIX 1**, entitled "Evaluation method for noise certification of subsonic jet aeroplanes - Application for certificate of airworthiness for the prototype accepted before 6 October 1977";

(2) **APPENDIX 2**, entitled "Evaluation method for noise certification of—"

(i) "1. Subsonic jet aeroplanes - Application for certificate of airworthiness for the prototype accepted on or after 6 October 1977";

(ii) "2. Propeller-driven aeroplanes over 5 700 kg - Application for certificate of airworthiness for the prototype accepted on or after 1 January 1985 and before 17 November 1988";

(iii) "3. Propeller-driven aeroplanes over 8 618 kg - Application for certificate of airworthiness for the prototype accepted on or after 17 November 1988";

(iv) "4. Helicopters";

(3) **APPENDIX 3**, entitled "Noise evaluation method for noise certification of propeller-driven aeroplanes not exceeding 8 618 kg - Application for certificate of airworthiness for the prototype accepted before 17 November 1988";

(4) **APPENDIX 4**, entitled “Evaluation method for noise certification of helicopters not exceeding 3 175 kg maximum certificated take-off mass”;

(5) **APPENDIX 6**, entitled "Noise evaluation method for noise certification of propeller-driven aeroplanes not exceeding 8 618 kg- Application for certificate of airworthiness for the prototype accepted on or after 17 November 1988".

(c) The noise certificate referred to in paragraph (a) shall be issued or validated by the Authority on

the basis of satisfaction evidence that the aircraft complies with the requirements which are at least equal to the applicable standards specified in the latest effective edition of Annex 16 Volume 1 to the Chicago Convention and the date used to determine the recertification basis shall be the date of acceptance of the first application for recertification.

(d) The document attesting noise certification of an aircraft shall provide information in accordance with the Appendix 1 to 3.145.

(e) When the document or a suitable statement attesting noise certification as contained in another document approved by the State of registry, is issued in a language other than English, it shall include an English translation and shall be required to be carried on the aircraft.

(f) The Authority shall—

(1) suspend or revoke the noise certificate of aircraft on the civil aircraft register if the aircraft ceases to comply with the applicable noise standards;

(2) not re-instate or grant a new noise certificate unless the aircraft is found on reassessment to comply with the applicable noise standards.

3.150 ENGINE EMISSIONS

(a) No person shall operate an all turbine engine powered aircraft, unless the aircraft complies with the standards related to the prevention of intentional fuel venting contained in this regulation.

(b) Each person who applies for a certificate of airworthiness of a prototype, or an amendment to such a certificate approving a new model of, or any change affecting the fuel venting or the engine emission, of the aircraft, must show compliance with at least the applicable requirements of this regulation.

(c) The standards respecting the prevention of intentional fuel venting applicable to the issuance of a certificate of airworthiness of a prototype for all turbine engine powered aircraft, or for a change to such a certificate to record the approval of an additional model, shall be those specified in this regulation.

(d) The standards related to the prevention of intentional fuel venting for all turbine engine powered aircraft are those contained in latest effective edition of Annex 16, Volume II, Part II Environmental Protection - Vented Fuel to the Chicago Convention.

(e) The maximum engine emission levels for the issuance of a certificate of airworthiness of a prototype in respect of a turbo-jet or turbo-fan aircraft engine that is intended for subsonic or supersonic speed, or for a change to such a certificate, shall be those specified in this regulation.

(f) No person shall operate an aircraft with turbo-jet and turbofan engines intended for propulsion only at subsonic speeds or turbo-jet and turbofan engines intended for propulsion at supersonic speeds unless it carries a document attesting emissions certification in accordance with the latest effective edition of Chapter 1 of Annex 16, Volume II, Part III, to the Chicago Convention and, if the document is issued in a language other than English, it shall include an English Translation.

(g) The standards related to aircraft engine emissions to be used shall be those contained in ICAO Annex 16, Volume II, Part III "Emission certification", as follows—

(1) **CHAPTER 2,** entitled "Turbo-jet and turbofan engines intended for propulsion only at subsonic speeds"; and

(2) **CHAPTER 3**, entitled "Turbo-jet and turbofan engines intended for propulsion at supersonic speeds".

(h) The methods for the evaluation of aircraft engine emissions to be used shall be those prescribed by the Authority and not less than those contained in ICAO Annex 16, Volume II, Appendices 1 through 6 included.

(i) The Authority shall recognize as valid a certification relating to fuel venting granted by the certificating authority of another Contracting State provided the requirements under which such certification was granted are not less stringent than the provision of paragraph (g) of this regulation.

(j) The document attesting emissions certification for each individual engine shall include at least the following information which is applicable to the engine type—

(1) name of certificating authority;
(2) manufacturer's type and model designation;
(3) statement of any additional modifications incorporated for the purpose of compliance with the applicable emissions certification requirements;
(4) rated thrust;
(5) reference pressure;
(6) ratio;
(7) a statement indicating compliance with Smoke Number requirements;
(8) a statement indicating compliance with gaseous pollutant requirements.

(k) The Authority shall recognize as valid engine exemptions for an engine production cut-off requirement granted by a certificating authority of another Contracting State provided that the exemptions are granted in accordance with the process and criteria defined in the Environmental Technical Manual (Doc 9501), Volume II — Procedures for the Emissions Certification of Aircraft Engines.

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APPENDICES

APPENDIX 1 TO 3.105: CONTENTS OF A CERTIFICATE OF AIRWORTHINESS

(a) The Certificate of Airworthiness issued by the Authority shall be generally similar to the example contained in ICAO Annex 8 and shall contain the following information—

(1) State of Registry = Republic of Rwanda;
(2) Issuing Authority = Rwanda Civil Aviation Department;
(3) Nationality and registration marks;
(4) Manufacturer and manufacturer's designation of aircraft;
(5) Aircraft Serial Number;
(6) Categories and operation;
(7) The following statement: *"This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 and Rwanda Civil Aviation Regulations in respect of the above-mentioned aircraft which is considered to be airworthy when maintained and operated in accordance with the foregoing and the pertinent operating limitations;"*
(8) Signature of authorized representative of the Authority;
(9) Date of Issue;
(10) Date of expiry;
(11) Reverse side space used for periodic endorsement (giving date of expiry);
(12) Certificate serial number;
(13) Any other information required by the Authority

APPENDIX 1 TO 3.135: CONTENTS OF A NOISE CERTIFICATE

(a) The noise certificate shall be issued in English as a validation of the noise certificate issued by the State of Manufacture

(b) The noise certificate shall contain the word "VALIDATION" which will be located in the leader of the certificate above the words "Noise Certificate."

(c) The Noise Certificate issued by the Authority shall be generally similar to the example contained in ICAO Annex 16 and shall contain the following information:

(1) State of Registry = Republic of Rwanda;
(2) Title of Certificate = Noise Certificate
(3) Document Number = (provided by the Authority);
(4) Nationality and registration marks;
(5) Manufacturer and manufacturer's designation of aircraft;
(6) Aircraft Serial Number;
(7) Engine;
(8) Propeller
(9) Maximum take-off mass;
(10) Maximum landing mass;
(11) Noise Certification Standards;
(12) Additional modifications incorporated for the purpose of compliance with the applicable noise certification Standards;
(13) Lateral/full-power noise level;
(14) Approach noise level;
(15) Flyover noise level;
(16) Overflight noise level;
(17) Take-off noise level;
(18) Contain the following words: *This noise certificate is issued pursuant to Volume I of Annex 16 to the Convention on International Civil Aviation, in respect of the above-*

mentioned aircraft, which is considered to comply with the indicated noise Standard when maintained and operated in accordance with the relevant requirements and operating limitations

(19) Date of issue;

(20) Signature

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APPENDIX 1 TO 3.145: AIRCRAFT NOISE CERTIFICATION CLASSIFICATIONS

ICAO ANNEX 16-2 CHAPTER	DETAILS
2	All subsonic jet aeroplanes for which either the application for a Type Certificate was submitted, or another equivalent prescribed procedure was carried out by the certificating authority before 6 October 1977, except those aeroplanes. (a) Requiring a runway length of 610 m or less at maximum certificated mass for airworthiness; or (b) Powered by engines with a bypass ratio of 2 or more and for which a certificate of airworthiness for the individual aeroplane was first issued before 1 March 1972; or (c) Powered by engines with a bypass ratio of less than 2 and for which either the application for a Type certificate was submitted, or another equivalent prescribed procedure was carried out by the certificating authority, before 1 January 1969, and for which a certificate of airworthiness for the individual aeroplane was first issued before 1 January 1976.
3	(1) Subsonic jet aeroplanes —Application for Type certificate submitted on or after 6 October 1977 and before 1 January 2006. (2) Propeller-driven aeroplanes over 5 700 kg — Application for Type Certificate submitted on or after 1 January 1985 and before17 November.
4	(1) Subsonic jet aeroplanes—Application for Type Certificate submitted on or after 1 January 2006. (2) Propeller-driven aeroplanes over 8 618 kg —Application for Type Certificate submitted on or after 1 January 2006.
5	Propeller-driven aeroplanes over 5 700 kg—application for type certificate submitted before 1 January 1985.
6	Propeller-driven aeroplane not exceeding 8 618 kg — application for type certificate submitted before 17 November 1988.
7	Propeller-driven STOL (short takeoff and Landing) aeroplanes.
8	Helicopters.
9	Installed auxiliary power units (APU) and associated aircraft systems during ground operations.
10	Propeller-driven aeroplanes not exceeding 8 618 kg — application for type certificate or derived version submitted on or after 17 November 1988
11	Helicopters not exceeding 3 175 kg maximum certificated take-off mass.
12	Supersonic aeroplanes.
13	Tilt-rotor aircraft.

END OF RCAR PART 3

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA IV W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX IV TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE IV A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 4

Airworthiness of Aircraft

SUBPART A: GENERAL 3
4.001 CITATION & APPLICABILITY 3
4.005 DEFINITIONS 3
4.010 ACRONYMS & SYMBOLS 10
4.015 REQUIREMENTS FOR CARBON OFFSETTING AND REDUCTION SCHEME FOR INTERNATIONAL AVIATION 10

SUBPART B: CERTIFICATE OF AIRWORTHINESS 11
4.020 APPLICATION OF CERTIFICATE OF AIRWORTHINESS 11
4.025 CERTIFICATE OF AIRWORTHINESS TO BE IN FORCE 11
4.030 CLASSIFICATIONS OF CERTIFICATES OF AIRWORTHINESS 11
4.035 AMENDMENT OF CERTIFICATES OF AIRWORTHINESS 11
4.040 SURRENDER OF CERTIFICATE OF AIRWORTHINESS 11
4.045 VALIDITY OF A CERTIFICATE OF AIRWORTHINESS 11
4.050 AIRCRAFT IDENTIFICATION 12
4.055 ISSUE OF CERTIFICATES OF AIRWORTHINESS 12
4.060. AIRWORTHINESS DIRECTIVES & SERVICE BULLETINS 13
4.065 ISSUE OF RESTRICTED CERTIFICATES OF AIRWORTHINESS 14
4.070 ISSUE OF SPECIAL FLIGHT PERMITS 14
4.075 EXPORT CERTIFICATE OF AIRWORTHINESS 14
4.080 CONDITIONS ON THE SPECIAL FLIGHT PERMIT 15
4.085 CERTIFICATE OF FITNESS FOR FLIGHT 16

SUBPART C: CONTINUING AIRWORTHINESS OF AIRCRAFT & AIRCRAFT COMPONENTS 16
4.090 GENERAL 16
4.095 RESPONSIBILITY FOR MAINTENANCE 16
4.100 CONTINUING AIRWORTHINESS INFORMATION 17
4.105 COMPLIANCE WITH THE MANUFACTURER'S INSTRUCTIONS 17
4.110 INSPECTIONS 18
4.115 PROGRESSIVE INSPECTION 18
4.120 INSPECTION PROGRAMMES FOR LARGE & TURBINE AIRCRAFT 19
4.125 CHANGES TO AIRCRAFT MAINTENANCE PROGRAMS 20
4.130 REPORTING OF FAILURES, MALFUNCTIONS & DEFECTS 20

SUBPART D: AIRCRAFT MAINTENANCE & INSPECTION 21
4.135 PERSONS AUTHORIZED TO PERFORM MAINTENANCE, PREVENTIVE MAINTENANCE & MODIFICATION 21
4.140 PERSONNEL AUTHORIZED TO APPROVE FOR RETURN TO SERVICE 22
4.145 PERSONS AUTHORIZED TO PERFORM INSPECTIONS 22
4.150 PREVENTIVE MAINTENANCE: LIMITATIONS 23
4.155 PERFORMANCE RULES: MAINTENANCE 23
4.160 PERFORMANCE RULES: INSPECTION 23
4.165 AIRWORTHINESS LIMITATION PERFORMANCE RULES 24
4.170 AIRCRAFT MASS SCHEDULE 24
4.175 COMPASS SWING REQUIREMENTS 25

SUBPART E: MAINTENANCE RECORDS & ENTRIES 25
4.180 KEEPING CERTIFICATE OF RELEASE TO SERVICE RECORDS 25
4.185 TECHNICAL LOGBOOK 25
4.190 AIRCRAFT, ENGINE & PROPELLER L O G B O O K S 25
4.195 RECORDS OF MAINTENANCE 26
4.200 RECORDS OF OVERHAUL & REBUILDING 27
4.205 APPROVAL FOR RETURN TO SERVICE 27
4.210 CONTENT, FORM & DISPOSITION OF RECORDS FOR INSPECTIONS 27

SUBPART F: MAINTENANCE PERSONNEL LIMITATIONS, PRIVILEGES & RECENCY .. 28
4.215 REST & DUTY LIMITATIONS FOR PERSONS PERFORMING MAINTENANCE FUNCTIONS 28
4.220 AME PRIVILEGES & LIMITATIONS 28
4.225 AME RECENT EXPERIENCE REQUIREMENTS 29
4.230 INSPECTION AUTHORISATION PRIVILEGES & LIMITATIONS 30
4.235 AVIATION REPAIR SPECIALIST LICENSES: PRIVILEGES & LIMITATIONS 31

APPENDICES 32
APPENDIX 1 TO 4.005: MAJOR MODIFICATIONS (DEFINITION) 32
APPENDIX 2 TO 4.005: MAJOR REPAIRS (DEFINITION) 33
APPENDIX 1 TO 4.150: PREVENTIVE MAINTENANCE 34
APPENDIX 1 TO 4.170: AIRCRAFT MASS SCHEDULE 36
APPENDIX 1 TO 4.190: AIRCRAFT, ENGINE & PROPELLER LOG BOOKS 37
APPENDIX 1 TO 4.220: ADDITIONAL AME PRIVILEGES (RATINGS & TASKS) 38

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SUBPART A: GENERAL

4.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Continuing Airworthiness of Aircraft) Regulations.

(b) This Part is applicable to all persons operating or maintaining the following—

(1) Rwanda registered aircraft, wherever operated;

(2) aircraft registered in another Contracting State that are operated by a person licenced by the Authority, and which shall be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed;

(3) aircraft of other Contracting States operating in Rwanda.

(c) This Part is applicable to the owners and operators of aircraft registered in Rwanda and the persons and organisations that provide maintenance services for these aircraft.

(d) Civil Aviation Technical Standards (Airworthiness) published by the Authority shall also be applicable to the issuance of aircraft-related certificates and continuing airworthiness of aircraft registered in Rwanda.

(e) For the purpose of this Part, the word "aircraft" or related words, such as "aeroplane" and "helicopter, includes engines, propellers, power transmissions, rotors components, accessories, instruments, equipment and apparatus including emergency equipment.

4.005 DEFINITIONS

(a) When the following terms are used in this Part, they have the following meanings—

Note; Terms not listed in this Part, may be found in Part 1 of these Regulations;

Aeronautical product. Any aircraft, aircraft engine, propeller or subassembly, appliance, material, part, or component to be installed thereon.

Aeroplane. A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Acceptable. The Authority has reviewed the method, procedure, or policy and has neither objected to nor approved its proposed use or implementation.

Afterburning. A mode of engine operation wherein a combustion system fed (in whole or part) by vitiated air is used.

Aircraft. 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 component. Any component part of an aircraft up to and including a complete engine or any operational or emergency equipment.

Aircraft type. All aircraft of the same basic design including all modifications thereto except those modifications which result in change in handling or flight characteristics.

Airframe. The fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces including rotors (but excluding propellers and rotating airfoils of a power-plant), and landing gear of an aircraft and their accessories and controls.

Airworthy. The status of an aircraft, engine, propeller or part when it confirms to its approved design and is in condition for safe operation.

Anticipated operating conditions. Those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include—

(i) those extremes which can be effectively avoided by means of operating procedures;

and

(ii) those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical.

Appliance. Any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communications equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, engine or propeller.

Approach phase. The operating phase defined by the time during which the engine is operated in the approach operating mode.

Appropriate airworthiness requirements. The comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft, engine or propeller under consideration.

Approved. Accepted by the Contracting State as suitable for a particular purpose.

A**pproved by the Authority.** Approved by the Authority directly or in accordance with a procedure approved by the Authority.

Approved maintenance programme. A maintenance programme approved by the State of Registry.

Approved data. Technical information approved by the Authority.

Approved maintenance organisation (AMO). An organisation approved by the Authority and operating under supervision approved by the Authority in accordance with Part 5 to perform aircraft maintenance activities including the inspection, overhaul, maintenance, repair or modification and release to service of aircraft or aircraft component;

Article. Any item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part.

Associated aircraft systems. Those aircraft systems drawing electrical/pneumatic power from an auxiliary power unit during ground operations.

Authority. The Rwanda Civil Aviation Authority established under the Laws of Rwanda.

Auxiliary power-unit (APU). A self-contained power-unit on an aircraft providing electrical/pneumatic power to aircraft systems during ground operations.

Balloon. A non-power-driven lighter-than-air aircraft.

Bypass ratio. The ratio of the air mass flow through the bypass ducts of a gas turbine engine to the air mass flow through the combustion chambers calculated at maximum thrust when the engine is stationary in an international standard atmosphere at sea level.

Calendar day. The period of elapsed time using Co-Ordinated Universal Time or local time, that begins at midnight and ends 24 hours later in the next midnight.

Category A. With respect to helicopters, means a multi-engine helicopter designed with engine and system isolation features specified in Part IVB of ICAO Annex 8 to the Chicago convention and capable of operations using take-off and landing data scheduled under a critical engine failure concept which assures adequate designated surface area and adequate performance capability for continued safe flight or safe rejected take-off.

Category B. With respect to helicopters, means a single-engine or multi-engine helicopter which does not meet Category A standards. Category B helicopters have no guaranteed capability to continue safe flight in the event of an engine failure, and a forced landing is assumed.

Certificate of release to service. A document containing a certification that inspection and maintenance work has been performed satisfactorily in accordance with the methods prescribed by the Authority.

Climb phase. The operating phase defined by the time during which the engine is operated in

the climb operating mode.

Configuration (as applied to an aeroplane). A particular combination of the positions of the moveable elements, such as wing flaps and landing gear, etc., that affect the aerodynamic characteristics of the aeroplane.

Continuing airworthiness. The set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life.

Critical engine(s). Any engine whose failure gives the most adverse effect on the aircraft characteristics relative to the case under consideration.

Note: On some aircraft there may be more than one equally critical engine. In this case, the expression "the critical engine" means one of those critical engines.

Date of manufacture. The date of issue of the document attesting that the individual aircraft or engine as appropriate conforms to the requirements of the type or the date of an analogous document.

Derivative version. An aircraft gas turbine engine of the same generic family as an originally type- certificated engine and having features which retain the basic core engine and combustor design of the original model and for which other factors, as judged by the certificating authority, have not changed.

Note. Attention is drawn to the difference between the definition of a derived version of an aeroplane and the definition of a derivative version in these Regulations.

Design landing mass. The maximum mass at which the aircraft, for structural design purposes, it will be planned to land.

Design take-off mass. The maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run.

Design taxing mass. The maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off.

Discrete source damage. Structural damage of the aeroplane that is likely to result from: impact with a bird, uncontained fan blade failure, uncontained engine failure, uncontained high-energy rotating machinery failure or similar causes.

Derived version of a helicopter. A helicopter which, from the point of view of airworthiness, is similar to the noise certificated prototype but incorporates changes in type design which may affect its noise characteristics adversely.

Note 1. — In applying the Standards of these Regulations, a helicopter that is based on an existing prototype but which is considered by the certificating authority to be a new type design for airworthiness purposes shall nevertheless be considered as a derived version if the noise source characteristics are judged by the certificating authority to be the same as the prototype.

Note 2. — "Adversely" refers to an increase of more than 0.30 EPNdB in any one of the noise certification levels for helicopters certificated according to Part VI and 0.30 dB(A) in the certification level for helicopters.

Derived version of an aeroplane. An aeroplane which, from the point of view of airworthiness, is similar to the noise certificated prototype but incorporates changes in type design which may affect its noise characteristics adversely.

Note 1. — Where the certificating authority finds that the proposed change in design, configuration, power or mass is so extensive that a substantially new investigation of compliance with the applicable airworthiness regulations is required, the aeroplane should be considered to be a new type design rather than a derived version.

Note 2. — "Adversely" refers to an increase of more than 0.10 dB in any one of the noise certification levels unless the cumulative effects of changes in type design are tracked by an approved procedure in which case "adversely" refers to a cumulative increase in the noise level in any one of the noise certification levels of more than 0.30 dB or the margin of compliance, whichever is smaller. "

Dry lease. A lease of an aircraft without crew.

Engine. 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).

Exhaust nozzle. In the exhaust emissions sampling of gas turbine engines where the jet effluxes are not mixed (as in some turbofan engines for example) the nozzle considered is that for the gas generator (core) flow only. Where, however, the jet efflux is mixed the nozzle considered is the total exit nozzle.

External equipment (helicopter). Any instrument, mechanism, part, apparatus, appurtenance, or accessory that is attached to or extends from the helicopter exterior but is not used nor is intended to be used for operating or controlling a helicopter in flight and is not part of an airframe or engine. "**facility**" means a physical plant, including land, buildings, and equipment, which provide the means for the performance of maintenance, preventive maintenance, or modifications of any article.

Factor of safety. A design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and fabrication.

Final approach and take-off area (FATO). 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. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available.

Fireproof. The capability to withstand the application of heat by a flame for a period of 15 minutes.

Note: The characteristics of an acceptable flame can be found in ISO 2685.

Fire resistant. The capability to withstand the application of heat by a flame for a period of 5 minutes.

Note: The characteristics of an acceptable flame can be found in ISO 2685.

Flight time—

(i) for aeroplanes, the total time from the moment an aeroplane moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight.

(ii) for helicopter, the total time from the moment a helicopter's rotor blades start turning until the moment a helicopter finally comes to rest at the end of the flight and the rotor blades are stopped.

(iii) for gliders, the total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight.

(iv) for airships or free balloon, the total time from the moment an airship or free balloon first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon.

Glide. A non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces, which remain fixed under given conditions of flight.

Heavier-than-air aircraft. Any aircraft deriving its lift in flight chiefly from aerodynamic forces.

Helicopter. 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.

Human factors principles. 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. Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.

I**nspection**. The examination of an aircraft or aircraft component to establish conformity with a standard approved by the Authority.

Landing surface. That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a

particular direction.

Limit loads. The maximum loads assumed to occur in the anticipated operating conditions.

Load factor. The ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions.

Maintenance. The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and embodiment of a modification or repair.

Maintenance control manual. A manual containing procedures, instructions and guidance for use by maintenance and concerned operational personnel in the execution of their duties.

Maintenance programme. 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.

Major modification. In respect of an aeronautical product for which a Type Certificate has been issued, a change in the type design that has an appreciable effect, or other than a negligible effect, on the mass and balance limits, structural strength, power plant operation, flight characteristics, reliability, operational characteristics, or other characteristics or qualities affecting the airworthiness or environmental characteristic of an aeronautical product.

Refer to Appendix 1 to 4.005 for example major modifications.

Major repair. A repair of an aeronautical product that might appreciably affect the structural strength, performance, power plant, operation flight characteristics or other qualities affecting airworthiness or environmental characteristics or that will be embodied in the product using non-standard practices.

Refer to Appendix 2 to 4.005 for example major repairs.

Modification. A change to the type design of an aircraft or aeronautical product which is not a repair.

Overhaul. The restoration of an aircraft or aircraft component using methods, techniques and practices acceptable to the Authority, including disassembly, cleaning and inspection as permitted, repair as necessary, and reassembly; and testing in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorization (PMA) or Technical Standard Order (TSO).

Oxides of nitrogen. The sum of the amounts of the nitric oxide and nitrogen dioxide contained in a gas sample calculated as if the nitric oxide were in the form of nitrogen dioxide.

Performance class 1 helicopter. A helicopter with performance such that, in case of engine failure, it is able to land on the rejected take off area or safely continue the flight to an appropriate landing area.

Performance class 2 helicopter. A helicopter with performance such that, in case of engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which cases a forced landing may be required.

Performance class 3 helicopter. A helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed.

Power-plant. The system consisting of all the engines, drive system components (if applicable), and propellers (if installed), their accessories, ancillary parts, and fuel and oil systems installed on an aircraft but excluding the rotors for a helicopter.

Pressure-altitude. An atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere.

Prescribed. The Authority has issued written policy or methodology which imposes either a mandatory requirement, if the written policy or methodology states “shall,” or a discretionary requirement if the written policy or methodology states “may”.

Preventive maintenance. Simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations.

Propeller. A device for propelling an aircraft that has blades on an engine driven shaft and that when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation; it includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of power-plants.

Rating. An authorization entered on or associated with a license or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such license or certificate.

Rated thrust. For engine emissions purposes, the maximum take-off thrust approved by the certificating authority for use under normal operating conditions at ISA sea level static conditions, and without the use of water injection. Thrust is expressed in Kilonewtons.

Rebuild. The restoration of an aircraft or aircraft component by using methods, techniques, and practices acceptable to the Authority, when it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits.

Recertification. Certification of an aircraft with or without a revision to its certification noise levels, to a Standard different to that to which it was originally certificated.

Reference pressure ratio. The ratio of the mean total pressure at the last compressor discharge plane of the compressor to the mean total pressure at the compressor entry plane when the engine is developing take-off thrust rating in ISA sea level static conditions.

Rendering (a certificate of airworthiness) valid. The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.

Repair. Restoration of an aeronautical product to an airworthy condition to ensure that the aircraft continues to comply with the design aspects of the appropriate airworthiness requirements used for the issuance of a type certificate for respective aircraft type, after it has been damaged or subjected to wear.

Safety management system (SMS). A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

Satisfactory evidence. A set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement.

Self-sustaining powered sailplane. A powered aeroplane with available engine power which allows it to maintain level flight but not to take off under its own power.

Signature. An individual’s unique identification used as a means of authenticating any record entry or a maintenance record; a signature may be hand-written, electronic or any other form acceptable to the Authority.

Smoke. The carbonaceous materials in exhaust emissions which obscure the transmission of light.

Smoke number. The dimensionless term quantifying smoke emissions.

Specific operating provisions. A document describing the ratings, Class and or Limited, in detail and containing or referencing material and process specifications used in performing repair work, along with any limitations applied to an approved maintenance

organisation.

Standard. An object, artefact, tool, test equipment, system or experiment that stores, embodies, or otherwise provides a physical quantity which serves as the basis for measurement of the quantity; it also includes a document describing the operations and processes that must be performed in order for a particular end to be achieved.

Standard atmosphere. An atmosphere defined as follows—

(i) the air is a perfect dry gas;

(ii) the physical constants are—

(A) Sea level mean molar mass: $M_o = 28.964420 \times 10 Kgmol^{-1}$

(B) Sea level atmospheric pressure: $P_o = 1013.250 hPa$

(C) Sea level temperature: t_o = 15°C, T_o = 288.15 K

(D) Sea level atmospheric density: P_o = 1.225 0 kg m–3

(E) Temperature of the ice point: Ti = 273.15 K

(F) Universal gas constant: R* = 8.314 32 JK–1mol–1

(iii) the temperature gradients are—

Geopotential altitude (km)		*Temperature gradient (Kelvin per standard geopotential kilometre)*
From	To	
-5.0	11.0	-6.5
11.0	20.0	0.0
20.0	32.0	+1.0
32.0	47.0	+2.8
47.0	51.0	0.0
51.0	71.0	-2.8
71.0	80.0	-2.0

(iv) The standard geopotential metre has the value 9.80665 m2 s-2

(v) See ICAO Doc 7488 for the relationship between the variable and for tables giving the corresponding values of temperature, pressure, density and geopotential.

(vi) ICAO Doc 7488 also gives the specific weight, dynamic viscosity, kinematic viscosity and speed of sound at various altitude.

State of Design. A Contracting State having jurisdiction over the organization responsible for the type design.

State of Manufacture. A State having jurisdiction over the organization responsible for the final assembly of the aircraft.

State of Registry. A Contracting State on whose registry an aircraft is entered.

Note- In the case of the registration of aircraft of an international operating agency on other than a national basis, the States constituting the agency are jointly and severally bound to assume the obligations which, under the Chicago Convention, attach to a State of Registry. See, in this regard, the Council Resolution of 14 December 1967 on Nationality and Registration of Aircraft Operated by International Operating Agencies which can be found in Policy and Guidance Material on the Economic Regulation of International Air Transport (Doc 9587).

Subsonic aeroplane. An aeroplane incapable of sustaining level flight at speeds exceeding flight Mach number of 1.

State safety programme. An integrated set of regulations and activities aimed at improving safety.

Take-off phase. The operating phase defined by the time during which the engine is operated at the rated thrust.

Take-off surface. That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a

particular direction.

Taxi/ground idle. The operating phases involving taxi and idle between the initial starting of the propulsion engine(s) and the initiation of the take-off roll and between the time of runway turn-off and final shutdown of all propulsion engine(s).

Type certificate. A document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State.

Unburned hydrocarbons. The total of hydrocarbon compounds of all classes and molecular weights contained in a gas sample, calculated as if they were in the form of methane.

Ultimate load. The limit load multiplied by the appropriate factor of safety.

4.010 ACRONYMS & SYMBOLS

(a) The following acronyms are used in this Part—

AOC = Air Operator Certificate
AME = Aircraft Maintenance Engineer
AMO = Approved Maintenance Organisation
MEL = Minimum Equipment List
PIC = Pilot in command
TSO = Technical Standard Order

(b) Where the following symbols are used in this Part and associated documents, they have the meanings ascribed to them below—

CO = Carbon monoxide

Dp = The mass of any gaseous pollutant emitted during the reference emissions landing and take-off cycle

Fn =Thrust in International Standard Atmosphere (ISA), sea level conditions, for the given operating mode

Foo = Rated thrust
F*oo = Rated thrust with afterburning applied
HC = Unburned hydrocarbons
NO = Nitric oxide
NO2 = Nitrogen dioxide
NOx = Oxides of nitrogen
SN = Smoke Number
n:oo = Reference pressure ratio

4.015 REQUIREMENTS FOR CARBON OFFSETTING AND REDUCTION SCHEME FOR INTERNATIONAL AVIATION

(a) The Authority shall prescribe in Rwanda Civil Aviation Technical standard regulatory requirements for Carbon Offsetting and Reduction Scheme for International Aviation.

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SUBPART B: CERTIFICATE OF AIRWORTHINESS

4.020 APPLICATION OF CERTIFICATE OF AIRWORTHINESS

(a) An owner or his representative of an aircraft registered in Rwanda may apply to the Authority for issue of a certificate of airworthiness for that aircraft.

(b) An applicant for a certificate of airworthiness shall apply on a form and in a manner prescribed by the Authority.

4.025 CERTIFICATE OF AIRWORTHINESS TO BE IN FORCE

(a) A person shall not fly an aircraft unless there is in force in respect of that aircraft a certificate of airworthiness or restricted certificate of airworthiness or a special flight permit duly issued or rendered valid under the law of the State of registry and any conditions subject to which the certificate was issued or rendered valid are complied with.

4.030 CLASSIFICATIONS OF CERTIFICATES OF AIRWORTHINESS

(a) The certificates of airworthiness shall be classified as follows—

(1) a certificate of airworthiness;

(2) a restricted certificate of airworthiness in the form of a restricted certificate;

(3) a special flight permits; and

(4) export certificate of airworthiness.

4.035 AMENDMENT OF CERTIFICATES OF AIRWORTHINESS

(a) The Authority may amend or modify any type of certificate of airworthiness issued under these Regulations upon application by an operator or on the Authority's own initiative.

4.040 SURRENDER OF CERTIFICATE OF AIRWORTHINESS

(a) An owner of an aircraft who sells the aircraft shall surrender the certificate of airworthiness or restricted certificate of airworthiness or special flight permit, as applicable—

(1) to the buyer upon sale of the aircraft within Rwanda; or

(2) to the Authority in the case of an aircraft sold outside Rwanda.

4.045 VALIDITY OF A CERTIFICATE OF AIRWORTHINESS

(a) A certificate of airworthiness or restricted certificate of airworthiness issued or renewed under these Regulations remains in force during the period of twelve months or for the number of flights specified in it or, where no limit is specified, indefinitely, if the aircraft continues to meet the conditions subject to which the certificate of airworthiness or restricted certificate of airworthiness was issued unless—

(1) a shorter period is specified by the Authority;

(2) the Authority amends, extends, suspends, revokes or otherwise terminates the certificate;

(3) the aircraft owner or operator surrenders the certificate to the Authority;

in which cases the Authority shall be entitled to prevent the aircraft from flying.

(b) A special flight permit shall be valid for a period of time specified in the permit.

(c) A certificate of airworthiness or restricted certificate of airworthiness issued or renewed in respect of an aircraft shall cease to be in force, and the Authority shall be entitled to prevent the aircraft from flying, if—

(1) the aircraft or such of its equipment as is necessary for the airworthiness of the aircraft is maintained or if any part of the aircraft or such equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the

Authority either generally or in relation to a class of aircraft or to the particular aircraft;

(2) the aircraft or any of its equipment is not maintained as required by the maintenance programme or schedule approved by the Authority in relation to that aircraft;

(3) an inspection or modification classified as mandatory by the Authority applicable to the aircraft or of any such equipment as aforesaid, has not, been completed to the satisfaction of the Authority; or

(4) subject to paragraph (d), the aircraft or any such equipment as aforementioned sustains damage and the damage is ascertained during inspection which affects the airworthiness of the aircraft;m

(d) An application for issue or renewal of certificate of airworthiness shall be made in a form prescribed by the Authority not later than sixty days before the certificate expires.

4.050 AIRCRAFT IDENTIFICATION

(a) An applicant for a certificate of airworthiness or a restricted certificate of airworthiness or special flight permit shall show that the aircraft is properly registered and marked and has identification plates affixed to the aircraft.

4.055 ISSUE OF CERTIFICATES OF AIRWORTHINESS

(a) A certificate of airworthiness shall be issued or renewed for aircraft in the specific category and model designated by the State of design in the type certificate.

(b) The Authority shall issue or renew a certificate of airworthiness if—

(1) the applicant presents evidence to the Authority that the aircraft conforms to a type design approved under a type certificate or a supplemental type certificate and to the applicable airworthiness directives and requirements of the State of manufacture or designer;

(2) the aircraft has been inspected in accordance with these Regulations for inspections and found airworthy by persons authorized by the Authority to make such determinations within the last thirty days;

(3) the Authority finds, after an inspection, that the aircraft conforms to type design and is in condition for safe operation;

(4) the aircraft when operated in accordance with the requirements specified in the flight manual or equivalent document for the aircraft conforms to the approved type specifications specified in the approved type certificate or equivalent document;

(5) the maintenance determined by the Authority as a prerequisite for issue or renewal of a standard certificate of airworthiness has been carried out and certified by a person acceptable to the Authority in accordance with these Regulations; and

(6) the results of flying trials, and such other tests of the aircraft as the Authority may require, are complied with.

(c) The Authority may issue a certificate of airworthiness subject to such other conditions relating to the airworthiness of the aircraft as the Authority thinks fit.

(d) A certificate of airworthiness shall specify one of the following categories as are, in the opinion of the Authority, appropriate to the aircraft operation—

(1) commercial air transport (passenger);

(2) commercial air transport (cargo);

(3) aerial work;

(4) general aviation; or

(5) special.

(e) A certificate of airworthiness shall be issued subject to the condition that the aircraft

shall be flown only for the following purposes—

(1) commercial air transport (passenger): any purpose;

(2) commercial air transport (cargo): any purpose other than commercial air transport of passengers;

(3) aerial work: any purpose other than commercial air transport or general aviation;

(4) general aviation: any purpose other than commercial air transport or aerial work; and

(5) special: any purpose, other than commercial air transport, specified in the certificate of airworthiness but not including the carriage of passengers unless expressly permitted.

(f) The Authority may in the process of issuing a certificate of airworthiness demand that reports be furnished by a person qualified to furnish such reports.

(g) The Authority shall issue a certificate of airworthiness that contains the information shown in Appendix 1 to 3.105, and if issued in a language other than English, it shall contain an English translation.

4.060. AIRWORTHINESS DIRECTIVES & SERVICE BULLETINS

(a) A person shall not operate an aircraft or aircraft components to which an airworthiness directive applies except in accordance with the requirements of airworthiness directive.

(b) Upon registration of an aircraft in Rwanda, the Authority shall notify the State of design of the registration of the aircraft in Rwanda, and request that the Authority receive all airworthiness directives addressing that aircraft, airframe, aircraft engine, propeller, appliance or component and, afterwards, shall—

(1) ensure the transmission to the State of design of all mandatory continuing airworthiness information which it originated of that aircraft; and

(2) ensure that, in respect of aeroplanes over 5,700 kg and helicopters over 3,175 kg maximum certificated take-off mass, there exists a system whereby information on faults, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of the aircraft is transmitted to the organization responsible for the type design of that aircraft.

(c) Where the State of design considers that a condition in an aircraft, airframe, engine, propeller, appliance or component is unsafe as shown by the issue of an airworthiness directive by that State, such directives shall apply to Rwanda registered aircraft of the type identified in that airworthiness directive.

(d) Where a manufacturer identifies a service bulletin as mandatory, such bulletin shall apply to Rwanda registered aircraft of the type identified in that bulletin.

(e) The Authority may identify manufacturer's service bulletins and other sources of data or develop and prescribe inspections, procedures and limitations for mandatory compliance pertaining to affected aircraft in Rwanda and shall establish, in respect of aeroplanes over 5,700 kg and helicopters over 3,175 kg maximum certificated take-off mass, the type of service information and procedures for reporting this information to the Authority, operators, organization responsible for type design and maintenance organizations.

(f) A person shall not operate any Rwanda registered aircraft to which the measures of this Part apply, except in accordance with the applicable directives and bulletins.

(g) The Authority shall notify the State of design of a modification, where it is different from the State of Design of the product being modified, the State of Design of the modification, and request that the Authority receive all the mandatory continuing airworthiness information.

4.065 ISSUE OF RESTRICTED CERTIFICATES OF AIRWORTHINESS

(a) The Authority may issue a restricted certificate of airworthiness to the aircraft that does not qualify for a certificate of airworthiness including micro lite, experimental amateur and kit built aircraft, an aircraft used for air races, aircraft flying for exhibition purpose and a kite.

(b) An aircraft holding a restricted airworthiness certificate shall be subject to operating limitations within Rwanda and shall not make international flights.

(c) The Authority shall issue specific operating limitations for each restricted airworthiness certificate.

4.070 ISSUE OF SPECIAL FLIGHT PERMITS

(a) The Authority may issue a special flight permit with operating limitations for an aircraft that is capable of safe flight but unable to meet applicable airworthiness requirements for the purpose of—

(1) flying to a base where weighing, painting, repairs, modifications, maintenance, or inspections are to be performed or to a point of storage;

(2) flying for the purpose of experimenting with or testing the aircraft including its engines and equipment;

(3) flying for the purpose of qualifying for the issue, renewal or validation of certificate of airworthiness or restricted certificate of airworthiness and the approval of a modification of the aircraft;

(4) delivering or exporting the aircraft;

(5) evacuating aircraft from areas of impending danger; and

(6) operating at mass in excess of the aircraft's maximum certified take- off mass for flight beyond normal range over water or land areas where adequate landing facilities or appropriate fuel are unavailable with the excess mass limited to additional fuel, fuel-carrying facilities, and navigation equipment necessary for the flight.

4.075 EXPORT CERTIFICATE OF AIRWORTHINESS

(a) An owner of an aircraft registered in Rwanda may apply to the Authority for issue of an export certificate of airworthiness for that aircraft.

(b) An application for an export certificate of airworthiness shall be made on a form prescribed by the Authority at least 14 days before the intended date of export of the aircraft out of Rwanda.

(c) The Authority shall issue an export certificate of airworthiness if—

(1) the applicant submits a statement of compliance with the full intents of the approved maintenance programme or schedule;

(2) the applicant submits a statement of compliance with the mandatory airworthiness directives and service bulletins applicable to the aircraft and its equipment;

(3) the aircraft has been inspected in accordance with these regulations and found airworthy by persons authorized by the Authority to make such determination within the last 14 days;

(4) the maintenance determined by the Authority as a prerequisite for issue of the export certificate of airworthiness has been carried out and certified by a person acceptable to the Authority in accordance with these regulations;

(5) the result of test flight, and such other tests as the Authority may determine are complied with;

(6) historical records establish the production, modification and maintenance standard of the aircraft;

(7) a weight and balance report with a loading schedule, where applicable, for each aircraft in accordance with the applicable regulations is furnished to the Authority.

(d) Export certificate of airworthiness shall not be used for the purpose of flight but for confirmation of recent satisfactory review of the airworthiness status of the aircraft.

(e) Any extension or variations granted to an aircraft in accordance to an approved maintenance programme or schedule shall be automatically revoked before issue of the export certificate of airworthiness.

(f) For the purpose of these regulations, the item being exported may be placed within a particular "Class" as provided for—

(1) ***Class I product*** – a complete aircraft, engine or propeller which has been type certificated in accordance with the appropriate airworthiness requirements and for which the necessary type certificate data sheets or equivalent have been issued.

(2) ***Class II product*** – a major component of a Class I product such as a wing, fuselage, empennage surface, etc. the failure of which would jeopardize the safety of a Class I product or any part, material or system thereof

(3) ***Class III product*** – any part or component which is not a Class I or Class II product or a standard part

(g) For products other than a Class I product, the export airworthiness certification may be issued in the form of certificates or identification tags, which will confirm that the product in question meets the approved design data, is in a condition for safe operation and complies with any special requirements as notified by the importing State.

4.080 CONDITIONS ON THE SPECIAL FLIGHT PERMIT

(a) A person shall not fly an aircraft on a special flight permit unless that person has complied with conditions of this regulation.

(b) A person who flies an aircraft on a special flight permit referred to under Regulation 4.070 of these regulations shall ensure that—

(1) the flight is made under the supervision of a person approved by the Authority for such flight, subject to any additional conditions which may be specified in the permit;

(2) a copy of the permit is carried on board the aircraft at all times when the aircraft is operating under the conditions of the permit;

(3) the aircraft registration markings assigned to the aircraft are displayed;

(4) no person or property is carried on board for hire or reward;

(5) only persons essential for the safe operation of the aircraft are carried on the aircraft and these persons shall be advised of the contents of the permit;

(6) the aircraft is operated only by flight crew holding appropriate type ratings or validations with sufficient experience to appreciate the reasons for the aircraft non-compliance to the prescribed airworthiness standards;

(7) the flight is conducted in accordance with applicable flight operating rules and procedures of the States of the intended routing;

(8) the routing is such that areas of heavy air traffic, areas of heavy human concentration of a city town or settlement or any other areas where the flight might create hazardous exposure to persons or property are avoided;

(i) the flight is performed in accordance to the performance limitations prescribed in the aircraft flight manual and any other limitation that the Authority may impose on such flight;

(ii) all flights are conducted prior to the expiry date of the special flight permit or at

any other time the Authority declares so in writing; and

(9) the aircraft shall not depart for the flight on a special flight permit unless the aircraft has on board authorizations from the State(s) of intended routing.

(c) Aircraft involved in an accident or incident may not be ferried prior to notifying the CAA accident coordinator

(d) The operator shall inform the State(s) of intended routing on the conditions of the aircraft and intended flight and the operator must obtain its (their) consent(s).

(e) The Authority shall require a properly executed maintenance endorsement statement in the aircraft permanent record by an authorized person stating that the subject aircraft has been inspected and found to be safe for the intended flight.

4.085 CERTIFICATE OF FITNESS FOR FLIGHT

(a) A person shall not fly an aircraft for the purpose of flight testing after repair, modification or maintenance unless that aircraft has been issued with a maintenance endorsement statement stating that the subject aircraft has been inspected and found to be safe for the intended flight.

(b) The maintenance endorsement statement referred to in paragraph (a) shall constitute a certificate of fitness for flight.

(c) A certificate of fitness for flight shall be issued by a person authorized by the Authority.

(d) A certificate of fitness for flight is the basis under which the Authority may issue a special flight permit under Regulation 4.070 for the purpose of allowing the aircraft to be ferried.

(e) The certificate of fitness for flight may be used as a basis to flight test an aircraft after repair, modifications or maintenance as long as the aircraft does not make an international flight.

(f) A certificate of fitness for flight is not, for purposes of these Regulations, an airworthiness certificate.

SUBPART C: CONTINUING AIRWORTHINESS OF AIRCRAFT & AIRCRAFT COMPONENTS

4.090 GENERAL

(a) The registered owner or operator of an aircraft is primarily responsible for maintaining that aircraft in an airworthy condition, including compliance with all airworthiness directives and mandatory service bulletins issued by the State of Design or Manufacture.

(b) No person may perform maintenance, preventive maintenance, or modifications on an aircraft other than as prescribed in this Part and other applicable Parts.

(c) No person may operate an aircraft for which a manufacturer's maintenance manual or instructions for continued airworthiness has been issued that contains an airworthiness limitations section unless the mandatory replacement times, inspection intervals and related procedures set forth in specific operating provisions approved by the Authority under Part 12 or in accordance with an inspection program approved under this Part.

4.095 RESPONSIBILITY FOR MAINTENANCE

(a) An owner or operator of an aircraft shall be responsible for maintaining the aircraft in an airworthy condition by ensuring that—

(1) all maintenance which affect airworthiness are performed as prescribed by the State of registry in compliance with requirements which are at least equal to the applicable standards specified in these regulations, Part 5 and Part 10;

(2) maintenance personnel make appropriate entries in the aircraft maintenance records certifying that the aircraft is airworthy;

(3) the certificate of release to service is completed to the effect that the maintenance work performed has been completed satisfactorily and in accordance with the prescribed methods including an approved maintenance schedule for air operator certificate holders as approved by the Authority; and

(4) in the event there are open discrepancies, the certificate of release to service includes a list of the uncorrected maintenance items which are made a part of the aircraft permanent records.

(b) In the event that an aircraft registered in Rwanda is continuously operated outside Rwanda for a period exceeding thirty days, the owner or operator of the aircraft shall be responsible for maintaining the aircraft in an airworthy condition and ensuring that—

(1) notice in a form that may be prescribed by the Authority, is given to the Authority prior to the aircraft undertaking such operations;

(2) arrangements acceptable to the Authority for ongoing inspection and oversight of the airworthiness of that aircraft are made.

4.100 CONTINUING AIRWORTHINESS INFORMATION

(a) An operator of an aircraftshall—

(1) monitor and assess maintenance and operational experience with respect to continuing airworthiness and provide the information in a form that may be prescribed by the Authority and report through a specifiedsystem;

(2) obtain and assess continuing airworthiness information and recommendations available from the organization responsible for the type design and implement resulting actions considered necessary in accordance with a procedure acceptable to the Authority.

4.105 COMPLIANCE WITH THE MANUFACTURER'S INSTRUCTIONS

(a) An aircraft registered in Rwanda shall not engage in commercial air transport operations, and an aircraft registered in another Contracting State shall not engage in commercial air transport operations to or from Rwanda, unless—

(1) the aircraft, including its engines, equipment and radios has been maintained in accordance with the approved maintenance programme and the maintenance procedures, recommended by the aircraft manufacturer and in compliance with the requirements which are at least equal to the applicable standards specified in these regulations, Part 5 and Part 10;

(b) A certificate of release to service has been completed and signed by a licenced aircraft maintenance engineer to certify that all maintenance work has been completed satisfactorily and in accordance with the approved maintenance programme and procedures; and

(c) There is an accepted flight manual available in the aircraft for the use of the flight crew, containing the limitations within which the aircraft is considered airworthy, together with such additional instructions and information as may be necessary to show compliance with the specified regulations relating to performance and for the safe operation of the aircraft, except that if the aircraft has a maximum take-off certificated mass of 5,700 kg or less, the limitations may be made available by means of placards or other documents approved by the Authority.

(d) The flight manual referred to in paragraph (1)(c) shall be updated by implementing changes made mandatory by the State of registry.

4.110 INSPECTIONS

(a) **Annual Inspection:** Except as provided in paragraph (c), no person may operate an aircraft unless, within the preceding 12 calendar months, the aircraft has had—

(1) An annual inspection in accordance with this Part and has been issued a maintenance release by a person authorized under this Part; or

(2) An inspection for the issuance of a Certificate of Airworthiness in accordance with this Part.

Note: No inspection performed under paragraph (b) of this Regulation may be substituted for any inspection required by this paragraph unless it is performed by a person authorised to perform annual inspections and is entered as an "annual" inspection in the required maintenance record.

(b) **100-Hour Inspection:** Except as provided in paragraph (c), no person may operate an aircraft carrying any person (other than a crew member) for hire, and no person may give flight instruction for hire in an aircraft which that person provides, unless within the preceding 100 hours of time in service—

(1) The aircraft has received an annual or 100-hour inspection and been issued a maintenance release in accordance with this Part or

(2) has received an inspection for the issuance of a n Certificate of Airworthiness in accordance with this Part.

Note: The 100-hour limitation may be exceeded by not more than 10 hours while en route to reach a place where the inspection can be done. The excess time used to reach a place where the inspection can be done must be included in computing the next 100 hours of time in service.

(c) **Special Exceptions:** Paragraphs (a) and (b) of this regulation do not apply to—

(1) An aircraft that carries a special flight permit, a current experimental certificate, or a provisional Certificate of Airworthiness;

(2) An aircraft subject to the requirements of regulation 4.115 of this Part; or

(3) Turbine-powered rotorcraft when the operator elects to inspect that rotorcraft in accordance with Regulation 4.120 of this Subpart.

(d) **Other Inspections:** The altimeter, altimeter system, transponder and VOR inspections required by Part 10 should accomplished as prescribed by the Authority.

See RCATS-4.110 for tests and checks of the altimeter system, ATC transponder and VOR receiver.

4.115 PROGRESSIVE INSPECTION

(a) Each registered owner or operator of an aircraft desiring to use a progressive inspection program shall submit a written request to the Authority, and shall provide—

(1) A licensed mechanic holding an inspection authorisation in accordance with Part 7, an AMO appropriately rated in accordance with Part 5, or the manufacturer of the aircraft to supervise or conduct the progressive inspection;

(2) A current inspection procedures manual available and readily understandable to pilot and maintenance personnel containing, in detail—

(i) An explanation of the progressive inspection, including the continuity of inspection responsibility, the making of reports, and the keeping of records and technical reference material;

(ii) An inspection schedule, specifying the intervals in hours or days when routine and detailed inspections will be performed and including instructions for exceeding an inspection interval by not more than 10 hours while en-route and for changing an inspection interval because of service experience;

(iii) Sample routine and detailed inspection forms and instructions for their use; and

(iv) Sample reports and records and instructions for their use;

(3) Enough housing and equipment for necessary disassembly and proper inspection of the aircraft; and

(4) Appropriate current technical information for the aircraft.

(b) The frequency and detail of the progressive inspection shall provide for the complete inspection of the aircraft within each 12 calendar months and be consistent with the current manufacturer's recommendations, field service experience, and the kind of operation in which the aircraft is engaged.

(c) The progressive inspection schedule shall ensure that the aircraft, at all times, will be airworthy and will conform to all applicable aircraft specifications, type certificate data sheets, airworthiness directives, and other approved data acceptable to the Authority.

(d) If the progressive inspection is discontinued, the owner or operator shall immediately notify the Authority, in writing, of the discontinuance.

(e) After the discontinuance, the first annual inspection under Part 10 is due within 12 calendar months after the last complete inspection of the aircraft under the progressive inspection.

(1) The 100-hour inspection under this Subpart is due within 100 hours after that complete inspection.

(2) A complete inspection of the aircraft, for the purpose of determining when the annual and 100 hour inspections are due, requires a detailed inspection of the aircraft and all its components in accordance with the progressive inspection.

(3) A routine inspection of the aircraft and a detailed inspection of several components is not considered to be a complete inspection.

4.120 INSPECTION PROGRAMMES FOR LARGE & TURBINE AIRCRAFT

(a) Except for aircraft operated under an AOC, the registered owner or operator of each large aeroplane, turbojet multi-engine aeroplane, turbo propeller-powered multi-engine aeroplane, and turbine-powered rotorcraft shall select, identify in the aircraft maintenance records, and use one of the following programs for the inspection of the aircraft—

(1) A current inspection program recommended by the manufacturer;

(2) An inspection program that is part of a continuous maintenance program for that make and model of aircraft currently approved by the Authority for use by an AOC holder; or

(3) Any other inspection program established by the registered owner or operator of that aircraft and approved by the Authority.

(b) Each owner/operator shall include in the selected program the name and address of the person responsible for the scheduling of the inspections required by the program and provide a copy of the program to the person performing inspection on the aircraft.

(c) No aircraft shall be issued a maintenance release unless the replacement times for life-limited parts specified in the aircraft specification-type data sheets are complied with and the aeroplane, including airframe, engines, propellers, rotors, appliances, and survival and emergency equipment, is inspected in accordance with the inspection program selected.

(d) Each person wishing to establish or change an approved inspection program shall submit the program for approval by the Authority and shall include in writing—

(1) Instructions and procedures for the conduct of inspection for the particular make and model aircraft, including necessary tests and checks;

(2) The instructions shall set forth in detail the parts and areas of the aeronautical products, including survival and emergency equipment required to be inspected; and

(3) A schedule for the inspections that shall be performed expressed in terms of time in service, calendar time, number of system operations or any combination of these.

(e) When an operator changes from one inspection program to another, the operator shall apply

the time in service, calendar times, or cycles of operation accumulated under the previous program, in determining time the inspection is due under the new program.

4.125 CHANGES TO AIRCRAFT MAINTENANCE PROGRAMS

(a) Whenever the Authority finds that revisions to an approved inspection program are necessary for the continued adequacy of the program, the owner or operator shall, after notification by the Authority, make any changes in the program found to be necessary.

(b) The owner or operator may petition the Authority to reconsider the notice, within 30 days after receiving that notice.

(c) Except in the case of an emergency requiring immediate action in the interest of safety, the filing of the petition stays the notice pending a decision by the Authority.

4.130 REPORTING OF FAILURES, MALFUNCTIONS & DEFECTS

(a) An owner or operator of an aircraft shall report to the Authority any failures, malfunctions, or defects that may result in at least one of the following—

(1) fires during flight and whether the related fire-warning system properly operated;
(2) fires during flight not protected by a related fire-warning system;
(3) false fire warning during flight;
(4) an engine exhaust system that causes damage during flight to the engine, adjacent structure, equipment, or components;
(5) an aircraft component that causes accumulation or circulation of smoke, vapour, or toxic or noxious fumes in the crew compartment or passenger cabin during flight;
(6) engine shutdown during flight because of flameout;
(7) engine shutdown during flight when external damage to the engine or aircraft structure occurs;
(8) engine shutdown during flight due to foreign object ingestion or icing;
(9) shutdown during flight of more than one engine;
(10) a propeller feathering malfunction or inability of the system to control over speed during flight;
(11) a fuel or fuel-dumping system malfunction that affects fuel flow or causes hazardous leakage during flight;
(12) an uncommanded landing gear extension or retraction, or opening or closing of landing gear doors during flight;
(13) brake system components malfunction that result in loss of brake actuating force when the aircraft is in motion on the ground;
(14) aircraft structure damage that requires major repair;
(15) failure or malfunction of any flight control system, flap, slat or spoiler;
(16) any excessive unscheduled removals of essential equipment on account of defects;
(17) cracks, permanent deformation, or corrosion of aircraft structure, if more than the maximum acceptable to the manufacturer or the Authority;
(18) aircraft components or systems malfunctions that result in taking emergency actions during flight (except action to shut down an engine);
(19) emergency evacuation systems or components including all exit doors, passenger emergency evacuating lighting systems, or evacuation equipment that are found defective, or that fail to perform the intended functions during an actual emergency or during training, testing, maintenance, demonstration, or inadvertent deployments;
(20) each interruption to a flight, unscheduled change of aircraft enroute, or unscheduled stop or diversion from a route, caused by known or suspected technical difficulties or malfunctions;

(21) any abnormal vibration or buffeting caused by a structural or system malfunction, defect, or failure;
(22) a failure or malfunction of more than one attitude, airspeed, or altitude instrument during a given operation of the aircraft;
(23) the number of engines removed prematurely because of malfunction, failure or defect, listed by make and model and the aircraft type in which it was installed; or
(24) the number of propeller featherings in flight, listed by type of propeller and engine and aircraft on which it was installed.

(b) A report required under this regulation shall—
(1) be made within three days after determining that the failure, malfunction, or defect required to be reported has occurred; and
(2) include as much of the following information as is available and applicable—
(i) type and registration mark of the aircraft;
(ii) name of the operator;
(iii) aircraft serial number;
(iv) where the failure, malfunction, or defect is associated with an article approved under a technical standard order authorization, the article serial number and model designation, as appropriate;
(v) where the failure, malfunction or defect is associated with an engine or propeller, the engine or propeller serial number, as appropriate;
(vi) product model;
(vii) identification of the part, component, or system involved, including the part number; and
(viii) the nature of the failure, malfunction, or defect.

(c) The Authority, upon receipt of the report specified in paragraph (b) for aircraft registered in Rwanda, shall submit the reports to the State of design.

(d) The Authority, upon receipt of the report specified in paragraph (b) for foreign registered aircraft operating in Rwanda, shall submit all such reports to the State of registry and the State of design.

SUBPART D: AIRCRAFT MAINTENANCE & INSPECTION

4.135 PERSONS AUTHORIZED TO PERFORM MAINTENANCE, PREVENTIVE MAINTENANCE & MODIFICATION

(a) A person shall not perform any task defined as maintenance on an aircraft or aircraft components, except as provided in this regulation.

(b) The following are the persons authorized to perform maintenance, preventive maintenance and modification—
(1) a pilot licenced by the Authority;
(2) a person performing maintenance under the supervision of a licenced aircraft maintenance engineer;
(3) a licenced aircraft maintenance engineer; and
(4) an approved maintenance organization.

(c) A pilot licenced by the Authority may perform preventive maintenance on an aircraft of certificated maximum take-off mass of 5,700 kg or less owned or operated by that pilot so long as the aircraft is not listed for use by an air operator certificate holder and the pilot has attended maintenance course on the type of aircraft.

(d) A pilot licenced by the Authority operating a balloon listed for use by an air operator certificate holder may perform maintenance, preventive maintenance and modification on balloons, provided that pilot has been trained on the appropriate balloon maintenance.

(e) A person working under the supervision of a licenced aircraft maintenance engineer may perform the maintenance, preventive maintenance, or modifications that the licenced aircraft maintenance engineer is authorized to perform if the supervising licenced aircraft maintenance engineer—

(1) personally observes the work being done to the extent necessary to ensure that it is being done properly; and

(2) is readily available, in person, for consultation.

(f) A licenced aircraft maintenance engineer may perform or supervise the maintenance or modification of an aircraft or aircraft component for which he or she is rated in accordance with Part 7.

(g) An approved maintenance organization may perform aircraft maintenance within the limits specified by the Authority.

(h) A manufacturer holding an approved maintenance organization certificate may—

(1) rebuild or alter any aircraft component manufactured by that manufacturer under a type or production certificate;

(2) rebuild or alter any aircraft component manufactured by that manufacturer under a technical standard order authorization, a parts

(3) manufacturer approval by the State of design, or product and process specification issued by the State of design; and

(4) perform any inspection required by Part 10 on aircraft that the manufacturer manufactures, while currently operating under a production certificate or under a currently approved production inspection system for such aircraft.

4.140 PERSONNEL AUTHORIZED TO APPROVE FOR RETURN TO SERVICE

(a) Except as authorized by the Authority, a person shall not approve an aircraft, airframe, engine, propeller, appliance, or component for return to service after it has undergone maintenance, preventive maintenance, rebuilding, or modification.

(b) The following persons are authorized to approve return to service-

(1) a pilot licenced by the Authority who may return his aircraft to service after performing authorized preventive maintenance provided he has successfully completed an approved maintenance course on the type of aircraft.;

(2) a licenced aircraft maintenance engineer who may approve aircraft and aircraft components for return to service after he or she has performed, supervised, or inspected its maintenance subject to the limitations specified in Part 7;

(3) an approved maintenance organization that may approve aircraft and aircraft components for return to service as provided in the operations specific operating provisions approved by the Authority.

4.145 PERSONS AUTHORIZED TO PERFORM INSPECTIONS

(a) Except as authorized by the Authority, a person shall not perform the inspections required by Part 4 and Part 10 for aircraft and aircraft components prior to or after the aircraft has undergone maintenance, preventive maintenance, rebuilding, or modification.

(b) The following persons are authorized to carry out inspections—

(1) a licenced aircraft maintenance engineer who may conduct the required inspections of aircraft and aircraft components for which the licenced aircraft maintenance engineer is rated and current; or

(2) an approved maintenance organization that may perform the required inspections of aircraft and aircraft components as provided in the specific operating provisions approved by the Authority.

4.150 PREVENTIVE MAINTENANCE: LIMITATIONS

(a) Preventive maintenance is limited to the work mentioned in Appendix 1 to 4.150, provided it does not involve complex assembly operations.

4.155 PERFORMANCE RULES: MAINTENANCE

(a) A person performing maintenance, preventive maintenance, or modification on an aircraft or aircraft component shall use the methods, techniques, and practices prescribed in—

(1) the current manufacturer's maintenance manual or instructions for continued airworthiness issued by its manufacturer; and

(2) additional methods, techniques and practices required by the Authority; or methods, techniques and practices approved by the Authority where the manufacturer's documents were not available.

(b) A person shall use the tools, equipment, and test apparatus necessary to assure completion of the work in accordance with accepted industry practices.

(c) If the involved manufacturer recommends special equipment or test apparatus, the person performing maintenance shall use that equipment or apparatus, or its equivalent acceptable to the Authority.

(d) A person performing maintenance, preventive maintenance, or modification on an aircraft or aircraft component shall do that work in such a manner, and use materials of such a quality, that the condition of the aircraft or aircraft component worked on will be at least equal to its original or properly altered condition with regard to aerodynamic function, structural strength, resistance to vibration and deterioration, and other qualities affecting airworthiness.

(e) The methods, techniques, and practices contained in an air operator certificate holder's maintenance control manual and, maintenance programme, as approved by the Authority, will constitute an acceptable means of compliance with the requirements of this regulation.

(f) The methods, techniques, and practices contained in an approved maintenance organization maintenance procedures manual as approved by the Authority, will constitute an acceptable means of compliance with the requirements of this regulation.

4.160 PERFORMANCE RULES: INSPECTION

(a) A person performing an inspection required by the Authority shall—

(1) perform the inspection so as to determine whether the aircraft or portion of the aircraft under inspection meets all applicable airworthiness requirements; and

(2) if there is an inspection program required or accepted for the specific aircraft being inspected, perform the inspection in accordance with the instructions and procedures specified in the inspection program.

(b) A person performing an inspection required on a rotorcraft shall inspect, in accordance with the maintenance manual or instructions for continued airworthiness, the systems which shall include, but not limited to—

(1) the drive shafts or similar systems;

(2) the main rotor transmission gear box for obvious defects;

(3) the main rotor and centre section (or the equivalent area); and

(4) the auxiliary rotor on helicopters.

(c) A person performing an inspection shall use a checklist while performing the inspection, which—

(1) may be of the person's own design, one provided by the manufacturer of the

equipment being inspected, or one obtained from another source; and

(2) shall include the scope and detail of the items prescribed or approved by the Authority.

(d) A person approving a reciprocating-engine-powered aircraft for return to service after an inspection shall, before that approval, run the aircraft engine or engines to determine satisfactory performance in accordance with the current manufacturer's recommendations of—

(1) Power output (static and idle revolutions per minute);

(2) Magnetos;

(3) Fuel and oil pressure; and

(4) Cylinder and oil temperature.

(e) A person approving a turbine-engine-powered aircraft for return to service shall, before that approval, run the aircraft engine or engines to determine satisfactory performance in accordance with the current manufacturer's recommendations.

(f) A person performing an inspection shall, before that inspection, thoroughly clean the aircraft and aircraft engine and remove or open all necessary inspection plates, access doors, fairings, and cowlings.

(g) A person performing an inspection shall inspect, where applicable, the components mentioned in Appendix 1 to 4.175(g).

4.165 AIRWORTHINESS LIMITATION PERFORMANCE RULES

(a) A person performing an inspection or other maintenance specified in an airworthiness limitations section of a current manufacturer's maintenance manual, or instructions for continued airworthiness, shall perform the inspection or other maintenance in accordance with that section, or in accordance with specific operating provisions approved by the Authority.

4.170 AIRCRAFT MASS SCHEDULE

(a) An aircraft in respect of which a certificate of airworthiness is issued under these regulations shall be weighed, and the position of the aircraft's centre of gravity determined, at such times specified in the Sixth Schedule and in such manner as the Authority may require or approve in the case of that aircraft.

(b) Upon the aircraft being weighed, the owner or operator of the aircraft shall prepare a mass schedule showing—

(1) the basic mass of the aircraft, namely the mass of the empty aircraft together with the mass of unusable fuel and unusable oil in the aircraft and of such items of equipment as are indicated in the mass schedule, or such other mass as may be approved by the Authority in the case of that aircraft; or

(2) the position of the centre of gravity of the aircraft when the aircraft contains only the items included in the basic mass or such other position of the centre of gravity as may be approved by the Authority in the case of that aircraft.

(c) The mass schedule shall be preserved by the operator of the aircraft until the expiration of a period of six months following the next occasion on which the aircraft is weighed for the purpose of this Part.

4.175 COMPASS SWING REQUIREMENTS

(a) All compasses fitted to Rwandan registered aircraft shall be swung as follows—

(1) On installation.

(2) At 12 monthly intervals thereafter, provided that where other independent direction-indicating systems are in use, the interval may be extended to 24 months. In such a case, the compass(es) shall be checked during each flight against such directing-indicating system. Should deviation exceed 5º, the compass shall be swung.

Note: Whilst under the most favorable conditions an annual check is sufficient; it is recommended that owners of aircraft carry out a check swing every six months.]

(3) Before a newly registered aircraft is placed into service in the country.

(4) Immediately after material or equipment that may affect the compass is installed, removed or replaced.

(5) After an aircraft has been struck by lightning.

(6) After each engine change, except where it has been established that non-compliance with this requirement will not affect the compass readings. The Commissioner must be advised accordingly.

(7) In the case of "cargo only" aircraft, whenever cargo which is likely to affect the compass reading is carried. In such cases a check must be made on the cardinal headings and headings to be flown and a temporary deviation card installed. The temporary card must be replaced when such cargo is unloaded.

SUBPART E: MAINTENANCE RECORDS & ENTRIES

4.180 KEEPING CERTIFICATE OF RELEASE TO SERVICE RECORDS

(a) Pursuant to the terms and conditions set forth in these regulations, a certificate of release to service shall be maintained by an air operator certificate holder in duplicate.

(b) A certificate of release to service issued shall—

(1) be effective from the date of issue;

(2) cease to be effective upon expiration of the period of its validity in calendar days or flying time, whichever is earlier as specified in the maintenance schedule; and

(3) be kept on board the aircraft and the original be kept by the operator elsewhere as approved by the Authority.

4.185 TECHNICAL LOGBOOK

(a) (1) A technical logbook shall be kept in respect of every aircraft registered in Rwanda in respect of which a certificate in either commercial air transport or aerial work category is in force.

(b) Technical logbook entries on defects which affect the airworthiness and safe operation of the aircraft shall be made as specified in Regulation 4.190 of these Regulations.

(c) Upon rectification of any defect which has been entered in the technical logbook in accordance with paragraph (b) of this Regulation, an authorized person issuing a certificate of release to service under the Part 5 in respect of that defect shall enter that certificate in the technical logbook.

4.190 AIRCRAFT, ENGINE & PROPELLER L O G B O O K S

(a) In addition to any other log books required by or under these Regulations, the following log books shall be kept in respect of aircraft registered in Rwanda—

(1) an aircraft log book;

(2) a separate log book in respect of each engine fitted in the aircraft; and

(3) a separate log book in respect of each variable pitch propeller fitted to the aircraft;

(b) The log books shall include the particulars respectively specified in Appendix 1 of 4.190 to these Regulations and in the case of an aircraft having a maximum total weight authorized not exceeding 2,730 kg, shall be of a type approved by the Authority.

(c) An entry in a log book other than such an entry as is referred to in Appendix 1 to 4.190 to these Regulations shall be made—

(1) as soon as practicable after the occurrence to which it relates, but not more than 7 days after the expiration of the certificate of release to service, in force in respect of the aircraft at the time of the occurrence.

(2) upon each occasion that any maintenance, overhaul, repair, replacement, modification or inspection is undertaken on the engine or propeller as the case may be.

(d) Entries in the log book may refer to other documents which shall be clearly identified, and any other documents so referred to shall be deemed, for the purposes of this regulation to be part of the log book.

(e) It shall be the duty of the operator of every aircraft in respect of which log books are required to be kept to keep the log books or cause them to be kept in accordance with this regulation.

(f) Subject to this regulation, every log book shall be preserved by the operator of the aircraft until a date 2 years after the aircraft, the engine or the variable pitch propeller as the case may be, has been destroyed or has been permanently from use.

4.195 RECORDS OF MAINTENANCE

(a) A person who performs maintenance on an aircraft or aircraft component shall, when the work is performed satisfactorily, make an entry in the maintenance record of that equipment as follows—

(1) a description or reference to data acceptable to the Authority of work performed;

(2) completion date of the work performed; and

(3) name, signature and licence number of the person approving the work.

(b) The signature required by paragraph (a)(3) of this Regulation shall constitute the approval for return to service only for the work performed.

(c) A person working under the supervision of a licenced aircraft maintenance engineer shall not perform any inspection required in the Part 4, Part 10 or any inspection performed after a major repair or modification.

(d) A person performing the work referred to in paragraph (a) shall enter records of major repairs and major modifications in a form and manner prescribed by the Authority.

(e) A person performing a major repair or major modification shall—

(1) execute the appropriate form prescribed by the Authority at least in duplicate;

(2) give a signed copy of that form to the aircraft owner or operator; and

(3) forward a copy of that form to the Authority, in accordance with Authority instructions, within forty-eight hours after the aircraft or aircraft component is approved for return to service.

(f) An approved maintenance organization which performs a major repair or modification shall—

(1) use the aircraft owner or operator's work order upon which the repair is recorded;

(2) give the aircraft owner or operator's a signed copy of the work order and retain a duplicate copy for at least one year from the date of approval for return to service of the aircraft or aircraft component;

(3) give the aircraft owner or operator a certificate of release to service

signed by an authorized representative of the approved maintenance organization and incorporating the following information—

(i) identity of the aircraft or aircraft component—

(A) the make, model, serial number, nationality and registration marks, and location of the repaired area of an aircraft;

(B) the manufacturer's name, name of the part, model, and serial numbers (if any) of an aircraft component; and

(ii) a statement that the aircraft or aircraft component was repaired, overhauled and inspected in accordance with this Part and is approved for the return to service.

(iii) a statement that pertinent details of repair are on file at the approved maintenance organization; and

(iv) the order number and date of the order number.

(4) signature of the authorized representative, the name and address of the approved maintenance organization and approved maintenance organization certificate number.

4.200 RECORDS OF OVERHAUL & REBUILDING

(a) A person shall not record in any required maintenance entry or form, an aircraft or aircraft component as being overhauled unless the aircraft or aircraft component has been—

(1) disassembled, cleaned, inspected as permitted, repaired as necessary, and reassembled using methods, techniques, and practices acceptable to the Authority; and

(2) tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance manufacturing approval.

(b) A person shall not record in any required maintenance entry or form an aircraft or aircraft component as being rebuilt unless aircraft or aircraft component has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits.

4.205 APPROVAL FOR RETURN TO SERVICE

(a) A person shall not approve for return to service any aircraft or aircraft component that has undergone maintenance, preventive maintenance, rebuilding, or modification unless—

(1) the appropriate maintenance record entry has been made in accordance with this Part;

(2) the prescribed major repair or major modification form has been executed in the form and manner acceptable to the Authority;

(3) if a major repair or major modification results in any change in the aircraft operating limitations or flight data contained in the approved aircraft flight manual, those operating limitations or flight data are appropriately revised and set out as prescribed.

4.210 CONTENT, FORM & DISPOSITION OF RECORDS FOR INSPECTIONS

(a) A person approving the return to service of an aircraft or aircraft component after any inspection performed in accordance with Part 5 and Part 10, shall make an entry in the maintenance record of that equipment containing the following information—

(1) type of inspection and a brief description of the extent of the inspection;

(2) date of inspection;
(3) aircraft total time and cycles in service;
(4) signature, the licence number held by the person approving return to service the aircraft or aircraft component;
(5) if the aircraft is found to be airworthy and approved for return to service, the person shall include a statement certifying that the aircraft has been inspected in accordance with the type of work and was determined to be in an airworthy condition;
(6) if the aircraft is not approved for return to service because the aircraft needs maintenance, non- compliance with the applicable specifications, airworthiness directives, or other approved data, a statement that the aircraft has been inspected in accordance with inspection and a dated list of discrepancies and unairworthy items has been provided to the aircraft owner or operator; and
(7) if an inspection is conducted under an inspection program provided for in Part 4 and Part 10, the person performing the inspection shall make an entry identifying the inspection program accomplished, and containing a statement that the inspection was performed in accordance with the type of inspections and procedures for that particular program.

(b) A person performing any inspection required in this Part or Part 10 who finds that the aircraft is not airworthy or does not meet the applicable type certificate data sheet, airworthiness directives or other approved data upon which the aircraft's airworthiness depends, shall give the owner or operator a signed and dated list of those discrepancies.

SUBPART F: MAINTENANCE PERSONNEL LIMITATIONS, PRIVILEGES & RECENCY

4.215 REST & DUTY LIMITATIONS FOR PERSONS PERFORMING MAINTENANCE FUNCTIONS

(a) No person may assign, nor shall any person perform maintenance functions for aircraft, unless that person has had a minimum rest period of 8 hours prior to the beginning of duty.

(b) No person may schedule a person performing maintenance functions for aircraft for more than 12 consecutive hours of duty.

(c) In situations involving unscheduled aircraft unserviceability, persons performing maintenance functions for aircraft may be continued on duty for—
(1) Up to 16 consecutive hours; or
(2) 20 hours in 24 consecutive hours.

(d) Following unscheduled duty periods, the person performing maintenance functions for aircraft shall have a mandatory rest period of 10 hours.

(e) An AMO or AOC holder shall relieve the person performing maintenance functions from all duties for 24 consecutive hours during any 7 consecutive day period.

4.220 AME PRIVILEGES & LIMITATIONS

(a) Subject to compliance with the requirements specified in (b) and (c), the privileges of the holder of an aircraft maintenance engineer licence shall be to certify the aircraft or parts of the aircraft as airworthy after an authorised repair, modification or installation of an engine, accessory, instrument, and/or item of equipment, and to sign a maintenance release following inspection, maintenance operations and/or routine servicing.

Refer to Appendix 1 to 4.220 for specific AME privileges and limitations.

(b) The privileges of the holder of an aircraft maintenance licence shall be exercised only—
(1) In respect of such—
(i) Aircraft as are entered on the licence in their entirety either under broad categories and/or specifically; or

(ii) Airframes and engines and aircraft systems or components as are entered on the licence either under broad categories and/or specifically; and/or

(iii) Aircraft avionic systems or components as are entered on the licence either under broad categories or specifically;

(2) Provided that the licence holder is familiar with all the relevant information relating to the maintenance and airworthiness of the particular aircraft for which the licence holder is signing a Maintenance Release, or such airframe, engine, aircraft system or component and aircraft avionic system or component which the licence holder is certifying as being airworthy; and

(3) On condition that, within the preceding 24 months, the licence holder has either had experience in the inspection, servicing or maintenance of an aircraft or components in accordance with the privileges granted by the licence held for not less than six months, or has met the provision for the issue of a licence with the appropriate privileges, to the satisfaction of the Authority.

(c) Except as specified in paragraph (f) of this Regulation, a licensed AME may perform or supervise the maintenance, preventive maintenance, or modification of, or after inspection, execute a maintenance release for any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof, for which he or she is rated, provided the licensed AME has—

(1) Satisfactorily performed the work at an earlier date;

(2) Demonstrated the ability to perform the work to the satisfaction of the Authority;

(3) Received training acceptable to the Authority on the tasks to be performed; or

(4) Performed the work while working under the direct supervision of a licensed AME or a licensed aviation repair specialist (ARS) who is appropriately rated and has—

(i) Had previous experience in the specific operation concerned; or

(ii) Received training acceptable to the Authority on the task to be performed.

(d) Except as specified in paragraph (f) of this Regulation, a licensed AME with an airframe rating may after he/ she has performed the 100-hour inspection required by this Part on an airframe, or any related part or appliance, and approve and return it to service.

(e) Except as specified in paragraph (f) of this Regulation, a licensed AME with a powerplant rating may perform the 100-hour inspection required by this Part on a powerplant or propeller or any related part or appliance, and approve and return it to service.

(f) A AME with an airframe and/or powerplant rating may not—

(1) Supervise the maintenance, preventive maintenance, or modification of, or approve and return to service, any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof, for which he/she is rated unless he/she has satisfactory performed the work concerned at an earlier date.

(2) Perform or supervise (unless under the direct supervision and control of an AOC holder that is authorised to perform maintenance, preventative maintenance, or modifications under an equivalent system in accordance with Part 12—

(i) A major repair or major modification of a propeller; or

(ii) Any repair or modification of instruments;

(3) Execute a maintenance release for—

(i) Any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof after completion of a major modification or major repair; or

(ii) Any instrument after completion of any repair or modification;

(4) Exercise the privileges of the license unless the licensed AME understands the current instructions for continued airworthiness and the maintenance instructions for the specific operation concerned.

4.225 AME RECENT EXPERIENCE REQUIREMENTS

(a) A licensed AME may not exercise the privileges of his/her license or rating unless,

within the preceding 24 months—

(1) The Authority has found that he/she is able to do that work; or

(2) For at least 6 months within the preceding 24 months—

(i) Served as an AME under his/her license and rating;

(ii) Technically supervised other AMEs;

(iii) Provided aviation maintenance instruction or served as the direct supervisor of persons providing aviation maintenance instruction for an AME course or program acceptable to the Authority;

(iv) Supervised the maintenance, preventive maintenance, or modification of any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof; or

(v) Been engaged in any combination of paragraphs (a)(1)(i) through (a)(1)(iv) of this Regulation.

4.230 INSPECTION AUTHORISATION PRIVILEGES & LIMITATIONS

(a) Except as specified in paragraphs (b) and (c) of this Regulation, the holder of an Inspection Authorisation (IA) may—

(1) Inspect and execute a maintenance release for any aircraft, airframe, aircraft engine, propeller appliance, component, or part thereof after completion of a major repair or major modificationperformed in accordance with this Part and done in accordance with technical data approved by the Authority; and

(2) Perform an annual inspection, or perform or supervise a progressive inspection, according to this Part on any aircraft, except those aircraft on a continuous maintenance program, and approve the aircraft for return to service.

(b) The holder of an IA with a current and valid AME license may not inspect and execute a maintenance release for any aircraft over 5,700 kg maximum take-off weight or any airframe, aircraft engine, propeller, appliance, component, or part thereof which is subject to a maintenance program under this Part or Part 12.

(c) The holder of an IA with a current and valid AME license may not inspect and execute a maintenance release for any aircraft maintained in accordance with a continuous maintenance program approved under this Part or Part 12.

(d) When exercising the privileges of an IA, the holder shall keep it available for inspection by the aircraft owner and the AME submitting the aircraft, repair, or modification for approval (if any), and shall present it at the request of the Authority or an authorised representative of the Director General, or at the request of any Federal or local law enforcement officer.

(e) If the holder of an Inspection Authorisation changes his or her fixed base of operation, the holder may not exercise the privileges of the authorisation until he or she has notified the Authority in writing of the change.

(f) No person may exercise any privilege of an Inspection Authorisation whenever that person no longer—

(1) Has a fixed base of operation;

(2) Has the equipment, facilities, or inspection data required by Part 5; or

(3) Holds a current and valid AME license.

4.235 AVIATION REPAIR SPECIALIST LICENSES: PRIVILEGES & LIMITATIONS

(a) An aviation repair specialist may perform or supervise the maintenance, preventive maintenance, or modification of aircraft, airframes, aircraft engines, propellers, appliances, components, and parts appropriate to the designated speciality area for which the aviation repair specialist is licensed and rated, but only in connection with employment by an AMO approved under Part 5 or an AOC holder that is authorised to perform maintenance, preventive maintenance, or modifications under an equivalent system in accordance with Part 12.

(b) An aviation repair specialist may not perform or supervise duties unless the aviation repair specialist understands the current instructions of the employing certificate holder and the instructions for continued airworthiness, which relate to the specific operations concerned.

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APPENDICES

APPENDIX 1 TO 4.005: MAJOR MODIFICATIONS (DEFINITION)

(a) **Airframe Major Modifications.** Major modifications include modifications to the listed aircraft parts, or the listed types of modifications (when not included in the applicable aircraft specifications)—

(1) Wings.
(2) Tail surfaces.
(3) Fuselage.
(4) Engine mounts.
(5) Control system.
(6) Landing gear.
(7) Hull or floats
(8) Elements of an airframe including spars, ribs, fittings, shock absorbers, bracing, cowlings, fairings, and balance weights.
(9) Hydraulic and electrical actuating system of components.
(10) Rotor blades.
(11) Changes to the empty weight or empty balance which result in an increase in the maximum Certified weight or centre of gravity limits of the aircraft.
(12) Changes to the basic design of the fuel, oil, cooling, heating, cabin pressurisation, electrical, hydraulic, de-icing, or exhaust systems.
(13) Changes to the wing or to fixed or movable control surfaces which affect flutter and vibration characteristics.

(a) **Powerplant Major Modifications.** Major powerplant modifications, even when not listed in the applicable engine specifications, include—

(1) Conversion of an aircraft engine from one approved model to another, involving any changes in compression ratio, propeller reduction gear, impeller gear ratios or the substitution of major engine parts which requires extensive rework and testing of the engine.
(2) Changes to the engine by replacing aircraft engine structural parts with parts not supplied by the original manufacturer or parts not specifically approved by the Authority.
(3) Installation of an accessory which is not approved for the engine.
(4) Removal of accessories that are listed as required equipment on the aircraft or engine specification.
(5) Installation of structural parts other than the type of parts approved for the installation.
(6) Conversions of any sort for the purpose of using fuel of a rating or grace other than that listed in the engine specifications.

(b) **Propeller Major Modifications.** Major propeller modifications, when not authorised in the applicable propeller specifications, include—

(1) Changes in blade design.
(2) Changes in hub design.
(3) Changes in the governor or control design.
(4) Installation of a propeller governor or feathering system.
(5) Installation of propeller de-icing system.
(6) Installation of parts not approved for the propeller.

(c) **Appliance Major Modifications.** Modifications of the basic design not made in accordance with recommendations of the appliance manufacturer or in accordance with applicable Airworthiness Directive are appliance major modifications. In addition, changes in the basic design of radio communication and navigation equipment approved under type certification or other authorisation that have an effect on frequency stability, noise level, sensitivity, selectivity, distortion, spurious radiation, AVC characteristics, or ability to meet environmental test conditions and other changes that have an effect on the performance of the equipment are also major modifications.

APPENDIX 2 TO 4.005: MAJOR REPAIRS (DEFINITION)

(a) **Airframe Major Repairs.** Repairs to the following parts of an airframe and repairs of the following types, involving the strengthening, reinforcing, splicing, and manufacturing of primary structural members of their replacement, when replacement is by fabrication such as riveting or welding, are airframe major repairs.

(1) Box beams.
(2) Monocoque or semimonocoque wings or control surfaces
(3) Wing stringers or chord members
(4) Spars.
(5) Spar flanges.
(6) Members of truss-type beams.
(7) Thin sheet webs of beams.
(8) Keel and chine members of boat hulls or floats.
(9) Corrugated sheet compression members which act as flange material of wings or tail surfaces.
(10) Wing main ribs and compression members.
(11) Wing or tail surface brace struts.
(12) Engine mounts.
(13) Fuselage longerons.
(14) Members of the side truss, horizontal truss, or bulkheads.
(15) Main seat support braces and brackets.
(16) Landing gear brace struts.
(17) Axles.
(18) Wheels.
(19) Parts of the control system such as control columns, pedals, shafts, brackets, or horns.
(20) Repairs involving the substitution of material.
(21) The repair of damaged areas in metal or plywood stressed covering exceeding six inches in any direction.
(22) The repair of portions of skin sheets by making additional seams.
(23) The splicing of skin sheets
(24) The repair of three or more adjacent wing or control surface ribs or the leading edge of wings and control surfaces, between such adjacent ribs.
(25) Repair of fabric covering involving an area greater than that required to repair two adjacent ribs.
(26) Replacement of fabric on fabric covered parts such as wings, fuselages, stabilizers, and control surfaces.
(27) Repairing, including rebottoming, of removable or integral fuel tanks and oil tanks.

(d) **Powerplant Major Repairs.** Repairs of the following parts of an engine and repairs of the following types, are powerplant major repairs—

(1) Separation or disassembly of a crankcase or crankshaft of a reciprocating engine equipped with an integral supercharger.

(2) Separation or disassembly of a crankcase or crankshaft of a reciprocating engine equipped with other than spur-type propeller reduction gearing.

(3) Special repairs to structural engine parts by welding, plating, metalising, or other methods.

(e) **Propeller Major Repairs.** Repairs of the following types to a propeller are propeller major repairs—

(1) Any repairs to or straightening of steel blades.

(2) Repairing or machining of steel hubs.

(3) Shortening of blades.

(4) Retipping of wood propellers.

(5) Replacement of outer laminations on fixed pitch wood propellers.

(6) Repairing elongated bolt holes in the hub of fixed pitch wood propellers.

(7) Inlay work on wood blades.

(8) Repairs to composition blades.

(9) Replacement of tip fabric.

(10) Replacement of plastic covering.

(11) Repair of propeller governors.

(12) Overhaul of controllable pitch propellers.

(13) Repairs to deep dents, cuts, scars, nicks, etc., and straightening of aluminium blades.

(14) The repair or replacement of internal elements of blades.

(f) **Appliance Major Repairs.** Repairs of the following types to appliances are appliance major repairs—

(1) Calibration and repair of instruments.

(2) Calibration of avionics or computer equipment.

(3) Rewinding the field coil of an electrical accessory.

(4) Complete disassembly of complex hydraulic power valves.

(5) Overhaul of pressure type carburettors, and pressure type fuel, oil, and hydraulic pumps.

APPENDIX 1 TO 4.150: PREVENTIVE MAINTENANCE

(a) The following maintenance shall be considered preventive maintenance—

(1) removal, installation and repair of landing gear tires;

(2) replacing elastic shock absorber cords on landing gear;

(3) servicing landing gear shock struts by adding oil, air, or both;

(4) servicing landing gear wheel bearings, such as cleaning and greasing;

(5) replacing defective safety wiring or cotter keys;

(6) lubrication not requiring disassembly other than removal of non-structural items such as cover plates, cowlings, and airings;

(7) making simple fabric patches not requiring rib stitching or the removal of structural parts or control surfaces in the case of balloons, the making of small fabric repairs to envelopes (as defined in, and in accordance with, the balloon manufacturers' instructions) not requiring load tape repair or replacement.;

(8) replenishing hydraulic fluid in the hydraulic reservoir;

(9) refinishing decorative coating of fuselage, balloon baskets, wings tail group surfaces (excluding balanced control surfaces), fairings, cowling, landing gear, cabin, or cockpit

interior when removal or disassembly of any primary structure or operating system is notrequired;

(10) applying preservative or protective material to components where no disassembly of any primary structure or operating system is involved and where such coating is not prohibited or is not contrary to good practices;

(11) repairing upholstery and decorative furnishings of the cabin, cockpit or balloon basket interior when the repairing does not require disassembly of any primary structure or operating system or interfere with an operating system or affect primary structure of the aircraft;

(12) making small simple repairs to fairings, non-structural cover plates, cowlings, and small patches and reinforcements not changing the contour so as to interfere with proper airflow;

(13) replacing side windows where that work does not interfere with the structure of any operating system such as controls, electrical equipment; etc.

(14) replacing safety belts;

(15) replacing seats or seat parts with replacement parts approved for the aircraft, not involving disassembly of any primary structure or operating system;

(16) troubleshooting and repairing broken circuits in landing light wiring circuits;

(17) replacing bulbs, reflectors, and lenses of position and landing lights;

(18) replacing wheels and skis where no mass and balance computation is involved;

(19) replacing any cowling not requiring removal of the propeller or disconnection of flight controls;

(20) replacing or cleaning spark plugs and setting of spark plug gap clearance;

(21) replacing any hose connection except hydraulic connections;

(22) replacing prefabricated fuel lines;

(23) cleaning or replacing fuel and oil strainers or filterelements;

(24) replacing and servicing batteries;

(25) cleaning of balloon burner pilot and main nozzles in accordance with the balloon manufacturer's instructions.

(26) replacement or adjustment of non-structural standard fasteners incidental to operations;

(27) the interchange of balloon baskets and burners on envelopes when the basket or burner is designated as interchangeable in the balloon type certificate data and the baskets and burners are specifically designed for quick removal and installation.

(28) the installation of anti-misfueling devices to reduce the diameter of fuel tank filler openings provided the specific device has been made a part of the aircraft type certificate data by the aircraft manufacturer, the manufacturer has provided instructions acceptable to the Authority for the installation of the specific device, and installation does not involve the disassembly of the existing filler opening.

(29) (removing and replacing self-contained, front instrument panel-mounted navigation and communication devices that employ tray-mounted connectors that connect the unit when the unit is installed into the instrument panel, (excluding automatic flight control systems, transponders, and microwave frequency distance measuring equipment (DME)), provided that the approved unit is designed to be readily and repeatedly removed and replaced, and pertinent instructions must be provided and that, prior to the unit's intended use, an operational check was performed in accordance with a procedure acceptable to the Authority; and.

(30) updating self-contained, front instrument panel-mounted Air Traffic Control navigational software data bases (excluding those of automatic flight control systems, transponders, and microwave frequency distance measuring equipment (DME)) provided no disassembly of the unit is required and pertinent instructions are provided, and prior to the unit's intended use, an operational check was performed in accordance with a procedure acceptable to the Authority

APPENDIX 1 TO 4.170: AIRCRAFT MASS SCHEDULE

1) General

(a) The applicant for the issuance or the renewal of a Certificate of Airworthiness shall provide to the Authority the current mass and balance report for the aircraft.

(b) The mass and balance report is normally obtained by weighing. Nevertheless, if the changes in mass and balance have been duly computed and recorded and if the resulting change is minor, the accurate mass may be obtained by calculation from the previous weighing.

(c) A complete, current, and continuous record of changes in empty mass and empty centre of gravity position should be maintained for each aircraft. This record should contain details of all alterations affecting either the mass or balance of the aircraft.

2) Periodic Determination of Mass

(d) Aircraft exceeding 5700 kg (12500 lb) Maximum Total Mass Authorized must be re- weighed 2 years after the date of manufacture and their after at intervals not exceeding 5 years and at such times as the Authority may require. Aircraft not exceeding 5700 kg (12500 lb) shall be weighed at intervals not exceeding 5 years and at such times as the Authority may require.

(e) Notwithstanding 2(a) above, it should be the responsibility of the operator of an aircraft to renew the load data sheet if a modification results in a significant change in the empty mass or empty centre of gravity position.

(f) Further to the provisions of 2(b), above if the CAA or the operator is of the opinion that adequate mass control has not been exercised over an aircraft during the modification, the CAA or the operator may require that a new empty mass and empty centre of gravity position should be determined.

(g) For a fleet or group of aeroplanes of the same model and configuration, an average gross mass and CG position may be used as the fleet mass and CG position, provided that the gross masses and CG positions
of the individual aeroplanes are within a tolerance specified by the CAA. The average gross mass and CG position may be determined on a sampling basis. This method allows longer intervals between the weighing of aircrafts dependent on the fleet size of the operator.

3) Procedures for Determining Mass

(a) Aircraft mass determination shall be supervised by either an airworthiness officer of the CAA or a person duly trained and nominated by an operator or an owner to sign on its behalf. Aircraft shall be presented for mass determination in a condition acceptable to the person authorized to supervise the measurements.

(b) Two independent determinations should be made and the aircraft longitudinal datum line should be horizontal. The load should be completely removed from the weighing equipment between determinations. The aircraft gross masses as determined by the two measurements should be consistent. If not, the measurements should be repeated until the gross masses, as determined by two consecutive and independent measurements are consistent.

(c) Prior to the initial issue of a Certificate of Airworthiness for each aeroplane and helicopters, a list of equipment included in the empty mass should be established. If an operating mass is used, a similar list of removable equipment and disposable load included in the operating mass should also be established. Where a change occurs in the items included in either the empty mass or, if applicable, the operating mass of an aircraft, the appropriate list should be amended by the operator.

(d) Normal precautions, consistent with good practices in the mass determination procedures, shall be taken, such as—

(1) aircraft and equipment should be checked for completeness in accordance with 3(c) above;

(2) fluids should be properly accounted for;

(3) mass determination should be carried out in an enclosed building, to avoid the effect of wind; and

(4) the scales used should be properly calibrated and used in accordance with the manufacturer's instructions.

(e) An aircraft mass summary should be completed and a certified by the person supervising the measurement. Data recorded should be sufficient to enable the empty mass and empty mass centre of gravity position to be accurately determined.

The empty mass and empty centre of gravity position should be determined by the owner or operator of the aircraft in accordance with the recorded results of the measurements.

APPENDIX 1 TO 4.190: AIRCRAFT, ENGINE & PROPELLER LOG BOOKS

1) Aircraft log book

(a) The following entries shall be included in the aircraft log book-

(1) the name of the constructor, the type of the aircraft, the number assigned to it by the constructor and the date of construction of the aircraft;

(2) the nationality and registration marks of the aircraft;

(3) the name and address of the operator of the aircraft;

(4) the date of each flight and the duration of the period between take-off and landing, or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-off and landings on that day;

(5) particulars of all maintenance work carried out on the aircraft or its equipment;

(6) particulars of any defects occurring in the aircraft or in any equipment required to be carried in it by or under these Regulations, and of the action taken to rectify such defects.

(7) particulars of any overhauls, repairs, replacements and modifications relating to the aircraft or any such equipment as aforesaid.

(b) With respect to any engine or variable pitch propeller, entries are not required to be made for the information specified in paragraph (a)(5), (6) or (7).

2) Engine log book

(a) The following entries shall be included in the engine log book-

(1) the name of the constructor, type of engine, the number assigned to it by the constructor and the date of the construction of the engine;

(2) the nationality and registration marks of each aircraft in which the engine is fitted;

(3) the name and address of the operator of each such aircraft;

(4) either-

(i) the date of each flight and the duration of the period between take-off and landing or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-off and landings on that day; or

(ii) the aggregate duration of periods between take-off and landing for all flights made by that aircraft since, the immediately preceding occasion that any maintenance, overhaul, repair, replacement, modification or inspection was undertaken on the engine.

(5) particulars of all maintenance work done on the engine;

(6) particulars of any defects occurring in the engine, and of the rectification of such defects;

(7) particulars of all overhauls, repairs, replacement and modifications relating to the engine or any of its accessories.

3) Propeller logbooks

(a) The following entries shall be included in the variable pitch propeller log book-

(1) the name of the constructor, the type of the propeller, the number assigned to it by the constructor and the date of the construction of the propeller;

(2) the nationality and registration marks of each aircraft, and the type and number of

each engine, to which the propeller is fitted;

(3) the name and address of the operator of each such aircraft;

(4) either-

(i) the date of each flight and the duration of the period between take-off and landing or, if more than one flight was made on that day, the number of flights and the total duration of the periods between take-off and landings on that day; or

(ii) the aggregated duration of periods between take-off and landing for all flights made by that aircraft since the immediately preceding occasion that any maintenance, overhaul, repair, replacement, modification or inspection was undertaken on the propeller;

(5) particulars of all maintenance work done on the propeller;

(6) particulars of any defects occurring in the propeller, and of the rectification of such defects;

(7) particulars of any overhauls, repairs, replacements and modifications relating to the propeller.

APPENDIX 1 TO 4.220: ADDITIONAL AME PRIVILEGES (RATINGS & TASKS)

(a) The person who has the license AME rating A is only allowed to perform the work under the authority approved on a specific type of aircraft after completion of specific training in accordance with rating A by a maintenance organization in accordance with Part 5 or Part 12. The training will include both theory and practice in accordance with the work will be approved. Completion of the course must be demonstrated by test results / or direct assessment practices implemented by approved organizations in accordance with Part 5 or Part 12.

(b) Unless otherwise stated in paragraph (g), licensed technical staff AME with rating B1, B2 and C only to perform his particular aircraft type rating on the type aircraft that is approved.

(a) Unless otherwise stated in paragraph (h), rating may only be granted after the applicant has completed training course approved by Authority or conducted by maintenance training organization is Authority approved in accordance with Part 9.

(b) The training to upgrade aircraft type for technical staff with rating of B1 or B2 must include the theory and practice and includes courses related to the functions specified in paragraph (c) of 7.353. Theory and practice training must have complied with the specific requirements prescribed by the Authority.

(c) Training program for AME licensed staff with rating C type must comply with the specific requirements prescribed by the Authority. In the case of AME with rating C has a degree in aerospace engineering, training of the first aircraft to be equivalent to level B1 or B2, practical training is not required.

(d) The completion of the training specified in paragraph (b) to (e) must be demonstrated by test results. The test results must meet the training requirements prescribed by the Authority. Testing for AME licensed staff with rating B1, B2 and C must be performed by an approved training organization in accordance with Part 8 or approved by training organizations conducted the approved aircraft type upgrade training.

(e) Contrary to the provisions of paragraph (b), for the type of aircraft is not large aircraft (takeoff weight greater than 5700 kg), the licensed with rating B1 and B2 can perform discretion if the license has the record for the group of aircraft suitable or group of manufacturers unless the Authority determines the complexity of the aircraft involved must be approved separately.

(1) Rating of the aircraft by manufacturer may be granted upon compliance with the rating type of aircraft class 2 representing a group of manufacturers.

(2) Full group rating will be issued upon full compliance with the requirements of the rating type of 3 aircraft types' representative of a group of manufacturers. However, the full group rating is not granted for B1 personnel on the aircraft with 2 jet turbine engine and

more.

(3) Groups will include:

(i) For a license for rating type B1 or C: Engine piston helicopter or turbine engine helicopters; single-engine piston aircraft with a metal structure; aircraft many engine piston-metal structure; single-engine piston aircraft with a wooden structure; aircraft many piston engines - wooden structure; single-engine piston aircraft – have body structure made of composite materials; aircraft many piston engines - composite structure; aircraft turbine engine; aircraft and turbine engine

(ii) For the rating type B2 and C licenses: aircraft; helicopter

(f) In contrast to the provisions of paragraph (c), rating for the aircraft is not large aircraft may also be granted on the basis of the complete test on the rating type of aircraft involved B1, B2 and C, and has sufficient evidence of actual experience on the aircraft type, unless Authority determines that the aircraft is too complex and request to participate the training as in following point 3. For the rating C aircraft is not a large aircraft of a person who holds an aircraft engineer degree, the first aircraft in test must be equivalent to level B1 or B2.

END OF RCAR PART 4

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA V W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX V TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE V A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 5

Approved Maintenance Organizations

SUBPART A: GENERAL 3
5.001 CITATION & APPLICABILITY 3
5.005 DEFINITIONS 3
5.010 ACRONYMS & DEFINITIONS 6

SUBPART B: AMO CERTIFICATE 7
5.015 COMPLIANCE WITH CERTIFICATE 7
5.020 CERTIFICATE & OPERATIONS SPECIFICATIONS 7
5.025 DISPLAY OF CERTIFICATE 7
5.030 PRIVILEGES OF THE APPROVED MAINTENANCE ORGANISATION 7
5.035 LIMITATIONS ON THE AMO 8
5.040 LETTER OF WAIVER 8

SUBPART C: CERTIFICATION 9
5.045 APPLICABILITY 9
5.050 APPLICATION FOR AN AMO CERTIFICATE 9
5.055 ISSUANCE OF AN AMO CERTIFICATE 9
5.060 DURATION & RENEWAL OF CERTIFICATE 9
5.065 CONTRACTED MAINTENANCE 10
5.070 CHANGES TO THE AMO & CERTIFICATE AMENDMENTS 10
5.075 RATINGS OF THE AMO 11
5.080 AMO LIMITED RATINGS 13

SUBPART D: SURVEILLANCE & ON-GOING VALIDATION 13
5.085 APPLICABILITY 13
5.090 INSPECTIONS & OBSERVATIONS 13
5.095 CONTINUOUS QUALIFICATION 14
5.100 QUALITY OF MAINTENANCE 14
5.105 CONTINUED VALIDITY OF APPROVAL 14
5.110 RESERVED 14
5.115 CHANGES REQUIRING NOTICE TO THE AUTHORITY 14
5.120 [RESERVED] 14

SUBPART E: ADMINISTRATION 14
5.125 APPLICABILITY 14
5.130 MANAGEMENT PERSONNEL REQUIRED FOR AMO ORGANISATIONS 14
5.135 ADVERTISING 15
5.140 MAINTENANCE ORGANISATION PROCEDURES MANUAL 15
5.145 MAINTENANCE PROCEDURES & INDEPENDENT QUALITY ASSURANCE SYSTEM 16
5.150 CAPABILITY LIST 16
5.155 PERSONNEL & TRAINING REQUIREMENTS 17
5.160 RECORD OF CERTIFYING STAFF 17
5.165 SAFETY MANAGEMENT SYSTEM 17

SUBPART F: MAINTENANCE RECORDS 17
5.170 APPLICABILITY 17

5.175 GENERAL 18
5.180 RECORDING MAINTENANCE & MODIFICATION 18
5.185 RECORDING OVERHAULS 18
5.190 RECORDING REBUILDS 19
5.195 RECORDING APPROVAL FOR MAINTENANCE RELEASE 19
5.200 MAINTENANCE RECORD ENTRIES FOR INSPECTIONS. 19
5.205 LISTING OF DISCREPANCIES 19

SUBPART G: FACILITIES, EQUIPMENT & DATA 20
5.210 APPLICABILITY 20
5.215 GENERAL 20
5.220 HOUSING & FACILITY REQUIREMENTS 20
5.225 EQUIPMENT, TOOLS & MATERIAL 20
5.230 AIRWORTHINESS TECHNICAL DATA 21

SUBPART H: AMO OPERATING RULES 21
5.235 MAINTENANCE RELEASE 21
5.240 REPORTING OF UNAIRWORTHY CONDITIONS 21
5.245 PERFORMANCE STANDARDS 21

APPENDICES 23
APPENDIX 1 TO 5.075: EXPANDED REQUIREMENTS OF AMO RATINGS 23
APPENDIX 1 TO 5.130: MANAGEMENT RESPONSIBILITIES 29
APPENDIX 1 TO 5.140: CONTENTS OF A MAINTENANCE ORGANISATION PROCEDURES MANUAL 30
APPENDIX 1 TO 5.155: SCHEDULING & COMPETENCE OF WORKFORCE 31
APPENDIX 2 TO 5.155: TRAINING OF AMO WORKFORCE 32
APPENDIX 1 TO 5.160: RECORDS OF CERTIFYING STAFF 32
APPENDIX 1 TO 5.205: HOUSING & FACILITY REQUIREMENTS 33
APPENDIX 1 TO 5.225: EQUIPMENT, TOOLS & MATERIALS 34
APPENDIX 1 TO 5.230: AIRWORTHINESS DATA 35
APPENDIX 1 TO 5.235: CERTIFICATION OF MAINTENANCE RELEASE 36

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SUBPART A: GENERAL

5.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Approved Maintenance Organizations) Regulations.

(b) This Part prescribes the requirements of Rwanda for—

(1) Issuance of approvals to organisations for the maintenance. preventive maintenance, and modifications of aircraft and aircraft components; and

(2) The certification and general operating rules for an Approved Maintenance Organisation (AMO).

(c) This Part is applicable to the organisations approved to perform maintenance and the persons working for those organisations that provide maintenance services for aircraft registered in Rwanda.

5.005 DEFINITIONS

(a) When the following terms are used in this Part, they have the following meanings—

Acceptable. The Authority has reviewed the method, procedure, or policy and has neither objected to nor approved its proposed use or implementation;

Accountable manager. The manager who has corporate authority for ensuring that all maintenance activities required by the owner or operator of an aircraft are financed and carried out to the standard required by the Authority;

Aeronautical product. Any aircraft, engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon;

Aircraft. 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 component. Any assembly, item component, part of an aircraft up to and including a complete powerplant or any operational or emergency equipment;

Aircraft type. All aircraft of the same basic design;

Airframe. The fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces (including rotors but excluding propellers and rotating airfoils of a powerplant), and landing gear of an aircraft and their accessories and controls;

Airworthiness data. Any information necessary to ensure that an aircraft or aircraft component can be maintained in a condition such that airworthiness of the aircraft, or serviceability of operational and emergency equipment, as appropriate, is assured;

Airworthy. The status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation

Appliance. Any instrument, mechanism, equipment, part, apparatus, appurtenance, or accessory, including communication equipment, that is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, powerplant, or propeller;

Approved by the Authority. Approved by the Authority directly or in accordance with a procedure approved by the Authority;

Approved data. Technical information approved by the Authority;

Approved continuous maintenance program. A maintenance program approved by the State of Registry;

Approved maintenance organisation. An organisation approved to perform specific aircraft maintenance activities by the Authority;

Approved standard. A manufacturing, design, maintenance, or quality standard approved by the Authority;

Approved training. Training conducted under special curricula and supervision approved by

a Contracting State

Article. Any item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part;

Authority. The Rwanda Civil Aviation Authority;

Calibration. A set of operations, performed in accordance with a definite documented procedure, that compares the measurement performed by a measurement device or working standard for the purpose of detecting and reporting or eliminating by adjustment errors in the measurement device, working standard, or component tested;

Certificate of release to service. A document containing a certification that inspection and maintenance work has been performed satisfactorily in accordance with the methods prescribed by the Authority;

Certifying staff. Personnel authorised by the approved maintenance organisation in accordance with a procedure acceptable to the Authority to certify aircraft or aircraft components for release to service;

C**omposite.** Structural materials made of substances, including, but not limited to, wood, metal, ceramic, graphite, boron, epoxy, plastic, fibre- reinforced built-in strengthening agents that may be in the form of filaments, foils, powders, or flakes, of a different material;

Composite structure. A type of aircraft structure made of plastic resins reinforced with strong light weight filaments;

Computer system. Any electronic or automated system capable of receiving, storing, and processing external data, and transmitting and presenting such data in a usable form for the accomplishment of a specific function;

Contracting State. A State that is signatory to the Convention on International Civil Aviation (Chicago Convention);

Dangerous goods. 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;

Engine. 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);

Error. An action or inaction by an operational person that leads to deviations from organizational or the operational person's intentions or expectations;

Error management. The process of detecting and responding to errors with countermeasures that reduce or eliminate the consequences of errors and mitigate the probability of further errors or undesired states;

Facility. A physical plant, including land, buildings, and equipment, which provides the means for the performance of maintenance, preventive maintenance, or modifications of any article;

Fatigue. Physiological state of reduced mental or physical performance capability resulting from sleep loss or extended wakefulness and/or physical activity that can impair a crew member's alertness and ability to safely operate an aircraft or perform safety related duties;

Helicopter. 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 axis;

Housing. Buildings, hangers, and other structures to accommodate the necessary equipment and materials of a maintenance organisation that—-

(i) provide working space for the performance of maintenance, preventive maintenance, or modifications for which the maintenance organisation is certificated and rated;

(ii) assembly, and testing;
(iii) provide structures for the proper protection of aircraft, airframes, aircraft engines, propellers, appliances, components, parts, and subassemblies thereof during disassembly, cleaning, inspection, repair, modification; and
(iv) provide for the proper storage, segregation, and protection of materials, parts, and supplies;

Human factors principles. 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. Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;

Inspection. The examination of an aircraft or aircraft component to establish conformity with a standard approved by the Authority;

Large aeroplane. An aeroplane of a maximum certificated take- off mass of over 5 700 kg;

Maintenance. Tasks required to ensure the continued airworthiness of an aircraft or aircraft component including any one or combination of overhaul, repair, inspection, replacement, modification, and defect rectification;

Maintenance organization's procedures manual. 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. 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;

Major modification. A type design change not listed in the aircraft, aircraft engine, or propeller specifications that might appreciably affect the mass and balance limits, structural strength, performance, powerplant operation, flight characteristics, or other qualities affecting airworthiness or environmental characteristics, or that will be embodied in the product according to non-standard practices;

Maintenance release. 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;

Major repair. A repair of an aeronautical product that might appreciably affect the structural strength, performance, powerplant, operation flight characteristics, or other qualities affecting airworthiness or environmental characteristics, or that will be embodied in the product using non-standard practices;

Maximum mass. Maximum certificated take-off mass;

Modification. A change to the type design of an aircraft or aeronautical product which is not a repair;

Operator's maintenance control manual. 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;

Overhaul. The restoration of an aircraft or aircraft component using methods, techniques, and practices acceptable to the Authority, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and testing in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed

and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorisation (PMA) or Technical Standard Order (TSO);

Powerplant. An engine that is used or intended to be used for propelling aircraft, and it includes turbo, superchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers;

Preventive maintenance. Simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations;

Psychoactive substances. Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded

Quality system. Documented organizational procedures and policies: internal audits of those policies and procedures: management review and recommendation for quality improvement;"

Rating. An authorisation entered on, or associated with a license or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such license or certificate;

Repair. The restoration of an aeronautical product to an airworthy condition to ensure that the aircraft continues to comply with the design aspects of the appropriate airworthiness requirements used for the issuance of the type certificate for the respective aircraft type, after it has been damaged or subjected to wear;

Safety management system. A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures;

Small aeroplane. An aeroplane of a maximum certificated take-off mass of 5 700 kg or less;

Specific operating provisions. A document describing the ratings in detail and containing or referencing material and process specifications used in performing repair work, along with any limitations applied to the maintenance organisation;

State of Design. The Contracting State which approved the original type certificate and any subsequent supplemental type certificates for an aircraft, or which approved the design of an aircraft or aircraft component or appliance;

State of Manufacture. The Contracting State, under whose authority an aircraft was assembled, approved for compliance with the type certificate and all supplemental type certificates, test flown and approved for operation; the State of Manufacture may or may not also be the State of Design;

State of Registry. The Contracting State on whose registry an aircraft is registered;

State safety programme. An integrated set of regulations and activities aimed at improving safety;

Target level of safety (TLS). A generic term representing the level of risk which is considered acceptable in particular circumstances;

5.010 ACRONYMS & DEFINITIONS

(a) The following acronyms and definitions are used in this Part—

AOC = Air Operator Certificate

AMO = Approved Maintenance Organisation

PMA = Parts Manufacturing Authorisation

TLS = Target Level of Safety

TSO = Technical Standard Order

SUBPART B: AMO CERTIFICATE

5.015 COMPLIANCE WITH CERTIFICATE

(a) No person may operate a maintenance organisation providing maintenance for the aircraft of other organisations without, or in violation of, an AMO certificate and operations specifications issued under this Part.

(b) No organisation may provide maintenance for the aircraft they are authorised to operate unless they have required approvals from the Authority for the maintenance of those aircraft.

5.020 CERTIFICATE & OPERATIONS SPECIFICATIONS

(a) The AMO certificate will consist of two documents—
   (1) A one-page certificate signed by the Authority, and
   (2) A multi-page Operations Specifications signed by the Accountable Manager and the Authority containing the terms, conditions, and authorizations.

(b) No person may operate as a AMO without, or in violation of, a maintenance organisation certificate issued under this Part.

(c) An AMO may perform maintenance, preventive maintenance, or modifications on an aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof only for which it is rating and within the limitations placed in its specific operating limitations.

(d) The AMO certificate will contain—
   (1) The certificate number specifically assigned to the AMO;
   (2) The name and location (main place of business) of the AMO;
   (3) The date of issue and period of validity;
   (4) The ratings issued to the AMO;
   (5) Authority signature; and
   (6) Any other information specified by the Authority

(e) The AMO Operations Specifications will contain—
   (1) The certificate number specifically assigned to the AMO;
   (2) The class or limited ratings issued in detail, including special approvals and limitations issued;
   (3) The date issued or revised;
   (4) Accountable manager and Authority signatures.;
   (5) Any other information specified by the Authority

(f) The certificate issued to each AMO must be available in the premises for inspection by the public and the Authority.

5.025 DISPLAY OF CERTIFICATE

(a) The holder of an AMO certificate shall display that certificate in a place in the facilities that is normally accessible to the public and that is not obscured.

5.030 PRIVILEGES OF THE APPROVED MAINTENANCE ORGANISATION

(a) The AMO certificate holder shall carry out the following tasks as permitted by and in accordance with the AMO maintenance procedures manual—
   (1) Maintain any aircraft or aircraft component for which it is rated at the location identified in the approval certificate;
   (2) Maintain any aircraft for which it is rated at any location subject to the need for such maintenance arising from unserviceability of the aircraft;
   (3) Provide maintenance services authorised by the Authority in the AMO operations

specifications for AOC holder as identified in the maintenance procedures manual; and

(4) Issue a maintenance release or a return to service in respect of sub paragraphs (a) (1), (2), and (3) of this Section upon completion of maintenance in accordance with limitations applicable to the AMO certificate holder.

(b) The AMO may contract out maintenance, preventative maintenance, or alteration, other than a complete type certificated product, as required under Regulation 5.065.

(c) The AMO certificate holder may maintain or alter any article for which it is rated at a place other than the AMO principal base, if—

(1) The function would be performed in the same manner as when performed at the AMO principal base and in accordance with this Subpart;

(2) All necessary personnel, equipment, material, and technical and/or approved standards are available at the place where the work is to be done; and

(3) The maintenance procedure manual of the station sets forth approved procedures governing work to be performed at a place other than the AMO principal base.

(d) The AMO certificate holder may maintain or alter any article for which it is rated at a geographical location outside Rwanda or outside the state of the AMO principal base is located, if—

(1) The function would be performed in the same manner as when performed at the AMO principal base and in accordance with this Subpart;

(2) All necessary personnel, equipment, material, and technical and/or approved standards are available at the place where the work is to be done; and

(3) The maintenance procedure manual of the station sets forth approved procedures governing work to be performed at a place other than the AMO principal base.

(4) The AMO is issued with a geographical authorization in its operation specifications.

5.035 LIMITATIONS ON THE AMO

(a) The AMO certificate holder shall maintain an aircraft or aircraft component for which it is approved only when all necessary housing, facilities, equipment, tools, material, approved technical data and certifying staff are available.

5.040 LETTER OF WAIVER

(a) The Authority may, upon consideration of the circumstances of a particular maintenance organisation, issue a waiver providing relief from specified section of this Part, provided that the Authority finds that—

(1) The circumstances presented warrant the waiver; and

(2) That a level of safety will be maintained equal to that provided by the rule from which the waiver is sought.

(b) This waiver authority will be issued as a letter of waiver.

(c) A Letter of Waiver may be terminated or amended at any time by the Authority.

(d) A request for a waiver must be made in a form and manner acceptable to the Authority and submitted to the Authority at least 15 working days before the date the waiver from specified Sections in this Part is necessary for the intended maintenance, preventive maintenance, or modification.

(e) A request for a waiver must contain complete statement of the circumstances and justifications for the waiver requested, and show that a level of safety will be maintained equal to that provided by the rule from which the waiver is sought.

(f) Each AMO certificate holder that receives a Letter of Waiver must have a means of notifying the appropriate management, certifying staff, and personnel of the waiver,

including the extent of the waiver and when the waiver is terminated or amended.

SUBPART C: CERTIFICATION

5.045 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the certification of an approved maintenance organization and accepting the approval of a maintenance organization issued by another Contracting State.

(b) The issue of a maintenance organisation certificate or approval shall be dependent on the organisation completing initial certification and demonstrating conformance to the requirements of this Part to the Authority.

5.050 APPLICATION FOR AN AMO CERTIFICATE

(a) The Authority will require an applicant for an AMO certificate to submit the following—
  (1) An application in a form and manner prescribed by the Authority;
  (2) Its maintenance procedures manual in duplicate;
  (3) A list of the maintenance functions to be performed for it, under contract, by another AMO;
  (4) A list of all AMO certificates and ratings pertinent to those certificates issued by any contracting State other than Rwanda; and
  (5) Any additional information the Authority requires the applicant to submit.

(b) An application for the amendment of an existing AMO certificate shall be made on a form and in a manner prescribed by the Authority. If applicable, the AMO shall submit the required amendment to the maintenance procedure manual to the Authority for approval.

5.055 ISSUANCE OF AN AMO CERTIFICATE

(a) An applicant may be issued an AMO certificate if, after investigation, the Authority finds that the applicant—
  (1) Meets the applicable Regulations and standards for the holder of an AMO; and
  (2) Is properly and adequately equipped for the performance of maintenance of aircraft or aeronautical product for which it seeks approval.

5.060 DURATION & RENEWAL OF CERTIFICATE

(a) A certificate or rating issued to a maintenance organisation is effective for 12 calendar months unless:
  (1) The maintenance organisation surrenders the certificate; or
  (2) The Authority suspends or revokes the certificate.

(b) The holder of a certificate that expires or is surrendered, suspended, or revoked by the Authority must return the certificate and Operations Specifications to the Authority.

(c) A certificate or rating issued to a maintenance organisation located outside Rwanda is effective from the date of issue until—
  (1) The last day of the 12 calendar month after the date on which it was issued;
  (2) The maintenance organisation surrenders the certificate; or
  (3) The Authority suspends or revokes the certificate.

(d) An AMO located outside Rwanda that applies for a renewal of its maintenance organisation certificate for aircraft registered in Rwanda must submit its request for renewal no later than 60 days before the maintenance organisation's current certificate expires. If a request for renewal is not made within this period, the maintenance organisation must follow the application procedure prescribed by the Authority.

5.065 CONTRACTED MAINTENANCE

(a) The AMO must be approved for the work which is to be subcontracted and have the capability to assess the competence of the subcontractor.

(b) An AMO may contract a maintenance function pertaining to an article to an outside source provided—

(1) The Authority approved the maintenance function to be contracted to the outside source; and

(2) The AMO maintains and makes available to the Authority in a format acceptable to the Authority, the following information—

(i) The maintenance functions contracted to each outside facility, and

(ii) The name of each outside facility to whom the AMO contracts maintenance functions and the type of certificate and ratings, if any, held by each facility.

(c) An AMO may contract a maintenance function pertaining to an article to a unlicensed person provided—

(1) The unlicensed person follows a quality control system equivalent to the system followed by the AMO;

(i) The AMO remains directly in charge of the work performed by the unlicensed person; and

(ii) The AMO verifies, by test and/or inspection, that the work has been performed satisfactorily by the unlicensed person and that the article is airworthy before approving it for return to service.

(d) The AMO, before approval for return to service, shall verify by test or inspection that the work has been performed satisfactorily following contract maintenance, preventive maintenance, or alterations in accordance with approved methods.

Note 1: An AMO that carries out maintenance for another AMO within its own approval scope is not considered to be subcontracting for the purpose of this paragraph.

Note 2: A list of contractors used by the AMO is approved by the Authority through the AMO Procedures Manual.

5.070 CHANGES TO THE AMO & CERTIFICATE AMENDMENTS

(a) To enable the Authority to determine continued compliance with this Part, the AMO shall provide written notification to the Authority either prior to, or within a time period determined by the Authority to be as soon as practicable after, any of the following changes—

(1) The name of the organisation;
(2) The location of the organisation;
(3) The housing, facilities, equipment, tools, material, procedures, work scope and certifying staff that could affect the AMO rating or ratings;
(4) The ratings held by the AMO, whether granted by the Authority or held through an AMO certification issued by another contracting State;
(5) Additional locations of the organisation;
(6) The accountable manager; or
(7) The list of management personnel identified as described in the maintenance procedure manual.

(b) The Authority will amend the AMO certificate if the AMO notifies the Authority of a change in—

(1) Location or housing and facilities;
(2) Additional locations of the organisation;

(3) Rating, including deletions;
(4) Name of the organisation with same ownership; or
(5) Ownership.

(c) The Authority may amend the AMO certificate if the AMO notifies the Authority of a change in—
(1) The accountable manager; or
(2) The list of management personnel identified as described in the maintenance procedure manual.

(d) When the Authority issues an amendment to an AMO certificate because of new ownership of the AMO, the Authority will assign a new certificate number to the amended AMO certificate.

(e) The Authority may—
(1) Prescribe, in writing, the conditions under which the AMO may continue to operate during any period of implementation of the changes noted in subparagraph (a); and
(2) Hold the AMO certificate in abeyance if the Authority determines that approval of the AMO certificate should be delayed; the Authority will notify the AMO certificate holder, in writing, of the reasons for any such delay.

(f) If changes are made by the AMO to the items listed in subparagraph (a) without notification to the Authority, the AMO certificate may be suspended.

5.075 RATINGS OF THE AMO

(a) The following are issued as category ratings under this Subpart—
(1) Airframe ratings. An aircraft rating on a maintenance organisation certificate permits that maintenance organisation to perform maintenance, preventive maintenance, or modifications on an aircraft, including work on the powerplant(s) of that aircraft up to, but not including, overhaul as that term defined in Part 4 under the following classes—
(i) **Class 1**: Aircraft (other than rotorcraft and aircraft composed primarily of composite material) of 5,700 kg maximum certificated takeoff weight or less.
(ii) **Class 2**: Aircraft (other than rotorcraft and aircraft composed primarily of composite material) over 5,700 kg maximum certificated takeoff weight and up to, and including, 34,200 kg maximum certificated takeoff weight.
(iii) **Class 3**: Aircraft, (other than rotorcraft and aircraft composed primarily composite material) over 34,200 kg maximum certificated takeoff weight.
(iv) **Class 4**: Rotorcraft (other than rotorcraft composed primarily of composite material) of 2,736 kg maximum certificated takeoff weight or less.
(v) **Class 5**: Rotorcraft (other than rotorcraft composed primarily of composite material) over 2,736 kg maximum certificated takeoff weight.
(vi) **Class 6**: Aircraft composed primarily of composite material, of 5,700 kg maximum certificated takeoff weight or less.
(vii) **Class 7**: Aircraft composed primarily of composite material, over 5,700 kg maximum certificated takeoff weight
(2) Powerplant ratings. A powerplant rating on a maintenance organisation certificate permits that maintenance organisation to perform maintenance, preventive maintenance, or modifications of powerplants under the following classes—
(i) **Class 1**: Reciprocating engines.
(ii) **Class 2**: Turbo propeller and turboshaft engines.
(iii) **Class 3**: Turbojet and turbofan engines.
(3) Propeller ratings. A propeller rating on a maintenance organisation certificate permits that maintenance organisation to perform maintenance, preventive maintenance, or modifications of propellers under the following classes—
(i) **Class 1**: Fixed-pitch and ground-adjustable propellers.

(ii) **Class 2**: Variable-pitch propellers.

(4) Avionics ratings. An avionics rating on a maintenance organisation certificate permits that maintenance organisation to perform maintenance, preventive maintenance, or modifications of avionics equipment under the following ratings—

(i) Class 1: Communication equipment: Any radio transmitting equipment or receiving equipment, or both, used in aircraft to send or receive communications, regardless of carrier frequency or type of modulation used; including auxiliary and related aircraft interphone systems, amplifier systems, electrical or electronic inter crew signaling devices, and similar equipment; but not including equipment used for navigation of the aircraft or as an aid to navigation, equipment for measuring altitude or terrain clearance, other measuring equipment operated on radio or radar principles, or mechanical, electrical, gyroscopic, or electronic instruments that are a part of communications avionics equipment.

(ii) Class 2: Navigational equipment: Any avionics system used in aircraft for en-route or approach navigation, except equipment operated on radar or pulsed radio frequency principles, but not including equipment for measuring altitude or terrain clearance or other distance equipment operated on pulsed radio frequency principles.

(iii) Class 3: Pulsed equipment: Any aircraft electronic system operated on pulsed radio frequency principles.

(5) Computer systems ratings. A computer systems rating on a maintenance organisation certificate permits that maintenance organisation to perform maintenance, preventive maintenance, or modifications of digital computer systems and components thereof, that have the function of receiving external data, processing such data, and transmitting and presenting the processed data under the following classes—

(i) Class 1: Aircraft computer systems.

(ii) Class 2: Powerplant computer systems.

(iii) Class 3: Avionics computer systems.

(6) Instrument ratings. An instrument rating on a maintenance organisation certificate permits that maintenance organisation to perform maintenance, preventive maintenance, or modifications of instruments under the following classes—

(i) Class 1: Mechanical: Any diaphragm, bourdon tube, aneroid, optical, or mechanically driven centrifugal instrument that is used on aircraft or to operate aircraft, including tachometers, airspeed indicators, pressure gauges, drift sights, magnetic compasses, altimeters, or similar mechanical instruments.

(ii) Class 2: Electrical: Any self-synchronous and electrical indicating instruments and systems, including remote indicating instruments, cylinder head temperature gauges, or similar electrical instruments.

(iii) Class 3: Gyroscopic: Any instrument or system using gyroscopic principles and motivated by air pressure or electrical energy, including automatic pilot control units, turn and bank indicators, directional gyros, and their parts, and flux gate and gyros compasses.

(iv) Class 4: Electronic: Any instruments whose operation depends on electron tubes, transistors, or similar devices including capacitance type quantity gauges, system amplifiers, and engine analysers.

(7) Accessory ratings. An accessory rating on a maintenance organisation certificate permits maintenance organisation to perform maintenance, preventive maintenance, or modifications of accessory equipment under the following classes—

(i) Class 1: Mechanical. The accessories that depend on friction, hydraulics, mechanical linkage, or pneumatic pressure for operation.

(ii) Class 2: Electrical. The accessories that depend on electrical energy.
(iii) Class 3: Electronic. The accessories that depend on the use of an electron tube transistors, lasers, fiber optics, solid-state, integrated circuits, vacuum tubes, or similar electronic controls.
(iv) Class 4: Auxiliary power units (APU's) that may be installed on aircraft as self-contained units to supplement the aircraft's engines as a source of hydraulic, pneumatic, or electrical power.

(8) Specialised service ratings. A specialised service rating may be issued to a maintenance organisation to perform specific maintenance or processes. The Operations Specifications of the maintenance organisation must identify the specification used in performing that specialised service. The specification may be--
(i) A civil or military specification that is currently used by industry and approved by the Authority; or
(ii) A specification developed by the maintenance organisation and approved by the Authority.

Note: See Appendix 1 to 5.075 for the expanded requirements for AMO ratings.

5.080 AMO LIMITED RATINGS

(a) Whenever the Authority finds it appropriate, it may issue as limited rating to an AMO that maintains or alters only a particular type of airframe, powerplant, propeller, radio, instrument, or accessory, or parts thereof, or performs only specialised maintenance requiring equipment and skills not ordinarily found in an AMO. Such a rating may be limited to a specific model aircraft, engine, or constituent part, or to any number of parts made by a particular manufacturer.

(b) Limited ratings are issued for—
(1) Aircraft;
(2) Airframe;
(3) Powerplants;
(4) Propellers;
(5) Avionics equipment;
(6) Computer systems;
(7) Instruments;
(8) Accessories; and
(9) Any other purpose for which the Authority finds the applicant's request appropriate.

SUBPART D: SURVEILLANCE & ON-GOING VALIDATION

5.085 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the on-going validation of an Approved Maintenance Organisation.

5.090 INSPECTIONS & OBSERVATIONS

(a) The Authority may, at any time, inspect an AMO certificate holder's facilities and any of its contract maintenance facilities to determine the organisation's compliance with this Part.

(b) Arrangements for maintenance, preventive maintenance, or modifications by a contractor must include provisions for inspections of the contractor by the Authority.

(c) The AMO certificate holder and personnel shall allow the authorised representative of the Authority unrestricted access to all locations, equipment, documents and personnel, including all maintenance in progress, in the accomplishment of these inspections and

observations.

(d) The continued validity of the original certification approval shall depend upon the AMO certificate holder being in compliance with the requirements of this Part.

5.095 CONTINUOUS QUALIFICATION

(a) The AMO certificate holder shall not provide maintenance as an AMO unless its personnel, facilities, equipment and data continuously meets the requirements and the standards specified in the organisation's maintenance specifications.

5.100 QUALITY OF MAINTENANCE

(a) The AMO certificate holder shall provide maintenance at a level of competency that is not suspect.

5.105 CONTINUED VALIDITY OF APPROVAL

(a) Unless the approval has previously been surrendered, superseded, suspended, revoked or expired by virtue of exceeding any expiration date that may be specified in the approval certificate, the continued validity of approval is dependent upon—
   (1) The AMO remaining in compliance with this Part;
   (2) The Authority being granted access to the organisation's facilities to determine continued compliance with this Part; and
   (3) The payment of any charges prescribed by the Authority.

(b) The holder of an AMO certificate that expires or is surrendered, suspended, or revoked, shall return it to the Authority.

5.110 RESERVED

5.115 CHANGES REQUIRING NOTICE TO THE AUTHORITY

(a) The AMO certificate holder shall notify the Authority prior to any of the following changes—
   (1) The accountable manager.
   (2) The change of management identified in the MOPM staff;
   (3) The housing, maintenance facilities and equipment, procedures, and work scope that could affect the approval. or
   (4) Relocation of principal or satellite maintenance locations.

(b) The Authority may prescribe the conditions under which the AMO certificate holder may operate during such changes unless the Authority determines that the approval should be suspended.

(c) The Authority may suspend an AMO certificate for failure to make these required notifications.

5.120 [RESERVED]

SUBPART E: ADMINISTRATION

5.125 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the on-going administration of an Approved Maintenance Organisation.

5.130 MANAGEMENT PERSONNEL REQUIRED FOR AMO ORGANISATIONS

(a) The AMO certificate holder shall have an accountable manager, acceptable to the Authority, who has corporate authority for ensuring that it is in compliance with the

requirements for an AMO.

(b) The AMO certificate holder shall have qualified personnel, with proven competency in civil aviation, available and serving in the following positions or their equivalent: —

(1) Base Maintenance Manager;
(2) Line Maintenance Manager;
(3) Workshop Manager; and
(4) Quality/Safety Assurance Manager, who is responsible for the promotion of safety policies.

Note: See Appendix 1 to 5.130 for the management responsibilities.

(c) The Authority may approve positions or numbers of positions, other than those listed, if the AMO certificate holder is able to show that it can perform the operation with the highest degree of safety under the direction of fewer or different categories of management personnel due to the—

(1) The kind of maintenance involved;
(2) The number and types of aircraft and components maintained; and
(3) Other complexities of operation.

5.135 ADVERTISING

(a) No maintenance organisation may advertise as a AMO until a maintenance organisation certificate has been issued to that facility.

(b) No AMO certificate holder may make any statement, either in writing or orally, about itself that is false or is designed to mislead any person.

(c) Whenever the advertising of a maintenance organisation indicates that it is certificated, the advertisement must clearly state the maintenance organisation's certificate number.

5.140 MAINTENANCE ORGANISATION PROCEDURES MANUAL

(a) The maintenance organisation shall provide for the use and guidance of maintenance personnel concerned a maintenance procedures manual containing the contents prescribed by the Authority.

Note: See Appendix 1 to 5.140 for the required contents of a Maintenance Organisation Procedures Manual.

(b) The maintenance organisation shall ensure that the procedures manual is amended as necessary to keep the information contained therein up-to-date.

(c) The Maintenance Organisation Procedure Manual and any subsequent amendments thereto shall be approved by the Authority prior to use.

(d) This manual and all amendments shall be furnished promptly to all organisations or persons accomplishing any activity for which the manual applies.

(e) The Maintenance Organisation Procedures Manual shall specify the scope of work required of the AMO in order to satisfy the relevant requirements needed for an approval of an aircraft or aircraft component for maintenance release.

(f) The procedures manual and any other manual it identifies must—

(1) Include instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety;
(2) Be in a form that is easy to revise and contains a system which allows personnel to determine current revision status;
(3) Have the date of the last revision printed on each page containing the revision;
(4) Not be contrary to these Regulations or the AMO's Operations Specifications; and
(5) Include reference cites to appropriate civil aviation regulations.

5.145 MAINTENANCE PROCEDURES & INDEPENDENT QUALITY ASSURANCE SYSTEM

(a) The AMO certificate holder shall establish procedures acceptable to the Authority to insure good maintenance practices and compliance with all relevant requirements in these Regulations such that aircraft and aircraft components may be properly released to service.

(b) The AMO certificate holder shall establish an independent quality assurance system, acceptable to the Authority, to monitor compliance with and adequacy of the procedures and by providing a system of inspection to ensure that all maintenance is properly performed.

Note: The quality assurance system may be an independent system under the control of the quality manager that evaluates the maintenance procedures and the correctness of the Equivalent Safety Case process.

(c) The quality assurance system shall include a procedure to initially qualify and periodically perform audits on persons performing work on behalf of the AMO certificate holder.

(d) Compliance monitoring shall include a feedback system to the designated management person or group of persons directly responsible for the quality system and ultimately to the accountable manager to ensure, as necessary, corrective action.

(e) The maintenance procedures shall cover all aspects of maintenance activity and describe standards to which the AMO intends to work. The aircraft/aircraft component design AMO standards and aircraft operator standards must be taken into account.

(f) The maintenance procedures should address the provisions and limitations of this Part.

(g) The AMO's quality system shall be sufficient to review all maintenance procedures as described in the Procedures Manual in accordance with an approved program once a year for each aircraft type maintained.

(h) The AMO's quality system shall indicate when audits are due, when completed, and establish a system of audit reports, which can be seen by visiting Authority staff on request. The audit system shall clearly establish a means by which audit reports containing observations about non-compliance or poor standards are communicated to the accountable manager.

5.150 CAPABILITY LIST

(a) Each AMO certificate holder must prepare and retain a current capability list. The maintenance organisation may not perform maintenance, preventive maintenance, or modifications on an article until the article has been listed on the capability list in accordance with this Part.

(b) The capability list must identify each article by make and model, part number, or other nomenclature designated by the article's manufacturer.

(c) An article may be listed on the capability list only if the article is within the scope of the ratings and classes of the maintenance organisation's certificate, and only after the maintenance organisation has performed a self-evaluation in accordance with this Part.

(1) The maintenance organisation must perform the self-evaluation described in this paragraph to determine that the maintenance organisation has all of the facilities, equipment, material, technical data, processes, housing, and trained personnel in place to perform the work on the article as required by this Part.

(2) If the maintenance organisation makes that determination, it may list the article on the capability list, but cannot perform the work until approved by the Authority.

(d) The document of the evaluation described in paragraph (c) of this Section must be signed by the accountable manager and must be retained on file by the maintenance organisation.

(e) Upon listing an additional article on its capability list, the maintenance organisation must send a copy of the list to the Authority having jurisdiction over the maintenance organisation.

(f) The capability list(s) must be available in the premises for inspection by the public and the Authority.

(g) The self-evaluations must be available in the premises for inspection by the Authority.

(h) The AMO certificate holder shall retain the capability list(s) and self-evaluation(s) for 24 calendar months from the date accepted by the accountable manager.

5.155 PERSONNEL & TRAINING REQUIREMENTS

(a) A management person or group of persons acceptable to the Authority, whose responsibilities include ensuring that the AMO certificate holder is in compliance with these Regulations, shall be nominated

(b) The person or persons nominated as manager shall represent the maintenance management structure of the AMO, and be responsible for all functions specified in this Part.

(c) Nominated managers shall be directly responsible to an accountable manager who shall be acceptable to the Authority.

(d) The AMO certificate holder shall employ sufficient personnel to plan, perform, supervise and inspect and release the work in accordance with the approval.

(e) The competence of personnel involved in maintenance shall be established in accordance with a procedure and to a standard acceptable to the Authority.

(f) The person signing maintenance release or an approval for return to service shall be qualified in accordance with Parts 4 and 7 as appropriate to the work performed and is acceptable to the Authority.

(g) The maintenance personnel and the certifying staff shall meet the qualification requirements and receive initial and continuation training to their assigned tasks and responsibilities in accordance with a program acceptable to the Authority.

(h) The training program established by the AMO certificate holder shall include training in knowledge and skills related to human performance, including co-ordination with other maintenance personnel and flight crew.

Note: See Appendices 1 and 2 to 5.155 for detailed personnel training requirements.

5.160 RECORD OF CERTIFYING STAFF

(a) The AMO certificate holder shall maintain a roster of all certifying staff, which includes details of the scope of their authorisation.

(b) Certifying staff shall be notified in writing of the scope of their authorisation.

Note: See Appendix 1 to 5.160 for detailed requirements pertaining to records of certifying staff.

5.165 SAFETY MANAGEMENT SYSTEM

(a) The AMO certificate holder shall have a safety management system acceptable to the Authority which implements requirements and framework specified in Subpart I of Part 1 and Part 30.

(b) The AMO certificate holder's safety management system shall clearly define lines of safety accountability throughout the operator's organisation, including a direct accountability for safety on the part of senior management.

SUBPART F: MAINTENANCE RECORDS

5.170 APPLICABILITY

(a) This subpart prescribes the general requirements that are applicable to the records of an Approved Maintenance Organisation.

5.175 GENERAL

(a) The AMO certificate holder shall record all details of the maintenance work performed in a form and manner acceptable to the Authority.

(b) The holder shall provide a copy of each maintenance release to the aircraft operator, including—

(1) References to specific airworthiness data used for that maintenance; and

(2) For cases involving major repairs or modifications, a copy of the airworthiness data used.

(c) The AMO certificate holder shall retain a copy of all detailed maintenance records to show that all requirements for the signing of a maintenance release have been met.

(d) The form and format of the records may include paper records, firm records, electronic records or any combination thereof.

(e) These records, and any associated airworthiness data, shall be retained for 13 calendar months from the date the aircraft or aircraft product to which the work relates was released from the AMO.

Note: Where an AOC holder contracts an AMO to keep the aircraft operator's certificates of maintenance release and any associated airworthiness data, the retention period will be that required by Part 4.

5.180 RECORDING MAINTENANCE & MODIFICATION

(a) Each person who maintains, performs preventive maintenance, rebuilds, or modifies an aircraft or aircraft component shall make an entry in the maintenance record of that equipment which includes—

(1) A description and reference to data acceptable to the Authority of work performed;

(2) The date of completion of the work performed;

(3) The name of the person performing the work;

(4) If the work performed on the aircraft or aircraft component has been performed satisfactorily, the signature, certificate number, and kind of certificate held by the person approving the work;

(5) The authorised signature, the AMO certificate number, and kind of certificate held by the person approving or disapproving for maintenance release the aircraft, airframe, aircraft engine, propeller, appliance, component part, or portions thereof;

(b) The signature constitutes the approval for maintenance release only for the work performed.

(c) In addition to the entry required above, major repairs and major modifications shall be entered on a form in the manner prescribed by the Authority.

5.185 RECORDING OVERHAULS

(a) No person shall describe in any required maintenance entry or form an aircraft or aeronautical component as being overhauled unless—

(1) Using methods, techniques, and practices acceptable to the Authority, it has been disassembled, cleaned, inspected as permitted, repaired as necessary, and reassembled; and

(2) It has been tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under a TSO.

Note: For definitions of overhaul see Part 4.

5.190 RECORDING REBUILDS

(a) No person may describe in any required maintenance entry or form, an aircraft or other aircraft component as being rebuilt unless it has been—

(1) Disassembled, cleaned, inspected as permitted;
(2) Repaired as necessary; and
(3) Reassembled and tested to the same tolerances and limits as a new item, using either new parts or used parts that either conforms to new part tolerances and limits, or to approve oversized or undersized dimensions.

Note: For definitions of rebuild see Part 4

5.195 RECORDING APPROVAL FOR MAINTENANCE RELEASE

(a) No person may certify for return to service any aircraft or aircraft component that has undergone maintenance, preventive maintenance, rebuilding, or modification unless—

(1) The appropriate maintenance record entry has been made;
(2) The repair or modification form authorised by or furnished by the Authority has been executed in a manner prescribed by the Authority;

(b) If a repair or modification results in any change in the aircraft operating limitations or flight data contained in the approved aircraft flight manual, those operating limitations or flight data shall be appropriately revised and published as prescribed by the Authority.

5.200 MAINTENANCE RECORD ENTRIES FOR INSPECTIONS.

(a) The person approving or disapproving for return to service an aircraft or aircraft component, after any inspection performed in accordance with this Part, shall make an entry in the maintenance record, including the following information—

(1) The type of inspection and a brief description of the extent of the inspection;
(2) The date of the inspection and aircraft total time in service; and
(3) The authorised signature, the AMO certificate number, and kind of certificate held by the person certifying or rejecting certification for return to service the aircraft, airframe, aircraft engine, propeller, appliance, component part, or portions thereof;
(4) If the aircraft is found to be airworthy and certified for return to service, the following or a similarly worded statement—I certify that this aircraft has been inspected in accordance with (insert type) inspection and was determined to be in airworthy condition;
(5) If the aircraft is rejected for certification for return to service because of needed maintenance, non- compliance with the applicable specifications, airworthiness directives, or other approved data, the following or a similarly worded statement—*I certify that this aircraft has been inspected in accordance with (insert type) inspection and a list of discrepancies and unairworthy items dated (date) has been provided for the aircraft owner or operator;* and
(6) If an inspection is conducted under an inspection program provided for Part 4, the entry shall identify the inspection program and, if applicable, the phase or interval accomplished.

5.205 LISTING OF DISCREPANCIES

(a) If the person performing any inspection required by this Part finds that the aircraft is not airworthy or does not meet the applicable type certificate data sheet, airworthiness directives, or other approved data upon which its airworthiness depends, that person shall give the owner or lessee a signed and dated list of those discrepancies.

SUBPART G: FACILITIES, EQUIPMENT & DATA

5.210 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the facilities, equipment and data of an Approved Maintenance Organisation.

5.215 GENERAL

(a) An AMO certificate holder must provide personnel, facilities, equipment, and materials in quantity and quality that meet the standards required for the issuance of the certificate and ratings that the maintenance organisation holds.

5.220 HOUSING & FACILITY REQUIREMENTS

(a) Housing and facilities shall be provided appropriate for all planned work ensuring, in particular, protection from weather.

(b) All work environments shall be appropriate for the task carried out and shall not impair the effectiveness of personnel.

(c) Office accommodation shall be appropriate for the management of planned work including, in particular, the management of quality, planning, and technical records.

(d) Specialised workshops and bays shall be segregated, as appropriate, to insure that environmental and work area contamination is unlikely to occur.

(e) Storage facilities shall be provided for parts, equipment, tools and materials.

(f) Storage conditions shall be provided security for serviceable parts, segregation of serviceable from unserviceable parts, and prevent deterioration of and damage to stored items.

Note: See Appendix 1 to 5.220 for detailed requirements pertaining to housing and facilities.

5.225 EQUIPMENT, TOOLS & MATERIAL

(a) The AMO certificate holder shall have available the necessary equipment, tools, and material to perform the approved scope of work and these items shall be under full control of the AMO certificate holder. The availability of equipment and tools means permanent availability except in the case of any tool or equipment that is so rarely needed that its permanent availability is not necessary.

(b) The Authority may exempt an AMO certificate holder from possessing specific tools and equipment for maintenance or repair of an aircraft or aircraft component specified in the AMO certificate holder's approval, if these items can be acquired temporarily, by prior arrangement, and be under full control of the AMO when needed to perform required maintenance or repairs.

Note: The Authority may elect not to amend the approval to delete the aircraft or aircraft component on the basis that it is a temporary situation and there is a formal agreement from the AMO to re- acquire tools, equipment, etc. before performing any maintenance or repair.

(c) The AMO certificate holder shall control all applicable tools, equipment, and test equipment used for product acceptance and/or for making a finding of airworthiness.

(d) The AMO certificate holder shall ensure that all applicable tools, equipment, and test equipment used for product acceptance and/or for making a finding of airworthiness are calibrated to ensure correct calibration to a standard acceptable to the Authority and traceable to the State National Standards.

(e) The AMO certificate holder shall keep all records of calibrations and the standards used for calibration.

Note: See Appendix 1 to 5.225 for detailed requirements pertaining to tools, equipment, and test equipment.

5.230 AIRWORTHINESS TECHNICAL DATA

(a) The AMO certificate holder shall have all airworthiness technical data appropriate to support the work performed from the Authority, the aircraft/aircraft component design organisation, and any other approved design organisation in the State of Manufacture or State of Design, as appropriate.

Note: The Authority may classify data from another authority or organisation as mandatory and may require the AMO certificate holder to hold such data.

(b) Where the AMO certificate holder modifies airworthiness technical data specified in paragraph (a) to a format or presentation more useful for its maintenance activities, the AMO certificate holder shall submit to the Authority an amendment to the maintenance procedure manual for any such proposed modifications for acceptance.

(c) All airworthiness technical data used by the AMO certificate holder shall be kept current and made available to all personnel who require access to that data to perform their duties.

See Appendix 1 to 5.230 for detailed requirements concerning airworthiness data

SUBPART H: AMO OPERATING RULES

5.235 MAINTENANCE RELEASE

(a) A maintenance release shall be issued by appropriately authorised certifying staff when satisfied that all required maintenance of the aircraft or aircraft component has been properly carried out by the AMO certificate holder in accordance with the maintenance procedure manual.

(b) An aircraft component which has been maintained off the aircraft requires the issue of a maintenance release for such maintenance and another maintenance release in regard to being installed properly on the aircraft, when such action occurs.

(c) A maintenance release shall contain—

(1) Basic details of the maintenance carried out;
(2) The date such maintenance was completed;
(3) The identity, including the authorisation reference, of the AMO; and
(4) The identity of the person or persons signing the release.

Note: See Appendix 1 to 5.235 for detailed requirements concerning a maintenance release, along with a sample form.

5.240 REPORTING OF UNAIRWORTHY CONDITIONS

(a) The AMO certificate holder shall report to the Authority and the aircraft design organisation any identified condition that could present a serious hazard to the aircraft.

(b) Reports shall be made on a form and in a manner prescribed by the Authority and contain all pertinent information about the condition known to the AMO certificate holder.

(c) Where the AMO certificate holder is contracted by an AOC holder to carry out maintenance, that AMO certificate holder shall report to the AOC holder any condition affecting the aircraft or aircraft component.

(d) Reports shall be made as soon as practicable, but in any case within 3 working days of the AMO certificate holder identifying the condition to which the report relates.

5.245 PERFORMANCE STANDARDS

(a) Each AMO certificate holder that performs any maintenance, preventive maintenance, modifications for an air operator certificated under Part 12 having an approved maintenance program, as revised, shall perform that work in accordance with the air operator's manuals.

(b) Except as provided in paragraph (a), each AMO certificate holder shall perform its

maintenance and modification operations in accordance with the applicable standards in Part 4. It shall maintain, in current condition, all manufacturer's service manuals, instructions, and service bulletins that relate to the articles that it maintains or modifies.

(c) In addition, each AMO certificate holder with an avionics rating shall comply with those Sections in Part 4 that apply to electronic systems, and shall use materials that conform to approved specifications for equipment appropriate to its rating. It shall use test apparatus, shop equipment, performance standards, test methods, modifications, and calibrations that conform to the manufacturer's specifications or instructions, approved specification, and if not otherwise specified, to accept good practices of the aircraft avionics industry.

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APPENDICES

APPENDIX 1 TO 5.075: EXPANDED REQUIREMENTS OF AMO RATINGS

Except for job functions that are contracted out, each AMO certificate holder must provide equipment and material so that the job functions listed in this Appendix, as appropriate to the class or limited rating held or applied for, can be performed as required. The job functions are as follows—

(a) For an aircraft rating—

(1) Classes 1, 2, 3, 4, and 5—

(i) Metal skin and structural components—

(A) Repair and replace steel tubes and fittings using the proper welding techniques, when appropriate.

(B) Apply anti corrosion treatment to the interior and exterior of parts.

(C) Perform simple machine operations.

(D) Fabricate steel fittings.

(E) Repair and replace metal skin.

(F) Repair and replace alloy members and components.

(G) Assemble and align components using jigs or fixtures.

(H) Make up forming blocks or dies.

(I) Repair or replace ribs.

(ii) Wood Structure—

(A) Splice wood spars.

(B) Repair ribs and spars.

(C) Align interior of wings.

(D) Repair or replace plywood skin.

(E) Apply treatment against wood decay.

(iii) Fabric covering—

(A) Repair fabric surfaces.

(iv) Aircraft control systems—

(A) Repair and replace control cables.

(B) Rig complete control system.

(C) Replace and repair all control system components.

(D) Remove and install control system units and components.

(v) Aircraft systems—

(A) Replace and repair landing gear hinge-point components and attachments.

(B) Maintain elastic shock absorber units.

(C) Conduct landing gear retraction cycle tests.

(D) Maintain electrical position indicating and wiring systems.

(E) Repair and fabricate fuel, pneumatic, hydraulic, and oil lines.

(F) Diagnose electrical and electronic malfunctions.

(G) Repair and replace electrical wiring and electronic data transmission lines.

(H) Install electrical and electronic equipment.

(I) Perform bench check of electrical and electronic components. (This check is not to be confused with the more complex functional test after repair or overhaul.)

(vi) Assembly operations—

(A) Assemble aircraft components or parts, such as landing gear, wings, and controls.

(B) Rig and align aircraft components, including the complete aircraft and control

system
(C) Install powerplants.
(D) Install instruments and accessories.
(E) Assemble and install cowlings, fairings, and panels.
(F) Maintain and install windshields and windows.
(G) Jack or host complete aircraft.
(H) Balance flight control surfaces.

(vii) Non-destructive inspection and testing using dye penetrants and magnetic, ultrasonic, radiographic, fluorescent, or holographic inspection techniques.

(viii) Inspection of metal structures—
(A) Inspect metal structures, using appropriate inspection equipment to perform the inspections required on an aircraft.

(2) Classes 6 and 7—

(i) In addition to having the capability to perform the appropriate functions set forth for class 1, 2, 3, 4, or 5 aircraft ratings, a maintenance organisation holding a class 6 or 7 aircraft rating for composite aircraft must have the following equipment—
(A) Autoclave capable of providing positive pressure and temperature consistent with materials used.
(B) Air circulating oven with vacuum capability.
(C) Storage equipment, such as freezer, refrigerator, and temperature-control cabinets or other definitive storage areas.
(D) Honeycomb core cutters.
(E) Non-destructive inspection equipment such as x-ray, ultrasonic, or other types of acoustic test equipment as recommended by the manufacturer.
(F) Cutting tools, such as diamond or carbide saws or router bits, suitable for cutting and trimming composite structures.
(G) Scales adequate to ensure proper proportioning by weight of epoxy adhesive and resins.
(H) Mechanical pressure equipment such as vacuum bagging or sand bags, as appropriate.
(I) Thermocouple probes necessary to monitor cure temperatures.
(J) Hardness testing equipment using heat guns that are thermostatically controlled for curing repairs.

(ii) Appropriate inspection equipment to perform inspection of composite structures as recommended by the manufacturer and as required for inspection of an aircraft under this Section.

(3) List of maintenance functions that may be contracted out—

(i) For all classes of airframe ratings—
(A) Metal plating or anodizing.
(B) Complex machine operation involving the use of planners, shapers, milling machines, etc.
(C) Abrasive air blasting and chemical cleaning operations.
(D) Heat treatment.
(E) Magnetic inspection.
(F) Repair or rebuilt metal tanks
(G) Fabricate alloy members and components such as tubes, channels, cowlings, fittings, attach angles, etc.
(H) Fabricate wood spars.
(I) Overhaul and repair hydraulic-pneumatic shock absorber units.

(J) Overhaul and repair brake system components.
(K) Overhaul and repair hydraulic system components
(L) Conduct aircraft weight and balance operation (this function will be conducted in a draft free area).
(M) Fluorescent inspection of alloy components.
(N) Recovering and refinishing of components and entire aircraft.

(b) Powerplant rating—

(1) Class 1—

(i) Maintain and alter powerplants, including replacement of parts—
(A) Perform chemical and mechanical cleaning.
(B) Perform disassembly operations.
(C) Replace bushings, bearings, pins, and inserts.
(D) Perform heating operations that may involve the use of recommended techniques that require controlled heating facilities.
(E) Perform chilling or shrinking operations.
(F) Remove and replace studs.
(G) Inscribe or affix identification information.
(H) Paint powerplants and components.
(I) Apply anti corrosion treatment for parts.

(ii) Inspect all parts, using appropriate inspection aids—
(A) Determine precise clearances and tolerances of all parts.
(B) Inspect alignment of connecting rods, crankshafts, and impeller shafts.

(iii) Accomplish routine machine work—
(A) Ream inserts, bushings, bearings, and other similar components.
(B) Reface valves.

(iv) Accomplish assembly operations—
(A) Perform valve and ignition-timing operations.
(B) Fabricate and test ignition harnesses.
(C) Fabricate and test rigid and flexible fluid lines.
(D) Prepare engines for long or short term storage.
(E) Hoist engines by mechanical means.

(2) Classes 2 and 3—

(i) In addition to having the capability to perform the appropriate functions as required for class 1 powerplant rating, a maintenance organisation holding a class 2 or a class 3 powerplant rating must have the following equipment—
(A) Testing equipment.
(B) Surface treatment anti gallant equipment.

(ii) Functional and equipment requirements recommended by the manufacturer; and

(iii) Appropriate inspection equipment.

(3) List of maintenance functions that may be contracted out—

(i) Class 1 and 2 Powerplant (Reciprocating).

(ii) Replacement of valve guides and seats.

(iii) Plating operations (copper, silver, cadmium, etc.).

(iv) Replacement and repair of powerplant alloy sheet metal and steel components such as air baffles, etc.)

(v) Magnetic, fluorescent and other acceptable inspection aids.

(vi) Balancing of parts, including crankshafts, impeller shafts, etc.

(vii) Precision grinding, honing and lapping operations (including crankshaft, cylinder barrels, etc.)

(viii) Precision drilling, tapping, boring, milling, and cutting operations.
(ix) Functional check powerplant accessories (this check is not to be confused with the more complex performance test of overhaul).
(x) Install engines in aircraft.
(xi) Align and adjust engine controls.

(c) Propeller Rating—

(1) Class 1—

(i) Remove and install propellers
(ii) Maintain and alter propellers, including installation and replacement of parts—
(A) Replace blade tipping.
(B) Refinish wood propellers
(C) Make wood inlays.
(D) Refinish plastic blades.
(E) Straighten bent blades within repairable tolerances.
(F) Modify blade diameter and profile.
(G) Polish and buff.
(H) Perform painting operations.
(iii) Inspect components using appropriate inspection aids—
(A) Inspect propellers for conformity with manufacturer's drawings and specifications.
(B) Inspect hubs and blades for failures and defects using all visual aids, including the etching of parts.
(C) Inspect hubs for wear of splines or keyways or any other defect.
(iv) Balance propellers—
(A) Test for proper track on aircraft.
(B) Test for horizontal and vertical unbalance using precision equipment.

(2) Class 2—

(i) Remove and install aircraft propellers, which may include installation and replacement of parts.
(A) Perform all functions listed under Class 1 propellers when applicable to the make and model propeller in this class.
(B) Properly lubricate moving parts.
(C) Assemble complete propeller and subassemblies using special tools when required.
(ii) Inspect components using appropriate inspection aids for those functions listed for class 1 propellers under paragraph (c)(1)(ii) of this Implementing Standard when applicable to the make and model of the propeller being worked on.
(iii) Repair or replace components or parts—
(A) Replace blades, hubs, or any of their components.
(B) Repair or replace anti-icing devices.
(C) Remove nicks or scratches from metal blades.
(D) Repair or replace electrical propeller components.
(iv) Balance propellers, including those functions listed for class 1 propellers under paragraph (c)(1)(iv) of this Implementing Standard when applicable to the make and model of the propeller being worked on.
(v) Test propeller pitch-changing mechanism—
(A) Test hydraulically operated propellers and components.
(B) Test electrically operated propellers and components.

(3) List of maintenance functions that may be contracted out—

(i) Class 1 Propeller—

(A) Inspect hubs and blades for failures and defects, using magnetic or fluorescent inspection devices.

(ii) Class 2 Propeller—

(A) Test of constant speed devices.

(d) Avionics rating—

(1) Class 1, 2, and 3—

Perform physical inspection of avionics systems and components by visual and mechanical inspection.

Perform electrical inspection of avionics systems and components by means of appropriate electrical and/or electronic test equipment.

Check aircraft wiring, antennas, connectors, relays, and other associated avionics components to detect installation faults.

Check engine ignition systems and aircraft accessories to determine sources of electrical interference.

Check aircraft power supplies for adequacy and proper functioning. Remove, repair, and replace aircraft antennas.

Measure transmission line attenuation.

Measure avionics component values such as inductance, capacitance, and resistance. Determine waveforms and phase in avionics equipment when applicable.

Determine proper aircraft avionics antenna, lead-in, and transmission-line characteristics and determine proper locations for type of avionics equipment to which the antenna is connected.

Determine the operational condition of avionics equipment installed in aircraft by using appropriate portable test apparatus.

Test all types of transistors; integrated circuits; or similar devices in equipment appropriate to the class rating.

Test avionics indicators.

(2) Class 1—

In addition to having the capability to perform the job functions listed in paragraph (d)(1)— Test and repair headsets, speakers, and microphones.

Measure radio transmitter power output.

Measure modulation values, noise, and distortion in communication equipment.

(3) Class 2—

In addition to having the capability to perform the job functions listed in paragraph (d)(1)— Test and repair headsets.

Test speakers

Measure loop antenna sensitivity by appropriate methods.

Calibrate to approved performance standards any radio navigational equipment, en route and approach aids, or similar equipment, as appropriate to this rating.

(4) Class 3—

In addition to having the capability to perform the job functions listed in paragraph (d)(1)—

Measure transmitter power output.

(5) List of maintenance functions that may be contracted out. Class 2 Avionics—

Repair of speakers.

Class 3 Avionics—

Metal plating of transmission lines, wave guides, and similar equipment in accordance with appropriate specifications.

For all Class of Avionics

ratings— Test

avionics indicators.

Overhaul, test, and check dynamotors, inverters, and other radio electrical

apparatus. Paint and refinish equipment containers

Accomplish appropriate methods of marking calibrations, or other information on avionics control panels and other components, as required.

Make and reproduce drawings, wiring diagrams, and other similar material required to record alteration and/or modifications to avionics (photographs may be used in lieu of drawings when they will serve as an equivalent or better means of recording).

Fabricate tuning shaft assemblies, brackets, cable assemblies, and other similar components used in avionics or aircraft avionics installations.

Install complete avionics systems in aircraft and prepare weight and balance reports (that phase of avionics installation requiring modifications to the aircraft structure must be performed, supervised, and inspected by appropriately qualified and authorised person).

(e) Computer systems rating—

(1) Class 1, 2, and 3—

(i) Maintain computer systems in accordance with manufacturer's specifications, test requirements, and recommendations.

(ii) Remove, maintain, and replace computer systems in aircraft.

(iii) Inspect, test, and calibrate computer system equipment, including software.

(f) Instrument rating—

(1) Class 1—

(i) Diagnose instrument malfunctions on the following instruments—

(A) Rate-of-climb indicators.

(B) Altimeters.

(C) Airspeed indicators.

(D) Vacuum Indicators.

(E) Oil pressure gauges.

(F) Hydraulic pressure gauges.

(G) De-icing pressure gauges.

(H) Pitot-static tube.

(I) Direct indicating compasses.

(J) Accelerometer.

(K) Direct indicating tachometers.

(L) Direct reading fuel quantity gauges.

(ii) Inspect, test, and calibrate the instruments listed under paragraph (f)(1)(i) of this IS on and off the aircraft, as appropriate.

(2) Class 2—

(i) Diagnose instrument malfunctions of the following instruments—

(A) Tachometers.

(B) Synchroscope.
(C) Electric temperature indicators.
(D) Electric resistance-type indicators.
(E) Moving magnet-type indicators.
(F) Warning units (oil and fuel).
(G) Selsyn systems and indicators.
(H) Self-synchronous systems and indicators.
(I) Remote indicating compasses.
(J) Quantity indicators.
(K) Avionics indicators.
(L) Ammeters.
(M) Voltmeters.
(N) Frequency meters.

(ii) Inspect, test, and calibrate instruments listed under paragraph (f)(2)(i) of this IS on and off the aircraft, as appropriate.

(3) Class 3—

(i) Diagnose instrument malfunctions of the following instruments—

(A) Turn and bank indicators.
(B) Directional gyros.
(C) Horizon gyros.
(D) Auto pilot control units and components.

(ii) Inspect, test, and calibrate instruments listed under paragraph (f)(3)(i) of this IS on and off the aircraft, as appropriate.

(4) Class 4—

(i) Diagnose instrument malfunctions of the following instruments.

(A) Capacitance-type quantity gauge.
(B) Laser gyros.
(C) Other electronic instruments.

(ii) Inspect, test, and calibrate instruments listed under paragraph (f)(4)(i) of this IS on and off the aircraft, as appropriate.

(g) Accessory rating—

(1) Class 1, 2, 3, and 4—

(i) Perform the following functions in accordance with the manufacturers specifications and recommendations—

(A) Diagnose accessory malfunctions.
(B) Maintain and alter accessories, including installing and replacing parts.
(C) Inspect, test, and calibrate accessories on and off the aircraft as appropriate.

APPENDIX 1 TO 5.130: MANAGEMENT RESPONSIBILITIES

(a) The AMO functions shall be subdivided under individual managers or combined in any number of ways, dependent upon the size of the AMO.

(b) The AMO certificate holder shall have, dependent upon the extent of approval, the following—

(1) A base maintenance manager,
(2) A line maintenance manager,
(3) A workshop manager and a quality manager, all of whom should report to the accountable manager.

Note: In small AMO's, one or more of the above positions may be combined subject to approval by the Authority.

(c) The Accountable Manager shall be responsible for ensuring that all necessary resources

are available to accomplish maintenance required to support the AMO certificate holder's approval.

(d) The Base Maintenance Manager shall be responsible for—

(1) Ensuring that all maintenance required to be carried out in the hangar, plus any defect rectification carried out during base maintenance, is carried out to specified design and quality standards; and

(2) Any corrective action resulting from quality compliance monitoring.

(e) The Line Maintenance Manager shall be responsible for—

(1) Ensuring that all maintenance required to be carried out on the line, including line defect rectification, is performed to the required standards; and

(2) Any corrective action resulting from quality compliance monitoring.

(f) The Workshop Manager shall be responsible for—

(1) Ensuring that all work on aircraft components is performed to required standards; and

(2) Any corrective action resulting from quality compliance monitoring.

(g) The Quality Manager shall be responsible for—

(1) Monitoring the AMO certificate holder's compliance with this Part; and

(2) Requesting remedial action as necessary by the base maintenance manager/line maintenance manager/workshop manager or the accountable manager, as appropriate.

(h) The AMO certificate holder may adopt any title for managerial positions, but shall identify to the Authority the titles and persons chosen to carry out these functions.

(i) Where an AMO certificate holder chooses to appoint managers for all or any combination of the identified functions because of the size of the undertaking, these managers shall report ultimately through either the Base Maintenance Manager or Line Maintenance Manager or Workshop Manager or Quality Manager, as appropriate, to the accountable manager.

(j) The managers specified in this Section shall be identified and their credentials submitted to the Authority.

(k) To be accepted, such managers shall have relevant knowledge and satisfactory experience related to aircraft/aircraft component maintenance as appropriate in accordance with these Regulations.

Note: Certifying staff may report to any of the managers specified depending upon which type of control the AMO uses (for example-licenced engineers, independent inspection/dual function supervisors, etc.) so long as the quality compliance monitoring staff remain independent.

APPENDIX 1 TO 5.140: CONTENTS OF A MAINTENANCE ORGANISATION PROCEDURES MANUAL

(a) The AMO certificate holder shall provide a Maintenance Procedures Manual for use by the organisation, containing the following information—

(1) A statement signed by the accountable manager confirming that the maintenance organisation procedures manual and any referenced associated manuals defined the AMO's compliance with this Part and will be complied with at all times. When the accountable manager is not the chief executive officer of the AMO then such chief executive officer must countersign the statement;

(2) The organisation's safety and quality policy. A description of the independent quality assurance system to monitor compliance with and adequacy of the procedures (or a system of inspection to
ensure that maintenance is properly performed, aircraft and components are properly certified for released for service and to include procedures for self-evaluations, including

methods and frequency of such evaluations, and procedures for reporting results to the accountable manager for review and action;

(3) The title(s) and name(s) of the senior person(s) accepted by the Authority;
(4) The duties and responsibilities of all post holders including matters on which they may deal directly with Authority on behalf of the AMO certificate holder;
(5) An organisation chart showing associated chains of responsibility of the senior person(s);
(6) A list of certifying staff;
(7) A general description of manpower resources;
(8) A general description of facilities located at each address specified in the AMO certificate holder operations specifications;
(9) A specification of the AMO certificate holder's scope of work relevant to the extent of work authorised;
(10) The notification procedure for AMO certificate holder organisation changes;
(11) The AMO certificate holder's maintenance organisation procedures manual amendment procedure;
(12) A description of the method used for the completion and retention of maintenance records to show that all requirements for the signing of a return to service have been met;
(13) A description of the procedure for preparing the return to service and the circumstances under which the release is to be signed;
(14) A description of the additional procedures for complying with an operator's maintenance procedures and requirements;
(15) A description of the procedure for receiving, amending and distributing within the maintenance organisation all necessary airworthiness data from the type AMO certificate holder or type design organisation;
(16) A description of the procedures used to establish the competence of maintenance personnel;
(17) A general description of the organisation's facilities;
(18) A description of the procedures for complying with the service information reporting requirements of Part 4;
(19) The AMO certificate holder's procedures and quality system;
(20) A list of AOC holders, if appropriate, to which the AMO certificate holder provides an aircraft maintenance service;
(21) A list of organisations, if appropriate;
(22) A list of line stations, if appropriate; and
(23) A list of contracted organisations, if appropriate.

(b) Portions of the AMO certificate holder's maintenance organisation's procedures manual may be kept as separate documents or on separate electronic data files subject to the basic manual containing a clear cross reference to such documents or electronic data files.

APPENDIX 1 TO 5.155: SCHEDULING & COMPETENCE OF WORKFORCE

(a) The AMO certificate holder shall have a production man-hours plan showing that it has sufficient man-hours for the intended work.

(b) If an AMO certificate holder is approved for base maintenance, the plan shall relate to the aircraft hangar visit plan.

(c) Man-hour plans shall regularly be updated.

Note: Work performed on any aircraft registered outside Rwanda should be taken into account where it impacts upon the production man-hours plan.

(d) Quality monitoring compliance function man-hours shall be sufficient).
(e) Planners, mechanics, supervisors and certifying staff shall be assessed for competence by

"on the job" evaluation or by examination relevant to their particular role within the AMO before unsupervised work is permitted.

(f) To assist in the assessment of competence, job descriptions are recommended for each position. The assessment shall establish that—

(4) Planners are able to interpret maintenance requirements into maintenance tasks, and have an appreciation that they have no authority to deviate from the aircraft maintenance program;

(5) Mechanics are able to carry out maintenance tasks to any standard specified in the maintenance instructions and will notify supervisors of mistakes requiring rectification to re-establish required maintenance standards;

(6) Supervisors are able to ensure that all required maintenance tasks are carried out and where not done or where it is evident that a particular maintenance task cannot be carried out to the maintenance instructions, then such problems will be reported to and agreed by the quality organisation; and

(7) Certifying staff are able to determine when the aircraft or aircraft component is and is not ready to return to service.

(g) In the case of planners, supervisors, and certifying staff, knowledge of AMO procedures relevant to their particular role shall be demonstrated.

APPENDIX 2 TO 5.155: TRAINING OF AMO WORKFORCE

(a) Training of certifying staff shall be performed by the AMO or by an institute selected by the AMO. In either case, the AMO certificate holder shall establish the curriculum and standards for training, as well as pre- qualification standards for the personnel intended for training. Pre-qualification standards are intended to insure that the trainee has a reasonable chance of successfully completing any course.

(b) Competency-based examinations shall be set at the end of each training course.

(c) Initial training shall cover—

(1) Basic engineering theory relevant to the airframe structure and systems fitted to the class of aircraft the AMO certificate holder intends to maintain;

(2) Specific information on the actual aircraft type on which the person is intended to become a certifying person including the impact of repairs and system/structural defects; and

(3) Company procedures relevant to the certifying staff's tasks.

(d) Continuation training should cover changes in AMO certificate holder procedures and changes in the standard of aircraft and/or aircraft components maintained.

(e) The training program shall include details of the number of personnel who will receive initial training to qualify as certifying staff over specified time periods.

(f) The training program established for maintenance personnel and certifying staff by the AMO certificate holder shall include training in knowledge and skills related to human performance including co-ordination with other maintenance personnel and flight crew.

APPENDIX 1 TO 5.160: RECORDS OF CERTIFYING STAFF

(a) The following minimum information shall be kept on record in respect of each certifying person—

(1) Name;

(2) Date of birth;

(3) Basic training;

(4) Type training;

(5) Continuation training;

(6) Experience;
(7) Qualifications relevant to the approval;
(8) Scope of the authorisation;
(9) Date of first issue of the authorisation;
(10) Expiration date of the authorisation (if appropriate); and
(11) Identification number of the authorisation.

(b) Records of certifying staff shall be controlled, but not necessarily run by the AMO certificate holder's quality department.

(c) The number of persons authorised to access the system shall be limited to minimize the possibility of records being altered in an unauthorised manner and to limit confidential records from become accessible to unauthorised persons.

(d) A certifying person shall be given reasonable access on request to his or her records.

(e) The Authority is authorised to and may investigate the records system for initial and continued approval, or when the Authority has cause to doubt the competence of a particular certifying person.

(f) The AMO certificate holder shall keep the record of a certifying person for at least 24 calendar months after that person has ceased employment with the AMO or upon withdrawal of his or her authorisation. Upon request, the certifying staff shall be furnished with a copy of their record on leaving the AMO.

(g) The authorisation document shall be in a style that makes its scope clear to certifying staff and any authorised person that may be required to examine the document. Where codes are used to define scope, an interpretation document shall be readily available.

(h) Certifying staff are not required to carry the authorisation document at all times but shall produce it within a reasonable time of a request from an authorised person.

Note: Authorised persons, apart from the AMO's quality department or maintenance supervisors/ managers, include the Authority.

APPENDIX 1 TO 5.205: HOUSING & FACILITY REQUIREMENTS

(a) For ongoing maintenance of aircraft, aircraft hangars shall be available and large enough to accommodate aircraft during maintenance activities.

(b) Where the hangar is not owned by the AMO certificate holder, it is recommended to—

(1) Establish proof of tenancy;
(2) Demonstrate sufficiency of hangar space to carry out planned base maintenance by preparing a projected aircraft hangar visit plan relative to the maintenance program;
(3) Update the aircraft hangar visit plan on a regular basis;
(4) Ensure, for aircraft component maintenance, aircraft component workshops are large enough to accommodate the components on planned maintenance;
(5) Ensure aircraft hangar and aircraft component workshop structures prevent the ingress of rain, hail, ice, snow, wind and dust, etc.;
(6) Ensure workshop floors are sealed to minimise dust generation; and
(7) Demonstrate access to hangar accommodation for usage during inclement weather for minor scheduled work and/or lengthy defect rectification.

(c) Aircraft maintenance staff shall be provided with an area where they may study maintenance instructions and complete maintenance records in a proper manner.

Note: It is acceptable to combine any or all of the above requirements into one office subject to the staff having sufficient room to carry out assigned tasks.

(d) Hangars used to house aircraft together with office accommodation shall be such as to insure a clean, effective and conformable working environment.

(1) Temperatures should be maintained at a comfortable level
(2) Dust and any other airborne contamination should be kept to a minimum and not permitted to reach a level in the work task area where visible aircraft/component surface contamination is evident.
(3) Lighting should be such as to insure each inspection and maintenance task can be carried out.
(4) Noise levels should not be permitted to rise to the point of distracting personnel from carrying out inspection tasks. Where it is impractical to control the noise source, such personnel should be provided with the necessary personal equipment to stop excessive noise causing distraction during inspection tasks.

(e) Where a particular maintenance task requires the application of specific environmental conditions different to the foregoing, then such conditions shall be observed. (Specific conditions are identified in the approved maintenance instructions.)

(f) Where the working environment for line maintenance deteriorates to an unacceptable level with respect to temperature, moisture, hail, ice, snow, wind, light, dust/other airborne contamination; the particular maintenance or inspection tasks shall be suspended until satisfactory conditions are re-established.

(g) For both base and line maintenance where dust or other airborne contamination results in visible surface contamination, all susceptible systems shall be sealed until acceptable conditions are re-established.

(h) Storage facilities for serviceable aircraft components shall be clean, well ventilated and maintained at an even dry temperature to minimise the effects of condensation.

(i) Manufacturer and standards recommendations shall be followed for specific aircraft components.

(j) Storage racks shall provide sufficient support for large aircraft components such that the component is not distorted.

(k) All aircraft components, wherever practicable, shall remain packaged in protective material to minimise damage and corrosion during storage.

APPENDIX 1 TO 5.225: EQUIPMENT, TOOLS & MATERIALS

(a) All applicable tools, equipment, and test equipment used for product acceptance and/or for making a finding of airworthiness shall be traceable to the Standards approved by the Authority.

(b) Except as provided in paragraph (a), in the case of foreign manufactured tools, equipment, and test equipment, the standard provided by the county of manufacture may be used if approved by the Authority.

(c) Where the manufacturer specifies a particular tool, equipment, or test equipment then that tool, equipment, or test equipment shall be used unless the manufacturer has identified the use of an equivalent.

(d) Except as provided in paragraph (c), tools, equipment, or test equipment other than that recommended by the manufacturer will be acceptable based on at least the following—

(1) The AMO certificate holder shall have a procedure in the Maintenance Procedure Manual if it intends to use equivalent tools, equipment, or test equipment other than that recommended by the manufacturer.

(2) The AMO certificate holder shall have a program to include—

(i) A description of the procedures used to establish the competence of personnel that make the determination of equivalency to tools, equipment, or test equipment.

(ii) Conducting and documenting the comparison made between the specification

of the tool, equipment or test equipment recommended by the manufacturer and the equivalent tool, equipment, or test equipment proposed.

(iii) Ensuring that the limitations, parameters, and reliability of the proposed tool, equipment, or test equipment are equivalent to the manufacturer's recommended tools, equipment, or test equipment.

(iv) Ensuring that the equivalent tool, equipment, or test equipment is capable of performing the appropriate maintenance function, all normal tests, or calibrations, and checking all parameters of the aircraft or aircraft component undergoing maintenance or calibration.

(3) The AMO certificate holder shall have full control of the equivalent tool, equipment, or test equipment (i.e. ownership, lease, etc.)

(e) An AMO certificate holder approved for base maintenance shall have sufficient aircraft access equipment and inspection platforms/docking such that the aircraft may be properly inspected.

(f) The AMO certificate holder shall have a procedure to inspect/service and, where appropriate, calibrate tools, equipment, and test equipment on a regular basis and indicate to users that an item is within any inspection or service or calibration time limit.

(g) The AMO certificate holder shall have a procedure if it uses a standard (primary, secondary or transfer standards) for performing calibration, that standard cannot be used to perform maintenance.

(h) A clear system of labelling all tooling, equipment and test equipment shall be used to give information on when the next inspection or service or calibration is due, and if the item is unserviceable for any other reason where it may not be obvious.

(i) A clear system of labelling all tooling, equipment, and test equipment shall be used to give information on when such tooling, equipment, and test equipment is not used for product acceptance and/or for making a finding of airworthiness.

(j) A register shall be maintained for all calibrated tools, equipment and test equipment together with a record of calibrations and standards used.

(k) Inspection, service, or calibration on a regular basis shall be in accordance with the equipment manufacturers' instructions except where the AMO can show by results that a different time period is appropriate in a particular case and is acceptable to the Authority.

APPENDIX 1 TO 5.230: AIRWORTHINESS DATA

(a) The AMO shall be in receipt of all airworthiness data appropriate to support the work performed from the Authority, the aircraft or aircraft component design organisation, and any other approved design organisation in the State of Manufacture or State of Design, as appropriate. Some examples of maintenance-related documents are—

(1) Civil Aviation Regulations,
(2) Associated advisory material,
(3) Airworthiness directives,
(4) Manufacturers' maintenance manuals,
(5) Repair manuals,
(6) Supplementary structural inspection documents,
(7) Service bulletins,
(8) Service letters,
(9) Service instructions,
(10) Modification leaflets,
(11) Aircraft maintenance program,

(12) NDT Manual, etc.

Note: Paragraph (a) primarily refers to maintenance data that has been transcribed from the Authority and all Type Certificate (TC) holders into the AMO's format, such as customised maintenance cards or computer base data.

Note: To obtain acceptance from the Authority, it is important that accuracy of transcription is assured.

(b) A procedure shall be established to monitor the amendment status of all data and maintain a check that all amendments are being received by being a subscriber to any document amendment scheme.

(c) Airworthiness data shall be made available in the work area in close proximity to the aircraft or aircraft component being maintained and for supervisors, mechanics, and certifying staff to study.

(d) Where computer systems are used to maintain airworthiness data, the number of computer terminals shall be sufficient in relation to the size of the work program to enable easy access, unless the computer system can produce paper copies. Where microfilm or microfiche readers/printers are used, a similar requirement is applicable.

APPENDIX 1 TO 5.235: CERTIFICATION OF MAINTENANCE RELEASE

(a) A maintenance release is required for the following—

(1) Before flight at the completion of any package of maintenance scheduled by the approved aircraft maintenance program on the aircraft, whether such maintenance took place as base or line maintenance.

Note: Only in exceptional cases may scheduled maintenance be deferred and then only in accordance with procedures specified in the AMO's procedures manual. In all cases, the AMO must provide the owner/operator with a list of any uncorrected defects that may exist.

(2) Before flight at the completion of any defect rectification, while the aircraft operates between scheduled maintenance.

(3) At the completion of any maintenance on an aircraft component when off the aircraft.

(b) The maintenance release shall contain the following statement: "*Certifies that the work specified except as otherwise specified was carried out in accordance with current regulations and in respect to that work the aircraft/aircraft component is considered ready for return to service*."

(c) The maintenance release shall reference the data specified in the manufacturer's or air carrier operator's instructions or the aircraft maintenance program which itself may cross-reference to a manufacturer's instruction in a maintenance manual, service bulletin, etc.

(d) Where instructions include a requirement to insure that a dimension or test figure is within a specific tolerance as opposed to a general tolerance, the dimension or test figure shall be recorded unless the instruction permits the use of GO/NO gauges. It is not normally sufficient to state that the dimension or the test figure is within tolerance.

(e) The date such maintenance was carried out shall include when the maintenance took place relative to any life or overhaul limitation in terms of date/flying hours/cycles/landings etc., as appropriate.

(f) When extensive maintenance has been carried out, it is acceptable for the maintenance release to summarize the maintenance as long as there is a cross-reference to the work-pack containing full details of maintenance carried out. Dimensional information shall be retained in the work-pack record.

(g) The person issuing the maintenance release shall use a full signature and preferably a certification stamp except in the case where a computer maintenance release system is used. In this latter case, the Authority will need to be satisfied that only the particular person can

electronically issue the maintenance release.

Note: One such method of compliance is the use of a magnetic or optical personal card in conjunction with a personal identity number (PIN) which is keyed into the computer and known only to the individual.

END OF RCAR PART 5

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA VI W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX VI TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE VI A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 6

Required Instruments & Equipment

SUBPART A: GENERAL 4
6.001 CITATION & APPLICABILITY 4
6.005 DEFINITIONS 4
6.010 ACRONYMS & ABBREVIATIONS 4
6.015 GENERAL INSTRUMENT & EQUIPMENT REQUIREMENTS 5

SUBPART B: AIRCRAFT INSTRUMENTS & EQUIPMENT 5
6.020 POWER SUPPLY, DISTRIBUTION & INDICATION SYSTEM 5
6.025 ENGINE INSTRUMENTS: ALL FLIGHTS 6
6.027 TREND & HEALTH MONITORING SYSTEMS: COMMERCIAL AIR TRANSPORT 6
6.030 FLIGHT INSTRUMENTS: ALL FLIGHTS 7
6.035 ADDITIONAL FLIGHT INSTRUMENTS: CONTROLLED, NIGHT OR IFR FLIGHT 7
6.040 INSTRUMENTS FOR OPERATIONS REQUIRING TWO PILOTS 7
6.045 STANDBY ATTITUDE INDICATOR 8
6.047 ADVANCED COCKPIT AUTOMATION SYSTEMS (GLASS COCKPIT) 8
6.050 SYSTEM REQUIREMENTS FOR IFR 8
6.055 AUTOPILOT 9
6.060 IFR HELICOPTER STABILISATION SYSTEM FOR COMMERCIAL AIR TRANSPORT .9
6.065 AIRCRAFT LIGHTING FOR NIGHT FLIGHTS 9
6.067 EQUIPMENT FOR SPECIAL ALTIMETRY ACCURACY (RVSM) 10
6.070 WINDSHIELD WIPERS 10
6.075 FLIGHT IN ICING CONDITIONS 10
6.080 WEATHER DETECTING EQUIPMENT 10
6.085 SPECIAL SEAPLANE EQUIPMENT 11
6.087 ELECTRONIC FLIGHT BAGS [EFB] 11

SUBPART C: COMMUNICATIONS & NAVIGATION EQUIPMENT 11
6.090 RADIO COMMUNICATION EQUIPMENT: GENERAL 11
6.092 PERFORMANCE-BASED COMMUNICATIONS (PBC) 12
6.095 RADIO COMMUNICATION EQUIPMENT: COMMERCIAL AIR TRANSPORT 12
6.100 HEADSET & BOOM MICROPHONE 13
6.105 ALTITUDE REPORTING TRANSPONDER 13
6.110 NAVIGATION EQUIPMENT: GENERAL 13
6.115 ELECTRONIC NAVIGATION DATA MANAGEMENT 14
6.120 PERFORMANCE-BASED NAVIGATION (PBN) 14
6.122 PERFORMANCE-BASED SURVEILLANCE (PBS) 14
6.124 ADDITIONAL EQUIPMENT FOR MNPS OPERATIONS 14
6.125 NAVIGATION EQUIPMENT: IFR APPROACH 15
6.126 INSTALLATION 15
6.127 ALL-WEATHER OPERATIONS 15
6.128 OPERATIONAL BENEFITS FOR APPROACH & LANDING 15

SUBPART D: WARNING EQUIPMENT & INDICATORS 16
6.130 WARNING SYSTEMS: GENERAL 16
6.135 LANDING GEAR AURAL WARNING DEVICE 16
6.140 ALTITUDE ALERTING SYSTEM 16

6.145 GROUND PROXIMITY WARNING SYSTEM 16
6.150 AIRBORNE COLLISION AVOIDANCE SYSTEM (ACAS) 17
6.155 FORWARD LOOKING WIND SHEAR WARNING SYSTEM: TURBOJET AEROPLANES 17
6.160 RADIATION INDICATOR 17
6.161 PITOT & STATIC SYSTEM WARNINGS 17

SUBPART E: RECORDERS 18
6.165 FLIGHT RECORDERS: GENERAL 18
6.166 CONSTRUCTION & INSTALLATION OF FLIGHT RECORDERS 19
6.167 FLIGHT DATA RECORDERS: GENERAL 20
6.168 FLIGHT DATA RECORDERS: AEROPLANES 20
6.169 FLIGHT DATA RECORDERS: HELICOPTERS 22
6.170 COCKPIT VOICE RECORDERS & AUDIO RECORDING SYSTEMS 22
6.173 RECORDING OF DATA LINK COMMUNICATIONS 24
6.175 COMBINATION RECORDERS 24

SUBPART F: CREW PROTECTION EQUIPMENT 24
6.178 SECURITY OF THE FLIGHT DECK 24
6.180 FLIGHT CREW SAFETY HARNESS 25
6.181 QUICK DONNING TYPE OXYGEN MASK 25
6.182 CABIN CREW SEATS & SAFETY HARNESS 25
6.183 PROTECTIVE BREATHING EQUIPMENT (PBE) 25

SUBPART G: PASSENGER-RELATED EQUIPMENT 26
6.185 PASSENGER SEATS & SEAT BELTS 26
6.190 PASSENGER INFORMATION 26
6.195 PUBLIC ADDRESS SYSTEM 26
6.200 INTERPHONE SYSTEMS 26
6.205 MEGAPHONES 27
6.210 EMERGENCY EXITS 27
6.215 PASSENGER COMPARTMENT & EXITS 27
6.220 MATERIALS FOR CABIN INTERIORS 27
6.225 MATERIALS FOR CARGO & BAGGAGE COMPARTMENTS 28
6.230 EMERGENCY LIGHTING SYSTEM 28

SUBPART H: EMERGENCY EQUIPMENT 28
6.235 EMERGENCY EQUIPMENT: ALL AIRCRAFT 28
6.240 FIRST AID KIT 28
6.245 MEDICAL KIT: COMMERCIAL AIR TRANSPORT 28
6.247 UNIVERSAL PRECAUTION KIT: COMMERCIAL AIR TRANSPORT 28
6.250 PORTABLE FIRE EXTINGUISHERS 29
6.255 LAVATORY FIRE EXTINGUISHER 29
6.260 LAVATORY SMOKE DETECTOR 30
6.264 MEANS FOR ATTENUATING BOMB BLAST 30
6.265 CRASH AXE: COMMERCIAL AIR TRANSPORT 30
6.270 OXYGEN STORAGE & DISPENSING APPARATUS 30
6.273 INDIVIDUAL FLOTATION DEVICES 31
6.274 SURVIVAL SUIT 31
6.275 LIFE RAFTS 31
6.280 SURVIVAL KIT 32
6.285 DEVICES FOR EMERGENCY SIGNALLING 32

6.290 EMERGENCY LOCATOR TRANSMITTER (ELT) 32
6.291 UNDERWATER LOCATING DEVICE 33
6.295 HELICOPTER EMERGENCY FLOTATION MEANS 33
6.300 MARKING OF BREAK-IN POINTS 33
6.305 FIRST AID OXYGEN DISPENSING UNITS 34

APPENDICES 35
APPENDIX 1 TO 6.065: LIGHTS TO BE DISPLAYED BY AEROPLANES 35
APPENDIX 1 TO 6.067: ALTIMETRY SYSTEM PERFORMANCE REQUIREMENTS. 38
APPENDIX 1 TO 6.127: REQUIREMENTS FOR ALL-WEATHER OPERATIONS....38
APPENDIX 1 TO 6.165(D): INSPECTIONS FOR FLIGHT RECORDER SYSTEMS....40
APPENDIX 1 TO 6.165(f): FLIGHT RECORDER DATA RECOVERY....41
APPENDIX 1 TO 1.165(G): RESTRICTIONS USE OF CVR INFORMATION 41
APPENDIX 1 TO 6.165(H): RESTRICTIONS ON USE OF FDR INFORMATION 41
APPENDIX 1 TO 6.167: FDR PARAMETERS FOR AEROPLANES 42
APPENDIX 2 TO 6.167: FDR PARAMETERS FOR HELICOPTERS 46
APPENDIX 3 TO 6.168: ADRS PARAMETERS FOR AEROPLANES 49
APPENDIX 4 TO 6.169: ADRS PARAMETERS FOR HELICOPTERS 52
APPENDIX 1 TO 6.170: APPLICATION OF DATA LINK RECORDERS....56
APPENDIX 1 TO 6.210: EMERGENCY EXIT EQUIPMENT....57
APPENDIX 1 TO 6.270: SUPPLEMENTAL OXYGEN: NON PRESSURISED AIRCRAFT 59
APPENDIX 2 TO 6.270: SUPPLEMENTAL OXYGEN: PRESSURISED AIRCRAFT 59
APPENDIX 1 TO 6.290(J): ESTABLISHING LOCATION OF AIRCRAFT IN DISTRESS 61

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SUBPART A: GENERAL

6.001 CITATION & APPLICABILITY

(a) These regulations may be cited as Civil Aviation (Required Instruments and Equipment) Regulations.

(b) This Part prescribes the requirements of Rwanda for the aircraft instruments and equipment applicable to—

(1) All domestic and international flight operations of Rwanda-registered aircraft;

(2) All aircraft operated in commercial air transport by the holder of an Air Operator Certificate issued by Rwanda; and

(3) Operations of aircraft from other ICAO Contracting States within Rwanda.

(c) This Part is applicable to all owners, operators and flight crew of aircraft registered in Rwanda and the persons and organisations that provide maintenance services for those aircraft.

(d) Civil Aviation Technical Standards (Instruments and Equipment) published by the Authority are also applicable for operations in the airspace of Rwanda and operations of Rwanda-registered aircraft.

6.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part1 (Appendix 1 to 1.015) of these Regulations.

6.010 ACRONYMS & ABBREVIATIONS

(a) The following abbreviations and acronyms are used in this Part—

AOC = Air Operator Certificate
DME = Distance Measuring Equipment
EFB = Electronic Flight Bag
ELT = Emergency Locator Transmitter
EVS = Enhanced vision system
HUD = Head-up display
ILS = Instrument Landing System
IFR = Instrument Flight Rules
IMC = Instrument Meteorological Conditions
MEL = Minimum Equipment List
MNPS = Minimal Navigation Performance Specifications
PBE = Protective Breathing Equipment
PBC = Performance Based Communications
PBN = Performance Based Navigation
PBS = Performance Based Surveillance
RCP = Required Communications Performance
RNP = Required Navigation Performance
RVSM = Reduced Vertical Separation Minimum
SSR = Secondary Surveillance Radar
TVE = Total Vertical Error
VFR = Visual Flight Rules
VMC = Visual Meteorological Conditions
VOR = VHF Omnidirectional Range

6.015 GENERAL INSTRUMENT & EQUIPMENT REQUIREMENTS

(a) All aircraft shall be equipped with instruments which will enable the flight crew to
   (1) Control the flight path of the aircraft;
   (2) Carry out any required maneuvers; and
   (3) Observe the operating limitations of the aircraft in the expected operating conditions.

(b) In addition to the minimum equipment necessary for the issuance of a certificate of airworthiness, the instruments and equipment prescribed in this Part shall be—
   (1) Installed or carried, as appropriate, in the aircraft;
   (2) According to the specific aircraft used;
   (3) To the circumstances under which the flight is to be conducted; and
   (4) Acceptable to, and/or approved by, the Authority.

(c) All required instruments and equipment shall be approved and installed in accordance with applicable airworthiness requirements.

(d) Prior to operation in Rwanda of any aircraft not registered in Rwanda that uses an airworthiness inspection program approved or accepted by the State of Registry, the owner/operator shall ensure that instruments and equipment required by Rwanda but not installed in the aircraft are properly installed and inspected in accordance with the requirements of the State of Registry.

(e) No flight shall be allowed to commence unless the required equipment—
   (1) Meets the minimum performance standard and the operational and airworthiness requirements of all relevant standards, including Annex 10, Volume I of the International Civil Aviation Organisation;
   (2) Is installed such that the failure of any single unit required for either communication or navigation purposes, or both, will not result in the inability to communicate and/or navigate safely on the route being flown; and
   (3) Is in operable condition for the kind of operation being conducted, except as provided in the MEL.

(f) If equipment is to be used by one flight crew member at his station during flight, it shall be installed so as to be readily operable from his or her station.

(g) When a single item of equipment is required to be operated by more than one flight crew member, it shall be installed so that the equipment is readily operable from any station at which the equipment is required to be operated.

(h) The aircraft shall be equipment with spare fuses and bulbs of appropriate ratings for the replacement of those accessible in flight. There shall be three spares for each specific rating and type of fuses and bulbs.

(i) In addition to the requirements of this Part, the Authority may prescribe such additional instruments or equipment as necessary for the safety of particular flight operations.

SUBPART B: AIRCRAFT INSTRUMENTS & EQUIPMENT

6.020 POWER SUPPLY, DISTRIBUTION & INDICATION SYSTEM

(a) No person may operate an aeroplane unless it is equipped with—
   (1) A power supply and distribution system that meets the airworthiness requirements for certification of an aeroplane in the applicable category, as specified by the Authority,
   (2) For large and turbine powered aircraft, a power supply and distribution system that is able to produce and distribute the load for the required instruments and equipment, with use of an external power supply if any one power source or component of the power distribution system fails; and

(3) A means for indicating the adequacy of the power being supplied to required flight instruments;

(b) The use of common elements in the power system may be approved if the Authority finds that they are designed to be reasonably protected against malfunctioning.

(c) For large and turbine powered aircraft, engine-driven sources of energy, when used, shall be on separate engines.

6.025 ENGINE INSTRUMENTS: ALL FLIGHTS

(a) No person may operate an aircraft in flight unless it is equipped with—
   (1) A tachometer for each engine;
   (2) An oil pressure gauge for each engine using pressure system;
   (3) A temperature gauge for each liquid-cooled system;
   (4) An oil temperature gauge for each air-cooled system;
   (5) A manifold pressure gauge for each altitude engine; and
   (6) A means for indicating the fuel quantity in each tank to be used.

(b) For commercial air transport, no person may operate a reciprocating engine aircraft with a maximum gross weight of more than 5700 kg max takeoff mass unless it also is equipped with—
   (1) A device for each reversible propeller, to indicate to the pilot when the propeller is in reverse pitch;
      (i) The device may be actuated at any point in the reversing cycle between the normal low pitch stop position and full reverse pitch, but it may not give an indication at or above the normal low pitch stop position;
      (ii) The source of indication shall be actuated by the propeller blade angle or be directly responsive to it;
   (2) A carburetor air temperature indicator for each engine;
   (3) A cylinder head temperature indicator for each air-cooled engine;
   (4) A fuel pressure indicator for each engine;
   (5) A fuel flow meter an oil quantity indicator for each oil-tank when a transfer or separate oil reserve supply is used;
   (6) An oil-in temperature indicator for each engine; and
   (7) An independent fuel pressure warning device for each engine or a master warning device for all engines with a means for isolating the individual warning circuits from the master warning device.

(c) The Authority may allow or require different instrumentation for turbine engine powered aircraft to provide an equivalent level of safety.

6.027 TREND & HEALTH MONITORING SYSTEMS: COMMERCIAL AIR TRANSPORT

(a) For commercial air transport operations, no person may operate a—
   (1) Single-engine turbine-engine aircraft at night or in IFR unless that aircraft is equipped with an automatic engine trend monitoring system;
   (2) Performance Class 3 helicopter in IMC unless equipped with a vibration health monitoring for the tail- rotor drive system; or
   (3) A helicopter which has a maximum certificated take-off mass in excess of 3175 kg or a maximum passenger seating configuration of more than 9, unless that aircraft is equipped with a vibration health monitoring system.

6.030 FLIGHT INSTRUMENTS: ALL FLIGHTS

(a) No person may operate an aircraft in flight unless it is equipped with a means of measuring displaying—
   (1) Magnetic heading, such as a magnetic compass;
   (2) The time in hours, minutes and seconds;
   (3) Pressure altitude, such as a sensitive pressure altimeter calibrated in feet with sub-scale settings, calibrated in hectopascals or millibars, adjustable for any barometric pressure likely to be set in flight;
   (4) Indicated airspeed calibrated in km/h (or knots); and
   (5) Such additional instruments or equipment as may be prescribed by the Authority.

(b) No person may operate an aeroplane with speed limitations expressed in terms of Mach number unless there is a properly installed Mach number indicator.

(c) Those flight instruments that are used by any one pilot shall be so arranged as to permit that pilot to see the indications readily from their station, with the minimum practical deviation from the position and line of vision normally assumed when looking forward along the flight path.

(d) When a means is provided for transferring an instrument from its primary operating system to an alternative system, the means shall include a positive positioning control and shall be marked to indicate clearly which system is being used.

6.035 ADDITIONAL FLIGHT INSTRUMENTS: CONTROLLED, NIGHT OR IFR FLIGHT

(a) In addition to the requirements of Regulation 6.030, no person may operate an aircraft in IFR, night or controlled flight unless it is equipped with a means of measuring and displaying—
   (1) Turn and slip, such as a
      (i) Gyroscopic rate-of-turn indicator; and
      (ii) slip-skid indicator;
   (2) Aircraft attitude, such as an attitude indicator (artificial horizon);
   (3) Stabilized aircraft heading, such as a directional gyroscope;
   (4) Rate of climb and descent, such as a vertical speed indicator;

(b) A minimum of two sensitive pressure altimeters with counter drum-pointer or equivalent presentation are required for those operations that are—.
      (i) Commercial air transport; or
      (ii) Subject to the requirements of Part 28.

(c) The exceptions to the requirements of paragraph (a) of this Regulation are—
   (1) The requirements of (2), (3) and (4) may be met by combinations of instruments or integrated flight director systems provided that the safeguards against total failure in three separate instruments are retained; and
   (2) Single pilot operations in propeller driven aircraft of less than 5700 kg max takeoff mass are only required one sensitive pressure altimeter.

6.040 INSTRUMENTS FOR OPERATIONS REQUIRING TWO PILOTS

(a) No person may operate an aircraft in operations requiring two pilots unless each pilot's station has the following flight instruments—
   (1) An airspeed indicator;
   (2) A sensitive press altimeter;
   (3) A vertical speed indicator
   (4) A turn and slip indicator (or turn coordinator)
   (5) An attitude indicator; and

(6) A stabilized direction indicator.

(b) The co-pilot's flight instruments shall meet the same requirements for markings, indications and illumination as those required for the pilot-in-command.

6.045 STANDBY ATTITUDE INDICATOR

(a) No person may operate the following aircraft unless they are equipped with a standby attitude indicator—
   (1) A turbojet-engine aircraft;
   (2) An aircraft having a maximum certificated takeoff mass of more than 5700 kg; or
   (3) An aircraft having a maximum approved passenger configuration of more than 19 passengers; or
   (4) A helicopter operating in IFR during commercial air transport.

(b) This standby attitude indicator shall—
   (1) Operate independently of any other attitude indicating system;
   (2) Be powered continuously during normal operation;
   (3) After a total failure of the normal electrical generating system, be automatically powered for a and illuminated for a minimum of 30 minutes from a source independent of the normal electrical system; and
   (4) Have an indication on the instrument clearly evident to the flight crew when the emergency power source is being used.

(c) If this standby attitude indicator is usable through flight attitudes of 360 degrees of pitch and roll, it may be used as basis for not having a rate-of-turn gyroscopic instrument.

(d) Where the standby attitude indicator has its own dedicated power supply there shall be an associated indication, either on the instrument or on the instrument pane when this supply is in use.

6.047 ADVANCED COCKPIT AUTOMATION SYSTEMS (GLASS COCKPIT)

(a) No person may operate an aircraft with advanced cockpit automation systems (glass cockpits) unless it has adequate system redundancy that provides the flight crew with attitude, heading, airspeed and altitude indications in case of failure of the primary system or display.

6.050 SYSTEM REQUIREMENTS FOR IFR

(a) No person may operate an aircraft in IFR without—
   (1) An airspeed indicating system with a heated pitot tube or equivalent means of preventing malfunctions due to either condensation or icing;
   (2) *For commercial air transport*: Two independent static pressure systems;
      (i) *Exception*: Propeller driven aircraft of less than 5700 kg max takeoff mass may have one static pressure system which includes an alternate static source;
   (3) A means of indicating whether the power supply to the gyroscopic instruments is adequate;
   (4) A means of indicating in the flight crew compartment the outside air temperature; and
   (5) An adequate source of electrical energy for all installed electrical and radio equipment, that *for commercial air transport* shall include—
      (i) For multi-engine aircraft, at least two generators or alternators each of which is on a separate engine, of which any combination of one-half of the total number are rated sufficiently to supply the electrical loads of all required instruments and equipment necessary for safe emergency operation of the aircraft except that for multi-engine helicopters, the two required generators may be mounted on the

main rotor drive train; and

(ii) Two independent sources of energy (with means of selecting either) of which at least one is an engine-driven pump or generator, each of which is able to drive all required gyroscopic instruments powered by, or to be powered by, that particular source and installed so that failure of one instrument or source, does not interfere with the energy supply to the remaining instruments or the other energy source unless, for single-engine aircraft in all cargo operations only, the rate of turn indicator has a source of energy separate from the bank and pitch and direction indicators.

Note: For the purpose of this paragraph, for multi-engine aircraft, each engine-driven source of energy must be on a different engine.

Note: For the purpose of this paragraph, a continuous inflight electrical load includes one that draws current continuously during flight, such as radio equipment, electrically driven instruments, and lights, but does not include occasional intermittent loads.

6.055 AUTOPILOT

(a) No person may operate an aircraft above FL 290 unless that aircraft is equipped with an autopilot capable of automatically maintaining a selected flight level.

(b) No person may operate an aircraft in airspace for which minimum navigation performance specifications are prescribed unless that aircraft is equipped with an autopilot capable of receiving and automatically tracking the selected navigational equipment inputs.

(c) For commercial air transport operations, no person may operate an aeroplane with a single pilot under IFR unless that aeroplane is equipped with an autopilot with at least altitude hold and heading mode.

6.060 IFR HELICOPTER STABILISATION SYSTEM FOR COMMERCIAL AIR TRANSPORT

(a) No person may operate a helicopter in IFR commercial air transport operations without a stabilisation system, unless that helicopter was certificated by the State of Design as having adequate stability without such a system.

6.065 AIRCRAFT LIGHTING FOR NIGHT FLIGHTS

(a) No person may operate an aircraft in flight or on the movement area of an aerodrome at night unless it is equipped as prescribed in Appendix 1 to 6.065 with properly installed—
   (1) Aircraft navigation lights; and
   (2) Anti-collision lights;

(b) No person may operate an aircraft in flight or on the movement area of an aerodrome at night unless it is also equipped with—
   (1) For general aviation operations, a landing light;
   (2) For helicopter operations, a landing light that is trainable in the vertical plane;
   (3) For commercial air transport operations; two landing lights.

   Note: Aeroplane which are equipped with a single landing light having two separately energized filaments will be in compliance with the two landing light requirement.

(c) No person may operate an aircraft in flight or on the movement area of an aerodrome at night unless it is also equipped with—
   (1) Illumination for all instruments and equipment that are essential for the safe operation of the aircraft by the flight crew;

(2) A means of displaying charts that enables them to be readable in all ambient light conditions;
(3) Lights in all passenger compartments; and
(4) An independent portable light at each crew member station.

6.067 EQUIPMENT FOR SPECIAL ALTIMETRY ACCURACY (RVSM)

(a) No person may operate an aircraft in defined RVSM airspace unless the aircraft capable of compliance with the RVSM tolerances as detailed in Appendix 1 to 6.067 and is equipped with—
(1) Two independent pressure altitude reporting systems indicating to the flight crew the flight level being flown;
(2) An altitude alerting system providing an alert to the flight crew when a deviation not to exceed ±90 m (300 ft) occurs from the selected flight level;
(3) An altitude holding system, capable of automatically maintaining a selected flight level; and
(4) A transponder with altitude reporting capability which can be connected to the altitude holding system.

(b) To maintain qualification for RVSM approval, an operator shall have the height-keeping performance monitored for—
(1) A minimum of two aeroplanes of each aircraft type grouping, at least once every two years or within intervals of 1 000 flight hours per aeroplane, whichever period is longer; and
(2) An aircraft type grouping consists of a single aeroplane, at least every two years.

6.070 WINDSHIELD WIPERS

(a) No person may operate an aircraft with a maximum certificated takeoff mass of more than 5700 kg unless it is equipped at each pilot station with a windshield wiper or equivalent means to clear a portion of the windshield during precipitation.

6.075 FLIGHT IN ICING CONDITIONS

(a) No person may operate an aircraft in icing conditions unless it is equipped with suitable anti-icing or de- icing devices adequate for flight in the conditions that are reported to exist or are expected to be encountered.

(b) The anti-icing or de-icing equipment shall provide for prevention or removal of ice on windshield, wings, empennage, propellers and other parts of the aeroplane where ice formation will adversely affect the safety of the aircraft.

(c) No person may operate an aeroplane in expected or actual icing conditions at night unless it is equipped with a means to illuminate or detect the formation of ice. This illumination must be of a type that will not cause glare or reflections that would handicap crew members in the performance of their duties.

6.080 WEATHER DETECTING EQUIPMENT

(a) No person may operate an aircraft carrying passengers unless it has an operative weather radar or significant weather detection equipment installed if that aircraft—
(1) Is turbojet-engine or pressurised;
(2) Has a maximum certificated takeoff mass of more than 5700 kg or a maximum approved passenger seating configuration in excess of than 9 seats.
(3) Is a helicopter.

(b) No person may begin a flight carrying passengers at night or in instrument meteorological conditions, when current weather reports indicate that thunderstorms or other potentially hazardous conditions than could be detected by the installed weather radar or significant weather detection equipment may reasonably be expected along the route, unless that equipment is installed and operating satisfactorily.

(c) If the weather radar or significant weather detection equipment becomes inoperative on a passenger aircraft en route, the aircraft must be operated under the instructions and procedures specified in the operator's Operations Manual.

(d) An alternate electrical power supply is not required for the weather radar or thunderstorm detection device.

6.085 SPECIAL SEAPLANE EQUIPMENT

(a) No person may operate a seaplane unless it is equipped with—
   (1) An anchor;
   (2) A sea anchor (drogue), to assist in maneuvering;
   (3) An air horn for making the sound signals prescribed in the International Regulations for Preventing Collisions at Sea; and
   (4) Individual flotation devices as required by Regulation 6.273.

Note: "Seaplanes" includes amphibians operated as seaplanes.

6.087 ELECTRONIC FLIGHT BAGS [EFB]

(a) Unless the operational use of EFB has been approved by the Authority for the operator and aircraft, no person may operate an aircraft where an EFB—
   (1) Is used as a primary source of information to perform functions required by airworthiness, airspace or operational requirements; and/or
   (2) Is to be relied upon as a source of information essential to the safe operation of an aeroplane.

(b) The EFB equipment and its associated installation hardware, including interaction with aeroplane systems if applicable, shall meet the appropriate airworthiness certification requirements.

(c) No person may operate an aircraft using an EFB unless it has been determined ensure that, in the event of an EFB failure, sufficient information is readily available to the flight crew for the flight to be conducted safely.

SUBPART C: COMMUNICATIONS & NAVIGATION EQUIPMENT

6.090 RADIO COMMUNICATION EQUIPMENT: GENERAL

(a) Unless it is equipped with radio communications equipment required for the type of operation being conducted, no person may operate an aircraft in—
   (1) Controlled flight;
   (2) Flight under instrument flight rules; or
   (3) Night.

(b) The required radio communication equipment shall be capable of—
   (1) Conducting two-way communication for aerodrome control purposes;
   (2) Receiving meteorological information at any time during flight; and
   (3) Conducting two-way communication at any time during flight with at least one aeronautical station and with such other aeronautical

stations and on such frequencies as may be prescribed by the appropriate authority;

(4) Communications on the aeronautical emergency frequency 121.5 MHz and/or 406 MHz; and

(5) Compliance with the RCP type prescribed by the Authority.

(c) Aircraft operated under IFR will have two independent methods of receiving communications from air traffic service.

(d) When more than one radio communications unit is required for the flight operation, each unit shall be independent of the other or others to the extent that a failure in any one will not result in failure of any other.

(e) No person may operate an aircraft in IFR operations requiring two pilots unless it is equipped with an audio selector panel accessible to both pilots.

(f) Each person operating an aircraft that does not have the required radio communication equipment shall obtain prior permission before operating in airspace requiring such equipment.

6.092 PERFORMANCE-BASED COMMUNICATIONS (PBC)

(a) F*or flights in defined portions of airspace* or on routes where a Required Communication Performance (RCP) type has been prescribed, no person may operate an aircraft unless—

(1) The communication equipment which will enable it to operate in accordance with the prescribed RCP types is installed and operational; and

(2) The Authority has authorised the operator for operations in such airspace.

(b) For operations where communication equipment is required to meet an RCP specification for performance- based communication (PBC), an aeroplane shall, in addition to the requirements specified in Regulation 6.090—

(1) Be provided with communication equipment which will enable it to operate in accordance with the prescribed RCP specification(s);

(2) Have information relevant to the aeroplane RCP specification capabilities listed in the flight manual or other aeroplane documentation approved by the State of Design or State of Registry; and

(3) Have information relevant to the aeroplane RCP specification capabilities included in the MEL.

6.095 RADIO COMMUNICATION EQUIPMENT: COMMERCIAL AIR TRANSPORT

(a) No person may operate an aircraft in commercial air transport unless equipped with two independent radio communications equipment installations which, for the route and airspace flown, are capable of conducting two-way radio communication at any time during flight—

(1) With at least one aeronautical station;

(2) With any other aeronautical stations and frequencies which may prescribed by the appropriate authority; and

(3) In accordance with the RCP type(s) authorised by the Authority for operations in that airspace.

(b) No person may operate an aircraft in commercial air transport unless equipped with radio communications equipment capable of receiving meteorological information at any time during the flight.

6.100 HEADSET & BOOM MICROPHONE

(a) No person may operate an aircraft in commercial air transport unless there is a boom or throat microphone available at each required flight crew member duty station.

(b) No person may operate an aircraft with a single pilot under IFR or at night in commercial air transport unless that aircraft is equipped with a headset with boom microphone or equivalent and a transmit button on the control wheel.

(c) No person may operate a helicopter in controlled flight unless that aircraft is equipped with a headset with boom microphone or equivalent and a transmit button on the control wheel.

(d) Persons operating aeroplanes in controlled flight should have a boom or throat microphone available at each required flight crew member duty station.

6.105 ALTITUDE REPORTING TRANSPONDER

(a) Unless exempted by the Authority, no person may operate an aircraft in airspace that requires a pressure reporting transponder unless that equipment is operative and operates in accordance with the provisions of RCATS-CNS, Volume IV.

  (1) The aircraft will be assigned a distinct serialized 24-bit address identity code supplied by the Authority for the transponder, this must be programmed prior to operation of the aircraft.

(b) No person may operate an aircraft at altitudes above FL 290 unless it is equipped with a system that is automatically reporting pressure altitudes.

(c) No person may operate an aircraft in commercial air transportation unless it is equipped with a pressure-altitude reporting transponder—

  (1) For domestic flights, that operates in accordance with the requirements of Rwanda ATS.
  (2) For international flights, with a data source that provides pressure-altitude information with a resolution of 7.62 m (25 ft), or better.

(d) Due to upgrading international requirements, operators should endeavour to ensure that installations of Mode S transponders are provided with the airborne/on-the-ground status, if the aeroplane is equipped with an automatic means of detecting such status.

6.110 NAVIGATION EQUIPMENT: GENERAL

(a) No person may operate an aircraft unless it is equipped with navigation equipment which will enable it to proceed in accordance with—

  (1) The flight plan;
  (2) The navigation specification for the performance-based navigation prescribed; and
  (3) The requirements of air traffic services.

(b) Navigation under visual flight rules (VFR) may be accomplished without navigation equipment by visual reference to landmarks, if not precluded by the appropriate authority for the—

  (1) Route and airspace;
  (2) Meteorological conditions; or
  (3) Type of aircraft.

(c) No person may operate an aircraft unless that aircraft is equipped with sufficient navigation equipment to ensure that, in the event of failure of one item of equipment at any stage of the flight, the remaining equipment will enable the aircraft to continue navigating in accordance with the requirements of this Regulation.

(d) Each radio navigation system shall have an independent antenna installation, except that, where rigidly supported non-wire antenna installations of equivalent reliability are used, only one antenna is required.

6.115 ELECTRONIC NAVIGATION DATA MANAGEMENT

(a) No person may operate an aircraft employing electronic navigation data products that have been processed for application in the air and on the ground unless the Authority has approved—
   (1) The operator's procedures for ensuring that the process applied and the products delivered have acceptable standards of integrity and that the products are compatible with the intended function of the equipment that will use them;
   (2) The operator's program for continual monitoring of both process and products; and
   (3) The operator's procedures to ensure the timely distribution and insertion of current and unaltered electronic navigation data to all aircraft that require it.

(b) No person may operate an aircraft employing electronic navigation data products unless the current and unaltered electronic navigation data has been inserted prior to flight.

6.120 PERFORMANCE-BASED NAVIGATION (PBN)

(a) No person may operate an aircraft unless, for flights in defined portions of airspace where a navigation specification for performance-based navigation has been prescribed, the navigational equipment continuously provides indications to the flight crew of the adherence to or departure from track to the required degree of accuracy at any point along that track.

Note: Refer to Regulation 10.570 for RVPBN operational requirements.

(b) For operations where a navigation specification for performance-based navigation (PBN) has been prescribed, an aeroplane shall, in addition to the requirements specified in Regulation 6.110—
   (1) Be provided with navigation equipment which will enable it to operate in accordance with the prescribed navigation specification(s);
   (2) Have information relevant to the aeroplane navigation specification capabilities listed in the flight manual or other aeroplane documentation approved by the State of the Design or State of Registry; and
   (3) Have information relevant to the aeroplane navigation specification capabilities included in the MEL.

6.122 PERFORMANCE-BASED SURVEILLANCE (PBS)

(a) An aeroplane shall be provided with surveillance equipment which will enable it to operate in accordance with the requirements of air traffic services.

(b) For operations where surveillance equipment is required to meet an RSP specification for performance- based surveillance (PBS), an aeroplane shall, in addition to the requirements specified in paragraph (a)—
   (1) Be provided with surveillance equipment which will enable it to operate in accordance with the prescribed RSP specification(s);
   (2) Have information relevant to the aeroplane RSP specification capabilities listed in the flight manual or other aeroplane documentation approved by the State of Design or State of Registry; and
   (3) Have information relevant to the aeroplane RSP specification capabilities included in the MEL.

6.124 ADDITIONAL EQUIPMENT FOR MNPS OPERATIONS

(a) For flights in defined portions of airspace where, based on Regional Air Navigation Agreement, minimum navigation performance specifications (MNPS) are prescribed, an aeroplane shall be provided with navigation equipment which continuously provides

indications to the flight crew of adherence to or departure from track to the required degree of accuracy at any point along that track.

(b) No person may operate an aircraft where MNPS are prescribed, unless it is equipped with—
   (1) For unrestricted operations, two independent long range navigation systems; or
   (2) For notified special routes, one long range navigation system.

(c) The navigation equipment required for operations in MNPS airspace shall be visible and usable by either pilot seated at their duty stations.

6.125 NAVIGATION EQUIPMENT: IFR APPROACH

(a) No person may operate an aircraft in situations which would require a landing approach to an airport in instrument meteorological conditions unless that aircraft is equipped with the appropriate radio equipment required to accomplish the published instrument approach for the planned destination and alternate airports.

(b) The navigation equipment installed on the aircraft will be capable of receiving signals providing guidance to a point from which a visual landing can be effected.

6.126 INSTALLATION

(a) The equipment installation shall be such that the failure of any single unit required for communications, navigation or surveillance purposes or any combination thereof will not result in the failure of another unit required for communications, navigation or surveillance purposes.

6.127 ALL-WEATHER OPERATIONS

(a) No person may operate an aircraft in the following operations unless the aircraft is equipped as prescribed by the Authority—
   (1) Category II Instrument Approaches;
   (2) Category III Instrument Approaches; or
   (3) Low Visibility (below 800 m RVR [2400 ft]) Takeoffs.

Note: See Appendix 1 to 6.047 for the combined instruments and navigational equipment requirements.

6.128 OPERATIONAL BENEFITS FOR APPROACH & LANDING

(a) No operator shall permit and no pilot shall conduct operations which gain operational benefits using one or more of the following equipment unless the installation, serviceability and procedures have been approved by the Authority—
   (1) Automatic Landing;
   (2) Head-Up Display;
   (3) Enhanced Vision Systems;
   (4) Combined Vision Systems; or
   (5) Night Vision Imaging Systems.

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SUBPART D: WARNING EQUIPMENT & INDICATORS

6.130 WARNING SYSTEMS: GENERAL

(a) No person may operate a turbojet aircraft unless it is equipped with an installed aural mach overspeed warning.

(b) Pressurised aeroplanes intended to be operate at flight altitudes at which the atmospheric pressure is less than 376 hPa (25,000 ft) shall be equipped with a device to provide positive warning to the flight crew of any dangerous loss of pressurisation.

(c) No person may operate an aircraft of more than 5700 kg certificated takeoff mass in commercial air transport without a means of indicating pitot heater failure.

6.135 LANDING GEAR AURAL WARNING DEVICE

(a) No person may operate an aircraft with retractable landing gear unless it is equipped with an aural warning device that functions continuously anytime the landing gear is not fully extended and locked and the wing- flap setting exceeds the position—

  (1) Specified in the AFM for maximum certificated go-around climb configuration; or

  (2) Where landing gear extension is normally performed.

(b) This warning system—

  (1) May not have a manual shutoff;

  (2) Must be in addition to the any power lever-actuated device; and

  (3) May utilize any part of the power lever-actuated device.

6.140 ALTITUDE ALERTING SYSTEM

(a) No person may operate the following aircraft unless it is equipped with an altitude alerting system—

  (1) A turbojet powered aeroplane; or

  (2) A turbine powered aeroplane—

    (i) Having a maximum approved passenger seating of more than nine seats; or

    (ii) With a certificated takeoff mass of more than 5700 kg.

(b) The altitude alerting system will be capable of alerting the flight crew—

  (1) Upon approaching a pre-selected altitude in either ascent or descent; and

  (2) By at least an aural signal, when deviating above or below a pre-selected altitude.

(c) The threshold for the alert shall not exceed plus or minus 90 m (300 ft).

6.145 GROUND PROXIMITY WARNING SYSTEM

(a) No person may operate an aircraft unless it is equipped with a ground proximity warning system, if the aircraft has—

  (1) For aeroplanes, an approved passenger seating in excess of—

    (i) if piston-engine, nine seats.

    (ii) If turbine-engine; five seats;

  (2) For helicopters engaged in IFR operations–

    (i) A maximum takeoff mass in excess of 3,175 kg; or

    (ii) A maximum passenger configuration in excess of 9 seats.

(b) A ground proximity warning system shall provide automatically a timely and distinctive warning to the flight crew when the aircraft is in potentially hazardous proximity to the earth's surface.

(c) The installed ground proximity warning system shall include a forward looking terrain

avoidance function which provides warning of unsafe terrain clearance.

(d) The ground proximity warning system must automatically provide by means of aural signals, which may be supplemented by visual signals, and distinctive warning to the flight crew of when the aircraft is in potentially hazardous proximity to the earth's surface, including—
   (1) Excessive descent rate;
   (2) Excessive terrain closure rate;
   (3) Excessive altitude loss after takeoff or go-around;
   (4) Unsafe terrain clearance while not in landing configuration—
      (i) Gear not locked down;
      (ii) Flaps not in landing position; and
   (5) Excessive descent below the instrument glide path.

6.150 AIRBORNE COLLISION AVOIDANCE SYSTEM (ACAS)

(a) No person may operate a turbine-engine aeroplane with a maximum certificated takeoff mass in excess of 5700 kg or authorised to carry more than 19 passengers, unless it is equipped with an airborne collision avoidance system (ACAS II) that conforms to the relevant portions of ICAO Annex 10, Volume IV.

(b) The following aircraft should be equipped with an ACAS II—
   (1) All airplanes;
   (2) All helicopters; and
   (3) Any other aircraft category and class that intends to use the services of ATC.

6.155 FORWARD LOOKING WIND SHEAR WARNING SYSTEM: TURBOJET AEROPLANES

(a) All turbojet aeroplanes of a maximum certificated takeoff mass in excess of 5700 kg or authorised to carry more than nine passengers shall be equipped with a forward-looking wind shear warning system.

(b) This system should be capable of providing the pilot with an aural and visual warning of wind shear ahead of the aircraft and the information required to permit the pilot to safely commence and continue a missed approach or go-around or to execute an escape maneuver if necessary.

(c) This system should also provide an indication to the pilot when the limits specified for the certification of automatic landing equipment are being approached, when such equipment is in use.

6.160 RADIATION INDICATOR

(a) No person may operate an aeroplane above 15,000 m (49,000 ft) unless that aircraft is equipped with equipment to measure and indicate continuously—
   (1) The dose rate of total cosmic radiation being received (i.e. the total of ionizing and neutron radiation of galactic and solar origin; and
   (2) The cumulative dose on each flight.

(b) The display unit of the radiation equipment shall be readily visible to a flight crew member.

6.161 PITOT & STATIC SYSTEM WARNINGS

(a) No person may operate an aircraft under IFR unless that aircraft has a means of indicating pitot heat failure with an amber light is in clear view of a flight crew member.

(b) The indication provided shall be designed to alert the flight crew if either—
   (1) The pitot heating system is switched "off;" and

(2) The pitot heating system is switched "on" and any pitot tube heating element is inoperative.

(c) An integrated flight crew alerting system that will notify the crew if the pitot system is malfunctioning is an acceptable alternative to paragraph (b) of this Regulation.

SUBPART E: RECORDERS

6.165 FLIGHT RECORDERS: GENERAL

(a) Crash Protected Flight Recorders

(1) Crash protected flight recorders comprise one or more of the following systems—

(i) A flight data records (FDR);

(ii) A cockpit voice recorder (CVR);

(iii) An airborne image records (AIR); and/or

(iv) A data link recorder (DLR)

Note: Image and data link information may be recorded on either the CVR or FDR.

(b) Lightweight Flight Recorders

(1) Lightweight flight recorders comprise one or more of the following systems—

(i) An aircraft data recording system (ADRS);

(ii) A cockpit audio recording system (CARS);

(iii) An airborne image recording system (AIRS); and/or

(iv) A data link recording system.

Note: Image and data link information may be recorded on either the CARS or the ADRS.

(c) General Requirements

(1) Flight recorders shall—

(i) Be constructed, located and installed so as to provide maximum practical protection for the recordings in order that the recorded information may be preserved, recovered and transcribed.

(ii) Meet the prescribed performance, crashworthiness and fire protection specifications.

(iii) Not be switched off during flight.

(iv) Be deactivated upon completion of a flight following an accident or incident.

(v) Not be reactivated, following an accident or serious incident, before their disposition as determined in accordance with Part 19 and ICAO Annex 13.

(d) Continued Serviceability

(1) The operator of the aircraft required to have flight recorder(s) shall conduct operational checks and evaluations of recordings from the flight recorder systems to ensure the continued serviceability of the recorders as prescribed and approved by the Authority.

Refer to Appendix 1 to 6.165(d) for additional requirements relating to continued serviceability.

(e) Flight Recorder Electronic Documentation

(1) The operator shall ensure the capability to be able to provide the FDR and ADRS parameters for the aircraft in electronic format to the Authority for accident and incident investigation, taking into account the international industry specifications for such data.

(f) Flight Recorder Data Recovery

(1) All aeroplanes of a maximum certificated take-off mass of over 27 000 kg and authorized to carry more than nineteen passengers for which the application for type certification is submitted to a Contracting State on or after 1 January 2021, shall be equipped with a means approved by the Authority, for the operator to recover flight recorder data and make it available in a timely manner.

Refer to Appendix 1 to 6.165(f) for the minimum considerations for the granting of the FDR data recovery approval.

(g) Restricted Use of Flight Recorder Data

(1) No person or organization may allow the use of 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 Part 19 (or ICAO Annex 13 SARPS) except as prescribed by the Authority.

Note. — The specific exceptions for the use of these recordings and transcripts described in paragraph (g) are prescribed in Appendix 1 to 6.165(g).

(2) No person or organization may allow the use of recordings or transcripts of FDR, ADRS as well as Class B and Class C AIR and AIRS for purposes other than the investigation of an accident or incident as per Part 19 (or ICAO Annex 13 SARPS), except where the recordings or transcripts are subject to the protections accorded by Part 1, Safety Management System requirements (or ICAO Annex 19 SARPS) and:

Note. — The specific exceptions for the use of these recordings and transcripts described in paragraph (h) are prescribed in Appendix 1 to 6.165(h).

6.166 CONSTRUCTION & INSTALLATION OF FLIGHT RECORDERS

General

(a) Flight recorders shall be constructed, located and installed so as to provide maximum practical protection for the recordings in order that the recorded information may be preserved, recovered and transcribed. Flight recorders shall meet the prescribed crashworthiness and fire protection specifications.

(b) Non-Deployable FDRs

(1) Non-deployable flight recorder containers shall—

(i) Be either bright orange or bright yellow;

(ii) Have reflective tape affixed to the external surface to facilitate its location under water; and

(iii) Have securely attached an automatically activated underwater locating device operating at a frequency of 37.5 kHz. At the earliest practicable date but not later than 1 January 2018, this device shall operate for a minimum of 90 days.

(c) Automatic Deployable FDRs

(1) Automatic deployable flight recorder containers shall—

(i) Be painted a distinctive orange colour, however the surface visible from outside the aircraft may be of another colour;

(ii) Carry reflective material to facilitate their location; and

(iii) Have an integrated automatically activated ELT.

(d) Discontinued Flight Recorder Mediums

(1) Operators shall not use the following flight data recorder medium in Rwanda-registered aircraft—

(i) Engraving metal foil;

(ii) Photographic film;

(iii) Analogue data using frequency modulation; or

(iv) Magnetic tape.

(2) Operators shall not use magnetic tape or wire cockpit voice recorders in Rwanda-registered aircraft.

6.167 FLIGHT DATA RECORDERS: GENERAL

(a) General Characteristics

(1) The general characteristics and capability of the flight recorders shall include—

(i) The parameters for recording required to determine accurately the—

(A) For Types I and IA FDRs*:* aeroplane flight path, speed, attitude, engine power, configuration and operation.

(B) Types II and IIA FDRs*:* aeroplane flight path, speed, attitude, engine power and configuration of lift and drag devices.

(C) For a Type IV FDR*:* helicopter flight path, speed, attitude, engine power and operation.

(D) For a Type IVA FDR: helicopter flight path, speed, attitude, engine power, operation and configuration

(E) For a Type V FDR*:* helicopter flight path, speed, attitude and engine power.

Note: Refer to Appendices 1 and 2 to The Authority has prescribed the essential parameters in Appendix 1 to 6.167 (Aeroplanes) and Appendix 2 to 6.167 (Helicopters).

(ii) The capability to retain the information recorded during the last—

(A) For a Type I and II*:* 25 hours of operation.

(B) For a Type IIA*:* 30 minutes of operation.

(C) For a Type IV and V: 10 hours of operation.

(b) FDR Re-Calibration

(1) The FDR system shall be recalibrated—

(2) At least every five years to determine any discrepancies in the engineering conversion routines for the mandatory parameters, in accordance with the requirements of the aircraft manufacturer to ensure that the parameters are being recorded within the calibration tolerances; and

(3) When the parameters of altitude and airspeed are provided by sensors that are dedicated to the FDR system, there shall be a re-calibration performed as recommended by the sensor manufacturer; or

(4) At least every two years.

6.168 FLIGHT DATA RECORDERS: AEROPLANES

(a) Turbine Engine Aeroplanes [5,700 MCTM] after 1 January 2016

(1) No person shall operate a turbine-engine aeroplane of a maximum certificated take-off mass of 5 700 kg or less for which an individual certificate of airworthiness or a type certificate is first issued on or after 1 January 2016 unless it is equipped with—

(i) A Type II FDR; or

(ii) A Class C AIR or AIRS capable of recording flight path and speed parameters displayed to the pilot(s); or

(iii) An ADRS capable of recording the essential parameters prescribed in Appendix 3 to 6.168.

(b) Aeroplanes [Over 5,700 MCTM] after 1 January 2005

(1) No person shall operate an aeroplane of a maximum certificated take-off mass of over 5,700 kg, for which the individual certificate of airworthiness is first issued after 1 January 2005, unless it is equipped with a Type IA FDR.

(c) Aeroplanes after 1 January 1989

(1) No person shall operate an aeroplane of a maximum certificated take-off mass of over 27,000 kg for which the individual certificate of airworthiness is first issued after 1

January 1989, unless it is equipped with a Type I FDR.

(2) For commercial air transport, no person shall operate an aeroplane of a maximum certificated take-off mass of over 5,700 kg, up to and including 27,000 kg, for which the individual certificate of airworthiness is first issued after 1 January 1989, unless it is equipped with a Type II FDR.

(d) Turbine-engine Aeroplanes [Up to 5,700 kg] after 1 January 1990

(1) No person should operate a multi-engine turbine powered aeroplanes of a maximum certificated take-off mass of 5,700 kg or less for which the individual certificate of airworthiness is first issued on or after 1 January 1990 unless it is equipped with a Type IIA FDR.

(e) Turbine Engine Aeroplanes January 1987 to January 1989

(1) No person shall operate a turbine-engine aeroplane, for which the individual certificate of airworthiness was first issued on or after 1 January 1987 but before 1 January 1989, with a maximum certificated take-off mass of over 5 700 kg, except those in paragraph (k), unless it is equipped with an FDR which shall record time, altitude, airspeed, normal acceleration and heading.

(2) No person shall operate a turbine-engine aeroplane, for which the individual certificate of airworthiness was first issued on or after 1 January 1987 but before 1 January 1989, with a maximum certificated take- off mass of over 5 700 kg, except those in paragraph (k), unless it is equipped with an FDR which shall record time, altitude, airspeed, normal acceleration, heading and such additional parameters as are necessary to determine pitch attitude, roll attitude, radio transmission keying and power on each engine.

(3) No person shall operate a turbine-engine aeroplane, for which the individual certificate of airworthiness was first issued on or after 1 January 1987 but before 1 January 1989, with a maximum certificated take- off mass of over 27 000 kg that are of types of which the prototype was certificated by the appropriate national authority after 30 September 1969 unless it is equipped with a Type II FDR.

(f) Turbine Engine Aeroplanes before 1 January 1987

(1) No person shall operate a turbine-engine aeroplane of a maximum certificated take-off mass of over 5,700 kg, for which the individual certificate of airworthiness is first issued before 1 January 1987, unless it is equipped with an FDR which shall record time, altitude, airspeed, normal acceleration and heading.

(2) No person shall operate a turbine-engine aeroplane, for which the individual certificate of airworthiness was first issued before 1 January 1987, with a maximum certificated take-off mass of over 27 000 kg that are of types of which the prototype was certificated by the appropriate national authority after 30 September 1969 unless it is equipped with an FDR which should record, in addition to time, altitude, airspeed, normal acceleration and heading, such additional parameters as are necessary to meet the objectives of determining—

(i) The attitude of the aeroplane in achieving its flight path; and

(ii) The basic forces acting upon the aeroplane resulting in the achieved flight path and the origin of such basic forces.

(g) Sampling & Recording Intervals for Aeroplanes

(1) All aeroplanes for which the application for type certification is submitted to a Contracting State on or after 1 January 2016 and which are required to be fitted with an FDR shall record the following parameters at a maximum sampling and recording interval of—

(i) 0.0625 seconds: for normal, lateral and longitudinal acceleration; and

(i) 0.125 seconds: for pilot input and/or control surface position of primary controls

(pitch, roll, yaw).

6.169 FLIGHT DATA RECORDERS: HELICOPTERS

(a) Helicopters after 1 January 2018

(1) No person shall operate a turbine-engine helicopters of a maximum certificated take-off mass of over 2 250 kg, up to and including 3 180 kg for which the application for type certification or individual certificate of airworthiness was submitted to a Contracting State on or after 1 January 2018 shall be equipped with—

(i) A Type IV A FDR; or

(ii) A Class C AIR capable of recording flight path and speed parameters displayed to the pilot(s); or

(iii) An ADRS capable of recording the essential parameters defined in Appendix 1 to 6.169.

(2) All helicopters of a maximum certificated take-off mass of 3 180 kg or less for which the individual certificate of airworthiness is first issued on or after 1 January 2018 should be equipped with one of the choices provided in paragraph (a) of this Regulation.

(b) Helicopters after 1 January 2016

(1) No person shall operate a helicopter of a maximum certificated take-off mass of over 3,180 kg for which the individual certificate of airworthiness is first issued on or after 1 January 2016 unless it is equipped with a Type IVA FDR.

(c) Helicopters after 1 January 1989

(1) No person shall operate a helicopter of a maximum certificated take-off mass of over 7,000 kg, or having a passenger seating configuration of more than nineteen, for which the individual certificate of airworthiness is first issued on or after 1 January 1989 unless it is equipped with a Type IV FDR.

(2) No person shall operate a helicopter of a maximum certificated take-off mass of over 3,180 kg, up to and including 7 000 kg, for which the individual certificate of airworthiness is first issued on or after 1 January 1989, unless it is equipped with a Type V FDR.

6.170 COCKPIT VOICE RECORDERS & AUDIO RECORDING SYSTEMS

Retention of Recorded Information

(a) Retention of recorded information

(1) A CVR shall be capable of retaining the information recorded during at least the last—

(i) 30 minutes of its operation; or

(ii) 2 hours, for—

(A) Aeroplanes required to have a CVR; or

(B) Helicopters that receive type certification after 1 January 2003; or

(C) *After 1 January 2016*, all aircraft required to be equipped with a CVR.

(iii) 25 hours, for—

(A) All aeroplanes of a maximum certificated take-off mass of over 27 000 kg for which the individual certificate of airworthiness is first issued on or after 1 January 2021

(b) Turbine-Engine Aeroplanes after 1 January 2016

(1) No person may operate a turbine-engine aeroplane for which an individual certificate of airworthiness or a type certificate is first issued on or after 1 January 2016 and required to be operated by more than one pilot unless it is equipped with either a CVR or a CARS.

(c) Aeroplanes after 1 January 2003

(1) No person may operate an aeroplane of a maximum certificated take-off mass of over 5 700 kg for which the individual certificate of airworthiness is first issued on or after 1 January 2003, unless it is equipped with a CVR capable of retaining the information recorded during at least the last two hours of its operation.

(d) Aeroplanes after 1 January 1987

(1) No person may operate an aeroplane of a maximum certificated take-off mass of over 5 700 kg for which the individual certificate of airworthiness is first issued on or after 1 January 1987 unless it is equipped with a CVR.

(e) Turbine-Engine Aeroplanes before 1 January 1987

(1) No person may operate a turbine-engine aeroplane, for which the individual certificate of airworthiness was first issued before 1 January 1987, with a maximum certificated take-off mass of over 27 000 kg that are of types of which the prototype was certificated by the appropriate national authority after 30 September 1969 unless it is equipped with a C V R .

(2) No person may operate a turbine-engine aeroplanes, for which the individual certificate of airworthiness was first issued before 1 January 1987, with a maximum certificated take-off mass o f over 5 700 kg up to and including 27 000 kg that are of types of which the prototype was certificated by the appropriate national authority after 30 September 1969 unless it is equipped with a CVR.

(f) Helicopters

(1) No person may operate a helicopter of a maximum certificated take-off mass of over 3.180 kg for which the individual certificate of airworthiness is first issued on or after 1 January 1987 unless it is equipped with a CVR.

(2) No person may operate a helicopter of a maximum certificated take-off mass of over 7,000 kg for which the individual certificate of airworthiness was first issued before 1 January 1987 unless it is equipped with a CVR.

(3) For helicopters not equipped with an FDR, at least main rotor speed shall be recorded on one track of the CVR.

(g) CVR Alternate Power Source

(1) No person may operate an aircraft required to have a CVR unless it is equipped with al alternate power sources that automatically engages and provides 10 minutes, plus or minus 1 minute, of operation whenever the power to the recorder ceases, either by normal shutdown or any other loss of power.

(2) The alternate CVR power sources shall power the CVR and its associated cockpit area microphone components and the CVR shall be located as close as practicable to this alternate power source.

(3) The alternate CVR source shall be separate from the power source that normally provides power to the CVR—

(i) The use of the aircraft batteries or other power sources is acceptable provided that the requirements for “separate” power sources are met and electrical power to essential and critical loads is not compromised.

(ii) When the CVR function is combined with other recording functions within the same united, powering the other functions is allowed.

(4) No person may operate an aeroplane of a maximum certificated take-off mass of over 27 000 kg that is issued a Type Certificate or individual certificate of airworthiness after 1 January 2018 unless the required alternate power source powers—

(i) At least one CVR; or
(ii) In the case of combination recorders, the forward CVR.

6.173 RECORDING OF DATA LINK COMMUNICATIONS

(a) The operator shall ensure that, on aircraft which utilize any of the data link communications applications listed in Appendix 1 to 6.170 and are required to carry a CVR, all data link communications to and from the aircraft are recorded on a flight recorder after 1 January 2016.

(b) The minimum data link recording duration shall be equal to the duration of the CVR, and shall be correlated to the recorded cockpit audio.

(c) Sufficient information to derive the content of the data link communications message and, whenever practical, the time the message was displayed to or generated by the crew shall be recorded.

(d) The data link recorder performance shall conform to internationally acceptable performance requirements.

6.175 COMBINATION RECORDERS

(a) Aeroplanes: Mandatory 1 January 2016

(1) No person may operate an aeroplane of a maximum certificated take-off mass of over 5,700 kg for which the type certificate is first issued on or after 1 January 2016 and which are required to be equipped with both a CVR and an FDR, unless it is equipped with two combination recorders (FDR/CVR).

(2) No person may operate an aeroplanes of a maximum certificated take-off mass of over 15 000 kg for which the requirement of paragraph (a) applies, unless one recorder is located as close to the cockpit as practicable and the other recorder is located as far aft as practicable.

(b) Aircraft: Permissive Requirement

(1) Unless otherwise specified in these Regulations, aircraft required to be equipped with a FDR and a CVR may alternatively be equipped with the following number of combination (FDR/CVR) recorders—

(i) Two - for all aeroplanes of a certificated takeoff mass of over 5700kg.
(ii) One - for all multi-engine turbine powered aeroplanes of less than 5 700kg.

(2) Other aircraft required to have both an FDR and a CVR may use a combination recorder to meet these equipment requirements.

SUBPART F: CREW PROTECTION EQUIPMENT

6.178 SECURITY OF THE FLIGHT DECK

(a) In all aircraft which are equipped with a flight crew compartment door—
(1) This door shall be capable of being locked; and
(2) A means shall be provided by which cabin crew can discreetly notify the flight crew in the event of suspicious activity or security breaches in the cabin.

(b) No person may operate an aircraft having a maximum seating capacity of more than 19 passengers unless there is installed a lockable door to restrict entry to the flight deck. This door shall be lockable from within the flight deck only.

(c) All passenger-carrying aeroplanes of a maximum certificated take-off mass in excess of 45 500 kg or with a passenger seating capacity greater than 60 shall be equipped with an approved flight crew compartment door that is designed to resist penetration by small arms

fire and grenade shrapnel, and to resist forcible intrusions by unauthorised persons.

(1) This door shall be capable of being locked and unlocked from either pilot's station.
(2) A means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behaviour or potential threat.

6.180 FLIGHT CREW SAFETY HARNESS

(a) No person may operate an aircraft unless there is an operational safety harness installed for each required flight crew member seat. This safety harness shall include shoulder strap(s) and a seat belt which may be used independently.

(b) The safety harness shall incorporate a device that will automatically restrain the occupant's torso in the event of a rapid deceleration.

(c) The safety harness should incorporate a device to prevent a suddenly incapacitated pilot from interfering with the flight controls.

6.181 QUICK DONNING TYPE OXYGEN MASK

(a) No person may operate a pressurised aircraft at altitudes above 25,000 feet unless there is available at each flight crew duty station a quick donning type of oxygen mask which will readily supply oxygen upon demand.

6.182 CABIN CREW SEATS & SAFETY HARNESS

(a) No person may operate an aircraft for which a cabin attendant(s) is required unless each seat provided is—
   (1) Forward or rearward facing (within 15 degrees of the longitudinal axis of the aircraft, and
   (2) Fitted with a safety harness.

(b) Each seat shall be located at floor level in the passenger compartment and adjacent to the emergency exits as prescribed by the Authority to facilitate emergency evacuation.

(c) Each cabin attendant seat shall be provided with an oxygen mask for the occupant when, in accordance with Regulation 6.270, they must—
   (1) Use supplemental oxygen; or
   (2) Be ready to use it in event of a rapid depressurisation.

6.183 PROTECTIVE BREATHING EQUIPMENT (PBE)

(a) No person may operate the following aircraft in commercial air transport, unless it is equipped with a PBE to protect the eyes, nose and mouth of all required crew members and provide oxygen or breathing gas for a period not less than 15 minutes—
   (1) An aircraft with a maximum certified takeoff mass of more than 5700 kg, or
   (2) An aircraft with a maximum seating capacity of more than 19 seats.

(b) This equipment shall be conveniently located and easily accessible from each required duty station.

(c) The PBE for each cabin attendant shall be portable.

(d) The PBE, while in use, shall not prevent required communication.

(e) For cargo aircraft, a PBE shall not be located in the cargo compartment, but immediately prior to entry into that compartment, and near a required fire extinguisher.

SUBPART G: PASSENGER-RELATED EQUIPMENT

6.185 PASSENGER SEATS & SEAT BELTS

(a) No person may operate an aircraft carrying passengers unless it is equipped with-—
   (1) An approved seat or berth for each occupant on board who has reached their second birthday, and
   (2) A seat belt for each seat and a restraining belt for each berth.

6.190 PASSENGER INFORMATION

(a) No person shall operate an aircraft having an approved passenger seating configuration of more than 9 passengers unless it is equipped with at least one passenger information sign notifying when—
   (1) Safety belts should be fastened; and
   (2) Smoking is prohibited.

(b) These signs shall be so constructed that a crew member can turn them on and off from a duty station.

(c) There shall be sufficient signs located in the passenger cabin so that, when illuminated, they will be legible to each passenger under all probable conditions of cabin illumination.

6.195 PUBLICADDRESSSYSTEM

(a) No person may operate an aircraft with a maximum approved seating configuration of more than 19 passengers unless it is equipped with a public address system.

(b) This public address system shall—
   (1) Be audible and intelligible at all passenger seats, toilets and cabin crew duty and work stations;
   (2) Be capable of operation within 10 seconds by any required crew member;
   (3) Be accessible by at least one seated crew member at each separate or pair of floor level emergency exits.

6.200 INTERPHONE SYSTEMS

(a) No person may operate an aircraft on which a flight crew of more than one is required unless it is equipped with a flight deck interphone system, including headsets and microphones, which provides audible and intelligible communications between the required crew members.

(b) No person may operate an aircraft having a maximum approved passenger seating configuration of more than 19 passengers unless it is equipped with a crew member interphone system which provides for signaling and two-way communications between all required crew members.

(c) This crew member interphone system required by paragraph (b) of this Regulation shall—
   (1) Be capable of operation independently of the public address system;
   (2) Be capable of operation within 10 seconds by any required crew member, including those at remote work stations;
   (3) Be accessible by at least one seated crew member at each separate or pair of floor level emergency exits;
   (4) Have a signaling capability which provides for differentiation between normal and emergency calls; and
   (5) Provide, on the ground, a means of two-way communication between ground personnel and at least two flight crew members.

6.205 MEGAPHONES

(a) No person may operate an aircraft carrying more than 59 passengers unless it is equipped with the required number of battery-powered megaphones readily accessible to the crew members assigned to direct emergency evacuation.

(b) The required number and location of megaphones are—

(1) For an aircraft with a seating capacity of 60 to 99 passengers - one megaphone at the most rearward location readily accessible to a cabin attendant duty station.

(2) For an aircraft with more than 99 passengers - an additional megaphone installed at the forward end of the passenger compartment.

6.210 EMERGENCY EXITS

(a) No person may operate an aircraft carrying passengers unless it has adequate emergency exit provisions for emergency evacuations and ditching.

(b) Each passenger-carrying emergency exit (other than over-the-wing) that is more than 6 feet from the ground with the aeroplane on the ground and the landing gear extended, shall have an approved means to assist the occupants in descending to the ground.

(c) Each passenger emergency exit, its means of access and its means of opening shall be conspicuously marked both inside and outside.

(d) The location of each passenger emergency exit shall be indicated by a sign visible to occupants approaching along the main passenger aisle.

(e) Each passenger carrying aeroplane shall be equipped with a slip-resistant escape route that meets the requirements under which that aeroplane was type-certificated.

(f) Each passenger carrying aeroplane that is required to have cabin attendant(s) shall have flashlight stowage provisions accessible from their duty stations.

See Appendix 1 to 6.210 for specific requirements regarding these standards.

6.215 PASSENGER COMPARTMENT & EXITS

(a) No person may conduct any passenger-carrying operation unless it has—

(1) A key for each door that separates a passenger compartment from another compartment that has emergency exit provisions;

Note: The key shall be readily available for each crew member.

(2) A means for the crew, in an emergency, to unlock each door that leads to a compartment that is normally accessible to passengers and that can be locked by passengers; and

(3) A placard on each door used to access a required passenger emergency exit, indicating that such door shall be open during takeoff and landing.

6.220 MATERIALS FOR CABIN INTERIORS

(a) Upon the first major overhaul of an aeroplane cabin or refurbishing of the cabin interior, all materials in each compartment used by the crew or passengers that do not meet the current airworthiness requirements pertaining to materials used in the interior of the cabin for type certification in the transport category as cited by the Authority, shall be replaced with materials that meet the requirements specified by the Authority.

(b) Seat cushions, except those on flight crew member seats, in any compartment occupied by crew or passengers shall meet requirements pertaining to fire protection as specified by the Authority.

6.225 MATERIALS FOR CARGO & BAGGAGE COMPARTMENTS

(a) Each Class C or D cargo compartment greater than 200 cubic feet in volume in a transport category aeroplane type certified after January 1, 1958 shall have ceiling and sidewall liner panels which are constructed of—
   (1) Glass fibre reinforced resin;
   (2) Materials which meet the test requirements for flame resistance of cargo compartment liners as prescribed for type certification; or
   (3) In the case of installations approved prior to March 20, 1989, aluminium.

(b) The term "liner" includes any design feature, such as a joint or fastener, which would affect the capability of the liner to safely contain fire.

6.230 EMERGENCY LIGHTING SYSTEM

(a) No person may operate an aircraft with a maximum approved passenger configuration of more than nineteen passengers unless it is equipped with an emergency lighting system that is independent of the main lighting system.

(b) The emergency light system must—
   (1) Illuminate each passenger exit marking and locating sign;
   (2) Provide enough general lighting in the passenger cabin; and
   (3) Include floor proximity emergency escape path marking.

SUBPART H: EMERGENCY EQUIPMENT

6.235 EMERGENCY EQUIPMENT: ALL AIRCRAFT

(a) Each item of emergency and flotation equipment shall be—
   (1) Readily accessible to the crew and, with regard to equipment located in the passenger compartment, to passengers without appreciable time for preparatory procedures;
   (2) Clearly identified and clearly marked to indicate its method of operation;
   (3) Marked as to date of last inspection; and
   (4) Marked as to contents when carried in a compartment or container.

6.240 FIRST AID KIT

(a) No person may operate an aircraft unless it is equipped with at least the minimum number of accessible first aid kits specified in the adjacent table.

(b) The installed first aid kits shall contain the minimum contents specified by the Authority.

Number of passenger seats installed§	Number of first-aid kits required§
0 to 99§	1§
100 to 199 §	2§
200 to 299 §	3§
300 and more §	4§

6.245 MEDICAL KIT: COMMERCIAL AIR TRANSPORT

(a) No person may operate an aircraft authorised to carry more than 100 passengers, on a sector length of more than 2 hours, unless it has a properly installed medical kit for the use of the medical doctors or other qualified persons in treating in-flight medical emergencies.

(b) The installed medical kit shall contain the minimum contents prescribed by the Authority.

6.247 UNIVERSAL PRECAUTION KIT: COMMERCIAL AIR TRANSPORT

(a) No person may operate an aircraft in commercial air transport that is required to carry cabin crew as part of the operating crew, unless it is equipped with one universal precaution kit for the use of cabin crew members in managing incidents of ill health associated with a case of

suspected communicable disease, or in the case of illness involving contact with body fluids.

(b) A minimum of two universal precaution kits are required for aeroplanes authorised to carry more than 250 passengers).

(c) The installed universal precaution kit shall contain the minimum contents prescribed by the Authority.

6.250 PORTABLE FIRE EXTINGUISHERS

(a) No person may operate an aircraft unless it has the minimum number of portable fire extinguishers of a type which, when discharged, will not cause dangerous contamination of the air within the aeroplane. The type and quantity of extinguishing agent shall be suitable for the kinds of fires likely to occur in the compartment where the extinguisher is intended to be used.

Note: For passenger compartments, the extinguisher shall be designed to minimise the hazard of toxic gas concentrations.

(b) The minimum number of portable fire extinguishers shall not be less than—

(1) One properly installed fire extinguisher in the pilot's compartment; and

(2) At least one portable fire extinguisher shall be provided and conveniently located for use in each Class E cargo compartment which is accessible to crew members during flight, and at least one shall be located in each upper and lower lobe galley; and

(3) One properly installed in each passenger compartment that is separate from the pilot's compartment and that is not readily accessible to the flight crew.

Note: Any portable fire extinguisher so fitted in accordance with the certificate of airworthiness of an aircraft may count as one of the required extinguishers.

(4) At least one portable fire extinguisher shall be conveniently located in the passenger compartment of aircraft having a passenger seating capacity of 30 or less.

(5) For each aircraft having a passenger seating capacity of more than 30, there shall be at least the minimum number of portable fire extinguishers to passenger capacity depicted in the adjacent graph.

Minimum Hand Fire Extinguishers (Passenger Seating Capacity)§	
30 through 60§	2§
61 through 200§	3§
201 through 300§	4§
301 through 400§	5§
401 through 500§	6§
501 through 600§	7§
601 or more§	8§

(6) These fire extinguishers shall be conveniently located and uniformly distributed throughout the compartment.

6.255 LAVATORY FIRE EXTINGUISHER

(a) No person may operate a passenger carrying aircraft of more than 5700 kg maximum certificated takeoff mass unless each lavatory is equipped with a built-in fire extinguisher for the wastepaper disposal.

(b) This built-in fire extinguisher must be designed to discharge automatically into each disposal receptacle upon occurrence of a fire in the receptacle.

(c) Any agent used in a built-in fire extinguisher for each lavatory disposal receptacle for towels, paper or waste in an aircraft for which the individual certificate of airworthiness is first issued on or after 31 December 2011 and any extinguishing agent used in a portable fire extinguisher in an aircraft for which the individual certificate of airworthiness is first issued on or after 31 December 2016 shall—

(1) Meet the applicable minimum performance requirements of the State of Registry; and

(2) Not be of a type listed in the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer as it appears in the Eighth Edition of the Handbook for the Montreal Protocol on S*ubstances that Deplete the Ozone Layer,* Annex A, Group II.

6.260 LAVATORY SMOKE DETECTOR

(a) No person may operate a passenger carrying aircraft of more than 5700 kg maximum certificated takeoff mass unless each lavatory in the aeroplane is equipped with a smoke detector system that provides a warning light—
   (1) In the flight deck; or
   (2) Or audio warning in the passenger cabin, taking into account the position of the cabin attendants during various phases of flight.

6.264 MEANS FOR ATTENUATING BOMB BLAST

(a) When required by the Authority, an AOC holder shall provide, for use at the least-risk bomb location, a specialized means of attenuating and directing the blast.

6.265 CRASH AXE: COMMERCIAL AIR TRANSPORT

(a) No person may operate an aircraft with a maximum certificated takeoff mass of more than 5700 kg unless it is equipped with a crash axe appropriate to effective use in that type of aeroplane, stored in a place not visible to passengers on the aeroplane.

6.270 OXYGEN STORAGE & DISPENSING APPARATUS

(a) No person may operate an aircraft intended to be operated at flight altitudes requiring the use of supplemental oxygen unless it is equipped with adequate oxygen storage and dispensing apparatus.

(b) The oxygen apparatus, the minimum rate of oxygen flow, and the supply of oxygen shall meet applicable airworthiness standards for aircraft type certification in the transport category as specified by the Authority.

(c) No person may operate an aircraft at flight altitudes where the atmospheric pressure is less than 700 hPa unless it is equipped with oxygen masks and oxygen, located so as to be within the immediate reach of flight crew members while at their assigned duty station.

Absolute Pressure	Metres	Feet
700 hPa	3,000	10,000
620 hPa	4,000	13,000
376 hPa	7,600	25,000

(d) No person may operate an aircraft at flight altitudes where the atmospheric pressure is less than 700 hPa, but more than 376 unless there are adequate oxygen for all occupants at those altitudes and the oxygen masks are used in accordance with the minimum donning requirements specified in Appendix 1 to 6.720

(e) No person may operate a pressurised aircraft at flight altitudes where the atmospheric pressure is less than 376 hPa (above 25,000 feet) unless—
   (1) Flight crew member oxygen masks are of a quick donning type;
   (2) Sufficient spare outlets and masks and/or sufficient portable oxygen units with masks are distributed evenly throughout the cabin to ensure immediate availability of oxygen to each required cabin crew member regardless of his location at the time of cabin pressurisation failure;
   (3) An oxygen-dispensing unit connected to oxygen supply terminals is installed so as to be automatically deployable (immediately available) to each occupant, wherever seated.
      (i) The total number of dispensing units and outlets shall exceed the number of

seats by at least 10%.

(ii) The extra units are to be evenly distributed throughout the cabin.

(f) The amount of supplemental oxygen for sustenance required for a particular operation shall be determined on the basis of flight altitudes and flight duration, as outlined in Appendices 1 and 2 to 6.270, consistent with the operating procedures established for each operation in the Operations Manual and with the routes to be flown, and with the emergency procedures specified in the Operations Manual.

6.273 INDIVIDUAL FLOTATION DEVICES

(a) No person shall operate an aircraft on flights over water unless it is equipped with one life jacket or equivalent individual flotation device for each person on board.

(b) All life jackets or equivalent individual flotation devices shall be stowed in a position easily accessible from the seat or berth of the person for whose use it is provided.

(c) For all flights in which a survival raft is required, each individual flotation devices shall be fitted with an approved survivor locator light.

(d) For single-engine and restricted performance aircraft operations overwater outside of gliding or auto rational distance from shore, the life jacket shall be worn constantly unless the occupant is wearing an integrated survival suit that includes the functionality of the life jacket.

6.274 SURVIVAL SUIT

(a) For commercial air transport, no person may operate a helicopter offshore unless equipped with a survival suit for all occupants when the—

(1) Sea temperature is less than 10 degrees Centigrade; or

(2) Estimated rescue time exceeds the calculated survival time based on the sea state and ambient flight conditions.

6.275 LIFE RAFTS

(a) No person may operate an aircraft in extended over water operations unless it is equipped with life rafts in sufficient number to accommodate all of the persons on board in the event of ditching when the flight is more than—

(1) 120 minutes at cruising speed or 400 nautical miles, whichever is lesser, for aeroplanes capable of continuing the flight to an airport with the critical power unit(s) becoming inoperative at any point along the route or planned diversions; or

(2) 30 minutes at cruising speed or 100 nautical miles, whichever is lesser, for all other aircraft.

(b) The operator of aircraft any flight over water shall consider the necessity to carry life rafts and life-saving equipment on any other flight based on a determination of the risks to survival of the occupants of the aeroplane in the event of a ditching, taking into account the operating environment and conditions such as, but not limited to—

(1) Sea state and sea and air temperatures;

(2) The distance from land suitable for making an emergency landing; and

(3) The availability of search and rescue facilities.

(c) No person may operate a helicopter overwater unless is it fitted with a permanent or rapidly deployable means of flotation so as to ensure a safe ditching when—

(1) For operations in Performance Class 1 and 2, flying over water at a distance from land corresponding to more than 10 minutes at normal cruise speed; or

(2) For operations in Performance Class 3, flying over water beyond auto rotational or safe forced landing distance from land.

(d) For commercial air transport passenger-carrying operations in aircraft of more than 5700 kg (3175 kg for helicopters), the buoyancy and overload capacity of the rafts must accommodate all occupants of the aircraft in the event of a loss of one raft of the largest rated capacity.

(e) The required life rafts and associated equipment must be readily accessible in the event of ditching without appreciable time for preparatory procedures. This equipment shall be installed in conspicuously marked, approved locations.

(f) For commercial air transport passenger-carrying operations in helicopters, 50% of all required rafts (where the quantity is two or more) will have a means of deployment by remote control.

(g) For helicopters, life rafts which are not deployable by remote control and which have a mass of more than 40 kg shall be equipped with some means of mechanically assisted deployment.

6.280 SURVIVAL KIT

(a) No person may operate an aircraft over designated land or sea areas where search and rescue would be especially difficult without carrying life saving equipment including means of sustaining life.

(b) No person may operate over water at distances which require the carriage of life rafts unless each raft is equipped with life saving equipment including means of sustaining life.

(c) The survival kit shall contain the minimum contents specified by the Authority.

6.285 DEVICES FOR EMERGENCY SIGNALLING

(a) No person may operate an aircraft over designated land or sea areas where search and rescue would be especially difficult without carrying devices to make the necessary ground-to-air emergency signals to facilitate rescue.

(b) No person may operate over water at distance which require the carriage of life rafts unless each raft contains the equipment for make the necessary pyrotechnical distress signals.

(c) The devices for emergency signaling shall be acceptable to the Authority.

6.290 EMERGENCY LOCATOR TRANSMITTER (ELT)

(a) No person may operate an aircraft unless it is equipped with an automatically activated ELT.

(b) No person may operate an aircraft authorised to carry more than 19 passengers unless it is equipped with at least two ELTs, one of which shall be automatic.

(c) No person may operate an aircraft over designated land or sea areas where search and rescue would be especially difficult unless it is equipped with a second ELT.

(d) No person may operate an aircraft overwater outside gliding distance to land unless there is immediately available at least one ELT(S) in a raft or life jacket.

(e) No person may operate an aircraft on long range over water at distances that require the carriage of life rafts unless it is equipped—

(1) For aeroplanes, with a second ELT(S).

(2) For helicopters, a ELT(S) in each life raft.

(f) Batteries used in an ELT shall be replaced (or recharged if the battery is rechargeable) when—

(1) The transmitter has been in use for more than one cumulative hour; or

(2) 50 percent of their useful life, or for rechargeable batteries, 50 percent of their useful life of charge, has expired. (The battery useful life, or useful life of charge, requirements do not apply to batteries, such as water-activated batteries, that are essentially unaffected

during probable storage intervals).

(g) The expiration date for a replacement or recharged ELT battery shall be legibly marked on the outside of the transmitter.

(h) The ELT shall be located to ensure the greatest chance of ELT activation in the event of an accident for aircraft operating over water or land, including areas especially difficult for search and rescue, with attention to—

(1) The type and numbers selected and installed;

(2) Their placement on the aircraft and with associated floatable life support systems;

(3) Locating the ELT transmitter units to ensure optimum crash and fire protection; and.

(4) The placement of control and witching devices (activation monitors) of automatic fixed ELTS and their associated operational procedures should take into consideration the need for—

(i) Rapid detection of inadvertent activation; and

(ii) Convenient manual switching by crew members.

(i) All ELTs shall operate in accordance with the relevant provisions of ICAO Annex 10, Volume III.

(j) Autonomous Transmission of Position Information When in Distress

(1) All aeroplanes of a maximum certificated take-off mass of over 5 700 kg for which the individual certificate of airworthiness is first issued on or after 1 January 2021, shall autonomously transmit information from which a position can be determined at least once every minute, when in distress, in accordance with Appendix 1 to 6.290(j).

(2) The operator shall make position information of a flight in distress available to the appropriate organizations, as established by the Authority.

6.291 UNDERWATER LOCATING DEVICE

(a) At the earliest practicable date but not later than 1 January 2018, no person may operate an aeroplane of a maximum certificated take-off mass of over 27 000 kg, unless an underwater locating device operating at a frequency of 8.8 kHz is securely attached to the aircraft.

(b) This automatically activated underwater locating device shall be capable of operation for a minimum of 30 days and shall not be installed in wings or empennage.

6.295 HELICOPTER EMERGENCY FLOTATION MEANS

(a) No person may operate a helicopter intentionally over water unless it has a properly installed permanent or rapidly deployable means of flotation to ensure a safe ditching of the helicopter when the flight is—

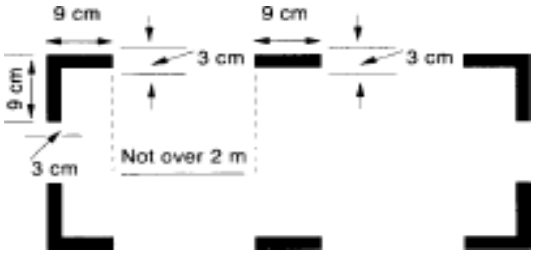
(1) Engaged in offshore operations, or other overwater operations as prescribed by the Authority; or

(2) When operating in Performance Class 1 and 2, flying over water in a non-hostile or hostile environment at a distance from land corresponding to more than 10 minutes at normal cruise speed; or

(3) When operating in Performance Class 3, flying over water beyond auto rotational or safe forced landing distance from land.

6.300 MARKING OF BREAK-IN POINTS

(a) No person may operate an aircraft for which areas of the fuselage suitable for break-in by rescue in an emergency are marked unless those markings correspond to the adjacent diagram and meet the



following requirements—

(1) The color of the markings shall be red or yellow, and if necessary, they shall be outlined in white to contrast with the background; and

(2) If the corner markings are more than 2 m apart, intermediate lines 9 cm x 3 cm shall be inserted so that there is no more than 2 m between adjacent markings.

Note: This Regulation does not require any aircraft to have break-in areas.

6.305 FIRST AID OXYGEN DISPENSING UNITS

(a) No AOC holder may conduct a passenger carrying operation in a pressurised aeroplane at altitudes above 25,000 feet, when a cabin crew member is required to be carried, unless it is equipped with—

(1) Undiluted first-aid oxygen for passengers who, for physiological reasons, may require oxygen following a cabin depressurisation; and

(2) A sufficient number of dispensing units, but in no case less than two, with a means for cabin crew to use the supply.

(b) The amount of first-aid oxygen required in paragraph (a) of this Regulation for a particular operation and route shall be determined on the basis of—

(1) Flight duration after cabin depressurisation at cabin altitudes of more than 8,000 feet;

(2) An average flow rate of at least 3 litres Standard Temperature Pressure Dry/minute/person; and

(3) At least 2% of the passengers carried, but in no case for less than one person.

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APPENDICES

APPENDIX 1 TO 6.065: LIGHTS TO BE DISPLAYED BY AEROPLANES

3.0 Navigation lights to be displayed in the air

(a) The lights specified herein are intended to meet the requirements of ICAO Annex 2 for navigation lights—

(1) Angles of coverage.

(i) Angle of coverage A is formed by two intersecting vertical planes making angles of 70 degrees to the right and 70 degrees to the left respectively, looking aft along the longitudinal axis to a vertical plane passing through the longitudinal axis.

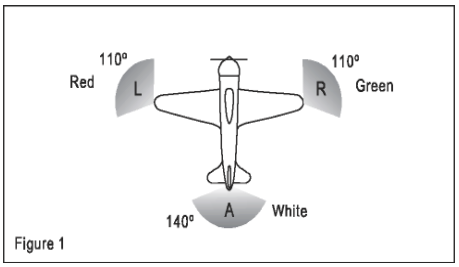


Figure 1

(ii) Angle of coverage F is formed by two intersecting vertical planes making angles of 110 degrees to the right and 110 degrees to the left respectively, looking forward along the longitudinal axis to a vertical plane passing through the longitudinal axis.

(iii) Angle of coverage L is formed by two intersecting vertical planes, one parallel to the longitudinal axis of the aeroplane, and the other 110 degrees to the left of the first, when looking forward along the longitudinal axis.

(iv) Angle of coverage R is formed by two intersecting vertical planes, one parallel to the longitudinal axis of the aeroplane, and the other 110 degrees to the right of the first, when looking forward along the longitudinal axis.

(2) Horizontal plane. The plane containing the longitudinal axis and perpendicular to the plane of symmetry of the aeroplane.

(3) Longitudinal axis of the aeroplane. A selected axis parallel to the direction of flight at a normal cruising speed, and passing through the centre of gravity of the aeroplane.

(4) Making way. An aeroplane on the surface of the water is "making way" when it is under way and has a velocity relative to the water.

(5) Under command. An aeroplane on the surface of the water is "under command" when it is able to execute manoeuvres as required by the International Regulations for Preventing Collisions at Sea for the purpose of avoiding other vessels.

(6) Under way. An aeroplane on the surface of the water is "under way" when it is not aground or moored to the ground or to any fixed object on the land or in the water.

(7) Vertical planes. Planes perpendicular to the horizontal plane.

(1) As illustrated in Figure 1, the following unobstructed navigation lights shall be displayed—

(i) a red light projected above and below the horizontal plane through angle of coverage L;

(ii) a green light projected above and below the horizontal plane through angle of coverage R;

(iii) a white light projected above and below the horizontal plane rearward through angle of coverage A.

3.1 Lights to be Displayed on the Water: General

(a) The lights specified herein are intended to meet the requirements of ICAO Annex 2 for lights to be displayed by aeroplanes on the water.

(b) The International Regulations for Preventing Collisions at Sea require different lights to be displayed in each of the following circumstances—

(1) when under way;
(2) when towing another vessel or aeroplane;
(3) when being towed;
(4) when not under command and not making way;
(5) when making way but not under command;
(6) when at anchor;
(7) when aground.

(c) The lights required by aeroplanes in each case are described below.

3.2 Lights to be displayed when under way on the water

(a) As illustrated in Figure 2, the following appearing as steady unobstructed lights—

(1) a red light projected above and below the horizontal through angle of coverage L;
(2) a green light projected above and below the horizontal through angle of coverage R;
(3) a white light projected above and below the horizontal through angle of coverage A; and
(4) a white light projected through angle of coverage F.

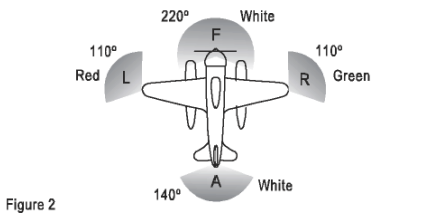


Figure 2

(b) The lights described in 3.2(a)(1),(2) and (3) should be visible at a distance of at least 3.7 km (2 NM). The light described in 3.2(a)(4) should be visible at a distance of 9.3 km (5 NM) when fitted to an aeroplane of 20 m or more in length or visible at a distance of 5.6 km (3 NM) when fitted to an aeroplane of less than 20 m in length.

3.3 Lights to be displayed when towing another vessel or aeroplane

(a) As illustrated in Figure 3, the following appearing as steady, unobstructed lights—

(1) the lights described in 3.2;
(2) a second light having the same characteristics as the light described in 3.2(a)(4) and mounted in a vertical line at least 2 m above or below it; and
(3) a yellow light having otherwise the same characteristics as the light described in 3.2(a)(3) and mounted in a vertical line at least 2 m above it.

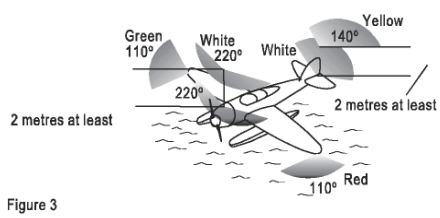


Figure 3

3.4 Lights to be displayed when being towed

(a) The lights described in 3.2(a)(1), (2) and (3) appearing as steady, unobstructed lights.

3.5 Lights to be displayed when not under command and not making way

(a) As illustrated in Figure 4, two steady red lights placed where they can best be seen, one vertically over the other and not less than 1 m apart, and of such a character as to be visible all around the horizon at a distance of at least

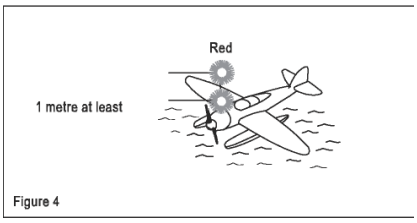


Figure 4

3.7 km (2 NM).

3.6 Lights to be displayed when making way but not under command

(a) As illustrated in Figure 5, the lights described in 3.5 plus the lights described in 3.2(a)(1), (2) and (3).

(b) The display of lights prescribed in 3.5 and 3.6 is to be taken by other aircraft as signals that the aeroplane showing them is not under command and cannot therefore get out of the way.

(c) They are not signals of aeroplanes in distress and requiring assistance.

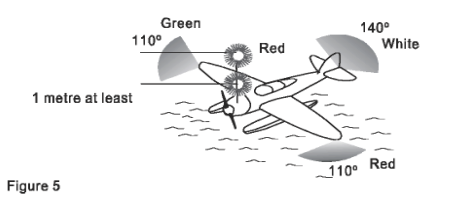


Figure 5

3.7 Lights to be displayed when at anchor

(a) If less than 50 m in length, where it can best be seen, a steady white light (Figure 6), visible all around the horizon at a distance of at least 3.7 km (2 NM).

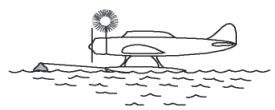


Figure 6

(b) If 50 m or more in length, where they can best be seen, a steady white forward light and a steady white rear light (Figure 7) both visible all around the horizon at a distance of at least 5.6 km (3 NM).

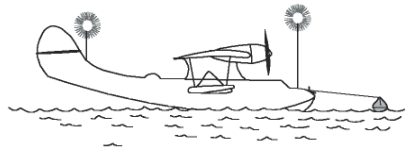
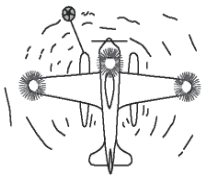
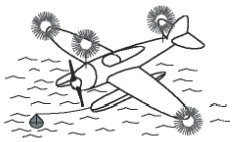


Figure 7

(c) If 50 m or more in span a steady white light on each side (Figures 8 and 9) to indicate the maximum span and visible, so far as practicable, all around the horizon at a distance of at least 1.9 km (1 NM).


Less than 50 metres in length; 50 metres or more in span
Figure 8


50 metres or more in length; 50 metres or more in span
Figure 9

3.8 Lights to be displayed when aground

(a) The lights prescribed in 3.7 and in addition two steady red lights in vertical line, at least 1 m apart so placed as to be visible all around the horizon.

APPENDIX 1 TO 6.067: ALTIMETRY SYSTEM PERFORMANCE REQUIREMENTS.

(a) In respect of groups of aeroplanes that are nominally of identical design and build with respect to all details that could influence the accuracy of height-keeping performance, the height-keeping performance capability shall be such that the total vertical error (TVE) for the **group** of **aeroplanes shall** have a mean no greater than 25 m (80 ft) in magnitude and shall have a standard deviation no greater than 28 - $0.013z^2$

for 0 s z s 25 when z is the magnitude of the mean TVE in metres, or 92 - 0.0042^2 for 0 s z 80 where z is in feet. In addition, the components of TVE shall have the following characteristics—

(1) The mean altimetry system error (ASE) of the group shall not exceed 25 m (80 ft) in magnitude;

(2) The sum of the absolute value of the mean ASE and of three standard deviations of ASE shall not exceed 75 m (245 ft);

(3) The differences between cleared flight level and the indicated pressure altitude actually flown shall be symmetric; and

(4) About a mean of 0 m, with a standard deviation no greater than 13.3 m (43.7 ft), and in addition, the decrease in the frequency of differences with increasing difference magnitude shall be at least exponential.

(b) In respect of aeroplanes for which the characteristics of the airframe and altimetry system fit are unique and so cannot be classified as belonging to a group of aeroplanes encompassed by paragraph (a), the height-keeping performance **capability** shall be **such that** the components of the TVE of the aeroplane have the following characteristics—

(1) The ASE of the aeroplane shall not exceed 60 m (200 ft) in magnitude under all flight conditions; and the differences between the cleared flight level and the indicated pressure altitude actually flown shall be symmetric about a mean of 0 m, with a standard deviation no greater than 13.3 m (43.7 ft), and

(2) In addition, the decrease in the frequency of differences with increasing difference magnitude shall be at least exponential.

APPENDIX 1 TO 6.127: REQUIREMENTS FOR ALL-WEATHER OPERATIONS

(a) **Category II Approach Minima**. In addition to the instrument and equipment requirements for aircraft operated under IFR with 2 pilots and the specific requirements for the type of aircraft, the following additional equipment and instruments requirements apply—

(1) A flight control guidance system that consists of either an automatic approach coupler or a flight director system conforming to the following—

(i) A flight director system must display computed information as steering command in relation to an ILS localizer and, on the same instrument, either computed information as pitch command in relation to an ILS glide slope or basic ILS glide slope information.

(ii) An automatic approach coupler must provide at least automatic steering in relation to an ILS localizer.

(iii) The flight control guidance system may be operated from one of the required receiving systems.

(2) For decision heights below 150 feet, a radio altimeter

(3) Warning systems for immediate detection by the pilot of system faults.

(b) **Category IIIA Approach Minima (not less than RVR600 (200 m)**. In addition to the instrument and equipment requirements for aircraft operated under IFR with 2 pilots, the specific requirements for the type of aircraft and the requirements of Category II, the following

additional equipment and instruments requirements apply—

(1) A redundant, acceptable flight guidance or control systems that provides—
   (i) A Fail Operational or Fail Passive automatic landing system at least to touchdown;
   (ii) A Fail Operational or Fail Passive manual flight guidance system with suitable head-up or head- down command guidance, and suitable monitoring capability at least to touchdown;
   (iii) A hybrid system, using automatic landing capability as the primary means of landing at least to touchdown; or
   (iv) Other system that can provide an equivalent level of performance and safety.

(2) An automatic throttle or automatic thrust control system that meets approved criteria as specified in the AFM. However, for operations with a 15 m (50 ft) DH, or other operations that have been
specifically evaluated such as for engine inoperative landing capability, automatic throttles may not be required if it has been demonstrated that operations can be safely conducted, with an acceptable work load, without their use.

(3) At least two independent navigation receivers/sensors providing lateral and vertical position or displacement information, typically with the first pilot's station receiving the information from one and the second pilot's station receiving the information from the other. The navigation receivers/sensors shall meet the criteria specified for CAT IIIA operations.

(4) At least two approved radio altimeter systems that meet the performance requirements criteria as specified in the AFM, typically with the first pilot's station receiving information from one and the second pilot's station receiving information from the other.

(5) Failure detection, annunciation, and warning capability, as determined acceptable by criteria in the AFM.

(6) Missed approach guidance provided by one or more of the following means—
   (i) Attitude displays that include suitable pitch attitude markings, or a pre-established computed pitch command display.
   (ii) An approved flight path angle display, or
   (iii) An automatic or flight guidance go-around capability.

(7) Suitable forward and side flight deck visibility for each pilot as specified in the AFM.

(8) Suitable wind shield rain removal, ice protection, or defog capability as specified in the AFM.

(c) **Category IIIB Approach Minima (less than RVR600 (200 m) but not less than RVR400).** The following equipment in addition to the instrument and navigation equipment required by paragraphs (a) and (b) of this Appendix—

(1) A redundant flight control or guidance system demonstrated in accordance with international acceptable criteria.

(2) Acceptable flight guidance or control systems include the following—
   (i) A Fail Operational landing system with a Fail Operational or Fail Passive automatic rollout system; or
   (ii) A Fail Passive landing system (limited to touchdown zone RVR not less than RVR600 with Fail Passive rollout provided automatically or by a flight guidance system providing suitable head-up or head-down guidance, and suitable monitoring capability, or
   (iii) A Fail Operational hybrid automatic landing and rollout system with comparable manual flight guidance system, using automatic landing capability as the primary means of landing; or
   (iv) Other system that can provide an equivalent level of performance and safety.

(d) **Category IIIC Approach Minima (less than RVR300 (75 m)**. The following equipment is required in addition to or as a replacement for the instrument and navigation equipment required by paragraphs (a), (b) and (c) of this Appendix—

(1) A Fail Operational Automatic Flight Control System, or
(2) A manual flight guidance system designed to meet fail operational system criteria, or
(3) A hybrid system in which both the fail-passive automatic system and the monitored manual flight guidance components provide approach and flare guidance to touchdown, and in combination provide full fail operational capability, and
(4) A fail operational automatic, manual, or hybrid rollout control system.

APPENDIX 1 TO 6.165(D): INSPECTIONS FOR FLIGHT RECORDER SYSTEMS

(a) Prior to the first flight of the day, the built-in test features for the flight recorders and flight data acquisition unit (FDAU), when installed, shall be monitored by manual and/or automatic checks.

(b) Subject to the approval from the Authority—

(1) Digital FDR systems or ADRS, CVR systems or CARS, AIR systems or AIRS, which have demonstrated a high integrity of serviceability and self-monitoring, shall have recording system inspection intervals of one year extendable to two years.
(2) DLR systems or DLRS shall have recording system inspection intervals of two years extendable to four years.

(c) Annual Recording system inspections shall be carried out as follows—

(1) An analysis of the recorded data from the flight recorders to ensure that the recorder operates correctly for the nominal duration of the recording;
(2) The analysis of the FDR or the ADRS shall evaluate the quality of the recorded data to determine if the bit error rate (including those errors introduced by recorder, the acquisition unit, the source of the data on the aeroplane and by the tools used to extract the data from the recorder) is within acceptable limits and to determine the nature and distribution of the errors;
(3) A complete flight from the FDR or the ADRS shall be examined in engineering units to evaluate the validity of all recorded parameters.
    (i) Particular attention shall be given to parameters from sensors dedicated to the FDR or the ADRS.
    (ii) Parameters taken from the aircraft's electrical bus system need not be checked if their serviceability can be detected by other aircraft systems.
(4) The readout facility shall have the necessary software to accurately convert the recorded values to engineering units and to determine the status of discrete signals.
(5) An annual examination of the recorded signal on the CVR or the CARS shall be carried out by replay of the CVR or CARS recording. While installed in the aircraft, the CVR or CARS shall record test signals from each aircraft source and from relevant external sources to ensure that all required signals meet intelligibility standards;
(6) Where practicable, during the annual examination, a sample of in-flight recordings of the CVR or CARS shall be examined for evidence that the intelligibility of the signal is acceptable.
(7) An annual examination of the recorded images on the AIR or AIRS shall be carried out by replay of the AIR or AIRS recording. While installed in the aircraft, the AIR or AIRS shall record test images from each aircraft source and from relevant external sources to ensure that all required images meet recording quality standards.

(d) Flight recorder systems shall be considered unserviceable if there is a significant period of poor quality data, unintelligible signals, or if one or more of the mandatory parameters is

not recorded correctly.

(e) A report of the annual recording inspection shall be made available on request to the Authority for monitoring purposes.

APPENDIX 1 TO 6.165(F): FLIGHT RECORDER DATA RECOVERY

(a) In approving the means to make flight recorder data available in a timely manner, the Authority shall take into account the following—
   (1) The capabilities of the operator;
   (2) Overall capability of the aeroplane and its systems as certified by State of Design;
   (3) The reliability of the means to recover the appropriate CVR channels and appropriate FDR data; and
   (4) Specific mitigation measures.

APPENDIX 1 TO 1.165(G): RESTRICTIONS USE OF CVR INFORMATION

(a) Release of recordings or transcripts of CVR, CARS, Class A AIR and Class A AIRS or purposes other than the investigation of an accident or incident are allowed, subject to the protections accorded by the operator's safety management system, where they—
   (1) Are 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;
   (2) Are sought for use in criminal proceedings not related to an event involving an accident or incident investigation; or
   (3) Are used for inspections of flight recorder systems as provided in Appendix 1 to 6.165(d).

APPENDIX 1 TO 6.165(H): RESTRICTIONS ON USE OF FDR INFORMATION

(a) Release of recordings or transcripts of FDR, ADRS as well as Class B and Class C AIR and AIRS for purposes other than the investigation of an accident or incident are allowed, subject to the protections accorded by the operator's safety management system, where they—
   (1) Are used by the operator for airworthiness or maintenance purposes;
   (2) Are used by the operator in the operation of a flight data analysis programme required in Regulation 12.153;
   (3) Are sought for use in proceedings not related to an event involving an accident or incident investigation;
   (4) Are de-identified; or
   (5) Are disclosed under secure procedures.

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APPENDIX 1 TO 6.167: FDR PARAMETERS FOR AEROPLANES

Serial number	Parameter	Measurement range	Maximum sampling and recording interval (seconds)	Accuracy limits (sensor input compared to FDR read-out)	Recording resolution
18	Pilot input and/or control surface position-primary controls (pitch, roll, yaw) *(Note 5) (Note 6)*	Full range	0.25	±2° unless higher accuracy uniquely required	0.2% of full range or as installed
19	Pitch trim position	Full range	1	±3% unless higher accuracy uniquely required	0.3% of full range or as installed
20*	Radio altitude	–6 m to 750 m (–20 ft to 2 500 ft)	1	±0.6 m (±2 ft) or ±3% whichever is greater below 150 m (500 ft) and ±5% above 150 m (500 ft)	0.3 m (1 ft) below 150 m (500 ft) 0.3 m (1 ft) + 0.5% of full range above 150 m (500 ft)
21*	Vertical beam deviation (ILS/GPS/GLS glide path, MLS elevation, IRNAV/IAN vertical deviation)	Signal range	1	±3%	0.3% of full range
22*	Horizontal beam deviation (ILS/GPS/GLS localizer, MLS azimuth, IRNAV/IAN lateral deviation)	Signal range	1	±3%	0.3% of full range
23	Marker beacon passage	Discrete	1		
24	Master warning	Discrete	1		
25	Each NAV receiver frequency selection *(Note 7)*	Full range	4	As installed	
26*	DME 1 and 2 distance (includes Distance to runway threshold (GLS) and Distance to missed approach point (IRNAV/IAN)) *(Notes 7 and 8)*	0 – 370 km (0 – 200 NM)	4	As installed	1 852 m (1 NM)
27	Air/ground status	Discrete	1		
28*	GPWS/TAWS/GCAS status (selection of terrain display mode including pop-up display status) and (terrain alerts, both cautions and warnings, and advisories) and (on/off switch position)	Discrete	1		
29*	Angle of attack	Full range	0.5	As installed	0.3 % of full range
30*	Hydraulics, each system (low pressure)	Discrete	2		0.5% of full range
31*	Navigation data (latitude/longitude, ground speed and drift angle) *(Note 9)*	As installed	1	As installed	
32*	Landing gear and gear selector position	Discrete	4	As installed	

Note.— The preceding 32 parameters satisfy the requirements for a Type I FDR.

Serial number	Parameter	Measurement range	Maximum sampling and recording interval (seconds)	Accuracy limits (sensor input compared to FDR read-out)	Recording resolution
33*	Groundspeed	As installed	1	Data should be obtained from the most accurate system	1 kt
34	Brakes (left and right brake pressure, left and right brake pedal position)	(Maximum metered brake range, discretes or full range)	1	±5%	2% of full range
35*	Additional engine parameters (EPR, N_1, indicated vibration level, N_2, EGT, fuel flow, fuel cut-off lever position, N_3)	As installed	Each engine each second	As installed	2% of full range
36*	TCAS/ACAS (traffic alert and collision avoidance system)	Discretes	1	As installed	
37*	Windshear warning	Discrete	1	As installed	
38*	Selected barometric setting (pilot, co-pilot)	As installed	64	As installed	0.1 mb (0.01 in-Hg)
39*	Selected altitude (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
40*	Selected speed (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
41*	Selected Mach (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
42*	Selected vertical speed (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
43*	Selected heading (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
44*	Selected flight path (all pilot selectable modes of operation) (course/DSTRK, path angle, final approach path (IRNAV/IAN))		1	As installed	
45*	Selected Decision Height	As installed	64	As installed	Sufficient to determine crew selection
46*	EFIS display format (pilot, co-pilot)	Discrete(s)	4	As installed	
47*	Multi-function/engine/alerts display format	Discrete(s)	4	As installed	
48*	AC electrical bus status	Discrete(s)	4	As installed	
49*	DC electrical bus status	Discrete(s)	4	As installed	
50*	Engine bleed valve position	Discrete(s)	4	As installed	
51*	APU bleed valve position	Discrete(s)	4	As installed	
52*	Computer failure	Discrete(s)	4	As installed	
53*	Engine thrust command	As installed	2	As installed	
54*	Engine thrust target	As installed	4	As installed	2% of full range
55*	Computed centre of gravity	As installed	64	As installed	1% of full range

Serial number	Parameter	Measurement range	Maximum sampling and recording interval (seconds)	Accuracy limits (sensor input compared to FDR read-out)	Recording resolution
56*	Fuel quantity in CG trim tank	As installed	64	As installed	1% of full range
57*	Head up display in use	As installed	4	As installed	
58*	Para visual display on/off	As installed	1	As installed	
59*	Operational stall protection, stick shaker and pusher activation	As installed	1	As installed	
60*	Primary navigation system reference (GNSS, INS, VOR/DME, MLS, Loran C, localizer glideslope)	As installed	4	As installed	
61*	Ice detection	As installed	4	As installed	
62*	Engine warning each engine vibration	As installed	1	As installed	
63*	Engine warning each engine over temperature	As installed	1	As installed	
64*	Engine warning each engine oil pressure low	As installed	1	As installed	
65*	Engine warning each engine over speed	As installed	1	As installed	
66*	Yaw Trim Surface Position	Full range	2	±3% unless higher accuracy uniquely required	0.3% of full range
67*	Roll Trim Surface Position	Full range	2	±3% unless higher accuracy uniquely required	0.3% of full range
68*	Yaw or sideslip angle	Full range	1	±5%	0.5°
69*	De-icing and/or anti-icing systems selection	Discrete(s)	4		
70*	Hydraulic pressure (each system)	Full range	2	±5%	100 psi
71*	Loss of cabin pressure	Discrete	1		
72*	Cockpit trim control input position, Pitch	Full range	1	±5%	0.2% of full range or as install
73*	Cockpit trim control input position, Roll	Full range	1	±5%	0.2% of full range or as install
74*	Cockpit trim control input position, Yaw	Full range	1	±5%	0.2% of full range or as install
75*	All cockpit flight control input forces (control wheel, control column, rudder pedal)	Full range (±311 N (±70 lbf), ± 378 N (±85 lbf), ± 734 N (±165 lbf))	1	±5%	0.2% of full range or as install
76*	Event marker	Discrete	1		
77*	Date	365 days	64		
78*	ANP or EPE or EPU	As installed	4	As installed	

Note.— The preceding 78 parameters satisfy the requirements for a Type IA FDR.

Notes.—

1. V_{So} stalling speed or minimum steady flight speed in the landing configuration is in Section "Abbreviations and Symbols".
2. V_D design diving speed.
3. Refer to 6.3.1.2.11 for increased recording requirements.
4. Record sufficient inputs to determine power.
5. For aeroplanes with control systems in which movement of a control surface will back drive the pilot's control, ''or'' applies. For aeroplanes with control systems in which movement of a control surface will not back drive the pilot's control, ''and'' applies. In aeroplanes with split surfaces, a suitable combination of inputs is acceptable in lieu of recording each surface separately.
6. Refer to 6.3.1.2.12 for increased recording requirements.
7. If signal available in digital form.
8. Recording of latitude and longitude from INS or other navigation system is a preferred alternative.
9. If signals readily available.

If further recording capacity is available, recording of the following additional information should be considered:

a) operational information from electronic display systems, such as electronic flight instrument systems (EFIS), electronic centralized aircraft monitor (ECAM) and engine indication and crew alerting system (EICAS). Use the following order of priority:

   1) parameters selected by the flight crew relating to the desired flight path, e.g. barometric pressure setting, selected altitude, selected airspeed, decision height, and autoflight system engagement and mode indications if not recorded from another source;

   2) display system selection/status, e.g. SECTOR, PLAN, ROSE, NAV, WXR, COMPOSITE, COPY, ETC.;

   3) warnings and alerts;

   4) the identity of displayed pages for emergency procedures and checklists; and

b) retardation information including brake application for use in the investigation of landing overruns and rejected take-offs.

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APPENDIX 2 TO 6.167: FDR PARAMETERS FOR HELICOPTERS

Serial number	Parameter	Measurement range	Maximum sampling and recording interval (seconds)	Accuracy limits (sensor input compared to FDR readout)	Recording resolution
1	Time (UTC when available, otherwise relative time count or GPS time sync)	24 hours	4	±0.125% per hour	1 s
2	Pressure altitude	–300 m (–1 000 ft) to maximum certificated altitude of aircraft +1 500 m (+5 000 ft)	1	±30 m to ±200 m (±100 ft to ±700 ft)	1.5 m (5 ft)
3	Indicated airspeed	As the installed pilot display measuring system	1	±3%	1 kt
4	Heading	360°	1	±2°	0.5°
5	Normal acceleration	–3 g to +6 g	0.125	±0.09 g excluding a datum error of ±0.045 g	0.004 g
6	Pitch attitude	±75° or 100% of useable range whichever is greater	0.5	±2°	0.5°
7	Roll attitude	±180°	0.5	±2°	0.5°
8	Radio transmission keying	On-off (one discrete)	1	—	—
9	Power on each engine	Full range	1 (per engine)	±2%	0.1% of full range
10	Main rotor:				
	Main rotor speed	50–130%	0.51	±2%	0.3% of full range
	Rotor brake	Discrete		—	—
11	Pilot input and/or control surface position — primary controls (collective pitch, longitudinal cyclic pitch, lateral cyclic pitch, tail rotor pedal)	Full range	0.5 (0.25 recommended)	±2% unless higher accuracy uniquely required	0.5% of operating range
12	Hydraulics, each system (low pressure and selection)	Discrete	1	—	—
13	Outside air temperature	Sensor range	2	±2°C	0.3°C
14*	Autopilot/ autothrottle/AFCS mode and engagement status	A suitable combination of discretes	1	—	—
15*	Stability augmentation system engagement	Discrete	1	—	—
Note.— The preceding 15 parameters satisfy the requirements for a Type V FDR.					
16*	Main gearbox oil pressure	As installed	1	As installed	6.895 kN/m² (1 psi)
17*	Main gearbox oil temperature	As installed	2	As installed	1°C

Serial number	Parameter	Measurement range	Maximum sampling and recording interval (seconds)	Accuracy limits (sensor input compared to FDR readout)	Recording resolution
18	Yaw rate	±400°/second	0.25	±1.5% maximum range excluding datum error of ±5%	±2°/s
19*	Sling load force	0 to 200% of certified load	0.5	±3% of maximum range	0.5% for maximum certified load
20	Longitudinal acceleration	±1 g	0.25	±0.015 g excluding a datum error of ±0.05 g	0.004 g
21	Lateral acceleration	±1 g	0.25	±0.015 g excluding a datum error of ±0.05 g	0.004 g
22*	Radio altitude	–6 m to 750 m (–20 ft to 2 500 ft)	1	±0.6 m (±2 ft) or ±3% whichever is greater below 150 m (500 ft) and ±5% above 150 m (500 ft)	0.3 m (1 ft) below 150 m (500 ft), 0.3 m (1 ft) + 0.5% of full range above 150 m (500 ft)
23*	Vertical beam deviation	Signal range	1	±3%	0.3% of full range
24*	Horizontal beam deviation	Signal range	1	±3%	0.3% of full range
25	Marker beacon passage	Discrete	1	—	—
26	Warnings	Discrete(s)	1	—	—
27	Each navigation receiver frequency selection	Sufficient to determine selected frequency	4	As installed	—
28*	DME 1 and 2 distances	0–370 km (0–200 NM)	4	As installed	1 852 m (1 NM)
29*	Navigation data (latitude/longitude, ground speed, drift angle, wind speed, wind direction)	As installed	2	As installed	As installed
30*	Landing gear and gear selector position	Discrete	4	—	—
Note.— The preceding 30 parameters satisfy the requirements for a Type IV FDR.					
31*	Engine exhaust gas temperature (T_4)	As installed	1	As installed	
32*	Turbine inlet temperature (TIT/ITT)	As installed	1	As installed	
33*	Fuel contents	As installed	4	As installed	
34*	Altitude rate	As installed	1	As installed	
35*	Ice detection	As installed	4	As installed	
36*	Helicopter health and usage monitor system	As installed	—	As installed	—
37	Engine control modes	Discrete	1	—	—
38*	Selected barometric setting (pilot and co-pilot)	As installed	64 (4 recommended)	As installed	0.1 mb (0.01 in Hg)

Serial number	Parameter	Measurement range	Maximum sampling and recording interval (seconds)	Accuracy limits (sensor input compared to FDR readout)	Recording resolution
39*	Selected altitude (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
40*	Selected speed (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
41*	Selected Mach (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
42*	Selected vertical speed (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
43*	Selected heading (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
44*	Selected flight path (all pilot selectable modes of operation)	As installed	1	As installed	Sufficient to determine crew selection
45*	Selected decision height	As installed	4	As installed	Sufficient to determine crew selection
46*	EFIS display format (pilot and co-pilot)	Discrete(s)	4	—	—
47*	Multi-function/ engine/alerts display format	Discrete(s)	4	—	—
48*	Event marker	Discrete	1	—	—

Note.— The preceding 48 parameters satisfy the requirements for a Type IVA FDR.

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APPENDIX 3 TO 6.168: ADRS PARAMETERS FOR AEROPLANES

No.	Parameter name	Parameter category	Minimum recording range	Maximum recording interval in seconds	Minimum recording accuracy	Minimum recording resolution	Remarks
1	Heading (Magnetic or True)	R*	±180 degrees	1	±2 degrees	0.5 degree	* If not available, record rates
2	Pitch attitude	E*	±90 degrees	0.25	±2 degrees	0.5 degree	* If not available, record rates
3	Roll attitude	E*	±180 degrees	0.25	±2 degrees	0.5 degree	* If not available, record rates
4	Yaw rate	E*	±300 degrees/s	0.25	±1% + drift of 360°/hr	2 degree/s	* Essential if no heading available
5	Pitch rate	E*	±300 degrees/s	0.25	±1% + drift of 360°/hr	2 degree/s	* Essential if no pitch attitude available
6	Roll rate	E*	±300 degrees/s	0.25	±1% + drift of 360°/hr	2 degree/s	* Essential if no roll attitude available
7	Positioning system : latitude/longitude	E	Latitude:±90 degrees Longitude:±180 degrees	2 (1 if available)	As installed (0.00015 degree recommended)	0.00005 degree	
8	Positioning system estimated error	E*	Available range	2 (1 if available)	As installed	As installed	* If available
9	Positioning system : altitude	E	–300 m (–1 000 ft) to maximum certificated altitude of aeroplane +1 500 m (5 000 ft)	2 (1 if available)	As installed (±15 m (±50 ft) recommended)	1.5 m (5 ft)	
10	Positioning system : time*	E	24 hours	1	±0.5 second	0.1 second	* UTC time preferred where available.
11	Positioning system : ground speed	E	0–1 000 kt	2 (1 if available)	As installed (±5 kt recommended)	1 kt	
12	Positioning system : channel	E	0–360 degrees	2 (1 if available)	As installed (± 2 degrees recommended)	0.5 degrees	
13	Normal acceleration	E	–3 g to + 6 g (*)	0.25 (0.125 if available)	As installed (± 0.09 g excluding a datum error of ±0.45 g recommended)	0.004 g	
14	Longitudinal acceleration	E	±1 g (*)	0.25 (0.125 if available)	As installed (±0.015 g excluding a datum error of ±0.05 g recommended)	0.004 g	
15	Lateral acceleration	E	±1 g (*)	0.25 (0.125 if available)	As installed (±0.015 g excluding a datum error of ±0.05 g recommended)	0.004 g	

No.	Parameter name	Parameter category	Minimum recording range	Maximum recording interval in seconds	Minimum recording accuracy	Minimum recording resolution	Remarks
16	External static pressure (or pressure altitude)	R	34.4 mb (3.44 in-Hg) to 310.2 mb (31.02 in-Hg) or available sensor range	1	As installed (±1 mb (0.1 in-Hg) or ±30 m (±100 ft) to ±210 m (±700 ft) recommended)	0.1 mb (0.01 in-Hg) or 1.5 m (5 ft)	
17	Outside air temperature (or total air temperature)	R	-50° to +90°C or available sensor range	2	As installed (±2°C recommended)	1°C	
18	Indicated air speed	R	As the installed pilot display measuring system or available sensor range	1	As installed (±3 % recommended)	1 kt (0.5 kt recommended)	
19	Engine RPM	R	Full range including overspeed condition	Each engine each second	As installed	0.2% of full range	
20	Engine oil pressure	R	Full range	Each engine each second	As installed (5% of full range recommended)	2% of full range	
21	Engine oil temperature	R	Full range	Each engine each second	As installed (5% of full range recommended)	2% of full range	
22	Fuel flow or pressure	R	Full range	Each engine each second	As installed	2% of full range	
23	Manifold pressure	R	Full range	Each engine each second	As installed	0.2% of full range	
24	Engine thrust/power/torque parameters required to determine propulsive thrust/power*	R	Full range	Each engine each second	As installed	0.1% of full range	* Sufficient parameters e.g. EPR/N1 or torque/Np as appropriate to the particular engine shall be recorded to determine power in both normal and reverse thrust. A margin for possible overspeed should be provided.
25	Engine gas generator speed (Ng)	R	0-150%	Each engine each second	As installed	0.2% of full range	
26	Free power turbine speed (Nf)	R	0-150%	Each engine each second	As installed	0.2% of full range	
27	Coolant temperature	R	Full range	1	As installed (±5°C recommended)	1 degree Celsius	
28	Main voltage	R	Full range	Each engine each second	As installed	1 Volt	
29	Cylinder head temperature	R	Full range	Each cylinder each second	As installed	2% of full range	
30	Flaps position	R	Full range or each discrete position	2	As installed	0.5 degree	

No.	Parameter name	Parameter category	Minimum recording range	Maximum recording interval in seconds	Minimum recording accuracy	Minimum recording resolution	Remarks
31	Primary flight control surface position	R	Full range	0.25	As installed	0.2 % of full range	
32	Fuel quantity	R	Full range	4	As installed	1% of full range	
33	Exhaust gas temperature	R	Full range	Each engine each second	As installed	2% of full range	
34	Emergency voltage	R	Full range	Each engine each second	As installed	1 Volt	
35	Trim surface position	R	Full range or each discrete position	1	As installed	0.3% of full range	
36	Landing gear position	R	Each discrete position*	Each gear every two seconds	As installed		* Where available, record up-and-locked and down-and-locked position
37	Novel/unique aircraft features	R	As required	As required	As required	As required	

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Essential parameters
Recommended parameters

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APPENDIX 4 TO 6.169: ADRS PARAMETERS FOR HELICOPTERS

N°	Parameter name	Parameter category	Minimum recording range	Maximum recording interval in seconds	Minimum recording accuracy	Minimum recording resolution	Remarks
1	Heading (Magnetic or True)	R*	±180°	1	±2°	0.5°	*If not available, record rotational rates
2	Pitch attitude	E*	±90°	0.25	±2°	0.5°	*If not available, record rotational rates
3	Roll attitude	E*	±180°	0.25	±2°	0.5°	*If not available, record rotational rates
4	Yaw rate	E*	±300°/s	0.25	±1% + drift of 360°/h	2°/s	*Essential if no heading available
5	Pitch rate	E*	±300°/s	0.25	±1% + drift of 360°/h	2°/s	*Essential if no pitch attitude available
6	Roll rate	E*	±300°/s	0.25	±1% + drift of 360°/h	2°/s	*Essential if no roll attitude available
7	Positioning system: latitude/longitude	E	Latitude: ±90° Longitude: ±180°	2 (1 if available)	As installed (0.00015° recommended)	0.00005°	
8	Positioning system estimated error	E*	Available range	2 (1 if available)	As installed	As installed	*If available
9	Positioning system: altitude	E	–300 m (–1 000 ft) to maximum certificated altitude of helicopter + 1 500 m (5 000 ft)	2 (1 if available)	As installed (±15 m (±50 ft) recommended)	1.5 m (5 ft)	
10	Positioning system: time*	E	24 hours	1	±0.5 s	0.1 s	*UTC time preferred where available.
11	Positioning system: ground speed	E	0–1 000 kt	2 (1 if available)	As installed (±5 kt recommended)	1 kt	
12	Positioning system: track	E	0–360°	2 (1 if available)	As installed (±2° recommended)	0.5°	
13	Normal acceleration	E	–3 g to + 6 g	0.25 (0.125 if available)	As installed (±0.09 g excluding a datum error of ±0.05 g recommended)	0.004 g	

N°	Parameter name	Parameter category	Minimum recording range	Maximum recording interval in seconds	Minimum recording accuracy	Minimum recording resolution	Remarks
14	Longitudinal acceleration	E	±1 g	0.25 (0.125 if available)	As installed (±0.015 g excluding a datum error of ±0.05 g recommended)	0.004 g	
15	Lateral acceleration	E	±1 g	0.25 (0.125 if available)	As installed (±0.015 g excluding a datum error of ±0.05 g recommended)	0.004 g	
16	External static pressure (or pressure altitude)	R	34.4 hPa (1.02 in-Hg) to 310.2 hPa (9.16 in-Hg) or available sensor range	1	As installed (±1 hPa (0.3 in-Hg) or ±30 m (±100 ft) to ±210 m (±700 ft) recommended)	0.1 hPa (0.03 in-Hg) or 1.5 m (5 ft)	
17	Outside air temperature (or total air temperature)	R	−50° to +90°C or available sensor range	2	As installed (±2°C recommended)	1°C	
18	Indicated air speed	R	As the installed pilot display measuring system or available sensor range	1	As installed (±3% recommended)	1 kt (0.5 kt recommended)	
19	Main rotor speed (Nr)	R	50% to 130% or available sensor range	0.5	As installed	0.3% of full range	
20	Engine RPM (*)	R	Full range including overspeed condition	Each engine each second	As installed	0.2% of full range	*For piston-engined helicopters
21	Engine oil pressure	R	Full range	Each engine each second	As installed (5% of full range recommended)	2% of full range	
22	Engine oil temperature	R	Full range	Each engine each second	As installed (5% of full range recommended)	2% of full range	
23	Fuel flow or pressure	R	Full range	Each engine each second	As installed	2% of full range	
24	Manifold pressure (*)	R	Full range	Each engine each second	As installed	0.2% of full range	*For piston-engined helicopters

N°	Parameter name	Parameter category	Minimum recording range	Maximum recording interval in seconds	Minimum recording accuracy	Minimum recording resolution	Remark
14	Longitudinal acceleration	E	±1 g	0.25 (0.125 if available)	As installed (±0.015 g excluding a datum error of ±0.05 g recommended)	0.004 g	
15	Lateral acceleration	E	±1 g	0.25 (0.125 if available)	As installed (±0.015 g excluding a datum error of ±0.05 g recommended)	0.004 g	
16	External static pressure (or pressure altitude)	R	34.4 hPa (1.02 in-Hg) to 310.2 hPa (9.16 in-Hg) or available sensor range	1	As installed (±1 hPa (0.3 in-Hg) or ±30 m (±100 ft) to ±210 m (±700 ft) recommended)	0.1 hPa (0.03 in-Hg) or 1.5 m (5 ft)	
17	Outside air temperature (or total air temperature)	R	−50° to +90°C or available sensor range	2	As installed (±2°C recommended)	1°C	
18	Indicated air speed	R	As the installed pilot display measuring system or available sensor range	1	As installed (±3% recommended)	1 kt (0.5 kt recommended)	
19	Main rotor speed (Nr)	R	50% to 130% or available sensor range	0.5	As installed	0.3% of full range	
20	Engine RPM (*)	R	Full range including overspeed condition	Each engine each second	As installed	0.2% of full range	*For piston-engined helicopters
21	Engine oil pressure	R	Full range	Each engine each second	As installed (5% of full range recommended)	2% of full range	
22	Engine oil temperature	R	Full range	Each engine each second	As installed (5% of full range recommended)	2% of full range	
23	Fuel flow or pressure	R	Full range	Each engine each second	As installed	2% of full range	
24	Manifold pressure (*)	R	Full range	Each engine each second	As installed	0.2% of full range	*For piston-engined helicopters

N°	Parameter name	Parameter category	Minimum recording range	Maximum recording interval in seconds	Minimum recording accuracy	Minimum recording resolution	Remarks
25	Engine thrust/power/ torque parameters required to determine propulsive thrust/power*	R	Full range	Each engine each second	As installed	0.1% of full range	*Sufficient parameters e.g. EPR/N1 or torque/Np as appropriate to the particular engine shall be recorded to determine power. A margin for possible overspeed should be provided. Only for turbine-engined helicopters.
26	Engine gas generator speed (Ng) (*)	R	0–150%	Each engine each second	As installed	0.2% of full range	*Only for turbine-engined helicopters
27	Free power turbine speed (Nf) (*)	R	0–150%	Each engine each second	As installed	0.2% of full range	*Only for turbine-engined helicopters
28	Collective pitch	R	Full range	0.5	As installed	0.1% of full range	
29	Coolant temperature (*)	R	Full range	1	As installed (±5°C recommended)	1° C	*Only for piston-engined helicopters
30	Main voltage	R	Full range	Each engine each second	As installed	1 Volt	
31	Cylinder head temperature (*)	R	Full range	Each cylinder each second	As installed	2% of full range	*Only for piston-engined helicopters
32	Fuel quantity	R	Full range	4	As installed	1% of full range	
33	Exhaust gas temperature	R	Full range	Each engine each second	As installed	2% of full range	
34	Emergency voltage	R	Full range	Each engine each second	As installed	1 Volt	
35	Trim surface position	R	Full range or each discrete position	1	As installed	0.3% of full range	
36	Landing gear position	R	Each discrete position*	Each gear every two seconds	As installed		*Where available, record up-and-locked and down-and-locked position
37	Novel/unique aircraft features	R	As required	As required	As required	As required	

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Essential parameters

Recommended parameters

APPENDIX 1 TO 6.170: APPLICATION OF DATA LINK RECORDERS

Item No.	Application type	Application description	Recording content
1	Data link Initiation	This includes any applications used to logon to or initiate data link service. In FANS-1/A and ATN, these are ATS Facilities Notification (AFN) and Context Management (CM) respectively.	C
2	Controller/Pilot Communication	This includes any application used to exchange requests, clearances, instructions and reports between the flight crew and controllers on the ground. In FANS-1/A and ATN, this includes the CPDLC application. It also includes applications used for the exchange of oceanic (OCL) and departure clearances (DCL) as well as data link delivery of taxi clearances.	C
3	Addressed Surveillance	This includes any surveillance application in which the ground sets up contracts for delivery of surveillance data. In FANS-1/A and ATN, this includes the Automatic Dependent Surveillance (ADS-C) application. Where parametric data are reported within the message they shall be recorded unless data from the same source are recorded on the FDR.	C
4	Flight Information	This includes any service used for delivery of flight information to specific aircraft. This includes, for example, D-METAR, D-ATIS, D-NOTAM and other textual data link services.	C
5	Aircraft Broadcast Surveillance	This includes Elementary and Enhanced Surveillance Systems, as well as ADS-B output data. Where parametric data sent by the aircraft are reported within the message they shall be recorded unless data from the same source are recorded on the FDR.	M *
6	Aeronautical Operational Control Data	This includes any application transmitting or receiving data used for AOC purposes (per the ICAO definition of AOC).	M *

Key:
C: Complete contents recorded.
M: Information that enables correlation to any associated records stored separately from the aircraft.
*: Applications to be recorded only as far as is practicable given the architecture of the system.

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APPENDIX 1 TO 6.210: EMERGENCY EXIT EQUIPMENT

(a) The assisting means for a floor level emergency exit shall meet the requirements under which the aeroplane was type certified.

(b) The location of each passenger emergency exit shall be—

(1) Recognisable from a distance equal to the width of the cabin; and

(2) Indicated by a sign visible to occupants approaching along the main passenger aisle.

(c) There shall be an emergency exit locating sign—

(1) Above the aisle near each over-the-wing passenger emergency exit, or at another ceiling location if it is more practical because of low headroom;

(2) Next to each floor level passenger emergency exit, except that one sign may serve two such exits if they both can be seen readily from that sign; and

(3) On each bulkhead or divider that prevents fore and aft vision along the passenger cabin, to indicate emergency exits beyond and obscured by it, except that if this is not possible, the sign may be placed at another appropriate location.

(d) Each passenger emergency exit marking and each locating sign shall be manufactured to meet the interior emergency exit marking requirements under which the aeroplane was type certified, unless the Authority cites different requirements for compliance with this paragraph.

Note: No sign may continue to be used if its luminescence (brightness) decreases to below 250 microlamberts.

(e) Sources of general cabin illumination may be common to both the emergency and the main lighting systems if the power supply to the emergency light system is independent of the power supply to the main lighting system.

(f) The emergency lighting system shall provide enough general lighting in the passenger cabin so that the average illumination, when measured at 40-inch intervals at seat armrest height, on the centreline of the main passenger aisle, is at least 0.05 foot-candles.

(g) Each emergency light shall—

(1) Be operable manually both from the flight crew station and from a point in the passenger compartment that is readily accessible to a normal cabin crew member seat;

(2) Have a means to prevent inadvertent operation of the manual controls; and

(3) When armed or turned on at either station, remain lighted or become lighted upon interruption of the aeroplane's normal electric power.

(4) Provide the required level of illumination for at least 10 minutes at the critical ambient conditions after emergency landing.

(5) Have a cockpit control device that has an "on", "off", and "armed" position.

(h) The location of each passenger emergency exit operating handle and instructions for opening the exit shall be shown in accordance with the requirements under which the aeroplane was type certified, unless the Authority cites different requirements for compliance with this paragraph.

(i) No operating handle or operating handle cover may continue to be used if its luminescence (brightness) decreases to below 100 microlamberts.

(j) Access to emergency exits shall be provided as follows for each passenger carrying aeroplane—

(1) Each passageway between individual passenger areas, or leading to a Type I or Type II emergency exit, shall be unobstructed and at least 20 inches wide.

(2) There shall be enough space next to each Type I or Type II emergency exit to allow a crew member to assist in the evacuation of passengers without reducing the unobstructed width of the passageway below that required in paragraph (f)1. of this Regulation.

(3) There shall be access from the main aisle to each Type III and Type IV exit. The access from the aisle to these exits shall not be obstructed by seats, berths, or other protrusions in a manner that would reduce the effectiveness of the exit. In addition, the access shall meet the emergency exit access requirements under which the aeroplane was type certificated, unless the Authority cites different requirements for compliance with this paragraph.

(4) If it is necessary to pass through a passageway between passenger compartments to reach any required emergency exit from any seat in the passenger cabin, the passageway shall not be obstructed. However, curtains may be used if they allow free entry through the passageway.

(5) No door may be installed in any partition between passenger compartments.

(6) If it is necessary to pass through a doorway separating the passenger cabin from other areas to reach any required emergency exit from any passenger seat, the door shall have a means to latch it in open position, and the door shall be latched open during each takeoff and landing. The latching means shall be able to withstand the loads imposed upon it when the door is subjected to the ultimate inertia forces, relative to the surrounding structure, prescribed in the airworthiness standards for type certification in the transport category as cited by the Authority.

(k) Each passenger emergency exit and the means of opening that exit from the outside shall be marked on the outside of the aeroplane with a 2-inch coloured band outlining the exit on the side of the fuselage.

(l) Each passenger emergency exit marking, including the band, shall be readily distinguishable from the surrounding fuselage area by contrast in colour and shall comply with the following—

(1) If the reflectance of the darker colour is 15 percent or less, the reflectance of the lighter colour shall be at least 45 percent.

(2) If the reflectance of the darker colour is greater than 15 percent, at least a 30 percent difference between its reflectance and the reflectance of the lighter colour shall be provided.

(3) Exits that are not in the side of the fuselage shall have external means of opening and applicable instructions marked conspicuously in red or, if red is inconspicuous against the background colour, in bright chrome yellow and, when the opening means for such an exit is located on only one side of the fuselage, a conspicuous marking to that effect shall be provided on the other side.

(m) Each passenger-carrying aeroplane shall be equipped with exterior lighting that meets the requirements under which that aeroplane was type certificated, unless the Authority cites different requirement for compliance with this paragraph.

(n) Each passenger-carrying aeroplane shall be equipped with a slip-resistant escape route that meets the requirements under which that aeroplane was type certificated, unless the Authority cites different requirements for compliance with this paragraph.

(o) Each floor level door or exit in the side of the fuselage (other than those leading into a cargo or baggage compartment that is not accessible from the passenger cabin) that is 44 or more inches high and 20 or more inches wide, but not wider than 46 inches, each passenger ventral exit and each tail cone exit, shall meet the requirements of this Regulation for floor level emergency exits.

(p) Approved emergency exits in the passenger compartments that are in excess of the minimum number of required emergency exits shall meet all of the applicable provisions of this Appendix and shall be readily accessible.

(q) On each large passenger-carrying turbojet powered aeroplane each ventral exit and tail cone exit shall be—

(1) Designed and constructed so that it cannot be opened during flight; and
(2) Marked with a placard readable from a distance of 30 inches and installed at a conspicuous location near the means of opening the exit, stating that the exit has been designed and constructed so that it cannot be opened during flight.

APPENDIX 1 TO 6.270: SUPPLEMENTAL OXYGEN: NON PRESSURISED AIRCRAFT

(a) Flight crew members—
(1) Each member of the flight crew on flight deck duty shall be supplied with supplemental oxygen in accordance with the following table.
(2) If all occupants of flight deck seats are supplied from the flight crew source of oxygen supply, then they shall be considered as flight crew members on flight deck duty for the purpose of oxygen supply.

(b) Cabin crew members, additional crew members and passengers shall be supplied with oxygen in accordance with the following table.

Note: Cabin crew members carried in addition to the minimum number of cabin crew members required, and additional crew members, shall be considered as passengers for the purpose of oxygen supply.

SUPPLY FOR:	DURATION AND PRESSURE ALTITUDE
1. All occupants of flight deck seats on flight deck duty	Entire flight time at pressure altitudes above 10,000 feet
2. All required cabin crew members	Entire flight time at pressure altitudes above 13,000 ft and for any period exceeding 30 minutes at pressure altitudes above 10,000 ft but not exceeding 13,000 ft
3. 100% of passengers	Entire flight time at pressure altitudes above 13,000 ft
6. 10% of passengers	Entire flight time after 30 minutes at pressure altitudes greater than 10,000 ft but not exceeding 13,000 ft

APPENDIX 2 TO 6.270: SUPPLEMENTAL OXYGEN: PRESSURISED AIRCRAFT

(a) The amount of supplemental oxygen required shall be determined on the basis of cabin pressure altitude, flight duration and the assumption that a cabin pressurisation failure will occur at the altitude or point of flight that is most critical from the standpoint of oxygen need, and that, after the failure, the aeroplane will descend in accordance with emergency procedures specified in the Aircraft Flight Manual to a safe altitude for the route to be flown that will allow continued safe flight and landing.

(b) Following a cabin pressurisation failure, the cabin pressure altitude shall be considered the same as the aeroplane altitude, unless it is demonstrated to the Authority that no probable failure of the cabin or pressurisation system will result in a cabin pressure altitude equal to the aeroplane altitude.

Note: Under these circumstances, this lower cabin pressure altitude may be used as a basis for determination of oxygen supply.

(c) Flight crew members—
(1) Each member of the flight crew on flight deck duty shall be supplied with supplemental oxygen in accordance with the following table.
(2) If all occupants of flight deck seats are supplied from the flight crew source of oxygen supply, then they shall be considered as flight crew members on flight deck duty for the purpose of oxygen supply.

(3) Flight deck seat occupants, not supplied by the flight crew source, are to be considered as passengers for the purpose of oxygen supply.

(d) Cabin crew members, additional crew members, and passengers—

(1) Cabin crew members and passengers shall be supplied with supplemental oxygen in accordance with the following table.

(2) Cabin crew members carried in addition to the minimum number of cabin crew members required, and additional crew members, shall be considered as passengers for the purpose of oxygen supply.

(e) The oxygen supply requirements, as specified in the following table, for aeroplanes not certificated to fly at altitudes above 25,000 ft, may be reduced to—

(1) The entire flight time between 10,000 ft and 14,000 ft cabin pressure altitudes for all required cabin crew members; and

(2) For at least 10% of the passengers if, at all points along the route to be flown, the aeroplane is able to descend safely within 4 minutes to a cabin pressure altitude of 14,000 ft.

SUPPLY FOR:	**DURATION AND CABIN PRESSURE ALTITUDE**
1. All occupants of flight deck seats on flight deck duty flight	Entire flight time when the cabin pressure altitude exceeds 13,000 and entire time when the cabin pressure altitude exceeds 10,000 ft but does not exceed 13,000 ft after the first 30 minutes at those altitudes, but in no case less than— *(i) 30 minutes for aeroplanes certificated to fly at altitudes not exceeding 25,000 ft (Note 2)* *(ii) 2 hours for aeroplanes certificated to fly at altitudes more than 25,000 ft (Note 3).*
2. All required cabin crew members	Entire flight time *when cabin pressure altitude exceeds 13,000 ft but not less than 30 minutes (Note 2),* and entire flight time when cabin pressure altitude is greater than 10,000 ft but does not exceed 13,000 ft after the first 30 minutes at these altitudes.
3. 100% of passengers	10 minutes or the entire flight time when the cabin pressure altitude exceeds 15,000 ft whichever is the greater (Note 4)
6. 30% of passengers	Entire flight time when the cabin pressure altitude exceeds 14,000 ft but does not exceed 15,000 ft
5. 10% of passengers	Entire flight time when the cabin pressure altitude exceeds 10,000 ft but does not exceed 14,000 ft after the first 30 minutes at these altitudes.

Note 1: The supply provided shall take account of the cabin pressure altitude and descent profile for the routes concerned.

Note 2: The required minimum supply is that quantity of oxygen necessary for a constant rate of descent from the aeroplane's maximum certificated operating altitude to 10,000 ft in 10 minutes and followed by 20 minutes at 10,000 ft.

Note 3: The required minimum supply is that quantity of oxygen necessary for a constant rate of descent from the aeroplane's maximum certificated operating altitude to 10,000 ft in 10 minutes and followed by 110 minutes at 10,000 ft. The oxygen required to meet the Crew Protective Breathing Equipment provisions of this Part may be included in determining the supply required.

Note 4: The required minimum supply is that quantity of oxygen necessary for a constant rate of descent from the aeroplane's maximum certificated operating altitude to 15,000 ft.

APPENDIX 1 TO 6.290(J): ESTABLISHING LOCATION OF AIRCRAFT IN DISTRESS

(a) This appendix provides standards for equipment to establish, with a high probability, the inflight location of an aeroplane in distress and/or the location of an accident site within a 6 NM radius.

(b) The aircraft system and associated equipment required for this purpose shall—

(1) Be able to recognize the parameters that indicate the aircraft is in distress;
(2) Automatically activate the transmission of information from which its position can be determined by the operator and the position information shall contain a time stamp;
(3) Have a means for the flight crew to manually activate the transmission;
(4) Only be able to be deactivated using the same mechanism that activated it after the autonomous transmission of position information is occurring; and
(3) At a minimum, transmit position information that meets the position accuracy requirements established for ELTs.

(c) The system shall consider the aircraft to be in a distress condition and trigger the transmission when it is in a state that, if the aircraft behaviour event is left uncorrected, could result in an accident.

(d) The following aircraft behaviour events shall cause the triggering of the transmission the distress alert—

(1) Unusual attitudes;
(2) Unusual speed conditions;
(3) Collision with terrain;
(4) Total loss of thrust/propulsion on all engines;
(5) Ground proximity warning; and
(6) Any other condition prescribed by the Authority.

Note 1: A distress alert can be triggered using criteria that may vary as a result of aircraft position and phase of flight.

Note 2: Further guidance regarding in-flight event detection and triggering criteria may be found in the EUROCAE ED-237, Minimum Aviation System Performance Specification (MASPS) for Criteria to Detect In-Flight Aircraft Distress Events to Trigger Transmission of Flight Information.

(e) In case of a triggered transmission, the initial transmission of position information shall commence immediately or no later than five seconds after the detection of the activation event.

(f) Autonomous transmission of position information shall remain active when an aircraft is in a distress condition.

(b) The system used for the autonomous transmission of position information shall be capable of transmitting that information at least for the expected duration of the entire flight in event of an electrical power loss.

(g) The operator shall be alerted when an aircraft is in a distress condition with an acceptable low rate of false alerts.

(c) When an aircraft operator or an air traffic service unit (ATSU) has reason to believe that an aircraft is in distress, coordination shall be established between the ATSU and the aircraft operator.

(h) The organizations that will require the position information of an aircraft in an emergency phase shall include, as a minimum:

(1) Air traffic service unit(s) (ATSU); and
(1) SAR rescue coordination centre(s) (RCC) and sub-centres.

END OF RCAR PART 6

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

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Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

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Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
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Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

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ANNEX VII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE VII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 7

Personnel Licensing

SUBPART A: GENERAL LICENSING REQUIREMENTS....7
7.001 CITATION & APPLICABILITY....7
7.005 DEFINITIONS....7
7.010 ACRONYMS....7
SUBPART B: LICENCES, RATINGS & AUTHORISATIONS....8
7.015 APPLICABILITY....8
7.020 GENERAL....8
7.025 LICENCES AUTHORISED TO BE ISSUED....8
7.030 SPECIFICATIONS OF LICENSES TO BE ISSUED....9
7.035 [RESERVED]....9
7.040 ISSUANCE OF PILOT AIRCRAFT CATEGORY RATINGS....9
7.045 ISSUANCE OF AIRCRAFT CLASS RATINGS....9
7.050 ISSUANCE OF AIRCRAFT TYPE RATINGS....10
7.055 ISSUANCE OF AIRCRAFT INSTRUMENT RATINGS....10
7.060 ISSUANCE OF FLIGHT INSTRUCTOR CATEGORY & CLASS RATINGS....10
7.065 ISSUANCE OF FLIGHT ENGINEER CATEGORY RATINGS....11
7.070 ISSUANCE OF AVIATION GROUND INSTRUCTOR RATINGS....11
7.075 ISSUANCE OF AIRCRAFT MAINTENANCE ENGINEER BASIC RATINGS....11
7.080 ISSUANCE OF AIRCRAFT MAINTENANCE ENGINEER TYPE RATINGS....11
7.085 ISSUANCE OF AVIATION REPAIR SPECIALIST CATEGORY RATINGS....12
7.090 ISSUANCE OF PARACHUTE RIGGER TYPE RATINGS....12
7.095 ISSUANCE OF AIR TRAFFIC CONTROLLER RATINGS....12
7.100 AUTHORISATIONS ISSUED BY SPECIAL ENDORSEMENT....12
7.105 DURATION OF LICENCES, RATINGS & AUTHORISATIONS....13
7.110 SPECIAL LIMITATIONS TO LICENCES, RATINGS & AUTHORISATIONS....14
SUBPART C: VALIDATION AND CONVERSION OF FOREIGN LICENCES & RATINGS....14
7.115 VALIDATION OF FLIGHT CREW LICENCES....14
7.120 CONVERSION OF FLIGHT CREW LICENCES & RATINGS....15
7.125 VALIDATION OF NON-CITIZENS LICENCES FOR WORK IN RWANDA....16
7.130 VALIDATION AND CONVERSION OF LICENCES OTHER THAN FLIGHT CREW LICENCES....16
7.135 MILITARY PILOTS OR FORMER MILITARY PILOTS: SPECIAL RULES....16
7.136 RECOGNITION OF MILITARY AIRCRAFT MAINTENANCE AND OTHER PERSONNEL QUALIFICATIONS....18
SUBPART D: GENERAL TRAINING REQUIREMENTS....19
7.140 RECORDS OF TRAINING TIME....19
7.145 FLIGHT INSTRUCTION AUTHORISATION REQUIRED....19
7.150 FLIGHT TRAINING NOT LICENCED BY THE AUTHORITY....19
7.155 GRADUATES OF APPROVED TRAINING ORGANISATION: SPECIAL RULES....19
7.160 APPROVED USE OF FLIGHT SIMULATION TRAINING DEVICES....19
SUBPART E: GENERAL TESTING REQUIREMENTS....20
7.165 TESTS: GENERAL PROCEDURE....20
7.170 KNOWLEDGE TEST: PREREQUISITES AND PASSING GRADES....20
7.175 SKILL (PRACTICAL) TEST: PREREQUISITES....20
7.180 PILOT SKILL TESTS: DEMONSTRATION OF SKILL....20
7.185 SKILL TESTS: REQUIRED AIRCRAFT & EQUIPMENT....21
7.190 LIMITATIONS ON THE USE OF FLIGHT SIMULATION TRAINING DEVICES....22
7.195 RETESTING AFTER FAILURE....22
7.200 LANGUAGE PROFICIENCY....22
SUBPART F: LICENSING: FLIGHT CREW MEMBERS....23

Subdivision I: Aircraft Ratings & Pilot Authorisations 23
7.205 GENERAL REQUIREMENT 23
7.210 PRIVILEGES OF AN INSTRUMENT RATING HOLDER 23
7.215 INSTRUMENT RATING REQUIREMENTS 23
7.220 CATEGORY RATINGS 25
7.225 CLASS RATINGS 25
7.230 TYPE RATINGS 25
7.235 CATEGORY II & III PILOT AUTHORISATION REQUIREMENTS 27
7.240 FLIGHT CREW RADIO OPERATOR ENDORSEMENT 27
Subdivision II: Student Pilots 28
7.245 APPLICABILITY 28
7.250 PRIVILEGES ACCORDED TO THE HOLDER OF A STUDENT PILOT LICENSE 28
7.255 STUDENT PILOT ELIGIBILITY REQUIREMENTS: GENERAL 28
7.260 STUDENT PILOT APPLICATION 28
7.265 STUDENT PILOT SOLO REQUIREMENTS 28
7.270 STUDENT PILOT SOLO CROSS-COUNTRY FLIGHT REQUIREMENTS 29
7.275 STUDENT PILOT RENEWAL REQUIREMENTS 30
Subdivision III: Private Pilots 30
7.280 APPLICABILITY 30
7.285 PRIVILEGES OF PRIVATE PILOT LICENSE HOLDERS 30
7.290 PRIVATE PILOT ELIGIBILITY REQUIREMENTS: GENERAL 30
7.295 PRIVATE PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS 31
7.300 PRIVATE PILOT FLIGHT INSTRUCTION REQUIREMENTS 31
7.305 PRIVATE PILOT SKILL TEST REQUIREMENTS 31
7.310 PRIVATE PILOT AERONAUTICAL EXPERIENCE REQUIREMENTS 32
7.315 PRIVATE PILOT LICENCE ISSUANCE LIMITATIONS 32
7.320 PRIVATE PILOT RENEWAL & REISSUE REQUIREMENTS 32
Subdivision IV: Commercial Pilots 32
7.325 APPLICABILITY 32
7.330 PRIVILEGES OF A COMMERCIAL PILOT LICENSE HOLDER 32
7.335 COMMERCIAL PILOT ELIGIBILITY REQUIREMENTS: GENERAL 32
7.340 COMMERCIAL PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS 33
7.345 COMMERCIAL PILOT FLIGHT INSTRUCTION REQUIREMENTS 33
7.350 COMMERCIAL PILOT SKILL REQUIREMENTS 33
7.355 COMMERCIAL PILOT AERONAUTICAL EXPERIENCE REQUIREMENTS 34
7.360 COMMERCIAL PILOT LICENCE LIMITATIONS 34
7.365 COMMERCIAL PILOT RENEWAL & REISSUE REQUIREMENTS 35
Subdivision V: Multi-Crew Pilots (Aeroplane Category) 35
7.370 APPLICABILITY 35
7.375 PRIVILEGES OF A MULTI-CREW PILOT LICENSE 35
7.380 MULTI-CREW PILOT (AEROPLANE) ELIGIBILITY REQUIREMENTS: GENERAL 35
7.385 MULTI-CREW PILOT (AEROPLANE) KNOWLEDGE REQUIREMENTS 35
7.390 MULTI-CREW PILOT (AEROPLANE) FLIGHT INSTRUCTION REQUIREMENTS 35
7.395 MULTI-CREW PILOT (AEROPLANE) SKILL REQUIREMENTS 36
7.400 MULTI-CREW PILOT (AEROPLANE) AERONAUTICAL EXPERIENCE REQUIREMENTS 36
7.405 MULTI-CREW PILOT (AEROPLANE) LICENCE ISSUANCE LIMITATIONS 36
7.410 MULTI-CREW PILOT RENEWAL & REISSUE REQUIREMENTS 37
Subdivision VI: Airline Transport Pilots 37
7.415 APPLICABILITY 37
7.420 PRIVILEGES OF AIRLINE TRANSPORT PILOT LICENSE 37
7.425 ATPL ELIGIBILITY REQUIREMENTS: GENERAL 37
7.430 ATPL AERONAUTICAL KNOWLEDGE 38
7.435 AIRLINE TRANSPORT PILOT FLIGHT INSTRUCTION REQUIREMENTS 38
7.440 AIRLINE TRANSPORT PILOT SKILL TEST REQUIREMENTS 38

7.445 AIRLINE TRANSPORT PILOT AERONAUTICAL EXPERIENCE 39
7.450 ADDITIONAL AIRCRAFT CATEGORY, CLASS & TYPE RATINGS 39
7.455 ATPL LICENCE LIMITATIONS 40
7.460 ATPL RENEWAL & REISSUE REQUIREMENTS 40
Subdivision VII: Flight Instructors 40
7.465 APPLICABILITY 40
7.470 PRIVILEGES OF A FLIGHT INSTRUCTOR LICENSE 40
7.475 FLIGHT INSTRUCTOR ELIGIBILITY REQUIREMENTS: GENERAL 40
7.480 FLIGHT INSTRUCTOR AERONAUTICAL KNOWLEDGE 41
7.485 FLIGHT INSTRUCTOR FLIGHT INSTRUCTION REQUIREMENTS 41
7.490 FLIGHT INSTRUCTOR SKILL REQUIREMENTS 42
7.495 ADDITIONAL FLIGHT INSTRUCTOR RATINGS 42
7.500 RENEWAL OF FLIGHT INSTRUCTOR LICENCES 42
7.505 EXPIRED FLIGHT INSTRUCTOR LICENCES AND RATINGS 42
Subdivision VIII: Flight Engineers 43
7.510 APPLICABILITY 43
7.515 PRIVILEGES OF A FLIGHT ENGINEER LICENSE 43
7.520 FLIGHT ENGINEER ELIGIBILITY REQUIREMENTS 43
7.525 FLIGHT ENGINEER AERONAUTICAL KNOWLEDGE REQUIREMENTS 43
7.530 FLIGHT ENGINEER AERONAUTICAL EXPERIENCE REQUIREMENTS 44
7.535 FLIGHT ENGINEER OPERATIONAL EXPERIENCE REQUIREMENTS 44
7.540 FLIGHT ENGINEER AERONAUTICAL SKILL REQUIREMENTS 44
7.545 ADDITIONAL FLIGHT ENGINEER AIRCRAFT RATINGS 44
7.550 FLIGHT ENGINEER LICENSE RENEWAL & REISSUE REQUIREMENTS 44
Subdivision IX: Flight Navigator License 45
7.555 APPLICABILITY 45
7.560 FLIGHT NAVIGATOR PRIVILEGES 45
7.565 FLIGHT NAVIGATOR ELIGIBILITY REQUIREMENTS 45
7.570 FLIGHT NAVIGATOR AERONAUTICAL KNOWLEDGE REQUIREMENTS 45
7.575 FLIGHT NAVIGATOR AERONAUTICAL EXPERIENCE REQUIREMENTS 45
7.580 FLIGHT NAVIGATOR AERONAUTICAL SKILL REQUIREMENTS 46
7.585 FLIGHT NAVIGATOR LICENSE RENEWAL & REISSUE REQUIREMENTS 46
SUBPART G: LICENSING- AIRMEN OTHER THAN FLIGHT CREW MEMBERS 46
7.590 APPLICABILITY 46
Subdivision I: Cabin Crew Members 46
7.595 APPLICABILITY 46
7.600 PRIVILEGES OF A CABIN CREW MEMBER LICENSE 46
7.605 CABIN CREW MEMBER ELIGIBILITY REQUIREMENTS 47
7.610 CABIN CREW MEMBER KNOWLEDGE REQUIREMENTS 47
7.615 CABIN CREW MEMBER EXPERIENCE REQUIREMENTS 47
7.620 CABIN CREW MEMBER SKILL REQUIREMENTS 47
7.625 CABIN CREW MEMBER RENEWAL & REISSUE REQUIREMENTS 47
Subdivision II: Flight Dispatchers 47
7.630 APPLICABILITY 47
7 .635 PRIVILEGES OF A FLIGHT DISPATCHER LICENSE 47
7.640 FLIGHT DISPATCHER ELIGIBILITY REQUIREMENTS: GENERAL 47
7.645 FLIGHT DISPATCHER KNOWLEDGE REQUIREMENTS 49
7.650 FLIGHT DISPATCHER EXPERIENCE OR TRAINING REQUIREMENTS 49
7.655 FLIGHT DISPATCHER SKILL REQUIREMENTS 49
7.660 FLIGHT DISPATCHER LICENCE ISSUANCE LIMITATIONS 49
7.665 FLIGHT DISPATCHER RENEWAL & REISSUE REQUIREMENTS 49
Subdivision III: Aircraft Maintenance Engineers 49
7.670 APPLICABILITY 49
7.675 PRIVILEGES OF THE AIRCRAFT MAINTENANCE ENGINEER LICENSE 49
7.680 AME ELIGIBILITY REQUIREMENTS: GENERAL 49

7.685 AME KNOWLEDGE REQUIREMENTS....50
7.690 AME EXPERIENCE REQUIREMENTS....50
7.695 AME PRACTICAL SKILL REQUIREMENTS....50
7.700 GRADUATES OF APPROVED TRAINING ORGANISATIONS....50
Subdivision IV: AME Inspection Authorisations....51
7.705 APPLICABILITY....51
7.710 PRIVILEGES OF THE AME INSPECTION AUTHORISATION....51
7.715 AME INSPECTION AUTHORISATION ELIGIBILITY REQUIREMENTS: GENERAL....51
7.720 DURATION OF AUTHORISATION....51
7.725 RENEWAL OF AUTHORISATION....51
7.730 AME RENEWAL & REISSUE REQUIREMENTS....52
Subdivision V: Aviation Repair Specialists....52
7.735 APPLICABILITY....52
7.740 PRIVILEGES OF THE AVIATION REPAIR SPECIALIST LICENSE....52
7.745 AVIATION REPAIR SPECIALIST LICENCES: ELIGIBILITY....52
7.750 ARS RATINGS ASSOCIATED WITH MAINTENANCE ORGANISATIONS....53
7.755 EXPERIMENTAL AIRCRAFT BUILDER: ELIGIBILITY....53
7.760 ARS LICENCES: EXPERIMENTAL AIRCRAFT BUILDER....53
7.765 ARS LICENSE RENEWAL & REISSUE REQUIREMENTS....54
Subdivision VI: Parachute Riggers....54
7.770 APPLICABILITY....54
7.775 PRIVILEGES OF THE PARACHUTE RIGGER LICENSE....54
7.780 PARACHUTE RIGGER ELIGIBILITY REQUIREMENTS: GENERAL....54
7.785 PARACHUTE RIGGER EXPERIENCE, KNOWLEDGE & SKILL REQUIREMENTS....55
7.790 INSTRUCTOR ENDORSEMENT: EXPERIENCE, KNOWLEDGE & SKILL REQUIREMENTS....55
7.795 TRANSFER OF PARACHUTE RIGGER TYPE RATINGS....55
7.800 ADDITIONAL PARACHUTE RIGGER TYPE RATINGS: REQUIREMENTS....55
7.805 PARACHUTE RIGGER RENEWAL & REISSUE REQUIREMENTS....56
Subdivision VII: Aeronautical Station Operator....56
7.810 APPLICABILITY....56
7.815 PRIVILEGESOF AN AERONAUTICAL STATION OPERATOR LICENSE....56
7.820 AERONAUTICAL STATION OPERATOR ELIGIBILITY REQUIREMENTS: GENERAL....56
7.825 AERONAUTICAL STATION OPERATOR KNOWLEDGE REQUIREMENTS....56
7.830 AERONAUTICAL STATION OPERATOR EXPERIENCE REQUIREMENTS....56
7.835 AERONAUTICAL STATION OPERATOR SKILL REQUIREMENTS....57
7.840 ASO RENEWAL & REISSUE REQUIREMENTS....57
Subdivision VIII: Air Traffic Controllers....57
7.845 APPLICABILITY....57
7.850 PRIVILEGES OF AN AIR TRAFFIC CONTROL LICENSE....57
7.855 AIR TRAFFIC CONTROLLER ELIGIBILITY REQUIREMENTS: GENERAL....58
7.860 AIR TRAFFIC CONTROLLER KNOWLEDGE REQUIREMENTS....58
7.865 AIR TRAFFIC CONTROLLER EXPERIENCE REQUIREMENTS....58
7.870 AIR TRAFFIC CONTROLLER SKILL REQUIREMENTS....59
7.875 CONCURRENT ISSUANCE OF AIR TRAFFIC CONTROLLER RATINGS....59
7.880 PROHIBITION OF UNAUTHORISED ATC INSTRUCTORS....59
7.885 VALIDITY OF AIR TRAFFIC CONTROLLER RATINGS....59
7.890 AIR TRAFFIC CONTROLLER RENEWAL & REISSUE REQUIREMENTS....59
7.900 THROUGH 7.910 [RESERVED FOR FUTURE ATC CONTROLLER REQUIREMENTS] 60
Subdivision IX: Aviation Ground Instructors....60
7.915 APPLICABILITY....60
7.920 PRIVILEGES OF AN AVIATION GROUND INSTRUCTOR LICENSE....60
7.925 AVIATION GROUND INSTRUCTOR ELIGIBILITY REQUIREMENTS....61
7.930 AVIATION GROUND INSTRUCTOR CURRENCY REQUIREMENTS....61
7.935 AVIATION GROUND INSTRUCTOR RENEWAL & REISSUE REQUIREMENTS....61

APPENDICES 62
APPENDIX 1 TO 7.030 SPECIFICATIONS FOR PEL LICENSES 62
APPENDIX 1 TO 7.175: PREREQUISITES FOR SKILL TESTS 62
APPENDIX 1 TO 7.185: SKILL TESTS: REQUIRED AIRCRAFT, SIMULATION & EQUIPMENT 63
APPENDIX 1 TO 7.190: USE OF AN APPROVED FLIGHT SIMULATOR OR AN APPROVED FLIGHT TRAINING DEVICE 64
APPENDIX 1 TO 7.200: LANGUAGE PROFICIENCY SCALE 65
APPENDIX 1 TO 7.215: INSTRUMENT RATING AERONAUTICAL KNOWLEDGE REQUIREMENTS 66
APPENDIX 2 TO 7.215: INSTRUMENT RATING FLIGHT INSTRUCTION REQUIREMENTS 67
APPENDIX 3 TO 7.215: INSTRUMENT RATING AERONAUTICAL EXPERIENCE REQUIREMENTS 68
APPENDIX 1 TO 7.235: CATEGORY II OR III AUTHORISATION GENERAL REQUIREMENTS 68
APPENDIX 2 TO 7.235: CATEGORY II OR III AUTHORISATION PRACTICAL ORAL EXAMINATION 69
APPENDIX 3 TO 7.235: CATEGORY II OR III AUTHORISATION PRACTICAL FLIGHT EXAMINATION 70
APPENDIX 1 TO 7.265: MANOEUVRES & PROCEDURES FOR STUDENT PILOT PRE-SOLO FLIGHT TRAINING 71
APPENDIX 1 TO 7.270: MANOEUVRES & PROCEDURES FOR STUDENT PILOT CROSS-COUNTRY FLIGHT TRAINING 74
APPENDIX 1 TO 7.295: PRIVATE PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS 75
APPENDIX 1 TO 7.300: PRIVATE PILOT FLIGHT INSTRUCTION REQUIREMENTS 77
APPENDIX 1 TO 7.310: PRIVATE PILOT EXPERIENCE REQUIREMENTS 79
APPENDIX 1 TO 7.315: LICENCE LIMITATIONS FOR PRIVATE PILOT WITH BALLOON RATINGS 80
APPENDIX 1 TO 7.340: COMMERCIAL PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS 80
APPENDIX 1 TO 7.345: COMMERCIAL PILOT FLIGHT INSTRUCTION REQUIREMENTS 83
APPENDIX 1 TO 7.355: COMMERCIAL PILOT AERONAUTICAL EXPERIENCE REQUIREMENTS 86
APPENDIX 1 TO 7.380: MULTI-CREW PILOT REQUIREMENTS 87
APPENDIX 1 TO 7.430: AIRLINE TRANSPORT PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS 88
APPENDIX 1 TO 7.375: AIRLINE TRANSPORT PILOT FLIGHT PROFICIENCY REQUIREMENTS 90
APPENDIX 1 TO 7.445: AIRLINE TRANSPORT PILOT AERONAUTICAL EXPERIENCE 91
APPENDIX 1 TO 7.480: FLIGHT INSTRUCTOR KNOWLEDGE REQUIREMENTS 92
APPENDIX 1 TO 7.485: FLIGHT INSTRUCTOR FLIGHT INSTRUCTION REQUIREMENTS 92
APPENDIX 1 TO 7.525: FLIGHT ENGINEER AERONAUTICAL KNOWLEDGE REQUIREMENTS 93
APPENDIX 1 TO 7.530: FLIGHT ENGINEER AERONAUTICAL EXPERIENCE REQUIREMENTS 94
APPENDIX 1 TO 7.535: FLIGHT ENGINEER OPERATIONAL EXPERIENCE REQUIREMENTS 95
APPENDIX 1 TO 7.540: FLIGHT ENGINEER AERONAUTICAL SKILL REQUIREMENTS 95
APPENDIX 1 TO 7.645: FLIGHT DISPATCHER KNOWLEDGE REQUIREMENTS 95
APPENDIX 1 TO 7.650: FLIGHT DISPATCHER AERONAUTICAL EXPERIENCE REQUIREMENTS 96
APPENDIX 1 TO 7.655: FLIGHT DISPATCHER SKILL REQUIREMENTS 96
APPENDIX 1 TO 7.685: AIRCRAFT MAINTENANCE ENGINEER KNOWLEDGE AREAS 97
APPENDIX 1 TO 7.690: AIRCRAFT MAINTENANCE ENGINEER EXPERIENCE REQUIREMENTS 97
APPENDIX 1 TO 7.825: AERONAUTICAL STATION OPERATOR KNOWLEDGE

REQUIREMENTS.....98
APPENDIX 1 TO 7.830: AERONAUTICAL STATION OPERATOR EXPERIENCE REQUIREMENTS.....98
APPENDIX 1 TO 7.835: AERONAUTICAL STATION OPERATOR SKILL REQUIREMENTS..98
APPENDIX 1 TO 7.860: AIR TRAFFIC CONTROLLER KNOWLEDGE REQUIREMENTS 98
APPENDIX 1 TO 7.865: AIR TRAFFIC CONTROLLER EXPERIENCE REQUIREMENTS 99

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SUBPART A: GENERAL LICENSING REQUIREMENTS

7.001 CITATION & APPLICABILITY

(a) These regulations may be cited as Civil Aviation (Personnel Licensing Regulations.

(b) This Part prescribes the—

(1) Requirements for issuing airman licenses, and ratings; and authorizations to those licenses, as applicable;

(2) Conditions under which those licenses, ratings, and authorisations are necessary; and

(3) Privileges and limitations of holders of those licenses, ratings, and authorisations.

Note: Some licences require a current aviation medical certificate in order to exercise the privileges of licences. The requirements for the aviation medical certificate are provided in Part 8.

(c) This Part is applicable to all persons seeking licences under the regulations of Rwanda and the persons and organisations that provide and supervise the required training, experience and authorisations.

(d) Civil Aviation Technical Standards (Personnel Licensing) published by the Authority shall also be applicable to the issuance of aircraft-related certificates and continuing airworthiness of aircraft registered in Rwanda

7.005 DEFINITIONS

(a) The definitions applicable to this Part are consolidated in Part 1, Appendix 1 to 1.015.

7.010 ACRONYMS

(a) The following acronyms and abbreviations are used in this Part—

AMO = Approved Maintenance Organisation
AME = Aircraft Maintenance Engineer
AOC = Air Operator Certificate
ARS = Aviation Repair Specialist
ASO = Aeronautical Station Operator
ATO = Aviation Training Organisation
cd = Candela
cm = centimetre(s)
dB = decibels (relative to as 1 microPascal)
HIV = Human Immunodeficiency Virus
Hz = Hertz
IA = Inspection Authorisation
IFR = Instrument Flight Rules
ICAO = International Civil Aviation Organisation (Civil Aviation Law)
m = Metres
PIC = Pilot In Command
SIC = Second In Command
VFR = Visual Flight Rules
Xray = Electro X-Radiation

SUBPART B: LICENCES, RATINGS & AUTHORISATIONS

7.015 APPLICABILITY

(a) This Subpart describes the licences, ratings and pilot authorisations issued by the Authority and prescribes the requirements for testing and validating such licences, ratings, and authorisations.

7.020 GENERAL

(a) No person may be issued any licence or rating unless they meet the requirements of this Part or another applicable Part of the Civil Aviation Regulations in respect of age, knowledge, experience, flight instruction, skill and medical fitness that are specified for that licence or rating.

(b) No person may be issued any licence or rating unless they have satisfactorily demonstrated, in a manner determined by the Authority, their ability to meet the requirements for knowledge and skill as are specified for that licence or rating.

(c) No person may be issued an aircraft category, class or type rating on a pilot licence unless that rating reflects the appropriate category, class, or type aircraft used to demonstrate skill and knowledge for its issuance.

(d) No person may exercise privileges in aviation for which a licence is required under these Parts unless that licence was issued in accordance with the specifications of Part 8 and/or, where applicable, the Standards of Annex 1 of the International Civil Aviation Organisation.

(e) No person who is the holder of a licence issued by the Authority may exercise privileges other than those granted by that license.

(f) An applicant for a license shall, when applicable, hold a Medical Assessment issued in accordance with the provisions of Part 8.

7.025 LICENCES AUTHORISED TO BE ISSUED

(a) The Authority may issue the following licences under this Part—

(1) Student Pilot
(2) Private Pilot
(3) Commercial Pilot
(4) Multi-Crew Pilot
(5) Airline Transport Pilot.
(6) Flight Instructor
(7) Flight Engineer
(8) Flight Navigator
(9) Cabin Crew Member
(10) Flight Dispatcher
(11) Aircraft Maintenance Engineer
(12) Aviation Repair Specialist
(13) Parachute Rigger
(14) Aeronautical Station Operator
(15) Student Air Traffic Controller
(16) Air Traffic Controller
(17) Aviation Ground Instructor, and
(18) Any other license the Authority may issue.

Note: The privileges associated with flight crew licences are contained in Part 10 subpart C

7.030 SPECIFICATIONS OF LICENSES TO BE ISSUED

(a) Personnel licences issued by the Authority shall conform to the specifications of Appendix 1 to 7.030 of this Part (which are in conformance with ICAO Annex 1 for such licenses).

(b) The Authority shall ensure that other States will be able to easily determine the licence privileges and validity of ratings.

7.035 [RESERVED]

7.040 ISSUANCE OF PILOT AIRCRAFT CATEGORY RATINGS

(a) The Authority may endorse the following aircraft category ratings on a pilot license—
   (1) Aeroplane.
   (2) Powered Lift.
   (3) Rotorcraft.
   (4) Glider.
   (5) Lighter-than-air.
   (6) Any other category rating issued by the Authority.

(b) When the holder of a pilot license qualifies for an additional category of aircraft, the Authority shall endorse that license with the new category rating.

(c) If requested by the holder of a pilot license and acceptable to the Authority, a separate license may be issued for each category.

(d) Any additional category rating endorsed on a pilot licence shall indicate the level of licensing privileges at which the category rating is granted.
   (1) The holder of a pilot licence seeking additional category ratings shall meet the requirements of this Part appropriate to the privileges for which the category rating is sought.
   (2) The license holder shall normally be tested at the level of licensing privileges associated with the license on which the category rating will be endorsed.
   (3) If there is no licensing privilege for the new category at the level of license currently held, the licence holder may elect to be issued a
      (i) Separate license for that category; or
      (ii) Revision to the current license that the new category was issued at a lower level of licensing privileges.
   (4) The absence of a separate entry regarding the level of licensing privileges indicates that the new category rating has the privileges associated with the level of license.

(e) For situations involving validation or conversion of a foreign license where the category rating is included in the title of the license, the category rating shall not be included in the title of the Rwanda license and must be included as a separate rating.

7.045 ISSUANCE OF AIRCRAFT CLASS RATINGS

(a) The Authority may endorse the following class ratings for single pilot operation on a pilot license with an aeroplane category rating for—
   (1) Single-engine land.
   (2) Single-engine sea.
   (3) Multi-engine land.
   (4) Multi-engine sea.

(b) The Authority may endorse class ratings in the following rotorcraft—
   (1) Helicopter.

(2) Gyroplane.

(c) The Authority may endorse class ratings in the following lighter-than-air aircraft—

(1) Airship.

(2) Free balloon.

(d) The Authority may endorse additional class ratings for helicopters and powered-lifts certificated for single pilot operations and which have comparable handling, performance and other characteristics.

7.050 ISSUANCE OF AIRCRAFT TYPE RATINGS

(a) The Authority may endorse the following type ratings on a pilot license for the exercise of pilot in command privileges—

(1) Large aircraft, other than lighter-than-air.

(2) Large aeroplane cruise relief

(3) Helicopters and powered-lift for operations of aircraft certificated for one pilot, except where a class rating has been specified by the Authority.

(4) Aircraft certificated for operation with a minimum crew of at least two pilots.

(5) Any aircraft whenever considered necessary by the Authority.

(b) The Authority may endorse a common type rating for different aircraft types where the aircraft have similar characteristics in terms of operating procedures, systems and handling and this commonality is supported by the aircraft manufacturer type certificate(s).

(c) The type ratings of paragraph (a), sub-paragraphs (1), (2),(4) and (5) may be endorsed for co-pilot duties in these aircraft.

(d) All limitations applicable to the exercise of the type rating shall be entered on the licence.

(e) Special endorsements for aircraft type ratings may be issued to persons to exercise the privileges of PIC or co-pilot during commercial air transport operations that are not listed in paragraph (a) of this Part.

7.055 ISSUANCE OF AIRCRAFT INSTRUMENT RATINGS

(a) The Authority may endorse the following instrument ratings appropriate to the aircraft category on a pilot license—

(1) Instrument – Aeroplane.

(2) Instrument – Helicopter.

(3) Instrument – Powered Lift

7.060 ISSUANCE OF FLIGHT INSTRUCTOR CATEGORY & CLASS RATINGS

(a) The Authority may endorse the following ratings on a flight instructor license—

(1) Aeroplane Single Engine.

(2) Aeroplane Multi-Engine.

(3) Aeroplane Type Rating

(4) Rotorcraft-Helicopter.

(5) Powered-Lift.

(6) Glider.

(7) Instrument – Aeroplane.

(8) Instrument – Helicopter.

(9) Any other instructor rating prescribed by the Authority.

(b) In addition to or in lieu of the ratings of (a), the Authority may endorse a flight instructor license with an aircraft-specific type rating

7.065 ISSUANCE OF FLIGHT ENGINEER CATEGORY RATINGS

(a) The Authority may endorse the following ratings on a flight engineer license—
  (1) Reciprocating engine powered;
  (2) Turbopropeller powered; and
  (3) Turbojet powered.

(b) In addition to the ratings of (a), the Authority may endorse a flight engineer license with an aircraft-specific type rating for each aircraft that the applicant uses to demonstrate the required flight engineer skill test.

7.070 ISSUANCE OF AVIATION GROUND INSTRUCTOR RATINGS

(a) The Authority may endorse the following ratings on a ground instructor license—
  (1) Basic.
  (2) Advanced.
  (3) Instrument.
  (4) Flight simulation training
  (5) Any other specialized ratings as may be determined necessary by the Authority

7.075 ISSUANCE OF AIRCRAFT MAINTENANCE ENGINEER BASIC RATINGS

(a) The Authority may endorse the following basic ratings on the aircraft maintenance engineer license—
  (1) Aeroplane Turbine
  (2) Aeroplane Piston
  (3) Helicopter Turbine
  (4) Helicopter Piston
  (5) Avionics
  (6) Aircraft

(b) The Authority may endorse the the following ratings for aircraft maintenance engineer license—
  (1) Category A: Line mechanic (airframes and engines);
  (2) Category B1: Licensed engineer (airframes and engines).
  (3) Category B2: Licensed engineer (avionics)
  (4) Category B3: Licensed engineer for piston-engine nonpressurised aeroplanes of 2 000 kg MTOM and below;
  (5) Category C: Licensed engineer (base)

(c) Categories A and B1 are subdivided into the following sub-categories relative to combinations of aeroplanes, helicopters, turbine and piston engines—
  (1) A1 and B1.1 Aeroplanes Turbine
  (2) A2 and B1.2 Aeroplanes Piston
  (3) A3 and B1.3 Helicopters Turbine
  (4) A4 and B1.4 Helicopters Piston

7.080 ISSUANCE OF AIRCRAFT MAINTENANCE ENGINEER TYPE RATINGS

(a) The Authority may endorse the following additional ratings on an aircraft maintenance Engineer license—
  (1) Aircraft type ratings for aircraft with a takeoff gross weight of less than 5700 kg.
  (2) Aircraft type ratings for aircraft with a takeoff gross weight of more than 5700 kg and shall be limited to company approval.
  (3) Powerplant type ratings for powerplants on aircraft with a takeoff gross weight of more than 5700 kg.

(4) Specific avionics equipment or groupings of equipment.
(5) Other specialized ratings as provided in paragraphs (b) and (c)

7.085 ISSUANCE OF AVIATION REPAIR SPECIALIST CATEGORY RATINGS

(a) The Authority may endorse the following category ratings on an aviation repair specialist license—
(1) Propellers.
(2) Avionics.
(3) Instrument.
(4) Computer.
(5) Accessories.
(6) Experimental Aircraft Builder
(7) Any other specialized ratings as may be determined necessary by the Authority

7.090 ISSUANCE OF PARACHUTE RIGGER TYPE RATINGS

(a) The Authority may endorse the following type ratings on a parachute rigger license—
(1) Seat.
(2) Back.
(3) Chest.
(4) Lap.

7.095 ISSUANCE OF AIR TRAFFIC CONTROLLER RATINGS

(a) The Authority may endorse the following category ratings on an air traffic controller license—
(1) Aerodrome control rating;
(2) Approach control procedural rating;
(3) Approach radar control surveillance rating;
(4) Approach precision radar control rating;
(5) Area control procedural rating; and
(6) Area control surveillance rating.

7.100 AUTHORISATIONS ISSUED BY SPECIAL ENDORSEMENT

(a) The Authority may endorse the following authorisations on pilot licenses under this Part—
(1) Category II pilot authorisation.
(2) Category III pilot authorisation.
(3) Flight crew radio operator authorisation.
(4) Flight simulation training.

(b) The Authority may endorse the following authorisations for flight instructor license under this Part—
(1) Flight simulation training
(2) Other authorisations for specialized instruction functions as determined necessary.

(c) The Authority may endorse the following licenses for the holder to perform as an instructor for other holders of the same license issued under this Part—
(1) Flight engineer- flight or ground instructor rating,
(2) Cabin crew member instructor rating,
(3) Flight dispatcher instructor rating,
(4) Aircraft maintenance engineer instructor rating,
(5) Air traffic controller instructor rating, and
(6) Any other instructor rating issued by the Authority.

(d) The Authority may endorse the following special authorisations on an aircraft maintenance engineer license—
   (1) Aircraft type ratings for aircraft with a takeoff gross weight of more than 5700 kg.
   (2) Other authorisations for specialized inspection functions as determined necessary.

(e) The Authority may issue other specialized authorisations for license holders as determined to be necessary to ensure a safe and efficient aviation environment.

7.105 DURATION OF LICENCES, RATINGS & AUTHORISATIONS

(a) Except as shown in this Part, the Authority issues all licences to expire 12 calendar months from the date issued.

(b) After the date of issuance, the following licenses are valid for a period of—
   (1) 12 calendar months for—
      (i) Student pilot license
      (ii) All licenses issued on the basis of validation of a foreign license;
   (2) 24 calendar months for—
      (i) Flight crew member licenses;
      (ii) Cabin crew member licenses;
      (iii) Flight dispatcher licenses;
      (iv) Aircraft maintenance engineer licenses;
      (v) Air traffic controller licenses;
      (vi) Parachute rigger licenses;
   (3) 36 calendar months for—
      (i) Flight instructor licences; and
      (ii) Ground Instructor licenses.

(c) *Category II and III Pilot authorisation*. A Category II or III pilot authorisation expires at the end of the 6 calendar month after the month in which it was issued or renewed.

(d) Aviation Repair Specialist licence—
   (1) An aviation repair specialist licence issued on the basis of employment is effective until the holder of that licence is relieved from the duties for which the holder was employed and licenced.
   (2) An aviation repair specialist licence with a rating of experimental aircraft builder issued on the basis of being the primary builder of the aircraft is effective until the holder of that licence is no longer the primary builder of the experimental aircraft specifically identified on the licence.

(e) *Air Traffic Controller licence—*
   (1) No person, having ceased to exercise the privileges of an air traffic controller rating for a period of 90 days may exercise the privileges that rating until their ability to exercise the privileges of the rating has been re-established.
   (2) No person may continue to exercise the privileges of an air traffic controller rating after a period of 12 concurrent months unless they have satisfactorily completed a competency check of their performance.
   (3) No person may exercise the privileges of an air traffic controller rating unless that person has familiarised them self with all pertinent and current information.
   (4) No person may carry out instruction for an air traffic control rating in an operational environment unless such person has received proper authorisation from the Authority.

7.110 SPECIAL LIMITATIONS TO LICENCES, RATINGS & AUTHORISATIONS

(a) The Authority may issue to an applicant who cannot comply with certain eligibility requirements or areas of operations required for the issue of a licence because of physical limitations, or for other reasons, a licence, rating, or authorisation with an appropriate limitation provided the—

(1) Applicant is able to meet all other certification requirements for the licence, rating, or authorisation sought;

(2) Physical limitation, if any, has been recorded with the Authority on the applicant's medical records; and

(3) Authority determines that the applicant's inability to perform the particular area of operation will not adversely affect safety.

(b) The Authority may remove a limitation placed on a person's licence provided that person demonstrates to an examiner or inspector satisfactory proficiency in the area of operation to which the limitation applies, or otherwise shows compliance with conditions to remove the limitation, as applicable.

SUBPART C: VALIDATION AND CONVERSION OF FOREIGN LICENCES & RATINGS

7.115 VALIDATION OF FLIGHT CREW LICENCES

(a) A person who is the holder of a current and valid airman licence issued by another ICAO Contracting State in accordance with ICAO Annex 1, may apply for a validation of such licence for use on aircraft registered in Rwanda.

(b) The applicant for the validation certificate shall present to the RCAA the foreign licence and evidence of the experience required by presenting the record (e.g. logbook for flight crew, training certificates).

(c) That person may apply for and be issued a licence with the appropriate ratings, or have ratings from that licence added to his airman licence, if the applicant—

(1) Is not under an order of revocation or suspension by the country that issued the licence;

(2) Holds a licence that does not contain an endorsement stating that the applicant has not met all of the standards of ICAO for that licence;

(3) Holds a current medical certificate appropriate for the licence and privileges; and

(4) Is able to read, speak, write, and understand the Level 4 English language proficiency or present to the RCAA evidence of proficiency in the English language used for radiotelephony communications as specified in these Regulations.

(d) When validating licenses—

(1) An applicant may use only one foreign licence as a basis for obtaining the licence issued by the Authority.

(2) The Authority will place upon a licence issued under this Part pilot's foreign licence number and country of issuance; and.

(3) The Authority may issue a validation certificate, which will be valid for a period not more than 12 calendar months.

(4) In addition to the requirements of this Part (a) through (d), Validation of Non-Rwanda Citizens for Private Pilot and its operating privileges and limitations as prescribed in Part 10 of these Regulations:

(i) *General.* A person who is not a citizen of Rwanda and is the holder of a current pilot licence issued by another Contracting State is eligible to apply for and be issued a private pilot licence with the appropriate ratings, without any further showing of proficiency

(ii) *Aircraft ratings issued*. The Authority may place upon a pilot's licence that it

issues the aircraft ratings listed on that pilot's foreign pilot licence.

(5) *Instrument ratings issued*. The Authority may issue an instrument rating on a pilot licence to a person who holds an instrument rating on a licence issued by another Contracting State provided within 24 months preceding the month in which the person applies for the instrument rating, the applicant passes the appropriate knowledge test, complete a proficiency check or skill test for the relevant license and ratings that he or she wants to be validated relevant to the privileges of the licence held; and

(6) Comply with the experience requirements set out in this Part.

(7) demonstrate to the satisfaction of the Authority the knowledge relevant to the licence to be validated of:

i. Air Law;
ii. Meteorology;
iii. Operational Procedures; and
iv. Radiotelephony

(e) The Authority will decide, after a review of the applicant's licence, supporting documents, interview, verify the authenticity of the licence, ratings, authorizations, and of the medical certificate with the State of licence issue prior to issuing the validation, what further showing of knowledge or proficiency will be required.

(f) *Operating privileges and limitations.* A person who receives a licence under the provisions of this Subpart—

(1) Shall be limited to the privileges placed on the licence by the Authority;

(2) Shall be subject to the limitations and restrictions on the person's licence issued by the Authority and foreign licence when exercising the privileges of that licence within Rwanda and with respect to aircraft registered in Rwanda; and

(3) Shall not exercise the privileges of the licence issued by the Authority when the person's foreign licence has been revoked, suspended or otherwise becomes invalid.

7.120 CONVERSION OF FLIGHT CREW LICENCES & RATINGS

(a) *General.* A person who is a citizen of Rwanda and is the holder of a current and valid airman licence issued by another Contracting State is eligible to apply for and be issued a licence with the appropriate ratings, or have ratings from that licence added to his airman licence provided the applicant meets requirements as prescribed in Part 9 of these regulations or otherwise Applicants for conversion of foreign license shall meet validation requirements stated in Part 7.115

(b) *Foreigners:* A person who holds a current and valid pilot licence issued by another Contracting State in accordance with ICAO Annex 1, may apply for a conversion and be issued with PPL/IR, CPL, CPL/IR, ATPL and Flight Engineer licence for use on aircraft registered in Rwanda provided the following requirements are met.

(1) The applicant for the conversion shall present to the Authority an evidence of the 200 flight hours by presenting the record (e.g. logbook)

(2) The holder shall hold a current medical certificate issued by RCAA designated aviation medical Examiner. (Refer Part 8 of these regulations);

(3) The applicant is able to read, speak, write, and understand the Level 4 of ICAO English language proficiency

(4) The Authority will verify the authenticity and validity of the licence, ratings, authorizations and the medical certificate with the state of licence issue for use in private flights prior to converting the licence. This requirement does not apply where verification done during validation.

(5) The applicants for conversion of foreign license shall meet validation requirements stated in Part 7.115

(6) The applicant shall have completed 200 flight hours in a Rwanda regist9ered aircraft, which aircraft are operated by an operator established in Rwanda, exercising the privileges granted by the validation certificate; and

(c) *Same privileges and limitations.* A citizen of Rwanda who receives a licence or added ratings under the provisions of this Part have the same privileges as those licences and ratings were issued on the basis of a showing of knowledge, competency and proficiency to the Authority.

7.125 VALIDATION OF NON-CITIZENS LICENCES FOR WORK IN RWANDA

(a) *General*. A person who is not a citizen of Rwanda and is the holder of a current licence issued by another Contracting State is eligible to apply for and be issued a licence with the appropriate ratings for the purpose of working in aviation for a Rwanda operator.

(b) The applicant must prove the need for employment by a Rwanda business or government entity.

(c) *Ratings issued*. The Authority may place upon the licence that it issues only the ratings listed on that person's foreign licence that are appropriate to the tasks to be performed.

7.130 VALIDATION AND CONVERSION OF LICENCES OTHER THAN FLIGHT CREW LICENCES

(a) Flight Operations Officers / Aircraft Dispatcher, Air Traffic Controllers, Aircraft Maintenance Engineers, and Aeronautical Station Officer Licences issued by other ICAO Contracting States may be converted to their equivalent Rwanda licences when they meet the minimum ICAO standards.

(b) A person who holds a current and valid licence other than a flight crew licence as listed in 7.120, issued by another Contracting State in accordance with ICAO Annex 1, may apply for a conversion and be issued with its equivalent for use on aircraft registered in Rwanda provided the following requirements are met. The holder shall:

(1) present the foreign licence to the Authority;

(2) hold an appropriate current medical certificate (where applicable);

(3) complete a competence check; and

(4) Demonstrate to the satisfaction of the Authority the knowledge of Rwanda Air Law.

(c) Cabin Crew Certificates / Licences issued by other ICAO Contracting States may be converted or validated when the requirements stated in this Part and Parts 10 and 14 of these Regulations applicable to cabin crew are met.

7.135 MILITARY PILOTS OR FORMER MILITARY PILOTS: SPECIAL RULES

(a) Except for a rated military pilot or former rated military pilot who has been removed from flying status for lack of proficiency, or because of disciplinary action involving aircraft operations, a Rwanda citizen who is a rated military pilot or former rated military pilot that meets the requirements prescribed by the Authority within 1 year after discharge from the military may apply, on the basis of his or her military training, for—

(1) A private pilot licence;

(2) An aircraft rating in the category and class of aircraft for which that military pilot is qualified;

(3) An instrument rating with the appropriate aircraft rating for which that military pilot is qualified; and

(4) A type rating, if appropriate.

(b) The testing required for a military pilot seeking a license or rating shall be as follows—

(1) If the applicant has been on active flight status within the past 12 months of the application, pass a knowledge test on—

(i) Air law;

(ii) Meteorology;

(iii) Operational procedures; and

(iv) Radiotelephony.

(2) If the applicant has not been on active flight status within the past 12 months of applicant, pass both knowledge and skill test.

(c) The Authority may issue to the holder of a military pilot licence or certificate an aircraft category, class or type rating to a commercial pilot licence if the pilot present documentary evidence that shows satisfactory accomplishment of—

(1) a military pilot check and instrument proficiency in that aircraft category, class or type, if applicable, as pilot-in-command during the 12 calendar months before the month of application; and

(2) at least 10 hours of pilot-in-command time in that aircraft category, class or type, if applicable, during the 12 calendar months before the month of application.

(d) The holder of a military pilot licence or certificate may apply for an aeroplane or helicopter instrument rating to be added to his or her commercial pilot licence if the pilot has, within the 12 calendar months preceding the month of application—

(1) passed an instrument proficiency check by a Rwanda defence force in the aircraft category for the instrument rating sought; and

(2) received authorisation from Rwanda defence force to conduct IFR flights on airways in that aircraft category and class for the instrument rating sought.

(e) The Authority shall issue an aircraft type rating only for aircraft types that the Authority has certified for civil operations.

(f) The Authority may issue to the holder of a military pilot licence or certificate who holds an airline transport pilot licence an aircraft type rating provided that the pilot—

(1) holds a category and type rating for that type of aircraft at the airline transport pilot licence level; and

(2) passed a Rwanda defence force check and instrument proficiency check in that type of aircraft as pilot-in-command during the 12 calendar months before the month of application.

(g) The Authority may accept the following documents as satisfactory evidence of military pilot or flight engineer status—

(1) an official identification card issued to the pilot or flight engineer by Rwanda defence force to demonstrate service in Rwanda defence force;

(2) an original or a copy of a certificate of discharge or release from Rwanda defence force;

(3) at least one of the following:

(i) a certificate of Rwanda defence force to flight status as a military pilot or flight engineer; or

(ii) a certificate showing that the applicant graduated from a pilot school and received a rating as a military pilot.

(4) a certified military logbook or summary to demonstrate flight time in military aircraft;

(5) an official record of a military designation as pilot in command; and

(6) an official record of satisfactory accomplishment of an instrument proficiency check within the twelve months before the date of the application.

7.136 RECOGNITION OF MILITARY AIRCRAFT MAINTENANCE AND OTHER PERSONNEL QUALIFICATIONS

(a) Military aircraft maintenance personnel may apply to the Authority for issue of Aircraft Maintenance Engineer Licence (AMEL) without type rating on the basis of his military qualifications.

(b) The application shall be accompanied by:

(1) a recommendation from military service;

(2) evidence of experience of six years in aircraft maintenance of which six months of recency experience must have been acquired within the twelve months preceding the application; and

(3) a certificate, diploma or such other document showing proof of training in aircraft maintenance.

(c) If the Authority is satisfied that the applicant meets the conditions in sub regulations

(1), the Authority shall require the applicant to demonstrate the knowledge and skill requirements for AMEL stipulated in these Regulations.

(d) Other military personnel may apply to the Authority for issue of licence on basis of his military qualifications

(e) The application shall be accompanied by:

(1) a recommendation from military service;

(2) evidence of experience of six years of which a competency check must have been completed in the last 12 months; and

(3) a certificate, diploma or such other document showing proof of training; and

(f) If the Authority is satisfied that the applicant meets the conditions in sub regulations

(1) the Authority shall require the applicant to demonstrate the knowledge and skill requirements stipulated in these regulations

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SUBPART D: GENERAL TRAINING REQUIREMENTS

7.140 RECORDS OF TRAINING TIME

(a) Each person shall document and record the following time in a manner acceptable to the Authority—

(1) Training and aeronautical experience used to meet the requirements for a licence, rating, qualification, authorisation, or flight review of these Parts.

(2) The aeronautical experience required appropriate to the requirements of these Parts.

Note: See Part 10.101 for flight time to be recorded.

7.145 FLIGHT INSTRUCTION AUTHORISATION REQUIRED

(a) No pilot shall conduct the flight instruction of another pilot for the issue of a pilot licence or rating, unless such holder has received proper authorisation from the Authority.

(b) Proper authorisation shall comprise—

(1) A flight instructor license with the appropriate rating; or

(2) The authority to act as an agent of an approved organisation authorised by the Authority to carry out flight instruction; or

(3) A specific authorisation granted by the Authority.

(c) No person shall carry out instruction on a flight simulation training device required for the issue of a pilot licence or rating unless such person holds or has held an appropriate licence or has appropriate flight training and flight experience and has received proper authorisation from the Authority.

7.150 FLIGHT TRAINING NOT LICENCED BY THE AUTHORITY

(a) A person may credit flight training toward the requirements of a pilot licence or rating if that person received the training from—

(1) A flight instructor of an Armed Force in a programme for training military pilots of either—

(i) Rwanda; or

(ii) Another Contracting State; or

(2) A flight instructor authorised to give such training by the licensing authority of a Contracting State, provided that the flight training is given outside Rwanda.

(b) A flight instructor described in paragraph (a) of this Part is authorised to give only the endorsements to show training given.

7.155 GRADUATES OF APPROVED TRAINING ORGANISATION: SPECIAL RULES

(a) The Authority will consider that a person who presents a graduation certificate from a certificate holder under Part 9 of these Regulations and within 60 days after the date of graduation, is considered to have met the applicable aeronautical experience and aeronautical knowledge and areas of operation training requirements of this Part appropriate to the rating sought.

7.160 APPROVED USE OF FLIGHT SIMULATION TRAINING DEVICES

(a) The use of a flight simulation training device for acquisition of experience and demonstration of skill shall be in accordance with the approval of the Authority.

(b) No credit will be granted for the use of a flight simulation training device for acquisition of experience or demonstration of skill required for the licences and rating of this Part except in accordance with that approval.

SUBPART E: GENERAL TESTING REQUIREMENTS

7.165 TESTS: GENERAL PROCEDURE

(a) Tests prescribed by or under this Part are given at times and places, and by persons designated by the Authority.

7.170 KNOWLEDGE TEST: PREREQUISITES AND PASSING GRADES

(a) An applicant for a knowledge test shall have—
  (1) Received an endorsement from an authorised instructor certifying that the applicant accomplished a ground-training or a home-study course required by this Part for the licence or rating sought and is prepared for the knowledge test; and
  (2) Proper identification at the time of application that contains the applicant's—
    (i) Photograph;
    (ii) Signature;
    (iii) Date of birth, which shows the applicant meets or will meet the age requirements of this Part for the licence sought before the expiration date of the airman knowledge test report; and
    (iv) Actual residential address, if different from the applicant's mailing address.

(b) The applicant must demonstrate at least 70% satisfactory level for each knowledge test.

(c) The following are the validity period of knowledge test results after passing test:
  (i) For the applicants of private pilot and all validation licences shall be six months
  (ii) For the applicant of commercial pilot licence shall be eighteen months
  (iii) For the applicants of air transport pilot and multi-pilot licences shall be five years
  (iv) For the applicants of air traffic controller and flight dispatcher licenses shall be eighteen months.

7.175 SKILL (PRACTICAL) TEST: PREREQUISITES

(a) To be eligible for a skill test, an applicant shall meet all applicable requirements for the licence or rating sought.

Note: See Appendix 1 to 7.175 for the eligibility requirements of a skill test.

(b) If an applicant does not complete all increments of a skill test for a licence or rating on one date, the applicant shall complete all remaining increments of the test not more than 60 calendar days after that date.

(c) If an applicant does not satisfactorily complete all increments of the skill test for a licence or a rating within 60 calendar days after beginning the test, the applicant shall retake the entire skill test, including those increments satisfactorily completed.

7.180 PILOT SKILL TESTS: DEMONSTRATION OF SKILL

(a) Except as provided in paragraph (b) of this Part, the Authority will determine an applicant's ability to hold a licence or rating based upon the applicant's demonstration of the ability to perform as pilot-in-command of an aircraft, the procedures and manoeuvres described in this Part with a degree of competency appropriate to the privileges granted to the holder of the applicable licence, and to—
  (1) Recognize and manage threats and errors;
  (2) Manually control the aircraft within its limitations at all times;
  (3) Complete all manoeuvres with smoothness and accuracy;
  (4) Exercise good judgement and airmanship;
  (5) Apply aeronautical knowledge; and
  (6) Maintain control of the aircraft at all times in a manner such that the

successful outcome of a procedure or manoeuvre is assured.

(b) In addition to the requirements of paragraph (a), the applicant for airline transport licence shall demonstrate the ability to perform as pilot in-command the following skills—

(1) Pre-flight procedures, including the preparation of the operational flight plan and filing of the air traffic services flight plan;

(2) Normal flight procedures during all phases of flight;

(3) Abnormal and emergency procedures and manoeuvres related to failures and malfunctions of equipment, such as powerplant, systems and airframes;

(4) *For aeroplanes and powered lifts*, procedures and manoeuvres for instrument flight, including simulated engine failure;

(c) The airline transport pilot applicant of an aeroplane certified for operation with a minimum crew of at least two pilots under VFR and IFR shall also be required to demonstrate the following competency as the pilot flying—

(1) Operation of the aircraft in the mode of automation appropriate to the phase of flight and to maintain awareness of the active mode of automation;

(2) Effectively communications with other flight crew members to perform procedures for crew coordination, including allocation of pilot tasks, crew cooperation, adherence to standard operating procedures and use of checklists. crew incapacitation.

(d) The multi-crew pilot applicant on an aeroplane certified for operation with a minimum crew of at least two pilots under VFR and IFR shall be required to demonstrate competency as the pilot flying and pilot not flying for the skills included in paragraph (a) and (c) of this Part.

(e) If an applicant demonstrates the proficiency with the aid of a co-pilot, the Authority will place the limitation, "*CoPilot Required*" on the applicant's airman licence. The applicant may remove the limitation by passing the appropriate skill test and by demonstrating single-pilot competency in that aircraft.

(f) If an applicant fails any area of operation, that applicant fails the skill test.

(g) An applicant is not eligible for a licence or rating sought until all the areas of operation are passed.

(h) The examiner or the applicant may discontinue a skill test at any time—

(1) When the applicant fails one or more of the areas of operation; or

(2) Due to inclement weather conditions, aircraft airworthiness, or any other safety-of-flight concern.

(i) If a skill test is discontinued, the Authority may give the applicant credit for those areas of operation already passed, but only if the applicant—

(1) Passes the remainder of the skill test within the 60-day period after the date the skill test was begun;

(2) Presents to the examiner for the retest the original notice of disapproval form or the letter of discontinuance form, as appropriate;

(3) Satisfactorily accomplishes any additional training needed and obtains the appropriate instructor endorsements, if additional training is required.

7.185 SKILL TESTS: REQUIRED AIRCRAFT & EQUIPMENT

(a) Except when permitted to accomplish the entire flight increment of the skill test in an approved flight simulator or an approved flight training device, an applicant for a licence or rating issued under this Part shall furnish an aircraft with the necessary equipment and controls.

Note: See Appendix 1 to 7.185 for required equipment and controls for skill tests.

7.190 LIMITATIONS ON THE USE OF FLIGHT SIMULATION TRAINING DEVICES

(a) The use of a flight simulation training device for acquiring the experience or performing any maneuver required during the demonstration of skill for the issue of a license or rating shall be limited to those approved by the Authority.

(b) No person may receive credit for the use of any flight simulation training device to satisfy any training, testing, or checking requirement of this Part unless the Authority has ensured that the flight simulation training device is appropriate to the task and has approved it for—

(1) The training, testing, and checking for which it is used;

(2) Each particular manoeuvre, procedure, or crew member function performed; and

(3) The representation of the specific category and class of aircraft, type of aircraft, particular variation within the type of aircraft, or set of aircraft for certain flight training devices.

Note: See Appendix 1 to 7.190 for requirements on the use of approved simulators and flight training devices.

7.195 RETESTING AFTER FAILURE

(a) An applicant for a knowledge or skill test who fails that test may reapply for the test only after the applicant has received—

(1) The necessary training from an authorised instructor who has determined that the applicant is proficient to pass the test; and

(2) An endorsement from an authorised instructor who gave the applicant the additional training.

(b) An applicant for a flight instructor licence with an aeroplane category rating or, for a flight instructor licence with a glider category rating, who has failed the skill test due to deficiencies in instructional proficiency on stall awareness, spin entry, spins, or spin recovery shall—

(1) Comply with the requirements of paragraph (a) of this Part before being retested;

(2) Bring an aircraft to the retest that is of the appropriate aircraft category for the rating sought and is certified for spins; and

(3) Demonstrate satisfactory instructional proficiency on stall awareness, spin entry, spins, and spin recovery to an examiner during the retest.

7.200 LANGUAGE PROFICIENCY

(a) Persons holding the following licences shall be evaluated by the Authority for their proficiency to speak and understand the language used for radiotelephony communications—

(1) Pilots;

(2) Flight engineers

(3) Air traffic controllers;

(4) Aeronautical station operators; and

(5) Any other person the Authority may require to demonstrate language proficiency.

(b) This language proficiency evaluation shall be accomplished upon initial application and at recurring intervals depending on the proficiency level demonstrated by the applicant.

(1) The ICAO language proficiency requirements shall be used to accomplish this evaluation.

(2) For international and domestic flight operations and air traffic control, the language evaluated shall be English.

Note: See Appendix 1 to 7.200 for the ICAO English Language Proficiency Requirements.

(c) Those persons demonstrating proficiency below the Expert Level (Level 6) shall be formally evaluated at least once every—
  (1) 3 years, for Operational Level (Level 4)
  (2) 6 years, for Extended Level (Level 5)

(d) Formal evaluation may not be required on recurring intervals for persons who demonstrate expert language proficiency, e.g. native and very proficient non-native speakers with a dialect or accent intelligible to the international aeronautical community, during the initial evaluation.

SUBPART F: LICENSING: FLIGHT CREW MEMBERS

Subdivision I: Aircraft Ratings & Pilot Authorisations

7.205 GENERAL REQUIREMENT

(a) To be eligible for an aircraft rating or authorisation to a pilot licence, an applicant shall meet the appropriate requirements of this Subdivision for the aircraft rating or authorisation sought.

(b) When an applicant demonstrates skill and knowledge for the initial issue of a pilot license, the category and the ratings appropriate to the class or type of aircraft used in the demonstration shall be entered on the license.

7.210 PRIVILEGES OF AN INSTRUMENT RATING HOLDER

(a) The privileges of the holder of an aircraft instrument rating are contained in Subpart C to Part 10.

7.215 INSTRUMENT RATING REQUIREMENTS

Instrument Rating: General Requirements

(a) An applicant for an instrument rating shall—
  (1) Hold a pilot licence with an aircraft category and class rating for the instrument rating sought;
  (2) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation.
  (3) Hold a current Class 1 medical certificate;
  (4) Receive a logbook or training record endorsement from an authorised instructor certifying that the person is prepared to take the required skill test;
  (5) Pass the required knowledge test on the aeronautical knowledge areas, unless the applicant already holds an instrument rating in another category; and
  (6) Pass the required skill test in—
    (i) The aircraft category, class, and type, if applicable, appropriate to the rating sought; or
    (ii) A flight simulator or a flight training device appropriate to the rating sought and approved for the specific manoeuvre or procedure performed.

Instrument Rating Aeronautical Knowledge

(b) An applicant for an instrument rating shall have received and logged ground training, as prescribed by the Authority, from an authorised instructor on the areas of aeronautical knowledge that apply to the instrument rating.

(c) The applicant shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of an instrument rating, in at least the subjects prescribed in Appendix 1 to 7.215.

Instrument Rating Aeronautical Experience

(d) An applicant for an instrument rating shall receive and log, as prescribed by the Authority, training from an authorised instructor in an aircraft, or in an approved flight simulator or approved flight training device, as provided in Appendix 2 of 7.215.

(e) The applicant shall hold a pilot licence for the aircraft category being sought;

(i) to have completed the aeronautical experience specified in Appendix 2 of 7.215 to be eligible for instrument rating, and

(ii) flight experience in actual flight shall include at least the experience requirements of 7.215, upset prevention and recovery training, night flying and flight by reference solely to instruments.

Instrument Rating Dual Instruction Requirements

(f) The applicant shall have gained not less than 10 hours of the instrument flight time required in paragraph (i) of this Part while receiving dual instrument flight instruction in the aircraft category being sought, from an authorised flight instructor. The instructor shall ensure that the applicant has operational experience in at least the following areas to the level of performance required for the holder of an instrument rating—

(1) Pre-flight procedures, including the use of the flight manual or equivalent document, and appropriate air traffic services documents in the preparation of an IFR flight plan;

(2) Pre-flight inspection, use of checklists, taxiing and pre-take-off checks;

(3) Procedures and manoeuvres for IFR operation under normal, abnormal and emergency conditions covering at least—

(i) Transition to instrument flight on take-off;

(ii) Standard instrument departures and arrivals;

(iii) En-route IFR procedures;

(iv) Holding procedures;

(v) Instrument approaches to specified minima;

(vi) Missed approach procedures;

(vii) Landings from instrument approaches;

(4) In-flight manoeuvres and particular flight characteristics.

(g) If the privileges of the instrument rating are to be exercised on multi-engined aircraft, the applicant shall have received dual instrument flight instruction in a multi-engined aircraft within the appropriate category from an authorised flight instructor. The instructor shall ensure that the applicant has operational experience in the operation of the aircraft within the appropriate category by reference solely to instruments with one engine inoperative or simulated inoperative.

Instrument Rating Skill Test Requirements

(h) The applicant shall have demonstrated in an aircraft of the category for which the instrument rating is being sought the ability to perform the procedures and manoeuvres described in (d) and (e) with a degree of competency appropriate to the privileges granted to the holder of an instrument rating, and to—

(1) Recognize and manage threats and errors;

(2) Operate the aircraft for the category being sought, within its limitations;

(3) Complete all manoeuvres with smoothness and accuracy;

(4) Exercise good judgement and airmanship;

(5) Apply aeronautical knowledge; and

(6) Maintain control of the aircraft at all times in a manner such that the successful outcome of a procedure or manoeuvre is assured.

(i) The applicant shall have demonstrated the ability to operate multi-engined aircraft

within the appropriate category by reference solely to instruments with one engine inoperative, or simulated inoperative, if the privileges of the instrument rating are to be exercised on such aircraft.

7.220 CATEGORY RATINGS

(a) A pilot seeking a category rating—
  (1) Shall have received the required training and possess the aeronautical experience prescribed by this Part for the aircraft category and, if applicable, class and type rating sought;
  (2) Shall have an endorsement in his or her logbook or training record from an authorised instructor that the applicant has been found competent in the following areas, as appropriate to the pilot licence for the aircraft category and, if applicable, class and type rating sought—
    (i) Aeronautical knowledge areas.
    (ii) Areas of operation.
  (3) Shall pass the skill test applicable to the pilot licence for the aircraft category and, if applicable, class and type rating sought; and
  (4) Need not take an additional knowledge test, provided the applicant holds an aeroplane, rotorcraft, powered-lift, or airship rating at that pilot licence level.

(b) Until 10 March 2011, the Authority may endorse a type rating for aircraft of the powered-lift category on an aeroplane or helicopter pilot licence.
  (1) The endorsement of the rating on the licence shall indicate that the aircraft is part of the powered-lift category.
  (2) The training for the type rating in the powered-lift category shall—
    (i) Be completed during a course of approved training,
    (ii) Take into account the previous experience of the applicant in an aeroplane or a helicopter as appropriate; and
    (iii) Incorporate all relevant aspects of operating an aircraft of the powered-lift category.

7.225 CLASS RATINGS

(a) A pilot seeking an additional class rating—
  (1) Shall have an endorsement in his or her logbook or training record from an authorised instructor that the applicant has been found competent in the following areas, as appropriate to the pilot licence and for the aircraft class rating sought—
    (i) Aeronautical knowledge areas.
    (ii) Areas of operation.
  (2) Shall pass the skill test applicable to the pilot licence for the aircraft class rating sought;
  (3) Need not meet the training time requirements prescribed by this Part for the aircraft class rating sought; and
  (4) Need not take an additional knowledge test, provided the applicant holds an aeroplane, rotorcraft, powered-lift, or airship rating at that pilot licence level.

7.230 TYPE RATINGS

(a) Except as specified in this paragraph, a pilot seeking an aircraft type rating to be added on a pilot licence, or the addition of an aircraft type rating that is accomplished concurrently with an additional aircraft category or class rating—
  (1) Shall hold or concurrently obtain an instrument rating that is appropriate to the aircraft category, class, or type rating sought;
  (2) Shall have gained experience in an aircraft or flight simulator and recorded that

experience in his or her logbook or training record showing demonstrated competency in the following areas, as appropriate to the pilot licence for the aircraft category, class and type rating sought—

(i) Normal flight procedures and manoeuvres during all phases of flight;

(ii) Abnormal and emergency procedures and manoeuvres in the event of failures and malfunctions of equipment, such as powerplant, systems and airframe;

(iii) Where applicable, instrument procedures, including instrument approach, missed approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure;

(iv) Procedures for crew incapacitation and crew coordination including allocation of pilot tasks; crew cooperation and use of checklists.

(v) Upset prevention and recovery training for aeroplanes.

(3) Shall pass the skill test applicable to the pilot licence for the aircraft category, class, and type rating sought; demonstrating—

(i) The skill and knowledge required for the safe operation of the applicable type of aircraft considering the relevant licensing requirements and to the duties and pilot functions of a pilot- in-command or a co-pilot, as applicable; and

(ii) At the airline transport pilot licence level, an extent of knowledge required by the Authority in Subpart F, Subdivision VI of this Part.

(4) Except as provided for in paragraphs (e) and (f), shall perform the skill test under instrument flight rules;

(5) Need not take an additional knowledge test, provided the applicant holds an aeroplane, rotorcraft, powered-lift, or airship rating on their pilot licence; and

(6) In the case of a pilot employee of an AOC holder, shall have—

(i) Met the appropriate requirements of items (1),(4) and (5) of this paragraph for the aircraft type rating sought; and

(ii) Received an endorsement in his or her flight training record from the certificate holder certifying that the applicant has completed the certificate holder's approved ground and flight training programme appropriate to the aircraft type rating sought.

(b) An applicant for a type rating who provides an aircraft not capable of the instrument manoeuvres and procedures required by the appropriate requirements for the skill test may—

(1) Obtain a type rating limited to "VFR only"; and

(2) Remove the "VFR only" limitation for each aircraft type in which the applicant demonstrates compliance with the appropriate instrument requirements of this Part.

(c) The Authority may issue to an applicant for a type rating a licence with the limitation "VFR only" for each aircraft type not equipped for the applicant to show instrument proficiency.

(d) An applicant for a type rating in a multi engine, single-pilot station aeroplane may meet the requirements of paragraph (b) in a multi-seat version of that multi engine aeroplane.

(e) An applicant for a type rating in a single-engine, single-pilot station aeroplane may meet the requirements of paragraph (b) in a multi-seat version of that single-engine aeroplane.

(f) Unless the Authority requires certain or all tasks to be performed, the examiner who conducts the skill test may waive any of the tasks for which the Authority approves waiver authority.

7.235 CATEGORY II & III PILOT AUTHORISATION REQUIREMENTS

(a) *General*. An applicant for a Category II or Category III pilot authorisation shall—
  (1) Hold a pilot licence with an instrument rating or an airline transport pilot licence;
  (2) Hold a category and class rating, and type rating, if applicable, for the aircraft for which the authorisation is sought; and
  (3) Complete the skill test requirements.

(b) *Experience requirements*. An applicant for a Category II or Category III pilot authorisation shall have at least—
  (1) 50 hours of night flight time as PIC.
  (2) 75 hours of instrument time under actual or simulated instrument conditions that may include not more than—
    (i) A combination of 25 hours of simulated instrument flight time in an approved flight simulator or an approved flight training device; or
    (ii) 40 hours of simulated instrument flight time if accomplished in an approved course conducted by an appropriately rated ATO.
  (3) 250 hours of cross-country flight time as PIC.

(c) Upon passing a skill test for a Category II or III pilot authorisation, a pilot may renew that authorisation for each type of aircraft for which the pilot holds authorisation.

(d) The Authority may not renew a Category II or Category III pilot authorisation for a specific type aircraft for which an authorisation is held beyond 12 calendar months from the month the applicant satisfactorily passed a skill test in that type aircraft.

(e) If the holder of a Category II or Category III pilot authorisation passes the skill test for a renewal in the month before the authorisation expires, the Authority will consider that the holder passed it during the month the authorisation expired.

Note: See Appendix 1 to 7.235 for additional requirements concerning Category II and III pilot authorisations.

Note: See Appendix 2 to 7.235 for the skill test requirements for Category II pilot authorisations. Note: See Appendix 3 to 7.235 for the skill test requirements for Category III pilot authorisations.

7.240 FLIGHT CREW RADIO OPERATOR ENDORSEMENT

(a) General. Flight crew members are eligible for a radiotelephone endorsement on their pilot or flight engineer licence.

(b) Eligibility. The flight crew member shall—
  (1) Be at least 16 years of age;
  (2) Be able to read, write and speak the Level 4 language proficiency;
  (3) Complete ground instruction from a licenced flight instructor on the radiotelephony knowledge requirements for the specific licence.
  (4) Demonstrate the skill in-flight using radiotelephony techniques required for the specific licence under the observation of a licenced flight instructor;
  (5) Have that flight instructor endorse a records of the satisfactory observation; and
  (6) Present that endorsed record to the Authority for issuance of the flight crew licence endorsement for in-flight radiotelephone privileges.

(c) *Endorsement text.* If issued, the endorsement shall be worded “Flight crew radio operator privileges authorised.

(d) *Privileges.* The flight crew member with a flight crew radio operator endorsement is authorised to use an aeronautical radio installed in an aircraft or ground aeronautical radio to communicate with—

(1) Air traffic facilities;
(2) Aeronautical information facilities;
(3) Ground aeronautical radio stations; and
(4) Other aircraft.

Subdivision II: Student Pilots

7.245 APPLICABILITY

(a) This Subdivision prescribes the requirements for the issuance of student pilot licences, the conditions under which those licences are necessary and the general operating rules and limitations for the holders of those licences to ensure that their participation and privileges will not constitute a hazard to air navigation.

7.250 PRIVILEGES ACCORDED TO THE HOLDER OF A STUDENT PILOT LICENSE

(a) The privileges accorded to the holder of a student pilot license are contained in Subpart C to Part 10.

7.255 STUDENT PILOT ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for a student pilot licence, an applicant shall—
  (1) Be at least 16 years of age for other than the operation of a glider or balloon;
  (2) Be at least 14 years of age for the operation of a glider or balloon;
  (3) Be able to read, speak, write, and understand the English language; and
  (4) When required by Part 8, hold at least a Class 1 or 2 medical certificate.

7.260 STUDENT PILOT APPLICATION

(a) An applicant for a student pilot licence shall apply to the Authority in the form and manner prescribed.

7.265 STUDENT PILOT SOLO REQUIREMENTS

(a) A student pilot shall not fly solo unless under the supervision of, or with the authority of, an authorised flight instructor.

(b) *Aeronautical knowledge*.
  (1) A student pilot shall satisfactorily pass an aeronautical knowledge test on the following subjects—
    (i) Applicable Parts of this Part and Part 10;
    (ii) Airspace rules and procedures for the aerodrome where the student will perform solo flight; and
    (iii) Flight characteristics and operational limitations for the make and model of aircraft to be flown.
  (2) The student's authorised instructor shall—
    (i) Administer the test; and
    (ii) At the conclusion of the test, review all incorrect answers with the student before authorising that student to conduct a solo flight.

(c) *Pre-solo flight training*. Prior to conducting a solo flight, a student pilot shall have—
  (1) Received and logged flight training for the manoeuvres and procedures of this Part that are appropriate to the make and model of aircraft to be flown; and
  (2) Demonstrated satisfactory proficiency and safety, as judged by an authorised instructor, on the manoeuvres and procedures required by this Part in the make and model of aircraft or similar make and model of aircraft to be flown.

(d) *Manoeuvres and procedures for pre-solo flight training*. A student pilot shall receive and log flight training for required manoeuvres and procedures.

Note: See Appendix 1 to 7.265 for required manoeuvres and procedures for a student pilot..

(e) *Endorsements for solo flights*. A student pilot shall have their endorsements prescribed in this paragraph for each make and model aircraft prior to the start of solo flight operations.

(1) Student pilot endorsement letter. A student pilot shall have an endorsement letter provided by the authorised instructor who conducted the training to conduct solo operations.

(2) Logbook endorsement. A student pilot shall have a solo cross-country endorsement placed in the student pilot's logbook by the authorised instructor who conducted the training.

7.270 STUDENT PILOT SOLO CROSS-COUNTRY FLIGHT REQUIREMENTS

(a) General.

(1) Except as provided in paragraph (b) of this Part, a student pilot shall meet the requirements of this Part before—

(i) Conducting a solo cross-country flight, or any flight greater than 25 nautical miles from the aerodrome from where the flight originated; and

(ii) Making a solo flight and landing at any location other than the aerodrome of origination.

(2) Except as provided in paragraph (b) of this Part, a student pilot who seeks solo cross-country flight privileges shall—

(i) Have received flight training from an authorised instructor on the manoeuvres and procedures of this Part that are appropriate to the make and model of aircraft for which solo cross- country privileges are sought;

(ii) Have demonstrated cross-country proficiency on the appropriate manoeuvres and procedures of this Part to an authorised instructor;

(iii) Have satisfactorily accomplished the required pre-solo flight manoeuvres and procedures in the make and model of aircraft or similar make and model of aircraft for which solo cross-country privileges are sought; and

(iv) Comply with any limitations included in the instructor's endorsement that are required by paragraph (c) of this Part.

(3) A student pilot who seeks solo cross-country flight privileges shall have received ground and flight training from an authorised instructor on the cross-country manoeuvres and procedures listed in this Part that are appropriate to the aircraft to be flown.

(b) *authorisation to perform certain solo flights and cross-country flights*. A student pilot shall obtain an endorsement from an authorised instructor to make solo flights, subject to the following conditions—

(1) A student pilot may make solo flights to another aerodrome that is within 25 nautical miles from the aerodrome where the student pilot normally receives training, provided—

(i) The authorised instructor who makes the endorsement gave the student pilot flight training at the other aerodrome, and that training included flight in both directions over the route, entering and exiting the traffic pattern, and takeoffs and landings at the other aerodrome;

(ii) The student pilot has a current solo flight endorsement.

(iii) The instructor has determined that the student pilot is proficient to make the flight; and

(iv) The purpose of the flight is to practice takeoffs and landings at that other aerodrome.

(2) A student pilot may make repeated specific solo cross-country flights to another aerodrome thatis within 50 nautical miles of the aerodrome from which the flight originated, provided—

(i) The authorised instructor who gave the endorsement gave the student flight training in both directions over the route, including entering and exiting the traffic patterns, takeoffs, and landings at the aerodrome to be used;

(ii) The student has current solo flight endorsements.; and

(iii) The student has a current solo cross-country flight endorsement in accordance with paragraph
(c) of this Part, except that separate endorsements are not required for each flight made under this paragraph.

(c) *Endorsements for solo cross-country flights*. Except as specified in paragraph (b)(2), a student pilot shall have the endorsements prescribed in this paragraph for each make and model aircraft the student will fly on each cross-country flight—

(1) Student pilot endorsement letter.

(i) A student pilot shall have a solo cross-country endorsement letter provided by the authorised instructor who conducted the training.

(2) Logbook endorsement.

(i) A student pilot shall have a solo cross-country endorsement placed in the student pilot's logbook by the authorised instructor who conducted the training.

(ii) A licenced pilot who is receiving training for an additional aircraft category and class rating shall have an endorsement placed in the pilot's logbook by the authorised instructor who conducted the training.

(d) *Manoeuvres and procedures for cross-country flight training*. A student pilot who is receiving training for cross-country flight shall receive and log flight training in the required manoeuvres and procedures.

Note: See Appendix 1 to 7.270 for list of required manoeuvres and procedures.

7.275 STUDENT PILOT RENEWAL REQUIREMENTS

(a) A holder of a Student Pilot Licence may apply for renewal of the Licence if the holder has passed a Class II medical examination

Subdivision III: Private Pilots

7.280 APPLICABILITY

(a) This Subdivision prescribes the requirements for the issuance of private pilot licences and ratings, and the conditions under which those licences and ratings are necessary.

7.285 PRIVILEGES OF PRIVATE PILOT LICENSE HOLDERS

(b) The privileges of accorded to the holder of a private pilot licence are contained in Subpart C to Part 10.

7.290 PRIVATE PILOT ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for a private pilot licence, a person shall—

(1) Be at least 17 years of age for a rating in other than a glider or balloon; or.

(2) Be at least 16 years of age for a rating in a glider or balloon; and.

(3) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation;

(4) Hold at least a Class 2 medical certificate;
(5) Receive a logbook endorsement for the knowledge test from an authorised instructor who—
  (i) Conducted the training or reviewed the person's home study on the prescribed aeronautical knowledge areas that apply to the aircraft rating sought; and
  (ii) Certified that the person is prepared for the required knowledge test.
(6) Pass the required knowledge test on the prescribed aeronautical knowledge areas.
(7) Receive flight training and a logbook endorsement from an authorised instructor who—
  (i) Conducted the training in the areas of operation that apply to the aircraft rating sought; and
  (ii) Certified that the person is prepared for the required skill test.
(8) Meet the aeronautical experience requirements of this Subdivision that apply to the aircraft rating sought before applying for the skill test.
(9) Demonstrate the skill level specified in Part 7.305 for a private pilot to pass the required skill test on the prescribed areas of operation that apply to the aircraft category and class rating sought;
(10) Comply with the appropriate Parts of this Subdivision that apply to the aircraft category and class rating sought.

7.295 PRIVATE PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) An applicant for a private pilot licence shall receive and log ground training from an authorised instructor on the aeronautical knowledge areas prescribed by the Authority that apply to the aircraft category and class rating sought.

Note: See Appendix 1 to 7.295 for the prescribed private pilot aeronautical knowledge requirements.

(b) The applicant shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a private pilot licence and appropriate to the category of aircraft intended to be included in the licence, in at least the subjects prescribed in Appendix 1 to 7.295.

7.300 PRIVATE PILOT FLIGHT INSTRUCTION REQUIREMENTS

(a) The applicant shall have received and logged dual instruction appropriate to the category, class and/or type rating sought from an authorised flight instructor.

(b) The instructor shall ensure that the applicant has operational experience in at least those maneuvers and procedures identified in Appendix 1 to 7.300 to the level of performance prescribed for the private pilot.

7.305 PRIVATE PILOT SKILL TEST REQUIREMENTS

(a) The applicant shall have demonstrated the ability to perform as pilot-in-command of an aircraft within the appropriate category and class of aircraft the procedures and manoeuvres described in Appendix 1 of 7.300 with a degree of competency prescribed by the Authority appropriate to the privileges granted to the holder of a private pilot licence and to—
(1) Recognize and manage threats and errors;
(2) Operate the aircraft within its limitations;
(3) Complete all manoeuvres with smoothness and accuracy;
(4) Exercise good judgement and airmanship;
(5) Apply aeronautical knowledge; and
(6) Maintain control of the aircraft at all times in a manner such that the successful outcome of a procedure or manoeuvre is assured.

7.310 PRIVATE PILOT AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) An applicant for a private pilot licence shall receive and log the minimum qualifying experience requirements prescribed in Appendix 1 to 7.310.

(b) An applicant for an aeroplane, helicopter or powered lift may credit one of the following in an approved flight simulation training device representing the category, class, and type, if applicable, of aircraft appropriate to the rating sought—

(1) A maximum of 2.5 hours of training, if received from an authorised instructor other than an ATO; or

(2) A maximum of 5 hours of training if the training is accomplished in a course conducted by an ATO.

(c) An applicant who holds a private pilot license in at least one category may apply to the Authority for reduction of total flight time requirements in another category. The Authority shall determine whether such experience is acceptable and, if so, specify the extent to which the flight time requirements of (a) can be reduced accordingly.

(d) The flight experience stated in paragraph (a) shall at least include actual flight experience requirements of 7.310, upset prevention and recovery training, night flying and flight by reference solely to instruments.

7.315 PRIVATE PILOT LICENCE ISSUANCE LIMITATIONS

(a) The Authority may prescribe limitations that are to be included on the licence based on limited experience of the applicant.

Note: See Appendix 1 to 7.315 for limitations regarding the pilots of balloons.

7.320 PRIVATE PILOT RENEWAL & REISSUE REQUIREMENTS

(b) *Renewal:* A private pilot licence that has not expired may be renewed if the holder presents to the Authority satisfactory evidence that the licence, medical certificate, and recency of experience are current.

(c) *Reissue:* If the private pilot licence has expired, the applicant shall have received refresher training acceptable to the Authority and passed the private pilot skill test.

Subdivision IV: Commercial Pilots

7.325 APPLICABILITY

(a) This Subdivision prescribes the requirements for the issuance of commercial pilot licences and ratings, and the conditions under which those licences and ratings are necessary.

7.330 PRIVILEGES OF A COMMERCIAL PILOT LICENSE HOLDER

(b) The privileges accorded to the holder of a commercial pilot license are contained in Subpart C to Part 10.

7.335 COMMERCIAL PILOT ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for a commercial pilot licence, a person shall—

(1) Be at least 18 years of age;

(2) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation

(3) If required by Part 7.735 for the category, class and type rating sought, hold a Class 1 medical certificate.

(4) Receive a logbook endorsement from an authorised instructor who—
   (i) Conducted the required ground training or reviewed the person's home study on the aeronautical knowledge areas prescribed by the Authority that apply to the aircraft category and class rating sought; and
   (ii) Certified that the person is prepared for the required knowledge test that applies to the aircraft category and class rating sought.

(5) Pass the required knowledge test on the aeronautical knowledge areas prescribed by the Authority;

(6) Receive the required training and a logbook endorsement from an authorised instructor who—
   (i) Conducted the training prescribed by the Authority that apply to the aircraft category and class rating sought; and
   (ii) Certified that the person is prepared for the required skill test.

(7) Meet the aeronautical experience requirements of this Subdivision that apply to the aircraft category and class rating sought before applying for the skill test;

(8) Demonstrate the skill level specified in Part 7.350 for a commercial pilot to pass the required skill test on the prescribed areas of operation that apply to the aircraft category and class rating sought;

(9) Hold a private pilot licence issued under this Subpart or meet the requirements pertaining to military licences; and

(10) Comply with all Parts of this Subdivision that apply to the aircraft category and class rating sought.

7.340 COMMERCIAL PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) An applicant for a commercial pilot licence shall receive and log ground training from an authorised instructor, or complete a home-study course on the required aeronautical knowledge areas prescribed by the Authority.

Note: See Appendix 1 to 7.340 for specific aeronautical knowledge area requirements.

(b) The applicant shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a commercial pilot licence and appropriate to the category of aircraft intended to be included in the licence, in at least the subjects provided in Appendix 1 to 7.340.

7.345 COMMERCIAL PILOT FLIGHT INSTRUCTION REQUIREMENTS

(a) The applicant shall have received and logged dual instruction appropriate to the category, class and/or type rating sought, from an authorised flight instructor. The instructor shall ensure that the applicant has operational experience in at least those maneuvers and procedures identified in Appendix 1 to 7.345 to the level of performance prescribed by the Authority for the commercial pilot.

7.350 COMMERCIAL PILOT SKILL REQUIREMENTS

(a) The applicant shall have demonstrated the ability to perform as pilot-in-command of an aircraft within the appropriate category of aircraft, the procedures and manoeuvres described in Appendix 1 of 7.300 with a degree of competency prescribed by the Authority appropriate to the privileges granted to the holder of a commercial pilot licence, and to—
   (1) Recognize and manage threats and errors;
   (2) Operate the aircraft within its limitations;
   (3) Complete all manoeuvres with smoothness and accuracy;
   (4) Exercise good judgement and airmanship;
   (5) Apply aeronautical knowledge; and

(6) Maintain control of the aircraft at all times in a manner such that the successful outcome of a procedure or manoeuvre is assured.

7.355 COMMERCIAL PILOT AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) An applicant for a commercial pilot licence shall obtain the required flight hours of aeronautical experience prescribed by the Authority in Appendix 1 to 7.355.

(b) *ATO exception*. Except when fewer hours are approved by the Authority, an applicant who has satisfactorily completed a commercial pilot course conducted by an ATO need have only the following total aeronautical experience to meet the requirements of this Part

(1) 190 hours for an aeroplane rating
(2) 150 hours for a helicopter rating.

(c) *Flight Simulator exception.* An applicant for a commercial pilot licence may credit one of the maximum times for training in an approved flight simulator or approved flight training device representing the applicable category, class, and type of aircraft appropriate to the rating sought—

(1) 10 hours for an aeroplane rating;
(2) 10 hours for a helicopter rating;
(3) 10 hours for a helicopter rating in a course conducted by an ATO.

(d) An applicant who holds a commercial pilot license in at least one category may apply for reduction of total flight time requirements in another category to the Authority. The Authority shall determine whether such experience is acceptable and, if so, specify the extent to which the flight time requirements of (a) can be reduced accordingly.

(e) The flight experience stated in paragraph (a) shall at least include actual flight experience requirements of 7.355, upset prevention and recovery training, night flying and flight by reference solely to instruments.

7.360 COMMERCIAL PILOT LICENCE LIMITATIONS

(a) The Authority shall issue to an applicant for a commercial pilot licence with an aeroplane category or powered-lift category rating who does not hold an instrument rating in the same category and class a commercial pilot licence that contains the limitation, "*The carriage of passengers for hire in (aeroplanes) (powered-lifts) on cross-country flights in excess of 50 nautical miles or at night is prohibited*."

Note: A pilot may remove this limitation by satisfactorily accomplishing the requirements prescribed by the Authority for an instrument rating in the same category and class of aircraft that has the limitation.

(b) If an applicant for a commercial pilot licence with a balloon rating takes a skill test in a balloon with an airborne heater, the Authority shall place upon the pilot licence a limitation restricting the exercise of the privileges of that licence to a balloon with an airborne heater.

Note: The pilot may remove this limitation by obtaining the required aeronautical experience in a gas balloon and receiving a logbook endorsement from an authorised instructor who attests to the pilot's accomplishment of the required aeronautical experience and ability to satisfactorily operate a gas balloon.

(c) If an applicant for a commercial pilot licence with a balloon rating takes a skill test in a gas balloon, the Authority shall place upon the pilot licence a limitation restricting the exercise of the privileges of that licence to a gas balloon.

Note: The pilot may remove this limitation by obtaining the required aeronautical experience in a balloon with an airborne heater and receiving a logbook endorsement from an authorised instructor who attests to the

person's accomplishment of the required aeronautical experience and ability to satisfactorily operate a balloon with an airborne heater.

(d) The authority having issued pilot licences, shall not permit the holders thereof to act as pilot of an aircraft engaged in international commercial air transport operations if the licence holders have attained their 60th birthday or in the case of operations with more than one pilot, their 65th birthday.

7.365 COMMERCIAL PILOT RENEWAL & REISSUE REQUIREMENTS

(a) Renewal: A commercial pilot licence that has not expired may be renewed if the holder presents to the Authority satisfactory evidence that the licence, medical certificate, and recency of experience are current.

(b) Reissue: If the commercial pilot licence has expired, the applicant shall have received refresher training acceptable to the Authority and passed the commercial pilot skill test.

Subdivision V: Multi-Crew Pilots (Aeroplane Category)

7.370 APPLICABILITY

(a) This Subdivision prescribes the requirements for the issuance of a multi-crew (aeroplane category) pilot licence, and the conditions under which those licences and ratings are necessary.

7.375 PRIVILEGES OF A MULTI-CREW PILOT LICENSE

The privileges accorded to the holder of a multi-crew pilot licence are contained in Subpart C to Part 10.

7.380 MULTI-CREW PILOT (AEROPLANE) ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for a multi-crew (aeroplane category) pilot licence, a person shall—
   (1) Be at least 18 years of age;
   (2) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation
   (3) Hold a Class 1 medical certificate.

(b) The applicant shall have demonstrated the skills required for fulfilling all the competency units specified in Appendix 1 to 7.380 as pilot flying and pilot not flying, to the level required to perform as a co-pilot of turbine-powered aeroplanes certificated for operation with a minimum crew of at least two pilots under VFR and IFR

(c) The applicant shall demonstrate the skill levels of Part 7.395. Progress in acquiring these skills shall be continuously assessed.

(d) Whenever an training organisation approved under Part 9 demonstrates to the Authority that a student is prepared to take the prescribed knowledge and skill tests of this Subdivision, that student may take those tests before meeting the applicable experience requirements.

7.385 MULTI-CREW PILOT (AEROPLANE) KNOWLEDGE REQUIREMENTS

(a) An applicant for a multi-crew (aeroplane category) pilot licence shall have met the requirements specified in 7.380 for the airline transport pilot licence appropriate to the aeroplane category in an approved training course.

7.390 MULTI-CREW PILOT (AEROPLANE) FLIGHT INSTRUCTION REQUIREMENTS

(a) An applicant for a multi-crew (aeroplane category) pilot licence shall have completed a

course of approved training covering the experience requirements of 7.400

(b) The applicant shall have received dual flight instruction in all the competency units specified in Appendix 1. to 7.380 to the level required for the issue of the multi-crew pilot licence, to include the competency units required to pilot under instrument flight rules.

7.395 MULTI-CREW PILOT (AEROPLANE) SKILL REQUIREMENTS

(a) The applicant shall have demonstrated the skills required for fulfilling all the competency units specified in Appendix 1 to 7.200 as pilot flying and pilot not flying, to the level required to perform as a co-pilot of turbine-powered aeroplanes certificated for operation with a minimum crew of at least two pilots under VFR and IFR, and to—

(1) Recognize and manage threats and errors;

(2) Smoothly and accurately, manually control the aeroplane within its limitations at all times, such that the successful outcome of a procedure or manoeuvre is assured;

(3) Operate the aeroplane in the mode of automation appropriate to the phase of flight and to maintain awareness of the active mode of automation;

(4) Perform, in an accurate manner, normal, abnormal and emergency procedures in all phases of flight; and

(5) Communicate effectively with other flight crewmembers and demonstrate the ability to effectively perform procedures for crew incapacitation, crew coordination, including allocation of pilot tasks, crew cooperation, adherence to standard operating procedures (SOPs) and use of checklists.

(b) Progress in acquiring the skills specified in (a) shall be continuously assessed.

7.400 MULTI-CREW PILOT (AEROPLANE) AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) An applicant for a multi-crew (aeroplane category) pilot licence shall obtain the required flight hours of aeronautical experience, to include—

(1) Completion of an approved training course not less than 240 hours as pilot flying and pilot not flying of actual and simulated flight.

(2) Flight experience in actual flight shall include at least the experience requirements of 7.320, upset prevention and recovery training, night flying and flight by reference solely to instruments.

(3) In addition to paragraph (2) the applicant shall have gained the experience necessary to achieve the advanced level of competency defined in Appendix 1 to 7.380—

(i) In a turbine-powered aeroplane certificated for operation with a minimum crew of at least two pilots, or

(ii) In a flight simulation training device approved for that purpose by the Authority.

7.405 MULTI-CREW PILOT (AEROPLANE) LICENCE ISSUANCE LIMITATIONS

(a) The privileges of the holder of a multi-crew pilot licence shall be limited based on experience and competency acquired.

(b) *Private pilot privileges*. To exercise all the privileges of the holder of a private pilot licence in the aeroplane category the multi-crew pilot shall have completed all experience requirements of 7.400.

(c) *Instrument rating privileges.* Before exercising the privileges of the instrument rating in a single-pilot operation in aeroplanes, the licence holder shall have demonstrated an ability to act as pilot-in-command in a single-pilot operation exercised by reference solely to instruments and shall have met the skill requirement of 7.185 appropriate to the aeroplane category.

(d) Commercial pilot privileges. Before exercising the privileges of a commercial pilot licence in a single-pilot operation in aeroplanes, the licence holder shall have—

(1) Completed in aeroplanes 70 hours, either as pilot-in-command, or made up of not less than 10 hours as pilot-in- command and the necessary additional flight time as pilot-in-command under supervision;

(2) Completed 20 hours of cross-country flight time as pilot-in-command, or made up of not less than 10 hours as pilot-in-command and 10 hours as pilot-in-command under supervision, including a cross- country flight totalling not less than 540 km (300 NM) in the course of which full-stop landings at two different aerodromes shall be made; and

(3) Met the experience requirements for the commercial pilot licence with the exception of total PIC flight time, and

(4) Commercial pilot skill requirements appropriate to the aeroplane category, and

(5) An endorsement on his multi-crew pilot licence granting single-pilot commercial privileges.

(e) The authority having issued pilot licences, shall not permit the holders thereof to act as pilot of an aircraft engaged in international commercial air transport operations if the licence holders have attained their 60th birthday or in the case of operations with more than one pilot, their 65th birthday

7.410 MULTI-CREW PILOT RENEWAL & REISSUE REQUIREMENTS

(a) Renewal: A multi-crew pilot license that has not expired may be renewed if the holder presents to the Authority satisfactory evidence that the licence, medical certificate, and recency of experience are valid and current.

(b) Reissue: If the multi-crew pilot licence has expired, the applicant shall have received refresher training acceptable to the Authority and passed the multi-crew pilot skill test.

Subdivision VI: Airline Transport Pilots

7.415 APPLICABILITY

(a) This Subdivision prescribes the requirements for an airline transport pilot licences and ratings issuance, and the conditions under which those licences and ratings are necessary.

7.420 PRIVILEGES OF AIRLINE TRANSPORT PILOT LICENSE

(a) The privileges accorded to the holder of an airline transport pilot licence are contained in Subpart C to Part 10.

7.425 ATPL ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for an airline transport pilot licence, a person shall—

(1) Be at least 21 years of age;

(2) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in **Appendix 1 TO 7.200** of this regulation

(3) Hold a Class 1 medical certificate or its equivalent.

(4) Meet at least one of the following requirements—

(i) Hold a valid and current commercial pilot licence and an instrument rating;

(ii) Meet the military experience requirements to qualify for a commercial pilot licence, and an instrument rating if the person is a rated military pilot or former rated military pilot of an Armed Force of Rwanda; or

(iii) Hold either a foreign airline transport pilot or foreign commercial pilot licence

and an instrument rating issued by another Contracting State.

(5) Meet the aeronautical applicable experience requirements of this Subdivision before applying for the skill test;

(6) Pass a knowledge test on the applicable aeronautical knowledge areas prescribed by the Authority that apply to the aircraft category and class rating sought;

(7) Demonstrate the skill level specified in Part 7.440 for an airline transport pilot to pass the required skill test on the prescribed areas of operation that apply to the aircraft category and class rating sought;

(b) Whenever an training organisation approved under Part 9 demonstrates to the Authority that a student is prepared to take the prescribed knowledge and skill tests of this Subdivision, that student may take those tests before meeting the applicable experience requirements.

Note: Paragraph (b) provides a pilot with a path for completing the qualifying knowledge and skill test for an ATPL prior to meeting the age or experience requirements specified in paragraph (a). This is sometimes described as a "frozen ATP" because, upon later meeting the age and experience requirements of paragraph (a), the pilot may apply for the ATPL without further testing.

7.430 ATPL AERONAUTICAL KNOWLEDGE

(a) The applicant shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a commercial pilot licence and appropriate to the category of aircraft intended to be included in the licence, in at least the subjects of Appendix 1 to 7.430.

(b) In addition to the knowledge requirements of (a), the applicant for an airline transport pilot licence applicable to the aeroplane or powered-lift category shall have met the knowledge requirements of Appendix 1 to 7.215 for the instrument rating.

(c) An applicant for an air transport licence shall receive and log ground training from an authorised instructor, or complete a home-study course on the required aeronautical knowledge areas prescribed by the Authority.

7.435 AIRLINE TRANSPORT PILOT FLIGHT INSTRUCTION REQUIREMENTS

(a) The applicant shall have received and logged dual instruction appropriate to the category, class and/or type rating sought, from an authorised flight instructor. The instructor shall ensure that the applicant has operational experience in at least those maneuvers and procedures identified in Appendix 1 to 7.315 to the level of performance prescribed by the Authority for the airline transport pilot.

(b) In addition to the dual instruction requirements of (a), the instruction shall ensure that the applicant for an airline transport pilot licence applicable to the aeroplane or powered-lift category has operational experience in at least the manuevers and procedures identified in Part 7.215 to the level of the performance prescribed by the Authority for the airline transport pilot.

7.440 AIRLINE TRANSPORT PILOT SKILL TEST REQUIREMENTS

(a) The applicant shall have demonstrated the ability to perform as pilot-in-command of an aircraft within the appropriate category, class and type of aircraft, the procedures and manoeuvres described in Appendix 1 of 7.315 with a degree of competency prescribed by the Authority appropriate to the privileges granted to the holder of a airline transport pilot licence, and to—

(1) Recognize and manage threats and errors;

(2) Smoothly and accurately, manually control the aircraft within its limitations at all times, such that the successful outcome of a procedure or manoeuvre is assured;
(3) Operate the aircraft in the mode of automation appropriate to the phase of flight and to maintain awareness of the active mode of automation;
(4) Perform, in an accurate manner, normal, abnormal and emergency procedures in all phases of flight;
(5) Exercise good judgement and airmanship, to include structured decision making and the maintenance of situational awareness; and
(6) Communicate effectively with other flight crew members and demonstrate the ability to effectively perform procedures for crew incapacitation, crew coordination, including allocation of pilot tasks, crew cooperation, adherence to standard operating procedures (SOPs) and use of checklists.

(b) Where the aircraft within the appropriate category is required to be operated with a co-pilot, the following procedures and manoeuvres shall be a part of the skill test—
(1) Pre-flight procedures, including the preparation of the operational flight plan and filing of the air traffic services flight plan;
(2) Normal flight procedures and manoeuvres during all phases of flight;
(3) Abnormal and emergency procedures and manoeuvres related to failures and malfunctions of equipment, such as engine, systems and airframe;
(4) Procedures for crew incapacitation and crew coordination, including allocation of pilot tasks, crew cooperation and use of checklists; and
(5) Iin the case of aeroplanes and powered-lifts, procedures and manoeuvres for instrument flight described in Part, including simulated engine failure.

(c) In the case of an aeroplane, the applicant shall have demonstrated the ability to perform the procedures and manoeuvres described in Part 7.215 (instruments) as pilot-in-command of a multi-engined aeroplane.

7.445 AIRLINE TRANSPORT PILOT AERONAUTICAL EXPERIENCE

(a) An applicant for a airline transport pilot licence shall obtain the required flight hours of aeronautical experience prescribed by the Authority in Appendix 1 to 7.445.

(b) An applicant who holds an airline transport pilot license in at least one category may apply to the Authority for reduction of total flight time requirements in another category. The Authority shall determine whether such experience is acceptable and, if so, specify the extent to which the flight time requirements of (a) can be reduced accordingly.

(c) The flight experience stated in paragraph (a) shall at least include actual flight experience requirements of 7.445, upset prevention and recovery training, night flying and flight by reference solely to instruments.

7.450 ADDITIONAL AIRCRAFT CATEGORY, CLASS & TYPE RATINGS

(a) An applicant for an airline transport licence with a category rating who holds an airline transport pilot licence with another aircraft category rating shall—
(1) Meet the applicable eligibility requirements;
(2) Pass a knowledge test on the applicable aeronautical knowledge areas;
(3) Meet the applicable aeronautical experience requirements; and
(4) Pass the skill test on the areas of operation.
(5) upset prevention and recovery training for aeroplanes.

(b) *Aircraft type rating*. An applicant for an aircraft type rating to an airline transport pilot licence is not required to pass a knowledge test if that pilot's airline transport pilot licence lists the aircraft category and class rating that is appropriate to the type rating sought.

7.455 ATPL LICENCE LIMITATIONS

(a) *The* authority having issued pilot licences, shall not permit the holders thereof to act as pilot of an aircraft engaged in international commercial air transport operations if the licence holders have attained their 60th birthday or in the case of operations with more than one pilot, their 65th birthday

7.460 ATPL RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* An airline transport pilot licence that has not expired may be renewed if the holder presents to the Authority satisfactory evidence that the licence, medical certificate, and recency of experience and proficiency are current.

(b) *Reissue:* If the airline transport pilot licence has expired, the applicant shall have received refresher training acceptable to the Authority and passed the airline transport pilot skill test.

Subdivision VII: Flight Instructors

7.465 APPLICABILITY

(a) This Subdivision prescribes the requirements for the issuance of flight instructor licences and ratings, the conditions under which those licences and ratings are necessary, and the limitations on those licences and ratings.

7.470 PRIVILEGES OF A FLIGHT INSTRUCTOR LICENSE

(a) The privileges accorded to the holder of a flight instructor licence are contained in Subpart C to Part 10.

7.475 FLIGHT INSTRUCTOR ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for a flight instructor licence or rating a person shall—
  (1) Be at least 18 years of age;
  (2) If required for the category of aircraft, hold a Class 1 medical certificate or its equivalent.
  (3) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation;
  (4) Hold either a commercial pilot licence or airline transport pilot licence with—
    (i) An aircraft category and class rating that is appropriate to the flight instructor rating sought; and
    (ii) An instrument rating, if the person holds a commercial pilot licence and is applying for a flight instructor licence with—
      (A) An aeroplane category and single-engine class rating; or
      (B) An instrument rating.
  (5) Receive a logbook endorsement from an authorised instructor on the fundamentals of instructing prescribed by the Authority appropriate to the required knowledge test;
  (6) Pass a knowledge test on the areas prescribed by the Authority,
  (7) Receive a logbook endorsement from an authorised instructor on the areas of operation prescribed by the Authority appropriate to the flight instructor rating sought;
  (8) Pass the required skill test that is appropriate to the flight instructor rating sought in an—
    (i) Aircraft that is representative of the category and class of aircraft for the aircraft rating sought; or
    (ii) Approved flight simulator or approved flight training device that is representative of the category and class of aircraft for the rating sought, and

used in accordance with an approved course at an ATO.

(9) Accomplish the following for a flight instructor licence with an aeroplane or a glider rating—

(i) Receive a logbook endorsement from an authorised instructor indicating that the applicant is competent and possesses instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures after receiving flight training in those training areas in an aeroplane or glider, as appropriate, that is certified for spins.

(ii) Demonstrate instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures.

(10) An examiner may accept the endorsement specified in paragraph (9)(i) of this paragraph as satisfactory evidence of instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures for the skill test, provided that the skill test is not a retest as a result of the applicant failing the previous test for deficiencies in those knowledge or skill areas.

(11) If a retest is the result of deficiencies in the ability of an applicant to demonstrate the requisite knowledge or skill, the applicant shall demonstrate the knowledge and skill to an examiner in an aeroplane or glider, as appropriate, that is certified for spins.

(12) Log at least 15 hours as PIC in the category and class of aircraft that is appropriate to the flight instructor rating sought; and

(13) Comply with the appropriate Parts that apply to the flight instructor rating sought.

7.480 FLIGHT INSTRUCTOR AERONAUTICAL KNOWLEDGE

(a) An applicant for a flight instructor licence shall demonstrate a level of knowledge in subjects prescribed by the Authority appropriate to the privileges requested to be granted.

Note: See Appendix 1 to 7.480 for prescribed flight instructor aeronautical knowledge requirements.

7.485 FLIGHT INSTRUCTOR FLIGHT INSTRUCTION REQUIREMENTS

(a) The applicant shall, under the supervision of a flight instructor accepted by the Authority for that purpose—

(1) Have received instruction in flight instructional techniques including demonstration, student practices, recognition and correction of common student errors; and

(2) Have practised instructional techniques in those flight manoeuvres and procedures in which he or she is intended to provide flight instruction.

Refer to Appendix 1 to 7.485 for the flight instruction requirements.

(b) An applicant for a flight instructor licence shall—

(1) Receive and log flight time as prescribed by the Authority, and

(2) Have an endorsement from an authorised instructor that the person is proficient to pass a skill test for the flight instructor rating sought.

(c) An applicant may accomplish the flight training required by this Part—

(1) In an aircraft that is representative of the category and class of aircraft for the rating sought; or

(2) In a flight simulator or flight training device representative of the category and class of aircraft for the rating sought, and used in accordance with an approved course at an ATO.

(d) The skill demonstration is that an applicant shall have demonstrated, in the category of aircraft for which flight instructor privileges are sought, the ability to instruct in those areas in which flight instruction is to be given, including pre-flight, post-flight and ground instruction as appropriate.

7.490 FLIGHT INSTRUCTOR SKILL REQUIREMENTS

(a) The applicant shall have demonstrated, in the category and class of aircraft for which flight instructor privileges are sought, the ability to instruct in those areas in which flight instruction is to be given, including pre-flight, post-flight and ground instruction as appropriate.

7.495 ADDITIONAL FLIGHT INSTRUCTOR RATINGS

(a) An applicant for an additional flight instructor rating on a flight instructor licence shall meet the eligibility requirements prescribed by the Authority that apply to the flight instructor rating sought.

(b) An applicant for an additional rating on a flight instructor licence is not required to pass the knowledge test on the areas prescribed by the Authority.

7.500 RENEWAL OF FLIGHT INSTRUCTOR LICENCES

(a) A flight instructor licence that has not expired may be renewed if the holder—

(1) Passes a skill test for—

(i) Renewal of the flight instructor licence; or

(ii) An additional flight instructor rating; or

(2) Presents to the Authority—

(i) A record of training students that shows during the preceding 24 calendar months the flight instructor has endorsed at least five students for a skill test for a licence or rating, and at least 80 percent of those students passed that test on the first attempt;

(ii) A record that shows that within the preceding 24 calendar months, service as a company check pilot, chief flight instructor, company check airman, or flight instructor in a Part 12 operation, or in a position involving the regular evaluation of pilots; or

(iii) A graduation certificate showing that the pilot has successfully completed an approved flight instructor refresher course consisting of ground training or flight training, or both, within the 90 days preceding the expiration month of his or her flight instructor licence.

(b) If a flight instructor accomplishes the renewal requirements within the 90 days preceding the expiration month of his or her flight instructor licence—

(1) The Authority shall consider that the flight instructor accomplished the renewal requirement in the month due; and

(2) The Authority shall renew the current flight instructor licence for an additional 24 calendar months from its expiration date.

(c) A flight instructor may accomplish the skill test required by paragraph (a)(1) of this Part in an approved course conducted by an ATO.

7.505 EXPIRED FLIGHT INSTRUCTOR LICENCES AND RATINGS

(a) The holder of an expired flight instructor licence may exchange that licence for a new licence by passing the prescribed skill test.

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Subdivision VIII: Flight Engineers

7.510 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuing flight engineer licences.

7.515 PRIVILEGES OF A FLIGHT ENGINEER LICENSE

(a) The privileges accorded to the holder of a flight engineer licence are contained in Subpart C to Part 10.

7.520 FLIGHT ENGINEER ELIGIBILITY REQUIREMENTS

(a) To be eligible for a flight engineer licence, a person shall—
   (1) Be at least 18 years of age.
   (2) Hold a Class 1 medical certificate or its equivalent.
   (3) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation
   (4) Pass the required knowledge test on the prescribed aeronautical knowledge areas.
   (5) Meet the aeronautical experience requirements of this Subdivision that apply to the aircraft rating sought before applying for the skill test.
   (6) Pass a skill test on the areas of operation that apply to the aircraft rating sought.
   (7) Comply with the appropriate Parts of this Subdivision that apply to the aircraft category and class rating sought.

7.525 FLIGHT ENGINEER AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) An applicant for a flight engineer licence shall demonstrate a level of knowledge appropriate to the privileges granted to the holder of an flight engineer in subjects prescribed by the Authority.

Note: See Appendix 1 to 7.525 for the aeronautical knowledge requirements prescribed for flight engineers.

(b) Before taking the knowledge tests prescribed in paragraphs (a) and (b) of this Part, an applicant for a flight engineer licence shall present satisfactory evidence of having completed one of the experience requirements.

(c) An applicant may take the knowledge tests before acquiring the flight training prescribed by the Authority.

(d) Except as provided in paragraph (f) of this Part, an applicant for a flight engineer licence or rating shall have passed the knowledge tests required by paragraphs (a) and (b) of this Part since the beginning of the 24th calendar month before the month in which the skill test is taken.

(e) An applicant who within the period ending 24 calendar months after passing the knowledge test, is employed as a flight crew member or mechanic by Rwanda AOC holder need not comply with the time limit set in paragraph (d) of this Part if the applicant—
   (1) Is employed by such a certificate holder at the time of the skill test; and
   (2) If employed as a flight crew member, has completed initial training, and, if appropriate, transition, upgrade, recurrent training; or
   (3) If employed as an AME, meets the recency of experience requirements.

(f) An AOC holder may, when authorised by the Authority, provide as part of an approved training programme a knowledge test that it may administer to satisfy the test required for an additional rating under paragraph

(b) of this Part.

7.530 FLIGHT ENGINEER AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) The applicant for a flight engineer licence shall present satisfactory evidence showing completion of the practical experience prescribed by the Authority.

Note: See Appendix 1 to 7.530 for the aeronautical experience requirements prescribed for flight engineers.

(b) Except as otherwise prescribed or approved by the Authority, an applicant for a flight engineer licence shall obtain and log the flight time used to satisfy the aeronautical experience requirements of paragraph (a) of this Part on an aeroplane on which a flight engineer is a required crew member.

7.535 FLIGHT ENGINEER OPERATIONAL EXPERIENCE REQUIREMENTS

(a) The applicant for a flight engineer licence shall present satisfactory evidence showing completion of the operational experience prescribed by the Authority in the aircraft to be used for the rating sought.

Note: See Appendix 1 to 7.535 for the operational experience requirements prescribed for flight engineers.

7.540 FLIGHT ENGINEER AERONAUTICAL SKILL REQUIREMENTS

(a) An applicant shall have demonstrated the ability to perform as flight engineer the procedures described in Appendix 1 to 7.460 with a degree of competency appropriate to the privileges of the flight engineer licence, and to—

(1) Recognize and manage threats and errors;
(2) Use aircraft systems within the aircraft's capabilities and limitations;
(3) Exercise good judgement and airmanship;
(4) Apply aeronautical knowledge;
(5) Perform all the duties as part of an integrated crew with the successful outcome never in doubt; and
(6) Communicate effectively with the other flight crew members.

(b) An applicant for a flight engineer licence with a class rating shall pass a skill test prescribed by the Authority on the duties of a flight engineer—

(1) In the class of aeroplane for which a rating is sought; and
(2) Only on an aeroplane or an approved flight simulator replicating such an aeroplane.

(c) The use of a flight simulation training device for performing any of the procedures required during the demonstration of skill described in (a) shall be approved by the Authority, which shall ensure that the flight simulation training device is appropriate to the task.

7.545 ADDITIONAL FLIGHT ENGINEER AIRCRAFT RATINGS

(a) To add another aircraft class or type rating to a flight engineer licence, an applicant shall—

(1) Pass the knowledge test and skill test that is appropriate to the class of aeroplane for which an additional rating is sought, or
(2) Satisfactorily complete an approved flight engineer training programme that is appropriate to the additional class rating sought.

7.550 FLIGHT ENGINEER LICENSE RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* The Flight Engineer Licence may be renewed by presenting to the Authority evidence of successfully passing a proficiency check on the areas of operation as prescribed by the Authority.

(b) *Reissue*: If the Flight Engineer Licence has expired, the applicant shall have received refresher training acceptable to the Authority and pass the skill test on the areas of operation as prescribed by the Authority.

Subdivision IX: Flight Navigator License

7.555 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuing Flight Navigator licences.

7.560 FLIGHT NAVIGATOR PRIVILEGES

(a) The holder of a Flight Navigator Licence may act as the flight navigator for situations requiring specialized navigation.

7.565 FLIGHT NAVIGATOR ELIGIBILITY REQUIREMENTS

(a) To be eligible for a Flight Navigator licence, a person shall—
   (1) Be at least 18 years of age;
   (2) Hold a Class 2 medical certificate or its equivalent;
   (3) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation;
   (4) Pass the required knowledge test on the prescribed;
   (5) Meet the aeronautical experience requirements of this Subpart;
   (6) Pass a skill test on the areas of operation to Flight Navigators.

7.570 FLIGHT NAVIGATOR AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) An applicant for a Flight Navigator licence shall demonstrate a level of knowledge appropriate to the privileges granted to the holder of an Flight Navigator.

(b) Before taking the knowledge tests prescribed in paragraphs (a) and (b) of this Part, an applicant for a Flight Navigator licence shall present satisfactory evidence of having completed the experience requirements.

(c) An applicant may take the knowledge tests before acquiring the enroute training prescribed.

(d) Except as provided in paragraph (e) of this Part, an applicant for a Flight Navigator licence or rating shall have passed the knowledge tests required by paragraphs (a) and (b) of this Part since the beginning of the 24th calendar month before the month in which the skill test is taken.

(e) An AOC holder may, when authorised by the CAA, provide as part of an approved training programme a knowledge test that it may administer to satisfy the test required for an additional rating under paragraph (b) of this Part.

7.575 FLIGHT NAVIGATOR AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) The applicant for a Flight Navigator licence shall present satisfactory evidence showing completion of the operational experience that includes the performance of the duties of a Flight Navigator, not less than 200 hours of flight time acceptable to the Authority, in aircraft engaged in cross-country flights, including not less than 30 hours by night.

(b) In case of a pilot, the flight time requirements stated in (a) maybe reduced as prescribed by the Authority

(c) The applicant shall produce evidence of having satisfactorily determined the aircraft's position in flight, and used that information to navigate the aircraft, as follows—
   (1) By night: not less than 25 times by celestial observations; and;
   (2) By day: not less than 25 times by celestial observations in conjunction with self-contained or external- referenced navigation systems.

7.580 FLIGHT NAVIGATOR AERONAUTICAL SKILL REQUIREMENTS

(a) An applicant for a Flight Navigator licence shall pass a skill test demonstration prescribed on the duties and skills of a Flight Navigator with a degree of competency appropriate to the privileges granted to the holder of a Flight Navigator licence, and—
   (1) Recognize and manage threats and errors;
   (2) Exercise good judgement and airmanship;
   (3) Apply aeronautical knowledge;
   (4) Perform all duties as part of an integrated crew; and
   (5) Communicate effectively with the other flight crew members.

7.585 FLIGHT NAVIGATOR LICENSE RENEWAL & REISSUE REQUIREMENTS

(a) *Currency:* No person holding a flight navigator licence shall exercise the privileges of the flight navigator licence unless he/she has completed within the past 6 calendar months—
   (1) at least 30 hours of flight time as a flight navigator, or
   (2) completed a proficiency check.
   (3) pass a proficiency check on the areas of operation as prescribed by the Authority.

(b) *Renewal:* The Flight Engineer Licence may be renewed by presenting to the Authority evidence of successfully passing a proficiency check on the areas of operation as prescribed by the Authority.

(c) *Reissue:* If the Flight Navigator Licence has expired, the applicant shall have received refresher training acceptable to the Authority, and pass a skill test on the areas of operation as prescribed by the Authority.

SUBPART G: LICENSING- AIRMEN OTHER THAN FLIGHT CREW MEMBERS

7.590 APPLICABILITY

(a) This Subpart prescribes the requirements for issuing the following licences, ratings, and inspection authorisations for—
   (1) Cabin Crew Member;
   (2) Flight Dispatcher;
   (3) Aircraft Maintenance Engineer;
   (4) Aviation Repair Specialist;
   (5) Parachute Rigger;
   (6) Aeronautical Radio Station Operator.
   (7) Air Traffic Controller; and
   (8) Aviation Ground Instructor.

Subdivision I: Cabin Crew Members

7.595 APPLICABILITY

(a) This Subdivision prescribes the requirements for the issuance of a cabin crew member licence, the conditions under which those licences and ratings are necessary, and the limitations of those licences and ratings.

7.600 PRIVILEGES OF A CABIN CREW MEMBER LICENSE

(a) The privileges accorded to the holder of a cabin crewmember are contained in Subpart B to Part 13.

7.605 CABIN CREW MEMBER ELIGIBILITY REQUIREMENTS

(a) To be eligible for a cabin crew member, a person shall—

(1) Be at least 18 years of age.

(2) Have the ability to read, speak, write and understand English language; and

(3) Have a valid Class 2 medical certificate.

(4) Be a graduate of an ATO cabin crew curriculum approved or recognized by the Authority;

(5) Employed as cabin crew member; and

(6) Meet the relevant requirements in this Part.

7.610 CABIN CREW MEMBER KNOWLEDGE REQUIREMENTS

(a) The applicant for a cabin crew member licence must complete the training requirements of Part 14 with an AOC holder.

7.615 CABIN CREW MEMBER EXPERIENCE REQUIREMENTS

(a) The applicant for a cabin crew member licence must complete the experience requirements of Part 14 with an AOC holder.

7.620 CABIN CREW MEMBER SKILL REQUIREMENTS

(a) The applicant for a cabin crew member licence shall complete the drills and competency checks required by Part 14 with an AOC holder.

7.625 CABIN CREW MEMBER RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* A holder of a cabin crew licence may apply for renewal if the holder has successfully completed the annual safety and emergency procedure training approved by the Authority every twelve months.

(b) *Reissue:* A holder of a cabin crew licence may apply for reissue if the holder has successfully completed the annual safety and emergency procedure training and proficiency/competence check approved by the Authority.

Subdivision II: Flight Dispatchers

7.630 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuance of a Flight Dispatcher licence.

7 .635 PRIVILEGES OF A FLIGHT DISPATCHER LICENSE

(a) The privileges accorded to the holder of a flight dispatcher licence are contained in Subpart B to Part 16.

7.640 FLIGHT DISPATCHER ELIGIBILITY REQUIREMENTS: GENERAL

(1) An applicant for a Flight Dispatcher licences shall—

(2) Be at least 21 years of age;

(3) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation;

(4) Have the documented prerequisite experience or training required;

(5) Pass the required knowledge test on the prescribed aeronautical knowledge areas;

(6) Pass the required practical examination on the areas of operations that apply to the Flight Dispatcher licence.

7.645 FLIGHT DISPATCHER KNOWLEDGE REQUIREMENTS

(a) An applicant for a Flight Dispatcher shall demonstrate a level of knowledge appropriate to the privileges granted to the holder of an Flight Dispatcher in subjects prescribed by the Authority.

Note: See Appendix 1 to 7.645 for the aeronautical knowledge requirements for Flight Dispatchers.

(b) The Authority will accept evidence of satisfactory completion of a knowledge test for 24 months after the date the test for eligibility to take the skill test.

7.650 FLIGHT DISPATCHER EXPERIENCE OR TRAINING REQUIREMENTS

(a) An applicant for a Flight Dispatcher licence shall present satisfactory documentary evidence that the applicant has the experience or training prescribed by the Authority.

Note: See Appendix 1 to 7.650 for the minimum prerequisite experience prescribed by the Authority for Flight Dispatcher applicants.

(b) An applicant using the completion of an approved course as the basis for the experience must complete the practical exam within 90 days after successful completion of the knowledge exam.

7.655 FLIGHT DISPATCHER SKILL REQUIREMENTS

(a) An applicant for a Flight Dispatcher licence shall be able to demonstrate the skill requirements prescribed by the Authority

Note: See Appendix 1 to 7.655 for the prescribed skill requirements for Flight Dispatcher applicants.

7.660 FLIGHT DISPATCHER LICENCE ISSUANCE LIMITATIONS

(a) Unless the applicant has served under the supervision of a licenced Flight Dispatcher for at least 90 working days within the six months immediately preceding the application, the licence will be issued with the limitation "*Not valid for unsupervised dispatch of large aircraft in commercial air transport.*" This limitation will be removed upon presentation to the Authority of completion of this requirement.

7.665 FLIGHT DISPATCHER RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* The Flight Dispatcher Licence may be renewed by presenting to the Authority evidence of successfully completed recurrence training on the areas of operation as prescribed by the Authority.

(b) *Reissue:* If the Flight Dispatcher Licence has expired, the applicant shall have received recurrence training acceptable to the Authority, and passed a skill test on the areas of operation as prescribed by the Authority.

Subdivision III: Aircraft Maintenance Engineers

7.670 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuance of an AME licence and associated ratings.

7.675 PRIVILEGES OF THE AIRCRAFT MAINTENANCE ENGINEER LICENSE

(a) In addition to the privileges of the Aircraft Maintenance Engineer licence are contained in Part 4.220 and Appendix 1 to 4.220.

7.680 AME ELIGIBILITY REQUIREMENTS: GENERAL

(a) An applicant for an AME licence and any associated rating shall—

(1) Be at least 18 years of age;
(2) Demonstrate the ability to read, write, speak, and understand the [English] language by reading and explaining appropriate maintenance publications and by writing defect and repair statements;
(3) Comply with the knowledge, experience, and competency requirements prescribed for the rating sought; and
(4) Pass all of the prescribed tests for the rating sought, within a period of 24 months.

(b) A licenced AME who applies for an additional rating must meet the prescribed requirements and, within a period of 24 months, pass the prescribed tests for the additional rating sought.

7.685 AME KNOWLEDGE REQUIREMENTS

(a) The applicant shall have demonstrated a level of knowledge relevant to the privileges to be granted and appropriate to the responsibilities of an aircraft maintenance licence holder, in at least the subjects prescribed by the Authority in Appendix 1 to 7.685.

(b) Each applicant for an AME licence or rating shall, after meeting the applicable experience requirements, pass the applicable knowledge tests covering the subject prescribed by the Authority appropriate to the rating sought and the applicable provisions in Part 4.

(c) The applicant shall pass each Part of the test before applying for the prescribed oral and skill tests.

7.690 AME EXPERIENCE REQUIREMENTS

(a) Each applicant for an AME licence or rating shall present—
(1) Evidence of completion of a competency-based approved training through an approved training organisation appropriate to the privileges to be granted; and
(2) Acceptable documentary evidence of practical experience for the period of time and types of work prescribed by the Authority appropriate to the rating(s) sought as prescribed by the Authority in Appendix 1 to 7.690.

7.695 AME PRACTICAL SKILL REQUIREMENTS

(a) Each applicant for an AME licence or rating shall have demonstrated the ability to perform those functions applicable to the privileges to be granted by satisfactory accomplishment of an oral and a skill test on the rating he seeks.

(b) The tests cover the applicant's basic skill in performing practical projects on the subjects covered by the written test for that rating.

(c) An applicant for a powerplant rating must show his ability to make satisfactory minor repairs to, and minor alterations of, propeller.

(d) The skill test for the issuance must be administered by the Authority or training organisations approved by the Authority.

7.700 GRADUATES OF APPROVED TRAINING ORGANISATIONS

(a) Whenever a training organisation approved by the Authority under Part 9 certifies that a student is prepared to take the prescribed knowledge tests, that student may take those tests before meeting the applicable experience requirements and before passing the knowledge tests.

Subdivision IV: AME Inspection Authorisations

7.705 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuance of inspection authorisations, and the conditions under which these authorisations are necessary.

7.710 PRIVILEGES OF THE AME INSPECTION AUTHORISATION

(a) The privileges of the AME Inspection Authorisation licence are contained in Part 4.230.

7.715 AME INSPECTION AUTHORISATION ELIGIBILITY REQUIREMENTS: GENERAL

(a) An applicant for an AME Inspection authorisation shall comply with all eligibility requirements.

(b) To be eligible for an Inspection authorisation, an applicant shall—

(1) Hold a currently effective and valid AME licence with both an airframe rating and a powerplant rating, each of which is currently effective and has been in effect for a total of at least 3 years;

(2) Have been actively engaged, for at least the 2-year period before the date of application, in the maintenance of certificated aircraft and maintained in accordance with these Parts;

(3) Be employed by an AMO or have a fixed base of operations at which the applicant may be located in person or by telephone during a normal working week but which need not be the place where the applicant will exercise inspection authority;

(4) Have available or immediate access to the equipment, facilities, and inspection data necessary to properly inspect airframes, aircraft engines, propellers, or any related component, part, or appliance;

(5) Pass a knowledge test that demonstrates the applicant's ability to inspect according to safety standards for approving aircraft for return to service after major and minor repairs, major and minor modifications, annual inspections, and progressive inspections, which are performed under Part 5; and

(c) An applicant who fails the knowledge test prescribed in paragraph (a)(5) of this Part may not apply for retesting until at least 90 days after the date he/she failed the test.

7.720 DURATION OF AUTHORISATION

(a) Each inspection authorisation expires each 12 calendar months.

(b) The holder may exercise the privileges of that authorisation only while he/she holds a currently effective AME licence with both a currently effective airframe rating and a currently effective powerplant rating.

(c) An inspection authorisation ceases to be effective whenever any of the following occurs—

(1) The authorisation is surrendered, suspended, or revoked.

(2) The holder no longer has a fixed base of operation.

(3) The holder no longer has the equipment, facilities, and prescribed inspection data for issuance of his/ her authorisation.

(d) The holder of an inspection authorisation that is suspended or revoked shall, upon the Authority's request, return it to the Authority.

7.725 RENEWAL OF AUTHORISATION

(a) To be eligible for renewal of an Inspection authorisation for a 1-year period, an applicant shall, within 90 days prior to the expiration of the authorisation, present evidence to an office designated by the Authority that the applicant still meets the requirements and show that, during the current period of authorisation, the applicant has—

(1) Performed at least one annual inspection during each 3-month period the applicant held the authorisation;
(2) Performed inspections of at least two major repairs or major modifications for each 3-month period the applicant held the authorisation;
(3) Performed or supervised and approved at least one progressive inspection in accordance with standards prescribed by the Authority for each 12-month period the applicant held the authorisation;
(4) Performed any combination of paragraphs (a)(1) through (a)(3);
(5) Successfully completed an Inspection authorisation refresher course or series of courses acceptable to the Authority, of not less than 16 hours of instruction during the12-month period preceding the application for renewal; or
(6) Passed a knowledge test administered by the Authority to determine that the applicant's knowledge of applicable Parts and standards is current.

(b) The holder of an inspection authorisation that has been in effect for less than 3 months before the expiration date need not comply with paragraph (a)(1) through (5) of this Part.

7.730 AME RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* An aircraft maintenance engineer licence that has not expired may be renewed if the holder presents evidence to the Authority that he/she has within the past 24 months has exercised the privileges of the licence.

(b) *Reissue:* If the aircraft maintenance engineer licence has expired, the applicant shall have received refresher training acceptable to the Authority, and passed a skill test on the areas of operation as prescribed by the Authority for the aircraft maintenance engineer and any associated ratings."

Subdivision V: Aviation Repair Specialists

7.735 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuance of Aviation Repair Specialists (ARS) licences and ratings, and the conditions under which those licences and ratings are necessary.

7.740 PRIVILEGES OF THE AVIATION REPAIR SPECIALIST LICENSE

(a) The privileges of the Aviation Repair Specialist licence are contained in Part 4.235.

7.745 AVIATION REPAIR SPECIALIST LICENCES: ELIGIBILITY

(a) An applicant for an aviation repair specialist licence and shall—
(1) Be at least 18 years of age;
(2) Demonstrate the ability to read, write, and understand the English language by reading and explaining appropriate maintenance publications and by writing defect and repair statements;
(3) Be especially qualified to perform maintenance on aircraft or components thereof, appropriate to the job for which he/she was employed;
(4) Be employed for a specific job requiring those special qualifications by a maintenance organisation certificated under Part 5 or an air operator certificated under Part 12 that is required by its operating certificate or approved specific operating provisions to provide maintenance, preventive maintenance, or modifications to aircraft approved with a continuous maintenance programme according to its maintenance control manual;
(5) Be recommended for certification by his employer, to the satisfaction of the

Authority, as being able to satisfactorily maintain aircraft or components, appropriate to the job for which he is employed;

(6) Have either—

(i) At least 18 months of practical experience in the procedures, practices, inspection methods, materials, tools, machine tools, and equipment generally used in the maintenance duties of the specific job for which the person is to be employed and certificated; or

(ii) Completed formal training that is acceptable to the Authority and is specifically designed to qualify the applicant for the job on which the applicant is to be employed.

(7) This Part does not apply to the issuance of an aviation repair specialist licence (experimental aircraft builder).

7.750 ARS RATINGS ASSOCIATED WITH MAINTENANCE ORGANISATIONS

(a) Ratings for an applicant employed by an approved maintenance organisation shall coincide with the rating(s) issued at the approved maintenance organisation limited to the specific job for which the person is employed to perform, supervise, or certify for return to service.

Note: At no instance shall an aviation repair specialist licence be issued a rating in which the AMO has not been issued.

(b) Ratings for an applicant employed by an air operator shall coincide with the approved specific operating provisions and the approved maintenance control manual that identifies the air operator's authorisations limited to the specific job for which the person is employed to perform, supervise, or certify for return to service.

Note: When employed by an air operator with the authorisation to perform and certify for return to service maintenance under an equivalent system in Part 12, an aviation repair specialist licence should correspond to the speciality shop or group in which they perform, supervise, or certify for return to service an aircraft component or aircraft. For example, Hydraulic component overhaul, landing gear overhaul, special inspections, non-destructive testing, turbine disc overhaul, etc.

7.755 EXPERIMENTAL AIRCRAFT BUILDER: ELIGIBILITY

(a) To be eligible for an aviation repair specialist licence (experimental aircraft builder), an individual shall—

(1) Be at least 18 years of age;

(2) Be the primary builder of the aircraft to which the privileges of the licence are applicable;

(3) Show to the satisfaction of the Authority that the individual has the requisite skill to determine whether the aircraft is in a condition for safe operations; and

(4) Be a citizen of Rwanda or an individual citizen of a foreign country who has lawfully been admitted for residence in Rwanda.

(b) The holder of an aviation repair specialist licence (experimental aircraft builder) may perform condition inspections on the aircraft constructed by the holder in accordance with the operating limitations of that aircraft.

7.760 ARS LICENCES: EXPERIMENTAL AIRCRAFT BUILDER

(a) The following information shall be required to supplement the rating—

(1) Aircraft Make.

(2) Aircraft Model.

(3) Aircraft Serial Number.

(4) Certification Date of Aircraft.

7.765 ARS LICENSE RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* An applicant for an ARS may renew the ARS License if—

(1) have been actively engaged, for at least the 2-year period before the date of renewal, in the maintenance of certificated aircraft and maintained in accordance with these Parts;

(2) be employed by an AMO or have a fixed base of operations at which the applicant may be located in person or by telephone during a normal working week but which need not be the place where the applicant will exercise inspection authority;

(3) has available or immediate access to the equipment, facilities, and inspection data necessary to properly inspect airframes, aircraft engines, propellers, or any related component, part, or appliance; and

(4) has received recurrence training in the area of operation.

(b) *Reissue:* An applicant for an ARS may renew the ARS License if—

(1) have been actively engaged, for at least the 2-year period before the date of renewal, in the maintenance of certificated aircraft and maintained in accordance with these Parts;

(2) Be employed by an AMO or have a fixed base of operations at which the applicant may be located in person or by telephone during a normal working week but which need not be the place where the applicant will exercise inspection authority;

(3) Has available or immediate access to the equipment, facilities, and inspection data necessary to properly inspect airframes, aircraft engines, propellers, or any related component, part, or appliance; and

(4) Has received recurrence training in area of operation

Subdivision VI: Parachute Riggers

7.770 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuance of a parachute rigger licences and ratings.

7.775 PRIVILEGES OF THE PARACHUTE RIGGER LICENSE

(a) The privileges of the Aviation Repair Specialist licence are—

(1) A licenced parachute rigger may—

(i) Pack or maintain (except for major repair) any type of parachute for which he or she is rated; and

(ii) Supervise other persons in packing any type of parachute for which he or she is rated.

(2) A parachute rigger with an endorsement as an instructor may—

(i) Pack, maintain, or alter any type of parachute for which he or she is rated; and

(ii) Supervise other persons in packing, maintaining, or altering any type of parachute for which he or she is rated.

(3) A licenced parachute rigger need not comply with requirements related to facilities, equipment, performance standards, records, recent experience, and seal in packing, maintaining, or altering (if authorised) the main parachute of a dual parachute pack to be used for intentional jumping.

7.780 PARACHUTE RIGGER ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for a parachute rigger licence, a person shall—

(1) Be at least 18 years of age; and

(2) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in **Appendix 1 TO 7.200** of this regulation;

(3) Comply with the Parts of this Subdivision that apply to the licence and type rating he or she seeks.

7.785 PARACHUTE RIGGER EXPERIENCE, KNOWLEDGE & SKILL REQUIREMENTS

(a) An applicant for a parachute rigger licence shall—

(1) Present evidence satisfactory to the Authority that he or she has packed at least 20 parachutes of each type for which he or she seeks a rating, in accordance with the manufacturer's instructions and under the supervision of a licenced parachute rigger holding a rating for that type.

(2) Pass a knowledge test, with respect to a parachute applicable to at least one type parachute appropriate to the type rating sought, on—

(i) Construction, packing, and maintenance;

(ii) The manufacturer's instructions;

(iii) The Regulations of this Subdivision and

(3) Pass an oral and skill test showing the ability to pack and maintain at least one type of parachute appropriate to the type rating sought.

7.790 INSTRUCTOR ENDORSEMENT: EXPERIENCE, KNOWLEDGE & SKILL REQUIREMENTS

(a) An applicant for an instructor endorsement to a parachute rigger licence shall meet the following requirements—

(1) Present evidence satisfactory to the Authority of at least 3 years of experience as a parachute rigger and having satisfactorily packed at least 100 parachutes of each of two types appropriate to type ratings held, in accordance with the manufacturer's instructions—

(i) While performing as a licenced and appropriately rated parachute rigger; or

(ii) While under the supervision of a licenced and appropriately rated parachute rigger or a person holding appropriate military ratings.

(iii) An applicant may combine experience specified in paragraphs (a) (1) and (2) of this paragraph to meet the requirements of this Part.

(2) If the applicant is not the holder of a parachute rigger licence, pass a knowledge test, with respect to parachutes appropriate to the type rating sought, on—

(i) Their construction, packing, and maintenance;

(ii) The manufacturer's instructions; and

(iii) The Regulation of this Subdivision.

(3) Pass an oral and skill test showing the ability to pack and maintain two types of parachutes appropriate to the type ratings sought.

7.795 TRANSFER OF PARACHUTE RIGGER TYPE RATINGS

(a) The holder of a parachute rigger licence who qualifies for an instructor endorsement is entitled to have placed on the parachute rigger licence the ratings that were on the parachute rigger licence.

7.800 ADDITIONAL PARACHUTE RIGGER TYPE RATINGS: REQUIREMENTS

(a) A licenced parachute rigger who applies for an additional type rating shall—

(1) Present evidence satisfactory to the Authority of at least 36 months of experience as a parachute rigger and having satisfactorily packed at least 20 parachutes of the type rating sought, in accordance with the manufacturer's

instructions and under the supervision of a licenced parachute rigger holding a rating for that type or a person holding an appropriate military rating; and

(2) Pass a skill test, to the satisfaction of the Authority, showing the ability to pack and maintain the type of parachute forwhich the applicant seeks a rating.

7.805 PARACHUTE RIGGER RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* Present evidence satisfactory to the Authority that he or she has packed, within 36 months, at least 20 parachutes of each type for which he or she seeks a rating, in accordance with the manufacturer's instructions and under the supervision of a licenced parachute rigger holding a rating for that type

(b) *Reissue:* Pass an oral and skill test showing the ability to pack and maintain at least one type of parachute appropriate to the type rating sought.

Subdivision VII: Aeronautical Station Operator

7.810 APPLICABILITY

(a) This Subdivision prescribes the requirements for issuance of an aeronautical station licence, and the conditions under which those licences and ratings are necessary.

7.815 PRIVILEGESOF AN AERONAUTICAL STATION OPERATOR LICENSE

(a) The privileges of the holder of an aeronautical station operator licence shall be to act as an operator in an aeronautical station.

(b) Before exercising the privileges of the licence, the holder shall be familiar with all pertinent and current information regarding the types of equipment and operating procedures used at that aeronautical station.

7.820 AERONAUTICAL STATION OPERATOR ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for an aeronautical station operator licence, a person shall—

(1) Be at least 18 years of age;

(2) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation and

(3) Complete the knowledge, experience and skill requirements of this Part.

7.825 AERONAUTICAL STATION OPERATOR KNOWLEDGE REQUIREMENTS

(a) An applicant for an aeronautical station operator shall demonstrate a level of knowledge appropriate to the privileges granted to the holder of an aeronautical station operator in subjects prescribed by the Authority.

Note: See Appendix 1 to 7.825 for prescribed aeronautical station operator knowledge requirements.

7.830 AERONAUTICAL STATION OPERATOR EXPERIENCE REQUIREMENTS

(a) An applicant for an aeronautical station operator shall provide records demonstrating that they meet the minimum experience requirements for aeronautical station operator prescribed by the Authority.

Note: See Appendix 1 to 7.830 for prescribed aeronautical station operator experience requirements.

7.835 AERONAUTICAL STATION OPERATOR SKILL REQUIREMENTS

(a) An applicant for an aeronautical station operator shall demonstrate the level skill prescribed by the Authority for an aeronautical station operator.

Note: See Appendix 1 to 7.835 for prescribed aeronautical station operator skill requirements.

7.840 ASO RENEWAL & REISSUE REQUIREMENTS

(a) *Renewal:* An aeronautical station operator licence that has not expired may be renewed for an additional two years if the holder presents to the Authority evidence that he/she has within the past 6 months preceding the expiry date—

(1) be actively engaged in the duties of an aeronautical station operator, or

(2) received refresher training acceptable to the Authority.

(b) *Reissue*: If the Aeronautical Station Operator licence has expired, the applicant shall have received refresher training acceptable to the Authority.

Subdivision VIII: Air Traffic Controllers

7.845 APPLICABILITY

(a) This Subpart prescribes the requirements for issuance of an air traffic controller licence, and the conditions under which those licences and ratings are necessary.

7.850 PRIVILEGES OF AN AIR TRAFFIC CONTROL LICENSE

(a) The privileges of the holder of an air traffic controller licence endorsed with one or more of the undermentioned ratings shall be—

(1) *Aerodrome control rating:* to provide or to supervise the provision of aerodrome control service for the aerodrome for which the licence holder is rated;

(2) *Approach control procedural rating:* to provide or to supervise the provision of approach control service for the aerodrome or aerodromes for which the licence holder is rated, within the airspace or portion thereof, under the jurisdiction of the unit providing approach control service;

(3) *Approach control surveillance rating:* to provide and/or supervise the provision of approach control service with the use of applicable ATS surveillance systems for the aerodrome or aerodromes for
which the licence holder is rated, within the airspace or portion thereof, under the jurisdiction of the unit providing approach control service; subject to experience and skill requirements the privileges shall include the provision of surveillance radar approaches;

(4) *Approach precision radar control rating:* to provide and/or supervise the provision of precision approach radar service at the aerodrome for which the licence holder is rated;

(5) *Area control procedural rating:* to provide and/or supervise the provision of area control service within the control area or portion thereof, for which the licence holder is rated; and

(6) *Area control surveillance rating:* to provide and/or supervise the provision of area control service with the use of an ATS surveillance system, within the control area or portion thereof, for which the licence holder is rated.

(b) The ATC license holder shall not be exercised unless the holder is familiar with all pertinent and current information.

(c) The ATC license holder shall not conduct instruction in an operational environment unless the Authority has issued a specific authorisation to the holder.

(d) The privileges of a Student Air Traffic Controller are—

(1) Student air traffic controllers may not be used in an operational environment unless appropriate measures to ensure that student air traffic controllers do not constitute a hazard to air navigation.

(2) A student air traffic controller shall not be authorised to receive instruction in an operational environment unless that student air traffic controller holds a current Class 3 Medical Assessment.

7.855 AIR TRAFFIC CONTROLLER ELIGIBILITY REQUIREMENTS: GENERAL

(a) To be eligible for a Student Air Traffic Controller licence, a person shall—

(1) Be at least 21 years of age;

(2) Have a minimum demonstrated language proficiency of Level 4 used for radiotelephony communications as specified in Appendix 1 TO 7.200 of this regulation

(3) Hold a current Class 3 Medical Certificate;

(4) Hold a Certificate from ATO.

(b) To be eligible for an Air Traffic Controller licence, a person shall—

(1) Be at least 21 years of age;

(2) Have a minimum demonstrated language proficiency of Level 4 in English;

(3) Hold a current Class 3 Medical Certificate;

(4) Comply with the Parts of this subpart that apply to the licence they seek, and

(5) Meet the requirements of at least one of the air traffic controller category ratings.

7.860 AIR TRAFFIC CONTROLLER KNOWLEDGE REQUIREMENTS

(a) An applicant for an air traffic controller rating shall demonstrate a level of knowledge appropriate to the privileges granted to the holder of an air traffic controller in subjects prescribed by the Authority.

Note: See Appendix 1 to 7.860 for prescribed air traffic controller knowledge requirements.

7.865 AIR TRAFFIC CONTROLLER EXPERIENCE REQUIREMENTS

(a) An applicant for an air traffic controller rating shall provide records demonstrating that they meet the minimum experience requirements for air traffic controller licence and rating(s) prescribed by the Authority in Appendix 1 to 7.865.

(b) An applicant for an air traffic controller rating shall satisfactorily complete—

(1) An approved training course for that rating, and

(2) A specified period of service engaged in the actual control of air traffic under the supervision of an appropriately rated air traffic controller.

(c) During the acquisition of this experience, no person may allow a student controller to received instruction in an operational environment unless it has been determined through interim skill testing that the student air traffic controllers does not constitute a hazard to air navigation.

(d) The experience requirements for specific air traffic controller rating or ratings by Appendix 1 to 7.865 may be credited as a part of the general experience required by (b).

(e) The required experience shall have been completed within the 6-month period immediately preceding application.

(f) When the applicant already holds an air traffic controller rating in another category, or the same rating for another unit, the Authority shall determine whether the experience requirements can be reduced and to what extent.

7.870 AIR TRAFFIC CONTROLLER SKILL REQUIREMENTS

(a) An applicant for an air traffic controller rating shall demonstrate, at a level appropriate to the privileges being granted, the skill, judgement and performance required to provide a safe, orderly and expeditious control service, including the recognition and management of threats and errors.

7.875 CONCURRENT ISSUANCE OF AIR TRAFFIC CONTROLLER RATINGS

(a) When two air traffic controller ratings are sought concurrently, the Authority shall determine the applicable requirements on the basis of the requirements for each rating. These requirements shall not be less than those of the more demanding rating.

7.880 PROHIBITION OF UNAUTHORISED ATC INSTRUCTORS

(a) No holder of an air traffic controller licence may carry out instruction in an operational environment unless such holder has received proper instructor authorisation from the Authority.

(b) The Authority may exercise the option to issue one or more of the instructor authorisations for these privileges by specific rating through—

(1) An endorsement on the holder's air traffic controller licence; or

(2) The separate issuance of a written letter of authorisation identifying the appropriate ratings; or

(3) A specific issuance of a designation of authority to an authorised person as described in Subpart H of Part 1.

7.885 VALIDITY OF AIR TRAFFIC CONTROLLER RATINGS

(a) A rating shall become invalid when an air traffic controller has ceased to exercise the privileges of the rating for a period of six months.

(b) A rating shall remain invalid until the controller's ability to exercise the privileges of the rating has been re- established under the supervision of an authorised ATC check person.

7.890 AIR TRAFFIC CONTROLLER RENEWAL & REISSUE REQUIREMENTS

(a) Renewal: The holder of a current license shall meet one of the following requirements here under—

(1) An air traffic controller license may be renewed if the holder passed competency assessment and provided control service within the six months preceding the date of application for renewal.

(2) The holder of rating that has expired may be renewed no later than 24 months after the expiry of such rating subject to the successful completion of the on-the-job training for duration period of 40 hours and the successful completion of competency assessment demonstrating that the skills referred to in regulation have been retained or re-acquired.

(b) Reissue: The holder of an expired license and rating *shall meet the following requirements here under—*

(1) More than two years: applicant must meet the following requirements

(i) attends refresher training;

(ii) attends augmentation training on advances or developments in the ATM systems; and

(iii) Shall pass skill test conducted by authorized examiner.

(2) More than five years: the applicant shall meet all the requirements for initial issue of an ATC license. (except the basic ATC course).

7.895 AIR TRAFFIC CONTROLLER RECENCY REQUIREMENTS

(a) An air traffic controller shall, for the purpose of meeting the requirement for recent experience in relation to a valid rating at a particular time, exercise the privileges associated with that rating for at least 10 hours within the preceding 30 days, of which at least 5 hours shall be exercised within each like-type group within that rating.

(b) An air traffic controller who has successfully passed a validation or re-validation assessment conducted by an Authorised Check Controller within the preceding 30 days shall be taken to have satisfied the requirement for recent experience.

(c) An air traffic controller who does not satisfy the recency requirement at a particular time in relation to an endorsement shall be taken to satisfy that requirement within the preceding 30 days, after he has undergone any retraining required by the ANSP and has been assessed by the Air Navigation Service Provider (ANSP) as competent in performing the function and duties required by the relevant rating(s), or he has performed the relevant function and duties at the aerodrome or in relation to the airspace to which the endorsement relates under supervision for a period of time deemed necessary and appropriate by the ANSP. Following a period of supervision, the controller shall be subject to an assessment of his competence before returning to operational duties.

7.900 THROUGH 7.910 [RESERVED FOR FUTURE ATC CONTROLLER REQUIREMENTS]

Subdivision IX: Aviation Ground Instructors

7.915 APPLICABILITY

(a) This Subdivision prescribes the requirements for the issuance of an aviation ground instructor licences and ratings, the conditions under which those licences and ratings are necessary, and the limitations of those licences and ratings.

7.920 PRIVILEGES OF AN AVIATION GROUND INSTRUCTOR LICENSE

(a) *Basic Ground Instructor Rating*. A person who holds a basic ground instructor rating is authorised to provide—

(1) Ground training in the aeronautical knowledge areas required for the issuance of a private pilot licence or associated ratings;

(2) Ground training required for a private pilot flight review; and

(3) A recommendation for a knowledge test required for the issuance of a private pilot licence.

(b) *Advanced Ground Instructor Rating*. A person who holds an advanced ground instructor rating is authorised to provide—

(1) Ground training in the aeronautical knowledge areas required for the issuance of any licence or rating;

(2) Ground training required for any flight review; and

(3) A recommendation for a knowledge test required for the issuance of any licence.

(c) *Instrument Ground Instructor Rating*. A person who holds an instrument ground instructor rating is authorised to provide—

(1) Ground training in the aeronautical knowledge areas required for the issuance of an instrument rating;

(2) Ground training required for an instrument proficiency check; and

(3) A recommendation for a knowledge test required for the issuance of an instrument rating.

(d) A person who holds a ground instructor licence is authorised, within the limitations of the ratings on the ground instructor licence, to endorse the logbook or other training

record of a person to whom the holder has provided the training or recommendation.

(e) *Flight Dispatcher or cabin crew instructor:* A person who holds at least current and valid license or have minimum 36 months' experience as a flight dispatcher or cabin crew and be able to meet the instructor requirements in Regulation 7.925 is authorized to provide:

(1) Ground training in the aeronautical knowledge areas required for the issuance of dispatcher or cabin crew licence;

(2) Ground training required for a proficiency check; and

(3) A recommendation for a knowledge test required for the issuance of licenses.

7.925 AVIATION GROUND INSTRUCTOR ELIGIBILITY REQUIREMENTS

(a) To be eligible for an aviation ground instructor licence or rating a person shall—

(1) Be at least 18 years of age.

(2) Have a minimum demonstrated English language proficiency;

(3) Except as provided in paragraph (b) of this Part, pass a knowledge test on the fundamentals of instructing to include—

(i) The learning process;

(ii) Elements of effective teaching;

(iii) Student evaluation and testing;

(iv) Course development;

(v) Lesson planning; and

(vi) Classroom training techniques.

(4) Pass a knowledge test on the aeronautical knowledge areas prescribed by the Authority for the appropriate rating sought.

(b) The knowledge test specified in paragraph (a)(3) of this Part is not required if the applicant—

(1) Holds an aviation ground instructor licence or flight instructor licence issued under this Part;

(2) Holds a current teacher's certificate issued by a State, county, city, or municipality that authorises the person to teach at an educational level of the 7th grade or higher; or

(3) Is employed as a teacher at an accredited college or university.

7.930 AVIATION GROUND INSTRUCTOR CURRENCY REQUIREMENTS

(a) The holder of an aviation ground instructor licence may not perform the duties of a ground instructor unless, within the preceding 12 months—

(1) The person has served for at least 3 months as a ground instructor; or

(2) The Authority has determined that the person meets the standards prescribed in this Part for the licence and rating.

7.935 AVIATION GROUND INSTRUCTOR RENEWAL & REISSUE REQUIREMENTS

(a) (*Renewal:* The applicant for renewal of a ground instructor licence shall provide to the Authority satisfactory evidence of at least 3 months service as a ground instructor within the past 12 months.

(b) *Reissue*: If the ground instructor licence has expired, the applicant for reissuance must complete refresher training acceptable to the Authority and receive an endorsement from a licensed ground or flight instructor certifying that the person has demonstrated satisfactory proficiency with the standards prescribed in these regulations for the licence and rating.

APPENDICES

APPENDIX 1 TO 7.030 SPECIFICATIONS FOR PEL LICENSES

(a) *Details of license*. The following details shall appear on the PEL license—

I) **Name of State** (in bold type)

II) **Title of License** (in very bold type)

III) **Serial Number of license (in Arabic numbers) given by the Authority**

IV) **Name of the holder in full (in Roman alphabet) IVa) Date of birth**

V) **Domicile (City & Country) of holder** (*current address details will appear on medical)*

VI) **Nationality of holder**

VII) **Signature of holder**

VIII) **Title of Licensing Authority**

IX) **Certification concerning validity and authorisation for holder to exercise privileges appropriate to the license**

X) **Signature of officer issuing the license and the date of such issue**

XI) **Seal (or stamp) of the Authority**

XII) **Ratings** *(e.g. category, class, type of aircraft, airframe, aerodrome control, etc.)*

XIII) **Remarks** *(i.e. special endorsements relating to limitations and endorsements for privileges including an endorsement of language proficiency.)*

XIV) **Any other details desired by the Licensing Authority**

(b) *License Material.* First quality paper or other suitable material, including plastic cards, shall be used and the items mentioned (b) shown clearly thereon.

(c) *Language.* When licenses are issued in a language other than English, the license shall include an English translation of at least items I), II), VI), IX), XII), XIII) and XIV). When provided in a language other than English, authorisations issued in accordance with 1.2.2.1 shall include an English translation of the name of the State issuing the authorisation, the limit of validity of the authorisation and any restriction or limitation that may be established.

(d) *Arrangement of items.* Item headings on the licence shall be uniformly numbered in roman numerals as indicated in (b), so that on any licence the number will, under any arrangement, refer to the same item heading. Item headings may be arranged in such order as may best suit the convenience of the Licensing Authority.

APPENDIX 1 TO 7.175: PREREQUISITES FOR SKILL TESTS

(a) Except as provided in paragraph (b), to be eligible for a skill test for a licence or rating issued under this Part, an applicant shall—

(1) Pass the required knowledge test within the 24-calendar-month period preceding the month the applicant completes the skill test, if a knowledge test is required;

(2) Present the knowledge test report at the time of application for the skill test, if a knowledge test is required;

(3) Have satisfactorily accomplished the required training and obtained the aeronautical experience prescribed by this Part for the licence or rating sought;

(4) Meet the prescribed age requirement of this Subpart for the issuance of the licence or rating sought; and

(5) Have an endorsement in his or her logbook or training record that has been signed by an authorised instructor who certifies that the applicant—

(i) Has received and logged training time within 60 days preceding the date of application in preparation for the skill test;
(ii) Is prepared for the required skill test; and
(iii) Has demonstrated satisfactory knowledge of the subject areas in which the applicant was deficient on the airman knowledge test.

(b) An applicant for an airline transport pilot licence or an additional rating to an airline transport licence may take the skill test for that licence or rating with an expired knowledge test report, provided that the applicant—

(1) Is employed as a flight crew member by a certificate holder under Part 12 at the time of the skill test and has satisfactorily accomplished that operator's approved—
(i) PIC aircraft qualification training programme that is appropriate to the licence and rating sought; and
(ii) Qualification training requirements appropriate to the licence and rating sought; or

(2) Is employed as a flight crew member in scheduled military air transport operations of Rwanda at the time of the skill test, and has accomplished the PIC aircraft qualification training programme that is appropriate to the licence and rating sought.

APPENDIX 1 TO 7.185: SKILL TESTS: REQUIRED AIRCRAFT, SIMULATION & EQUIPMENT

(a) ***General.*** Except as provided in paragraph (a)(2), or when permitted to accomplish the entire flight increment of the skill test in an approved flight simulator or an approved flight training device, an applicant for a licence or rating issued under this Part shall furnish—

(1) An aircraft of Rwanda registry for each required test that—
(i) Is of the category, class, and type (if applicable) applicable to the licence or rating sought; and
(ii) Has a current standard, limited, or primary airworthiness certificate.

(2) At the discretion of the examiner who administers the skill test, the applicant may furnish—
(i) An aircraft that has a current airworthiness certificate other than standard, limited, or primary but that otherwise meets the requirement of paragraph (a)(1);
(ii) An aircraft of the same category, class, and type, if applicable, of foreign registry that is properly certified by the country of registry; or
(iii) A military aircraft of the same category, class, and type, if applicable, for which the applicant is applying for a licence or rating.

(b) ***Required equipment (other than controls)***. Each applicant for a skill test shall use an aircraft that has—

(1) The equipment for each area of operation required for the skill test;
(2) No prescribed operating limitations that prohibit its use in any of the areas of operation required for the skill test;
(3) Except as provided in paragraph (e), at least two pilot stations with adequate visibility for each person to operate the aircraft safely; and
(4) Cockpit and outside visibility adequate to evaluate the performance of the applicant when an additional jump seat is provided for the examiner.

(c) ***Required controls***. Each applicant for a skill test shall use an aircraft (other than a lighter-than-air aircraft) that has engine power controls and flight controls that are easily reached and operable in a conventional manner by both pilots, unless the examiner determines that the skill test can be conducted safely in the aircraft without the controls being easily reached.

(d) ***Simulated instrument flight equipment***. An applicant for a skill test that involves manoeuvring an aircraft solely by reference to instruments shall furnish—

(1) Equipment on board the aircraft that permits the applicant to pass the areas of operation that apply to the rating sought; and

(2) A device that prevents the applicant from having visual reference outside the aircraft, but does not prevent the examiner from having visual reference outside the aircraft, and is otherwise acceptable to the Authority.

(e) ***Aircraft with single controls***. An applicant may complete a skill test in an aircraft having a single set of controls, provided the—

(1) Examiner agrees to conduct the test;

(2) Test does not involve a demonstration of instrument skills; and

(3) Proficiency of the applicant can be observed by an examiner who is in a position to observe the applicant.

APPENDIX 1 TO 7.190: USE OF AN APPROVED FLIGHT SIMULATOR OR AN APPROVED FLIGHT TRAINING DEVICE

(a) ***General***. If an approved flight simulator or approved flight training device is used for accomplishing any of the training and the required skill test for a pilot licence for a category, class, and type rating (if applicable), the flight simulator or flight training device shall be used in accordance with an approved course at an ATO;

(b) ***Preflight inspection demonstration***. The preflight inspection shall be satisfactorily demonstrated as approved by the Authority.

(c) *Skill Test demonstration*.

(1) The applicant may be issued a rating after successful completion of the required skill tests prescribed by the Authority, if the simulator was Level C or D, or

(2) If the simulator was not Level C or D, the following tasks must be satisfactorily demonstrated in flight as prescribed by the Authority—

(i) Normal takeoff;

(ii) Normal ILS approach;

(iii) Missed approach; and

(iv) Normal landing.

Limitation to PIC privileges.

(3) An applicant satisfactorily completing a skill test in a flight simulator for a type rating in a turbojet aeroplane or aeroplane with a gross weight of more than 5700 kgs in a flight simulator will be issued a licence containing—

(i) That aircraft type rating; and

(ii) A limitation on a licence stating, "Not valid for PIC privileges for (INSERT AIRCRAFT TYPE)."

(4) An applicant who has been issued a pilot licence with this limitation may not act as PIC of that aeroplane for which the rating was obtained under the provisions of this paragraph until the limitation is removed from the pilot license.

(5) During this period the licence holder shall be under the supervision of an assigned PIC, while performing the duties of a PIC for that aircraft.

(6) Upon satisfactory completion of a supervised period of flying in the aircraft consisting of at least15 hours and 5 landings, the licence holder may apply to the Authority for the removal of the limitation limiting his PIC privileges for the aircraft type.

APPENDIX 1 TO 7.200: LANGUAGE PROFICIENCY SCALE

(a) To meet the language proficiency requirements contained in 7.200, an applicant for a licence or a licence holder shall demonstrate proficiency, in a manner acceptable to the Authority, with paragraph (b) and with the ICAO Operational Level (Level 4) of the ICAO Language Proficiency Rating Scale contained in this Appendix.

(b) Proficient speakers shall—

(1) Communicate effectively in voice-only (telephone/ radiotelephone) and in face-to-face situations;

(2) Communicate on common, concrete and work-related topics with accuracy and clarity;

(3) Use appropriate communicative strategies to exchange messages and to recognize and resolve misunderstandings (e.g. to check, confirm, or clarify information) in a general or work-related context;

(4) Handle successfully and with relative ease the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and

(5) Use a dialect or accent which is intelligible to the aeronautical community.

LEVEL	*PRONUNCIATION* *Assumes a dialect and/or accent intelligible*	*STRUCTURE* *Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task.*	*VOCABULARY*	*FLUENCY*	*COMPREHENSION*	*INTERACTIONS*
Expe rt 6	Pronunciation, stress, rhythm, and intonation, though possibly influenced by the first language or	Both basic and complex grammatical structures and sentence patterns are consistently well controlled.	Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is	Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasize a	Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.	Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues and responds to them
Extende d 5	Pronunciation, stress, rhythm, and intonation, though variation, rarely with ease of understanding.	Basic grammatical structures and sentence patterns are consistently well structures are but with errors which sometimes interfere with meaning.	Vocabulary range and accuracy are sufficient to communicate and work-related Paraphrases consistently and successfully. Vocabulary is sometimes	Able to speak at length with relative ease on familiar stylistic device. make use of appropriate discourse markers or connectors.	Comprehension is accurate on common, concrete, and accurate when the speaker is confronted with a linguistic or situational complication or comprehend a range speech varieties and/or accent) or registers.	Responses are immediate, appropriate, and informative. listener effectively.
Operation al 4	Pronunciation , stress, rhythm, and intonation are variation but sometimes ease of understanding.	Basic grammatical structures and sentence patterns are used creatively and well controlled. may occur, particularly unusual or unexpected circumstances, but interfere with meaning.	Vocabulary range and accuracy are usually sufficient to communicate on common, and work-related Can often paraphrase lacking vocabulary in unusual or circumstances.	Produces stretches of language at an appropriate of fluency on from rehearsed formulaic speech to but this does not prevent Can make limited use of connectors. not distracting.	Comprehension is mostly accurate on common, concrete, and accent or variety sufficiently for an international When the speaker is confronted with a linguistic or situational unexpected turn of events, comprehension clarification strategies.	Responses are usually immediate, appropriate, and even when dealing an unexpected turn events. Deals adequately with misunderstandings by checking, clarifying.
Levels 1, 2 and 3 are on subsequent page.						

LEVEL	*PRONUNCIATION Assumes a dialect and/or accent intelligible to the aeronautical community.*	*STRUCTURE Relevant grammatical structures and sentence patterns are determined by language functions appropriate to the task.*	*VOCABULARY*	*FLUENCY*	*COMPREHENSION*	*INTERACTIONS*
Levels 4, 5 and 6 are on preceding page.						
Pre-operational 3	Pronunciation, stress, rhythm, and intonation are influenced by the first language or regional variation and frequently interfere with ease of understanding.	Basic grammatical structures and sentence patterns associated with predictable situations are not always well controlled. Errors frequently interfere with meaning.	Vocabulary range and accuracy are often sufficient to communicate on common, concrete, or work-related topics, but range is limited and the word choice often inappropriate. Is often unable to paraphrase successfully when lacking vocabulary.	Produces stretches of language, but phrasing and pausing are often inappropriate. Hesitations or slowness in language processing may prevent effective communication. Fillers are sometimes distracting.	Comprehension is often accurate on common, concrete, and work- related topics when the accent or variety used is sufficiently intelligible for an international community of users. May fail to understand a linguistic or situational complication or an unexpected turn of events.	Responses are sometimes immediate, appropriate, and informative. Can initiate and maintain exchanges with reasonable ease on familiar topics and in predictable situations. Generally inadequate when dealing with an unexpected turn of events.
Elementary 2	Pronunciation, stress, rhythm, and intonation are heavily influenced by the first language or regional variation and usually interfere with ease of understanding.	Shows only limited control of a few simple memorized grammatical structures and sentence patterns.	Limited vocabulary range consisting only of isolated words and memorized phrases.	Can produce very short, isolated, memorized utterances with frequent pausing and a distracting use of fillers to search for expressions and to articulate less familiar words.	Comprehension is limited to isolated, memorized phrases when they are carefully and slowly articulated.	Response time is slow and often inappropriate. Interaction is limited to simple routine exchanges.
Pre-elementary 1	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.	Performs at a level below the Elementary level.

APPENDIX 1 TO 7.215: INSTRUMENT RATING AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.215, an applicant for an instrument rating shall have received and logged ground training from an authorised instructor on the following aeronautical knowledge areas that apply to the instrument rating sought—

(1) Rules and regulations relevant to flight under IFR; related air traffic services practices and procedures;

(2) Use, limitation and serviceability of avionics and instruments necessary for the control and navigation of aeroplanes or helicopters (as appropriate) under IFR and in instrument meteorological conditions; use and limitations of autopilot;

(3) Compasses, turning and acceleration errors; gyroscopic instruments, operational limits and precession effects; practices and procedures in the event of malfunctions of various flight instruments;

(4) Pre-flight preparations and checks appropriate to flight under IFR;

(5) Operational flight planning; preparation and filing of air traffic services flight plans under IFR; altimeter setting procedures;

(6) Human performance relevant to instrument flight in the category of aircraft, including the principles of threat and error management;

(7) Aeronautical decision making and judgement.
(8) Crew resource management, including crew communication and coordination
(9) Application of aeronautical meteorology; interpretation and use of reports, charts and forecasts; codes and abbreviations; use of, and procedures for obtaining, meteorological information; altimetry;
(10) Procurement and use of aviation weather reports and forecasts and the elements of forecasting weather trends based on that information.
(11) Personal observation of weather conditions.
(12) Causes, recognition and effects of engine, propeller or rotor icing and airframe icing; frontal zone penetration procedures; hazardous weather avoidance;
(13) Recognition of critical weather situations and windshear avoidance.
(14) Practical air navigation using radio navigation aids;
(15) Use, accuracy and reliability of navigation systems used in departure, en-route, approach and landing phases of flight; identification of radio navigation aids;
(16) Interpretation and use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations, and instrument procedure charts for departure, en-route, descent and approach;
(17) Precautionary and emergency procedures; safety practices associated with flight under IFR;
(18) Radiotelephony procedures and phraseology as applied to aircraft operations under IFR; action to be taken in case of communication failure.
(19) Appropriate information in advisory material published by the Authority that applies to flight operations under IFR.
(20) Air traffic control system and procedures for instrument flight operations.
(21) IFR navigation and approaches by use of navigation systems.
(22) Use of IFR en route and instrument approach procedure charts.
(23) Safe and efficient operation of aircraft under instrument flight rules and conditions.

APPENDIX 2 TO 7.215: INSTRUMENT RATING FLIGHT INSTRUCTION REQUIREMENTS

(a) In addition to the requirements of 7.215, an applicant for an instrument rating shall receive and log training from an authorised instructor in an aircraft, or in an approved flight simulator or approved flight training device that includes the following areas of operation—

(1) Pre-flight procedures, including the use of the flight manual or equivalent document, and appropriate air traffic services documents in the preparation of an IFR flight plan;
(2) Pre-flight inspection, use of checklists, taxiing and pre take-off checks;
(3) Procedures and manoeuvres for IFR operation under normal, abnormal and emergency conditions covering at least—
  (i) Transition to instrument flight on take-off;
  (ii) Standard instrument departures and arrivals;
  (iii) En-route IFR procedures;
  (iv) Holding procedures;
  (v) Instrument approaches to specified minima;
  (vi) Missed approach procedures;
  (vii) Landings from instrument approaches;
  (viii) In-flight manoeuvres and particular flight characteristics.
(4) Air traffic control clearances and procedures;
(5) Flight by reference to instruments;
(6) Navigation systems;
(7) Instrument approach procedures;

(8) Emergency operations; and
(9) Postflight procedures.

(b) Additionally, *for multi-engine aeroplanes*—
(1) All of the elements included in paragraph (3) and
(2) Operation of the aeroplane or helicopter (as appropriate) solely by reference to instruments with one engine inoperative or simulated inoperative.

APPENDIX 3 TO 7.215: INSTRUMENT RATING AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) In addition to the requirements of 7.215, an applicant for an instrument rating shall have logged the following—
(1) At least 50 hours of cross-country flight time as PIC, of which at least 10 hours shall be in the aircraft category for the instrument rating sought; and
(2) A total of 40 hours of total instrument time on the areas of operation of this Part, to include—
(i) At least 10 hours of instrument flight training from an authorised instructor in the aircraft category for which the instrument rating is sought;
(ii) Up to 30 hours of this time may be in a flight simulator under the supervision of an authorised instructor;
(iii) No more than 20 hours of this time can be in a basic instrument flight trainer under the supervision of an authorised instructor
(iv) At least 3 hours of instrument training that is appropriate to the instrument rating sought from an authorised instructor in preparation for the skill test within the 60 days preceding the date of the test;

(b) The instrument training on cross-country flight procedures specific to the category of aircraft shall include at least one cross-country flight in the aircraft that is performed under IFR, and consists of—
(1) A distance, along airways or ATC-directed routing, of at least—
(i) *For an instrument – aeroplane rating,* 250 nautical miles, or
(ii) *For an instrument - helicopter rating,* 100 nautical miles; and
(2) An instrument approach at each aerodrome; and
(3) Three different kinds of approaches with the use of navigation systems;

APPENDIX 1 TO 7.235: CATEGORY II OR III AUTHORISATION GENERAL REQUIREMENTS

(a) An applicant for an authorisations for Category II or III operations shall pass a skill test for—
(1) Issuance or renewal of a Category II or III pilot authorisation.
(2) The addition of another type aircraft to a Category II or III pilot authorisation.

(b) To be eligible for the skill test for an authorisation under this Part, an applicant shall—
(1) Meet the prescribed requirements; and
(2) If the applicant has not passed a skill test for this authorisation during the 12 calendar months preceding the month of the test—
(i) Meet the prescribed requirements and
(ii) Have performed at least six ILS approaches during the 6 calendar months preceding the month of the test, of which at least three of the approaches shall have been conducted without the use of an approach coupler.

(c) An applicant shall accomplish the prescribed approaches—
(1) Under actual or simulated instrument flight conditions;
(2) To the minimum decision height for the ILS approach in the type aircraft in which the skill test is to be conducted, except that the approaches need not be conducted

to the decision height authorised for Category II operations;

(3) To the decision height authorised for Category II operations only if conducted in an approved flight simulator or an approved flight training device; and

(4) In an aircraft of the same category and class, and type, as applicable, as the aircraft in which the skill test is to be conducted or in an approved flight simulator that—

(i) Represents an aircraft of the same category and class, and type, as applicable, as the aircraft in which the authorisation is sought; and

(ii) Is used in accordance with an approved course conducted by an ATO.

(d) The flight time acquired in meeting the prescribed requirements may be used.

APPENDIX 2 TO 7.235: CATEGORY II OR III AUTHORISATION PRACTICAL ORAL EXAMINATION

(a) During the skill test, the applicant shall demonstrate knowledge requirements of Table 1-7.235 through oral questioning.

(b) An inspector or evaluator may conduct oral questioning at any time during the skill test.

TABLE 1 - 7.235 DEMONSTRATED AERONAUTICAL KNOWLEDGE REQUIREMENTS	CAT II	CAT III
1. Required landing distance	X	X
2. Use and limitations of RVR, including determination of controlling RVR and required transmissometers	X	X
3. Characteristics and limitations of the ILS and runway lighting system	X	X
4. Characteristics and limitations of the flight director system, auto approach coupler (including split axis type if equipped), auto throttle system (if equipped), and other required Category II or III equipment	X	X
5. Instrument and equipment failure warning systems	X	X
6. Use of visual clues, their availability or limitations, and altitude at which they are normally discernible at reduced RVR readings	X	X
7. The expected sequence of visual cues during an approach in which visibility is at or above landing minima	X	X
8. Demonstration of expected visual references with weather at minimum conditions	X	X
9. Recognition of the decision height or alert height, as applicable, using a radar altimeter	X	X
10. Missed approach procedures and techniques using computed or fixed attitude guidance displays	X	X
11. Procedures and techniques related to transition from non visual to visual flight during a final approach under reduced RVR	X	X
12. Recognition of and proper reaction to significant failures encountered prior to and after reaching the alert height or decision height, as applicable	X	X
13. Recognition of the limits of acceptable aircraft position and flight path tracking during approach, flare, and, if applicable, rollout		X
14. Recognition of, and reaction to, airborne or ground system faults or abnormalities, particularly after passing alert height or decision height, as applicable		X
15. Unexpected deterioration of conditions to less than minimum RVR during approach, flare, and rollout		X
16. Assigned duties of the SIC during Category II or III operations, unless the aircraft for which authorisation is sought does not require an SIC	X	X
17. Effects of vertical and horizontal windshear	X	X

APPENDIX 3 TO 7.235: CATEGORY II OR III AUTHORISATION PRACTICAL FLIGHT EXAMINATION

(a) The practical flight test shall be conducted in an aircraft of the same category, class, and type, as applicable, as the aircraft in which the authorisation is sought or in an approved flight simulator that—

(1) Represents an aircraft of the same category and class, and type, as applicable, as the aircraft in which the authorisation is sought; and

(2) Is used in accordance with an approved course conducted by an ATO.

(b) All approaches performed during the flight increment shall be made with the use of an approved flight control guidance system, except as noted in the table included in this Part.

(c) For an authorisation for an aircraft that requires a type rating, the applicant shall pass a skill test in co- ordination with a SIC who holds a type rating in the aircraft in which the authorisation is sought.

(d) An inspector or evaluator may conduct oral questioning at any time during a skill test.

(e) The skill tests shall include the prescribed manoeuvres and procedures—

(1) Under actual or simulated instrument flight conditions that replicate, throughout the skill test, the minimum weather conditions for the category of approach, landing and rollout;

(2) To the minimum height for the category or ILS approach in the type aircraft in which the skill test is to be conducted;

Note: If the skill test is conducted in the aircraft, the examining official may exercise the discretion to set a higher minimum height appropriate to the circumstances.

TABLE 2 - 7.235 DEMONSTRATED AERONAUTICAL SKILL REQUIREMENTS	CAT II	CAT III
1. Coupled ILS approach (transitioning to a landing)	X	X
2. Coupled ILS approach (transitioning to a missed approach)	X	X
3. Hand flown ILS approach, using the flight director commands	X	
4. Normal automatic landing and rollout		X
5. Normal autolanding, with a manual rollout (IIIb) after a fail-passive disconnect at touchdown		X
6. Normal hand-flown landing	X	
7. Missed approach s	X	X
8. Missed approach with inoperative engine (if aircraft has performance capability)	X	X

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APPENDIX 4 TO 7.235: GENERAL REQUIREMENTS FOR CATEGORY II & CATEGORY III PILOT AUTHORISATIONS

(a) The Authority will issue a Category II or Category III pilot authorisation by letter, as a part of an applicant's instrument rating or airline transport pilot certificate.

(b) Upon original issue the authorisation will contain the following limitations—

(1) For Category II operations, 1,600 feet RVR and a 150-foot decision height; and

(2) For Category III operations, as specified in the authorisation document.

(c) To remove the limitations on a Category II or Category III pilot authorisation—

(1) A Category II limitation holder may remove the limitation by showing that, since the beginning of the sixth preceding month, the holder has made three Category II ILS approaches with a 150-foot decision height to a landing under actual or simulated instrument conditions; or

(2) A Category III limitation holder may remove the limitation by showing experience as specified in the authorisation.

(d) An authorisation holder or an applicant for an authorisation may use a flight simulator or flight training device if it is approved by the Authority for such use, to meet the prescribed experience requirements or for the skill test required by this Part for a Category II or a Category III pilot authorisation, as applicable.

APPENDIX 1 TO 7.265: MANOEUVRES & PROCEDURES FOR STUDENT PILOT PRE-SOLO FLIGHT TRAINING

(a) In addition to the requirements of 7.265, a student pilot who is receiving training for solo flight shall receive and log flight training listed in the following table of manoeuvres and procedures, as applicable, for each category and class rating—

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

TABLE APPENDIX 1 TO 7.265: SPECIFIC MANOEUVRES AND PROCEDURES	A	RH	RG	PL	G	LA	FB
(1) Proper flight preparation procedures, including preflight planning and preparation, powerplant operation, and aircraft systems	X	X	X	X	X	X	X
(2) Layout and assembly procedures							X
(3) Procedures for disassembly and assembly of the glider					X		
(4) Taxiing or surface operations, including runups	X	X	X	X	X	X	X
(5) Inspection of towline rigging and review of signals and release procedures					X		
(6) Aerotow, ground tow, or self-launch procedures					X		
(7) Hovering and hovering turns		X		X			
(8) Takeoffs and landings, including normal and crosswind	X	X	X	X	X	X	X
(9) Launches, including normal and crosswind					X		
(10) aerodrome traffic patterns, including entry and departure procedures	X	X	X	X	X	X	
(11) Collision avoidance, windshear avoidance, and wake turbulence avoidance	X	X	X	X	X	X	X
(12) Ascents and descents							X

TABLE: APPENDIX 1 TO 7.265: SPECIFIC MANOEUVRES AND PROCEDURES	A	RH	RG	PL	G	LA	FB
(13) Climbs and climbing turns	X	X	X	X	X	X	X
(14) Straight and level flight, and turns in both directions	X	X	X	X	X	X	X
(15) Procedures and techniques for thermalling					X		
(16) Rigging, ballasting, and controlling pressure in the ballonets, and superheating						X	
(17) Operation of hot air or gas source, ballast, valves, vents, and rip panels, as appropriate							X
(18) Descents, with and without turns, using high and low drag configurations	X	X	X	X	X	X	X
(19) Flight at various airspeeds from cruise to slow flight	X	X	X	X	X	X	
(20) Stall entries from various flight attitudes and power combinations with recovery initiated at the first indication of a stall, and recovery from a full stall	X	X			X		
(21) Emergency procedures and equipment malfunctions	X	X	X	X	X	X	X
(22) Ground reference manoeuvres	X	X	X	X			
(23) Approaches to the landing area	X	X	X	X	X	X	X
(24) The effects of wind on climb and approach angles							X
(25) Obstruction detection and avoidance techniques							X
(26) Approaches to a landing area with simulated engine malfunctions	X	X	X			X	
(27) Simulated one-engine-inoperative approaches and landings for multi engine aircraft		X		X			
(28) Slips to a landing	X				X		
(29) Landings with positive and with negative static trim						X	
(30) Landing and recovery procedures							X
(31) Rapid decelerations		X					
(32) Go-arounds	X	X	X	X		X	
(33) Simulated emergency procedures, including autorotational descents with a power recovery and power recovery to a hover		X		X			
(34) Simulated emergency procedures, including simulated power-off landings and simulated power failure during departures			X	X			
(35) High rates of descent with power on and with simulated power off, and recovery from those flight configurations			X	X			
(36) Emergency operations, including towline break procedures					X		
(37) Use of deflation valves or rip panels for simulating an emergency							X

APPENDIX 1 TO 7.270: MANOEUVRES & PROCEDURES FOR STUDENT PILOT CROSS-COUNTRY FLIGHT TRAINING

(a) A student pilot who is receiving training for cross-country flight shall receive and log flight training in the manoeuvres and procedures listed in the following table—

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

TABLE: APPENDIX 1 TO 7.270 SPECIFIC MANOEUVRES AND PROCEDURES	A	RH	RG	PL	G	LA	FB
(1) Use of aeronautical charts for VFR navigation using pilotage and dead reckoning with the aid of a magnetic compass	X	X	X	X	X	X	
(2) Use of aircraft performance charts pertaining to cross-country flight	X	X	X	X		X	
(3) Procurement and analysis of aeronautical weather reports and forecasts, including recognition of critical weather situations and estimating visibility while in flight	X	X	X	X	X	X	
(4) Recognition of weather and upper air conditions favourable for cross-country soaring, ascending flight, descending flight, and altitude control					X		
(5) Recognition of weather and upper air conditions conducive for the direction of cross-country flight						X	
(6) Recognition, avoidance, and operational restrictions of hazardous terrain features in the geographical area where the student pilot will conduct cross-country flight	X	X	X	X	X	X	
(7) Use of radios for VFR navigation and two-way communications	X	X	X	X		X	
(8) Climbs at best angle and best rate	X	X	X	X			
(9) Control of air pressure with regard to ascending and descending flight and altitude control						X	
(10) Control and manoeuvring solely by reference to flight instruments, including straight and level flight, turns, descents, climbs, use of radio aids, and ATC directives	X	X	X	X		X	
(11) Landings accomplished without the use of the altimeter from at least 2,000 feet above the surface					X		

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APPENDIX 1 TO 7.295: PRIVATE PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.295, required aeronautical knowledge areas for private pilots, as appropriate to the category and class of aircraft rating sought, are provided in the following table—

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

TABLE: APPENDIX 1 T0 7.295 SPECIFIC KNOWLEDGE SUBJECTS	A	RH	RG	PL	G	LA	FB
(1) Applicable laws and regulations rules of the air, altimeter setting procedures; appropriate air traffic services practices and procedures	X	X	X	X	X	X	X
(2) Principles of operation (and functioning of powerplants, if applicable), systems and instruments including limitations, relevant to the aircraft category rating sought.	X	X	X	X	X	X	X[2]
(3) Operating limitations of the relevant category of aircraft (and powerplants, if applicable); relevant operational information from the flight manual or other appropriate document;	X	X	X	X	X	X	X
(4) Transmissions (power train);		X		X			
(5) Physical properties and practical application of gases;						X	X
(6) Effects of load and mass distribution on flight characteristics; mass and balance calculations	X	X	X	X	X	X	X
(7) Use and practical application of take-off (launching), landing and other performance data, including the effect of temperature;	X	X	X	X	X	X	X
(8) Pre-flight and en-route flight planning appropriate to private operations under VFR; including—	X	X	X	X		X	
(a) Pre-flight and en-route flight planning appropriate to private operations under VFR; preparation and filing of air traffic services flight plans;	X	X	X	X		X	
(b) appropriate air traffic services procedures;	X	X	X	X	X	X	X
(c) position reporting procedures;	X	X	X	X		X	
(d) Altimeter setting procedures;	X	X	X	X	X	X	X
(e) Operations in areas of high-density traffic; collision avoidance;	X	X	X	X	X	X	X
(f) Obtaining information on runway lengths at aerodromes of intended use, data on takeoff and landing distances;	X	X	X	X	X		
(g) Determining minimum fuel requirements;	X	X	X	X		X	X
(h) Planning for alternatives if the planned flight cannot be completed or delays are encountered;	X	X	X	X	X	X	X
(i) Operations in areas of high density;	X	X	X	X	X	X	X
(9) Human performance relevant to the aircraft category, including principles of threat and error management;	X	X	X	X	X	X	X
(10) Applications of elementary aeronautical meteorology, including—	X	X	X	X	X	X	X

TABLE: APPENDIX 1 T0 7.295 SPECIFIC KNOWLEDGE SUBJECTS	A	RH	RG	PL	G	LA	FB
(a) Procedures and legends for obtaining, meteorological information; altimetry	X	X	X	X	X	X	X
(b) Procurement and use of aeronautical weather reports and forecasts	X	X	X	X	X	X	X
(11) Practical aspects of air navigation and dead-reckoning techniques; use of aeronautical charts for VFR navigation;	X	X	X	X	X	X	X
(12) Application of threat and error management to operational performance;	X	X	X	X		X	X
(13) altimeter setting procedures	X	X	X	X	X	X	X
(14) Use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations	X	X	X	X	X	X	X
(15) Appropriate precautionary and emergency procedures and actions specifically relevant to the aircraft category, including—						X	X
(a) Action to be taken to avoid hazardous weather, wake turbulence and other operating hazards;						X	X
(b) Actions to be take to avoid operating hazards, such as settling with power, ground resonance, retreating blade stall; dynamic roll-over and other operating hazards; safety procedures associated with flight in VMC;		X	X				
(16) Principles of flight specifically relevant to the aircraft category	X	X	X	X	X	X	X
(17) Radiotelephony communications procedures and phraseology as applied to VFR operations; action to be taken in case of communication failure	X	X	X	X	X	X	X
(18) Different launch methods and associated procedures					X	X	X
(19) Accident reporting procedures	X	X	X	X	X	X	X

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APPENDIX 1 TO 7.300: PRIVATE PILOT FLIGHT INSTRUCTION REQUIREMENTS

(a) In addition to the requirements of 7.300, an applicant for a private pilot licence shall receive and log ground and flight training listed in the following table from an authorised instructor appropriate to the category and class of aircraft.

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

TABLE: APPENDIX 1 TO 7.300 SPECIFIC TRAINING EVENTS	A	RH	RG	PL	G	LA	FB
(1) Recognition and management of threats and errors;	X	X	X	X		X	
(2) Pre-flight operations, including—	X	X	X	X	X	X	X
(a) Mass and balance determination	X	X	X	X	X	X	X
(b) Aircraft inspection and servicing	X	X	X	X	X	X	X
(d) Aircraft assembly, rigging, and inspection					X		X
(e) Inflation and mooring						X	X
(3) Aerodrome and traffic pattern operations, including—	X	X		X	X	X	X
(a) Collision avoidance precautions and procedures.	X	X	X	X	X	X	
(b) Operations to, from and transiting controlled aerodromes, compliance with air traffic services procedures;	X	X	X	X	X	X	
(c) Traffic pattern operations,	X	X	X	X	X	X	
(d) Operations to and from aerodrome	X	X	X	X	X	X	
(e) Operations to and from seaplane base	X						
(f) Operations to and from heliport		X					
(g) Operations to and from glider port					X		
(4) Control of aircraft by external visual reference;	X	X		X	X	X	X
(5) Ground reference manoeuvres	X	X		X			
(6) Control of aircraft throughout the flight envelope and in critical regimes of flight, including—							
(a) Flight at critically slow airspeeds; recognition of, and recovery from, incipient and full stalls;	X			X	X		
(b) Flight at critically high airspeeds, recognition of, and recovery from, spiral dives	X			X	X		
(c) Recovery at the incipient stage from settling with power; recovery techniques from low-rotor rpm within the normal range of engine rpm		X		X			
(d) Recognition of, and recovery from, rapid descents							X
(7) Takeoff and landings, including—							
(a) Normal takeoffs (launches) and landings	X		X	X	X	X	
(b) Cross-wind takeoffs (launches) and landings	X		X	X	X	X	
(c) Maximum performance (short and obstacle clearance) takeoffs;	X		X	X		X	
(d) Short-field landings	X		X	X	X		

TABLE: APPENDIX 1 TO 7.300 SPECIFIC TRAINING EVENTS	A	RH	RG	PL	G	LA	FB
(e) Go-arounds	X		X	X		X	
(f) Ground manoeuvring and run-ups, hovering takeoffs and landings, normal out of wind and sloping ground		X	X	X			
(g) Takeoffs and landings with minimum necessary power; maximum performance takeoff and landing techniques; restricted site operations; quick stops;		X	X	X			
(h) Techniques and procedures for the takeoff (launching and ascent) method used, including appropriate airspeed limitations, emergency procedures and signals used;					X	X	X
(i) Approaches and landings, including ground handling						X	X
(8) Cross-country flying, using—	X	X	X	X	X	X	X
(a) Visual reference;	X	X	X	X	X	X	X
(b) Dead reckoning;	X	X	X	X	X	X	
(c) Radio navigation aids, where available,	X	X	X	X	X	X	
(d) Including a flight of at least one hour.		X	X	X	X	X	
(9) Flight by reference solely to instruments, including the completion of a level 180° turn	X	X	X	X		X	
(10) Emergency operations, including—							
(a) Simulated equipment malfunctions pertinent to the specific aircraft category;	X	X	X	X	X	X	
(b) Autorative approach;		X	X	X			
(c) Power of reconversion to auto rotation and auto rotative approach, where applicable; transmission and interconnect driveshaft failure, where applicable				X			
(d) Recognition of leaks						X	X
(11) Communications procedures and phraseology.	X	X		X	X	X	
(12) Soaring techniques and performance speeds					X		
(13) Cross-Country flight of more than 250 nautical miles, with takeoff and landings at three separate points.	X	X	X	X			
(14) Cross-Country flight of more than one hour or 100 nautical miles, with takeoff and landings at three separate points.		X	X	X			
(15) Night flying, including take-offs, landings and navigation.	X	X	X	X		X	
(16) Night flying, including take-offs, landings and navigation, if the privileges of the licence are to be exercised at night					X		X
(17) Post-flight procedures	X	X		X	X	X	X

APPENDIX 1 TO 7.310: PRIVATE PILOT EXPERIENCE REQUIREMENTS

(a) The requirements specified in this table are in addition to the requirements of 7.310.

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

TABLE: APPENDIX 1 TO 7.310 SPECIFIC EXPERIENCE	A	RH	RG	PL	G	LA	FB
MINIMUM NUMBER OF FLIGHT HOURS IN AIRCRAFT CATEGORY/CLASS							
(1) Total Pilot time	40	40	40	40		40	
(2) Total Pilot Time – Approved Course	35	35		40		40	
(3) Flight Instruction	20	20	20	20	10	20	16
(4) Flight Instruction - Cross-Country	3	3	3	3		3	
(5) Flight Instruction – Instruments	3	2	2	3		3	
(6) Flight Instruction - Preparation for skill test (in previous 60 days)	3	3	3	3		3	
(7) Solo Flight Time under the supervision of an instructor	10	10	10	10	2	10	
(8) Solo Flight Time - Cross-Country	5	5	5	5		5	
NUMBER OF SPECIAL FLIGHTS							
(9) Solo takeoffs and landings to a full stop (with each landing involving a flight in the traffic pattern) at an aerodrome with an operating control tower	5	5	5	5		5	
(10) Solo cross-country flight (of minimum specified nautical miles), in the course of which landings at two different points shall be made	1 (150)	1 (100)	1 (100)	1 (150)		1 (50)	
(11) Free Balloon Ascent, if gas used, to 2000 ft AGL							1
(12) Free Balloon Ascent, if airborne heater used, to 3000 feet AGL							2
NUMBER OF FLIGHTS							
(13) Training Flights (Launches & Landings)					20		8
(14) Solo Flights					10		3
(15) Training Flights – Skill Test Preparation (within previous 60 days)					3		1

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APPENDIX 1 TO 7.315: LICENCE LIMITATIONS FOR PRIVATE PILOT WITH BALLOON RATINGS

(a) The requirements of this Appendix are in addition to the requirements of 7.315.

(b) If an applicant for a private pilot licence with a balloon rating takes a skill test in a balloon with an airborne heater—

(1) The Authority shall place upon the pilot licence a limitation restricting the exercise of the privileges of that licence to a balloon with an airborne heater; and

(2) The pilot may remove the limitation by obtaining the required aeronautical experience in a gas balloon and receiving a logbook endorsement from an authorised instructor who attests to the person's accomplishment of the required aeronautical experience and ability to satisfactorily operate a gas balloon.

(c) If an applicant for a private pilot licence with a balloon rating takes a skill test in a gas balloon—

(1) The Authority shall place upon the pilot licence a limitation restricting the exercise of the privilege of that licence to a gas balloon; and

(2) The pilot may remove the limitation by obtaining the required aeronautical experience in a balloon with an airborne heater and receiving a logbook endorsement from an authorised instructor who attests to the pilot's accomplishment of the required aeronautical experience and ability to satisfactorily operate a balloon with an airborne heater.

APPENDIX 1 TO 7.340: COMMERCIAL PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.340, an applicant for a commercial pilot licence shall receive and log ground training from an authorised instructor on the aeronautical knowledge areas of paragraph (b) of this Part that apply to the aircraft category and class rating sought.

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon

TABLE: APPENDIX 1 TO 7.340 SPECIFIC KNOWLEDGE SUBJECTS	A	RH	RG	PL	G	LA	FB
(1) Applicable laws and regulations relevant to the holder of a commercial pilot licence; rules of the air, appropriate air traffic services practices and procedures	X	X	X	X	X	X	X
(2) Principles of operation and functioning of powerplants, systems and instruments including limitations, relevant to the aircraft rating sought.	X	X	X	X	X	X	X
(3) Operating limitations of the relevant category of aircraft and powerplants; relevant operational information from the flight manual or other appropriate document;	X	X	X	X	X	X	X
(4) Use and serviceability checks of equipment and systems of appropriate aircraft;	X	X	X	X	X	X	X
(5) Maintenance procedures for airframes, systems and powerplants of appropriate aircraft;	X	X	X	X	X	X	X
(6) Transmissions (power train);		X		X			
(7) Physical properties and practical application of gases;						X	X
(8) Effects of load and mass distribution on flight characteristics and performance; mass and balance calculations	X	X	X	X	X	X	X
(9) Use and practical application of take-off, landing and other performance data,	X	X	X	X	X	X	X

TABLE: APPENDIX 1 TO 7.340 SPECIFIC KNOWLEDGE SUBJECTS	A	RH	RG	PL	G	LA	FB
(10) Pre-flight and en-route flight planning appropriate to commercial operations under VFR; including—	X	X	X	X	X	X	X
(a) Pre-flight and en-route flight planning appropriate to private operations under VFR; preparation and filing of air traffic services flight plans;	X	X	X	X		X	
(b) appropriate air traffic services procedures;	X	X	X	X	X	X	X
(c) position reporting procedures;	X	X	X	X		X	
(d) Altimeter setting procedures;	X	X	X	X	X	X	X
(e) Operations in areas of high-density traffic; collision avoidance;	X	X	X	X	X	X	X
(f) Obtaining information on runway lengths at aerodromes of intended use, data on takeoff and landing distances;	X	X	X	X	X		
(g) Determining minimum fuel requirements;	X	X	X	X		X	X
(h) Planning for alternatives if the planned flight cannot be completed or delays are encountered;	X	X	X	X	X	X	X
(11) Effects of external loading on handling;		X		X			
(12) Human performance including principles of threat and error management;	X	X	X	X	X	X	X
(13) Interpretation and application of aeronautical meteorological reports, charts and forecasts; use of, and procedures for obtaining, meteorological information preflight and in-flight; altimetry;	X	X	X	X	X	X	X
(14) Aeronautical meteorology; climatology of relevant areas in respect to the elements having an effect upon aviation; the movement of pressure systems; the structure of fronts; and the origin and characteristics of significant weather phenomena which affect takeoff, enroute and landing conditions;	X	X	X	X	X	X	X
(15) Causes, recognition and effects of icing; frontal zone penetration procedures; hazardous weather avoidance;	X	X	X	X	X	X	X
(16) Air navigation, including the use of aeronautical charts, instruments and navigation aids, an understanding of the principles and characteristics of appropriate navigation systems; operation of airborne equipment;	X	X	X	X	X	X	X
(17)(a) Use, limitation and serviceability of avionics and instruments necessary for control and navigation;	X	X	X	X	X	X	
(17)(b) Use, accuracy and reliability of navigation systems used in departure, enroute, approach and landing phases of flight, identification of radio navigation aids;	X	X	X	X	X	X	
(17)(c) Principles and characteristics of self-contained and external referenced navigation systems, operation of airborne equipment;	X	X	X	X	X	X	
(18) Application of threat and error management to operational performance;	X	X	X	X	X	X	X
(19) Use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations	X	X	X	X	X	X	X
(20) altimeter setting procedures	X	X	X	X	X	X	X
(21) Appropriate precautionary and emergency procedures,	X	X	X	X	X	X	X

TABLE: APPENDIX 1 TO 7.340 SPECIFIC KNOWLEDGE SUBJECTS	A	RH	RG	PL	G	LA	FB
(23) Operational procedures for carriage of freight (including external loads); potential hazards associated with dangerous goods;	X	X	X	X	X	X	X
(24) Requirements and practices for safety briefing to passengers, including precautions to be observed when embarking and disembarking from the aircraft	X	X	X	X	X	X	X
(25) Appropriate precautionary and emergency actions to be take to avoid operating hazards, such as settling with power, ground resonance, retreating blade stall; dynamic roll-over and other operating hazards; safety procedures associated with flight in VMC;		X	X	X			
(26) Principles of flight	X	X	X	X	X	X	X
(27) Radiotelephony communications procedures and phraseology as applied to VFR operations; action to be taken in case of communication failure	X	X	X	X	X	X	X

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APPENDIX 1 TO 7.345: COMMERCIAL PILOT FLIGHT INSTRUCTION REQUIREMENTS

(a) ***General.*** In addition to the requirements of 7.345, an applicant for a commercial pilot licence shall receive and log ground and flight training from an authorised instructor on the areas of operation of this Part that apply to the aircraft category and class rating sought, as shown in the table below.

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

TABLE: APPENDIX 1 TO 7.345 SPECIFIC TRAINING EVENTS	A	RH	RG	PL	G	LA	FB
(1) Recognize and manage threats and errors;	X	X	X	X	X	X	X
(2) Pre-flight operations, mass and balance determination, aircraft inspection and servicing	X	X	X	X	X	X	X
(3) Aerodrome and traffic pattern operations, including—	X	X	X	X	X	X	X
(a) Collision avoidance precautions and procedures.	X	X	X	X	X	X	
(b) Operations to, from and transiting controlled aerodromes, compliance with air traffic services procedures;	X	X	X	X	X	X	
(c) Traffic pattern operations,	X	X	X	X	X	X	
(d) Operations to and from aerodromes	X	X	X	X	X	X	
(4) Control of the aircraft by external visual reference	X	X	X	X	X	X	X
(5) Control of aircraft in critical regimes of flight, including—							
(a) Flight at critically slow airspeeds; recognition of, and recovery from, incipient and full stalls;	X			X	X		
(b) Flight with asymmetrical power for multi-engine class or type ratings;	X			X	X		
(c) Flight at critically high airspeeds, recognition of, and recovery from, spiral dives	X			X	X		
(d) Recovery at the incipient stage from settling with power; recovery techniques from low-rotor rpm within the normal range of engine rpm;		X	X	X			
(e) Hovering out of ground effect; operations with external load, if applicable; flight at high altitude;		X	X	X			
(6) Takeoff and landings, including—							
(a) Normal takeoffs and landings	X				X	X	
(b) Cross-wind takeoffs and landings	X				X	X	
(c) Maximum performance (short field and obstacle clearance) takeoffs;	X					X	
(d) Short-field landings	X				X		
(e) Go-arounds	X					X	
(f) Ground manoeuvring and run-ups, hovering takeoffs and landings, normal, out of wind and sloping ground; steep approaches		X	X	X			
(g) Rolling takeoffs and climbout; rolling approach and landings;		X	X	X			

TABLE: APPENDIX 1 TO 7.345 SPECIFIC TRAINING EVENTS	A	RH	RG	PL	G	LA	FB
(h) Takeoffs and landings with minimum necessary power; maximum performance takeoff and landing techniques; restricted site operations; quick stops;		X	X	X			
(i) Techniques and procedures for the takeoff (launching and ascent method used, including appropriate airspeed limitations, emergency procedures and signals used;					X	X	X
(j) Approaches and landings, including ground handling						X	X
(7) Flight under IFR	X	X	X	X		X	
(8) Basic flight manoeuvres and recovery from unusual attitudes by reference solely to basic flight instruments	X	X	X	X		X	
(9) Cross-country flying using visual reference, pilotage. dead reckoning and radio navigation aids; diversion procedures;	X	X	X	X	X	X	X
10) Abnormal and emergency procedures and manoeuvres, including simulated aircraft equipment malfunctions	X	X	X	X		X	
(a) Auto rotative landing;		X	X	X			
(b) Power of reconversion to auto rotation and autorative approach, where applicable; transmission and interconnect driveshaft failure, where applicable;	X	X	X	X		X	
(c) Recognition of leaks;	X	X	X	X		X	
(11) Communication procedures and phraseology						X	X
(12) Inflation and mooring						X	X
(13) Ground manoeuvring and run-ups; hovering		X	X				
(14) Operations from aerodrome	X	X	X	X	X	X	
(a) Operations to and from seaplane	X						
(b) Operations to and from heliport		X	X				
(c) Traffic pattern operations,	X	X	X	X	X	X	
(d) Operations to, from and transitioning through controlled aerodromes, compliance with air traffic services procedures, radiotelephony procedures and phraseology	X	X	X	X		X	
(15) Pre-flight planning, including mass and balance determination	X	X	X	X	X	X	X
(16) Techniques and procedures for the launching and ascent method used, including appropriate airspeed limitations, emergency procedures and signals used;					X		X
(17) Normal and cross-wind take-offs (or launches)	X	X	X	X	X	X	
(18) Maximum performance (short field and obstacle clearance) take-offs	X	X	X	X			
(19) Take-offs with minimum necessary power; out of wind; sloping ground		X	X				
(20) High altitude takeoffs	X	X	X	X			
(21) Normal and cross-wind landings	X	X	X	X	X	X	
(22) Maximum performance (short field and obstacle clearance) landings	X	X	X	X			

TABLE: APPENDIX 1 TO 7.345 SPECIFIC TRAINING EVENTS	A	RH	RG	PL	G	LA	FB
(23) Landings with minimum necessary power; out of wind; sloping ground		X	X				
(24) High altitude landings	X	X	X	X			
(25) Go-arounds from landing approach	X	X	X	X		X	
(26) Aircraft assembly, rigging, and inspection					X		X
(27) Restricted site operations, quick stops		X	X				
(28) Steep Approaches		X	X				
(29) Auto rotative approaches and landings		X	X	X			
(30) Approaches and landings, including ground handling						X	X
(31) Flight at critically slow airspeeds	X	X	X	X	X		
(32) Flight at high altitudes	X	X	X	X			
(33) Hovering out of ground effect		X	X				
(34) Spin avoidance; recognition of, and recovery from, incipient and full stalls	X				X		
(35) Flight throughout the flight envelope, including critically high airspeeds	X	X	X	X	X		
(36) Ground reference manoeuvres	X	X	X	X			
(37) External load operations, if appropriate		X	X			X	
(38) Performance manoeuvres, including lazy eight, chandelle and steep turns	X						
(39) Soaring techniques and performance speeds					X		
(40) Recovery at the incipient stage from settling with power; recovery techniques from low-rotor rpm within the normal range of engine rpm		X	X				
(41) Cross-Country flight of more than 250 nautical miles, with takeoff and landings at three separate points.	X	X	X	X			
(42) Cross-Country flight of more than one hour or 100 nautical miles, with takeoff and landings at three separate points.		X	X	X			
(43) Night flying, including take-offs, landings and navigation.	X	X	X	X			
(44) Night flying, including take-offs, landings and navigation, if the privileges of the licence are to be exercised at night					X	X	X
(45) Post-flight procedures	X	X	X	X	X	X	X

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APPENDIX 1 TO 7.355: COMMERCIAL PILOT AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) In addition to the requirements of 7.355 and, unless prescribed by the Authority otherwise for a specific category or class, an applicant for a commercial pilot licence shall log at least the following hours of flight time as a pilot in each category and class applied for, including at least the following—

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

.

TABLE: APPENDIX 1 TO 7.355 SPECIFIC EXPERIENCE	A	RH	RG	PL	G	LA	FB
MINIMUM NUMBER OF FLIGHT HOURS							
(1A) Minimum Pilot Flight Time in Aircraft Category (Not ATO graduate)	200	150	150	200		50	20
(1B) Minimum Pilot Flight Time in Aircraft Category (ATO graduate)	150	100	150	150		50	
(2) Maximum Flight Simulation Credit in Aircraft Category	10	10		10		3	
(3A) Minimum PIC Flight Time in Aircraft Category (not ATO graduate)	100	35	35	50		30	
(3B) Minimum PIC Flight Time in Aircraft Category (ATO graduate)	70	35	35	50		30	
(4) Minimum PIC Cross-Country in Aircraft Category	20	10	10	10		10	
(5) Minimum Instrument Instruction in Aircraft Category Credit for instrument ground time =	10 5	10 5	10 5	10 5			
(6) Minimum Pilot Night Time in Aircraft Category	5	5	5	5		5	
(7) Minimum Instrument Time in Aircraft Category Minimum Instrument Time in-Flight Minimum Instrument Time in Airships						40 20 10	
(8) Minimum Flight Training in Airship Category						20	
(9) Flight Instruction – Complex (or Turbine-powered if applicable) Aircraft	10	10					
(10)Instrument Time (for Airship applicants) Instrument Time in flight = Instrument Time in Airships						40 20 10	
(11)Flight Instruction - Preparation for Skill Test (in previous 60 days)	3	3	3	3		3	
NUMBER OF SPECIAL EVENTS							
(14) Night takeoffs and landings to a full stop (with each landing involving a flight in the traffic pattern) at an aerodrome)	5	5	5	5		5	
(15) Solo takeoffs and landings to a full stop (with each landing involving a flight in the traffic pattern) at an aerodrome with an operating control tower	5	3	3	3		3	
(16) Solo cross-country flight (of minimum specified distance, in the course of which landings at two different points shall be made	1 540 km	1 NA	1 (100)	1 (100)		1 (50)	
(17) Free Balloon Ascent (if gas used) to 5000 ft AGL							1
(18) Free Balloon Ascent (if airborne heater used) to 3000 feet AGL							2

TABLE: APPENDIX 1 TO 7.355 SPECIFIC EXPERIENCE	A	RH	RG	PL	G	LA	FB
NUMBER OF FLIGHTS							
(19) Cross Country Flights					10		5
(20) Training Flights (Launches & Landings)					10		10
(21) Solo Flights – Preparation for Rating					10		2
(22) Training Flights – Skill Test Preparation (within previous 60 days)					3		2

APPENDIX 1 TO 7.380: MULTI-CREW PILOT REQUIREMENTS

1. **Training**

(a) In order to meet the requirements of the multi-crew pilot licence in the aeroplane category, the applicant shall have completed an approved training course.

(b) The training shall be competency-based and conducted in a multi-crew operational environment.

(c) During the training, the applicant shall have acquired the knowledge, skills and attitudes required as the underpinning attributes for performing as a co-pilot of a turbine-powered air transport aeroplane certificated for operation with a minimum crew of at least two pilots.

2. **Assessment Level**

(a) The applicant for the multi-crew pilot licence in the aeroplane category shall have satisfactorily demonstrated performance in all the nine competency units specified in 3, at the advanced level of competency as defined in Attachment B.

(b) The training scheme for the multi-crew pilot licence in the aeroplane category, including the various levels of competency will be prescribed by the Authority.

3. **Competency units**

(a) The nine competency units that an applicant has to demonstrate are as follows:

(1) Apply threat and error management (TEM) principles;
(2) Perform aeroplane ground operations;
(3) Perform take-off;
(4) Perform climb;
(5) Perform cruise;
(6) Perform descent;
(7) Perform approach;
(8) Perform landing; and
(9) Perform after-landing and aeroplane post-flight operations.

(b) Competency units are broken down into their constituent elements, for which specific performance criteria have been defined. Competency elements and performance criteria will be prescribed by the Authority.

(c) The application of threat and error management principles is a specific competency unit that is to be integrated with each of the other competency units for training and testing purposes.

4. **Simulated flight**

(a) The flight simulation training devices used to gain the experience for the multi-crew licence shall have been approved by the Authority.

(b) Flight simulation training devices shall be categorised as follows:

(1) **Type I.** E-training and part tasking devices approved by the Licensing Authority that have the following characteristics:
   (i) Involve accessories beyond those normally associated with desktop computers, such as functional replicas of a throttle quadrant, a sidestick controller, or an FMS keypad; and
   (ii) Involve psychomotor activity with appropriate application of force and timing of responses.

(2) **Type I.** A flight simulation training device that rep-resents a generic turbine-powered aeroplane.
   (i) This requirement can be met by a flight simulation training device equipped with a daylight visual system
   (ii) It should meet, at a minimum, the specifications equivalent to FAA FTD Level 5, or JAA FNPTII, MCC.

(3) **Type III.** A flight simulation training device that represents a multi-engined turbine-powered aeroplane certificated for a crew of two pilots with enhanced daylight visual system and equipped with an autopilot.
   (i) This requirement can be met by a flight simulation training device equipped with a daylight visual system.
   (ii) It should meet, at a minimum, the specifications equivalent to a Level B simulator as defined in JAR STD 1A, as amended; and in FAA AC 120-40B, as amended, including Alternate Means of Compliance (AMOC), as permitted in AC 120-40B.
   (iii) (Some previously evaluated Level A full flight simulators that have been approved for training and checking required manoeuvres may be used.)

(4) **Type IV**. Fully equivalent to a Level D flight simulator or to a Level C flight simulator with an enhanced daylight visual system.
   (i) Note.— This requirement can be met by a flight simulation training device meeting, at a minimum, the specifications equivalent to a Level C and Level D simulator as defined in JAR STD 1A, as amended; and in FAA AC 120-40B, as amended, including Alternate Means of Compliance (AMOC), as permitted in AC120-40B.

APPENDIX 1 TO 7.430: AIRLINE TRANSPORT PILOT AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.430, the applicant shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of an airline transport pilot licence (aeroplane, helicopter or powered lift), in at least the following subjects:

(1) Air law, rules and regulations relevant to the holder of an airline transport pilot licence; rules of the air; appropriate air traffic services practices and procedures;
(2) General characteristics and limitations of electrical, hydraulic, pressurisation and other aircraft systems;
(3) Flight control systems, including autopilot and stability augmentation;
(4) Principles of operation, handling procedures and operating limitations of aircraft powerplants; effects of atmospheric conditions on engine performance; relevant operational information from the flight manual or other appropriate document;
(5) Operating procedures and limitations of the relevant category of aircraft; effects of atmospheric conditions on aircraft performance in accordance with the relevant operational information from the flight manual;
(6) Use and serviceability checks of equipment and systems of appropriate aircraft;
(7) Flight instruments; compasses, turning and acceleration errors; gyroscopic instruments, operational limits and precession effects; practices and procedures in the event of malfunctions of various flight instruments and electronic display units;
(8) Maintenance procedures for airframes, systems and powerplants of appropriate aircraft;

(9) For helicopters and powered-lifts, transmission (powertrains) where applicable;
(10) Effects of loading and mass distribution on aircraft handling, flight characteristics and performance; mass and balance calculations;
(11) Use and practical application of take-off, landing and other performance data, including procedures for cruise control;
(12) Pre-flight and en-route operational flight planning; preparation and filing of air traffic services flight plans; appropriate air traffic services procedures; altimeter setting procedures;
(13) In the case of helicopters and powered-lifts, effects of external loading on handling;
(14) Human performance including principles of threat and error management;
(15) Interpretation and application of aeronautical meteorological reports, charts and forecasts; codes and abbreviations; use of, and procedures for obtainin meteorological information, pre-flight and in-flight; altimetry;
(16) Aeronautical meteorology; climatology of relevant areas in respect of the elements having an effect upon aviation; the movement of pressure systems; the structure of fronts, and the origin and characteristics of significant weather phenomena which affect takeoff, enroute and landing conditions;
(17) Causes, recognition and effects of icing; frontal zone penetration procedures; hazardous weather avoidance;
(18) In the case of aeroplanes and powered-lifts, practical high altitude meteorology, including interpretation and use of weather reports, charts and forecasts; jetstreams;
(19) Air navigation, including the use of aeronautical charts, radio navigation aids and area navigation systems; specific navigation requirements for long-range flights;
(20) Use, limitation and serviceability of avionics and instruments necessary for the control and navigation of aircraft;
(21) Use, accuracy and reliability of navigation systems used in departure, enroute, approach and landing phases of flight; identification of radio navigation aids
(22) Principles and characteristics of self-contained and external-referenced navigation systems; operation of airborne equipment;
(23) Application of threat and error management to operational performance;
(24) Interpretation and use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations;
(25) Precautionary and emergency procedures; safety practices;
(26) Operational procedures for carriage of freight and dangerous goods;
(27) Requirements and practices for safety briefing to passengers, including precautions to be observed when embarking and disembarking from aircraft;
(28) In the case of helicopters, and if applicable, powered-lifts, settling with power; ground resonance; retreating blade stall; dynamic rollover and other operating hazards; safety procedures, associated with flight in VMC;
(29) Principles of flight;
(30) Radiotelephony communication procedures and phraseology; action to be taken in case of communication failure.
(31) In addition to the above subjects, the applicant for an airline transport pilot licence applicable to the aeroplane or powered-lift category shall have met the knowledge requirements for the instrument rating.

APPENDIX 1 TO 7.375: AIRLINE TRANSPORT PILOT FLIGHT PROFICIENCY REQUIREMENTS

(a) In addition to the requirements of 7.375, the applicant shall have demonstrated the ability to perform, as pilot-in-command of a multi-engined aeroplane required to be operated with a co-pilot, the procedures and manoeuvres prescribed by the Authority, including at a minimum--

(1) Pre-flight procedures, including the preparation of the operational flight plan and filing of the air traffic services flight plan;

(2) Normal flight procedures and manoeuvres during all phases of flight;

(3) Procedures and manoeuvres for IFR operations under normal, abnormal and emergency conditions, including simulated engine failure, and covering at least the following:

(i) Transition to instrument flight on take-off;

(ii) Standard instrument departures and arrivals;

(iii) En-route IFR procedures and navigation;

(iv) Holding procedures;

(v) Instrument approaches to specified minima;

(vi) Missed approach procedures;

(vii) Landings from instrument approaches;

(4) Abnormal and emergency procedures and manoeuvres related to failures and malfunctions of equipment, such as powerplant, systems and airframe; and

(5) Procedures for crew incapacitation and crew coordination, including allocation of pilot tasks, crew cooperation and use of checklists.

(b) For all other eligible category and class of aircraft, the applicant shall have demonstrated the ability to perform, as pilot-in-command, the procedures and manoeuvres of (a), except for (a)(5) as prescribed by the Authority in the Skill Test Standards.

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APPENDIX 1 TO 7.445: AIRLINE TRANSPORT PILOT AERONAUTICAL EXPERIENCE

(a) In addition to the requirements of 7.445 and, an applicant for an airline transport pilot licence shall have at least the experience listed for that category of aircraft in the following table—

In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; RG=Rotorcraft-Gyroplane; PL=Powered Lift; G=Glider; LA=Airship; FB=Free Balloon.

TABLE: APPENDIX 1 TO 7.445 SPECIFIC EXPERIENCE	A	RH	RG	PL	G	LA	FB
MINIMUM NUMBER OF FLIGHT HOURS IN AIRCRAFT CATEGORY							
(1a) Minimum Total pilot hours	1500	1000		1500			
(1b) Maximum Flight Simulation Credit (by Authority)	100	100		100			
(1c) Maximum portion of flight simulation credit that can be acquired in a flight procedures or basic instrument trainer.	25	25		25			
(2a) Minimum total pilot in command hours during flight under supervison ..or...	500						
(2b) Minimum total minimum pilot in command hours ..or...	250	250		250			
(2c) Pilot in Command + remainder of 2b during flight under supervision	70+	70+		70+			
(3a) Pilot – Cross Country...including...	200	200		100			
(3b) Pilot in Command – Cross Country (which may include flight under supervision	100	100		50			
(4) Pilot – Night (PIC or co-pilot)	100	50		25			
(5a) Pilot – Instrument time	75	30		75			
(5b) Credit for instruments ground time	30	10		30			
(6) Flight In Preparation for Skill Test (in previous 60 days)	3	3		3			

(b) A pilot may not include in the minimum instrument time in Aircraft Category more than the hours specified in the following table--

MAXIMUM NUMBER OF INSTRUMENT GROUND TIME							
Pilot – Maximum Instrument Ground Time	30	10		30			

(c) A pilot who has performed at least 20 night takeoffs and landings to a full stop may substitute each additional night takeoff and landing to a full stop for 1 hour of night flight time to satisfy the requirements of night flight time of this table, not to exceed 25 hours of night flight time.

(d) A commercial pilot applicant may credit the following SIC flight time or flight-engineer flight time toward the 1,500 hours of total time as a pilot required by paragraph (a) of this appendix for aeroplane category—

(1) SIC time acquired in an aeroplane—

(i) Required to have more than one pilot by the aeroplane's flight manual or type certificate; or

(ii) Engaged in operations under Part 12 for which a SIC is required.

(2) Flight-engineer time acquired—

(i) In an aeroplane required to have a flight engineer by the aeroplane's flight manual or type certificate;

(ii) While engaged in operations under Part 12 for which a flight engineer is required;
(iii) While the pilot is participating in a pilot training programme approved under Part 12; and
(iv) That does not exceed 1 hour for each 3 hours of flight engineer flight time for a total credited time of no more than 500 hours.

APPENDIX 1 TO 7.480: FLIGHT INSTRUCTOR KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.405, an applicant for a flight instructor licence shall receive and log ground training from an authorised instructor on—
  (1) Except as provided in paragraph (b) of this Part, the fundamentals of instructing, including—
    (i) Techniques of applied instruction;
    (ii) Assessment of student performance in those subjects in which ground instruction is given;
    (iii) The learning process;
    (iv) Elements of effective teaching;
    (v) Student evaluation and testing, training philosophies;
    (vi) training programme development;
    (vii) Lesson planning;
    (viii) Classroom instructional techniques;
    (ix) Use of training aids, including flight simulation training devices as appropriate;
    (x) Analysis and correction of student errors;
    (xi) Human performance relevant to flight instruction including principles of threat and error management;
    (xii) Hazards involved in simulating system failures and malfunctions in the aircraft.
  (2) The aeronautical knowledge areas for a private and commercial pilot licence applicable to the aircraft category for which flight instructor privileges are sought; and
  (3) The aeronautical knowledge areas for the instrument rating applicable to the category for which instrument flight instructor privileges are sought.

(b) The following applicants do not need to comply with paragraph (a)(1) of this Part—
  (1) The holder of a ground instructor licence issued under this Part;
  (2) The holder of a current teacher's certificate issued by a national or local authority that authorises the person to teach at an educational level of the 7th grade or higher; or
  (3) A person employed as a teacher at an accredited college or university.

APPENDIX 1 TO 7.485: FLIGHT INSTRUCTOR FLIGHT INSTRUCTION REQUIREMENTS

(a) This appendix contains requirements in addition to the requirements of 7.430,

(b) The applicant for a flight instructor licence shall receive and log flight and ground training from an authorised instructor, and obtain an endorsement that the applicant is proficient to pass a skill test on the following areas of operation that apply to the flight instructor rating sought..

Note: In the table below the abbreviations indicated the category and/or class of aircraft as follows: A=Aeroplane; RH=Rotorcraft-Helicopter; PL=Powered Lift; RG=Rotorcraft-Gyroplane; G=Glider; LA=Airship; FB=Free Balloon.

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TABLE: APPENDIX 1 TO 7.485 SPECIFIC TRAINING EVENTS	A	RH	RG	PL	G	LA	FB
(1) Fundamentals of instructing	X	X	X	X	X		
(2) Technical subject areas	X	X	X	X	X		
(3) Preflight preparation	X	X	X	X	X		
(4) Preflight lesson on a manoeuvre to be performed in flight	X	X	X	X	X		
(5) Aerodrome and seaplane base operations	X	X	X	X	X		
(6) Heliport operations		X					
(7) Glider port operations					X		
(8) Hovering manoeuvres		X		X			
(9) Takeoffs, landings, and go-arounds	X	X	X	X	X		
(10) Launches and landings					X		
(11) Performance speeds					X		
(12) Fundamentals of flight	X	X	X	X	X		
(13) Flight at slow airspeeds	X	X	X	X	X		
(14) Stalls and spins	X				X		
(15) Performance manoeuvres	X	X	X	X	X		
(16) Soaring techniques					X		
(17) Multi engine operations	X	X	X	X			
(18) Special operations		X	X	X			
(19) Ground reference manoeuvres	X	X	X	X	X		
(20) Basic instrument manoeuvres	X	X	X	X	X		
(21) Flight by reference to instruments	X	X	X	X			
(22) Air traffic control clearances and procedures	X	X	X	X			
(23) Flight by reference to instruments	X	X	X	X			
(24) Use of Navigation aids	X	X	X	X			
(25) Emergency operations	X	X	X	X	X		
(26) Postflight procedures	X	X	X	X	X		
(27) Instrument departures	X	X		X			
(28) Instrument basic flight fundamentals	X	X		X			
TABLE: APPENDIX 1 TO 7.485 SPECIFIC TRAINING EVENTS	**A**	**RH**	**RG**	**PL**	**G**	**LA**	**FB**
(29) Instrument enroute and arrival procedures	X	X		X			
(30) Instrument approach procedures	X	X		X			

APPENDIX 1 TO 7.525: FLIGHT ENGINEER AERONAUTICAL KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.525, an applicant for a flight engineer licence shall have demonstrated a basic level of knowledge appropriate to the privileges granted to the holder of a flight engineer licence, in at least the following subjects:

(1) Rules and regulations relevant to the holder of a flight engineer licence; rules and regulations governing the operation of civil aircraft pertinent to the duties of a flight engineer;

(2) Fundamentals of aerodynamics;

(3) Operational aspects of meteorology.
(4) Effects of loading and mass distribution on aircraft handling, flight characteristics and performance; mass and balance calculations;

(b) To complete the aeronautical knowledge portion of the flight engineer licence or to be issued a flight engineer class rating, the applicant shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a flight engineer licence, in at least the following subjects:

(1) Basic principles of powerplants, gas turbines and/or piston engines; characteristics of fuels, fuel systems including fuel control; lubricants and lubrication systems; afterburners and injection systems, function and operation of engine ignition and starter systems;
(2) Principles of operation, handling procedures and operating limitations of aircraft powerplants; effects of atmospheric conditions on engine performance;
(3) Airframes, flight controls, structures, wheel assemblies, brakes and anti-skid units, corrosion and fatigue life; identification of structural damage and defects;
(4) Ice and rain protection systems;
(5) Pressurisation and air-conditioning systems, oxygen systems;
(6) Hydraulic and pneumatic systems;
(7) Basic electrical theory, electric systems (AC and DC), aircraft wiring systems, bonding and screening;
(8) Principles of operation of instruments, compasses, auto pilots, radio communication equipment, radio and radar navigation aids, flight management systems, displays and avionics;
(9) Limitations of appropriate aircraft;
(10) Fire protection, detection, suppression and extinguishing systems;
(11) Use and serviceability checks of equipment and systems of appropriate aircraft;
(12) Use and practical application of performance data including procedures for cruise control;
(13) Human performance relevant to the flight engineer;
(14) Principles of maintenance, procedures for the maintenance of airworthiness, defect reporting, pre- flight inspections, precautionary procedures for fuelling and use of external power; installed equipment and cabin systems;
(15) Normal, abnormal and emergency procedures;
(16) Operational procedures for carriage of freight and dangerous goods;
(17) Radiotelephony procedures and phraseology;
(18) Fundamentals of navigation; principles and operation of self-contained systems.

APPENDIX 1 TO 7.530: FLIGHT ENGINEER AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) In addition to the requirements of 7.450, an applicant for a flight engineer licence with a class rating shall present, for the rating sought, satisfactory evidence of one of the following—

(1) At least 100 hours of flight time as a flight engineer, which may include a maximum of 50 hours in an approved flight simulator.
(2) Within the 90-day period before application, successful completion of an approved flight engineer ground and flight course of instruction.
(3) At least 200 hours of flight time in a transport category aeroplane as PIC or SIC performing the functions of a PIC under the supervision of a PIC.
(4) At least a commercial pilot licence with an instrument rating and at least 5 hours of flight training in the duties of a flight engineer.
(5) At least 3 years of practical experience in aircraft and aircraft engine maintenance and at least 5 hours of flight training in the duties of a flight engineer.
(6) Graduation from at least a 2-year specialised aeronautical training course in maintaining aircraft and aircraft engines and at least 5 hours of flight training in the

duties of a flight engineer.

(7) A degree in aeronautical, electrical, or mechanical engineering from a recognised college, university, or engineering school; at least 6 calendar months of practical experience in maintaining aircraft and at least 5 hours of flight training in the duties of a flight engineer.

APPENDIX 1 TO 7.535: FLIGHT ENGINEER OPERATIONAL EXPERIENCE REQUIREMENTS

(a) In addition to the requirements of 7.455 an applicant for a flight engineer licence with a class rating shall present, for the aircraft to be used for the rating sought, satisfactory evidence of operational experience in the performance of the duties of a flight engineer, under the supervision of a flight engineer accepted by the Authority for that purpose, in at least the following areas—

(1) Normal procedures
- (i) Pre-flight inspections
- (ii) Fueling procedures, fuel management
- (iii) Inspection of maintenance documents
- (iv) Normal flight deck procedures during all phases of flight
- (v) Crew co-ordination and procedures in case of crew incapacitation
- (vi) Defect reporting

(2) Abnormal and alternate (stand-by) procedures
- (i) Recognition of abnormal functioning of aircraft systems
- (ii) Use of abnormal and alternate (stand-by) procedures

(3) Emergency procedures
- (i) Recognition of emergency conditions
- (ii) Use of appropriate emergency procedures.

APPENDIX 1 TO 7.540: FLIGHT ENGINEER AERONAUTICAL SKILL REQUIREMENTS

(a) In addition to the requirements of 7.540, an applicant shall—

(1) Show satisfactorily performance in preflight inspection, servicing, starting, pre-takeoff, and post- landing procedures;

(2) In flight, show satisfactorily performance of the normal duties and procedures relating to the aeroplane, aeroplane engines, propellers (if appropriate), systems, and appliances;

(3) In flight, in an aeroplane simulator, or in an approved training device, show satisfactorily performance on emergency duties and procedures and recognise and take appropriate action for malfunctions of the aeroplane, engines, propellers (if appropriate), systems and appliances.

(4) Use aircraft systems within the aircraft's capabilities and limitations;

(5) Exercise good judgement and airmanship;

(6) Apply aeronautical knowledge;

(7) Perform all the duties as part of an integrated crew with the successful outcome never in doubt; and

(8) Communicate effectively with the other flight crew members.

APPENDIX 1 TO 7.645: FLIGHT DISPATCHER KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.545, the applicant shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a flight dispatcher licence, in at least the following subjects:

(1) Rules and regulations relevant to the holder of a flight dispatcher licence; appropriate air traffic services practices and procedures;

(2) Principles of operation of aeroplane powerplants, systems and instruments;

(3) Operating limitations of aeroplanes and powerplants;

(4) Application of minimum equipment lists;
(5) Flight performance calculation and planning procedures
(6) Effects of loading and mass distribution on aircraft performance and flight characteristics; mass and balance calculations;
(7) Operational flight planning; fuel consumption and endurance calculations; alternate aerodrome selection procedures; en-route cruise control; extended range operation;
(8) Preparation and filing of air traffic services flight plans;
(9) Basic principles of computer-assisted planning systems;
(10) Human performance relevant to dispatch duties, including principles of threat and error management;
(11) Aeronautical meteorology; the movement of pressure systems; the structure of fronts, and the origin and characteristics of significant weather phenomena which affect take-off, en-route and landing conditions;
(12) Interpretation and application of aeronautical meteorological reports, charts and forecasts; codes and abbreviations; use of, and procedures for obtaining, meteorological information;
(13) Principles of air navigation with particular reference to instrument flight;
(14) Use of aeronautical documentation;
(15) Operational procedures for the carriage of freight and dangerous goods;
(16) Procedures relating to aircraft accidents and incidents; emergency flight procedures;
(17) Procedures relating to unlawful interference and sabotage of aircraft;
(18) Principles of flight relating to the appropriate category of aircraft; and
(19) Radio communication
(20) Procedures for communicating with aircraft and relevant ground stations.

APPENDIX 1 TO 7.650: FLIGHT DISPATCHER AERONAUTICAL EXPERIENCE REQUIREMENTS

(a) The applicant shall have satisfactorily completed a course of training approved by the Authority; or
(b) In addition to the requirements of 7.550, must be able to show a total experience of at least—
  (1) One year as an assistant in the dispatching of commercial air transport; or
  (2) At least two years' service in any one or in any combination of the capacities specified in (i) to (iv) inclusive, provided that in any combination of experience the period serviced in any capacity shall be at least one year:
    (i) A flight crew member in commercial air transport; or
    (ii) A meteorologist in an organisation dispatching aircraft in commercial air transport; or
    (iii) An air traffic controller; or a technical supervisor of Flight Dispatchers or commercial air transport flight operations systems; or
    (iv) Other duty that the Authority determines to provide equivalent experience.
(c) In addition to the experience of (a) or (b), the applicant shall have served under the supervision of a flight dispatcher for at least 90 working days within the six months immediately preceding the application.

APPENDIX 1 TO 7.655: FLIGHT DISPATCHER SKILL REQUIREMENTS

(a) In addition to the requirements of 7.560, the applicant shall have demonstrated the ability to—
  (1) Make an accurate and operationally acceptable weather analysis from a series of daily weather maps and weather reports; provide an operationally valid briefing on weather conditions prevailing in the general neighbourhood of a specific air route; forecast weather trends pertinent to air transportation with particular reference to destination and alternates;

(2) Determine the optimum flight path for a given segment, and create accurate manual and/or computer generated flight plans; and
(3) Provide operating supervision and all other assistance to a flight in actual or simulated adverse weather conditions, as appropriate to the duties of the holder of a flight dispatcher licence.
(4) Recognize and manage threats and errors.

APPENDIX 1 TO 7.685: AIRCRAFT MAINTENANCE ENGINEER KNOWLEDGE AREAS

(a) In addition to the requirements of 7.685, the applicant shall have demonstrated a level of knowledge relevant to the privileges to be granted and appropriate to the responsibilities of an aircraft maintenance licence holder, in at least the following subjects—
(1) Rules and regulations relevant to an aircraft maintenance licence holder including applicable airworthiness requirements governing certification and continuing airworthiness of aircraft and approved aircraft maintenance organisation and procedures;
(2) Basic mathematics; units of measurement; fundamental principles and theory of physics and chemistry applicable to aircraft maintenance;
(3) Characteristics and applications of the materials of aircraft construction including principles of construction and functioning of aircraft structures, fastening techniques; powerplants and their associated systems; mechanical, fluid, electrical and electronic power sources; aircraft instrument and display systems; aircraft control systems; and airborne navigation and communication systems;
(4) Tasks required to ensure the continuing airworthiness of an aircraft including methods and procedures for the overhaul, repair, inspection, replacement, modification or defect rectification of aircraft structures, components and systems in accordance with the methods prescribed in the relevant Maintenance Manuals and the applicable Standards of airworthiness; and
(5) Human performance, including the principles of threat and error management, relevant to the duties of an aircraft maintenance licence holder.

APPENDIX 1 TO 7.690: AIRCRAFT MAINTENANCE ENGINEER EXPERIENCE REQUIREMENTS

(a) In addition to the requirements of 7.690, the applicant shall have had the following experience in the inspection, servicing and maintenance of aircraft or its components:
(1) For the issue of a licence with privileges for the aircraft in its entirety, at least:
(i) Two years if the applicant has satisfactorily completed an approved training course; or
(ii) Four years.
(2) For the issue of a licence with restricted privileges, a period of time that will enable a level of competency equivalent to that required in a) to be attained, provided that this is not less than:
(i) Two years;
(ii) At least 18 months of practical experience with the procedures, practices, materials, tools, machine tools, and equipment generally used in constructing, maintaining, or altering airframes, or powerplants appropriate to the rating sought;
(iii) At least 30 months of practical experience concurrently performing the duties appropriate to both the airframe and powerplant ratings; or
(iv) Such a period as the State considers necessary to provide an equivalent level of practical experience to applicants who have satisfactorily completed an approved training course.

APPENDIX 1 TO 7.825: AERONAUTICAL STATION OPERATOR KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.825, the applicant shall have demonstrated a level of knowledge appropriate to the holder of an aeronautical station operator, in at least the following subjects:

(1) Air traffic services provided within the State;
(2) The language or languages nationally designated for use in air-ground communications
(3) Ability to speak such language or languages at a Proficiency Level 4 without accent or impediment which would adversely affect radio communication;
(4) Radiotelephony procedures; phraseology; telecommunication network;
(5) Rules and regulations applicable to the aeronautical station operator; and
(6) Principles, use and limitations of telecommunication equipment in an aeronautical station.

APPENDIX 1 TO 7.830: AERONAUTICAL STATION OPERATOR EXPERIENCE REQUIREMENTS

(a) In addition to the requirements of 7.830, the applicant shall have:

(1) Satisfactorily completed an approved training course within the 12-month period immediately preceding application, and have served satisfactorily under a qualified aeronautical station operator for not less than two months; or
(2) Satisfactorily served under a qualified aeronautical station operator for not less than six months during the 12-month period immediately preceding application.

APPENDIX 1 TO 7.835: AERONAUTICAL STATION OPERATOR SKILL REQUIREMENTS

(a) In addition to the requirements of 7.835, the applicant shall demonstrate, or have demonstrated, competency in:

(1) Operating the telecommunication equipment in use; and
(2) Transmitting and receiving radiotelephony messages with efficiency and accuracy.

APPENDIX 1 TO 7.860: AIR TRAFFIC CONTROLLER KNOWLEDGE REQUIREMENTS

(a) In addition to the requirements of 7.685, the applicant shall have demonstrated a level of knowledge appropriate to the holder of an air traffic controller licence, in at least the following subjects in so far as they affect the area of responsibility.

(b) General—

(1) Air law – rules and regulations relevant to the air traffic controller;
(2) Air traffic control equipment – principles, use and limitations of equipment used in air traffic control;
(3) General knowledge – principles of flight; principles of operation and functioning of aircraft, powerplants and systems; aircraft performances relevant to air traffic control operations;
(4) Human performance – relevant to air traffic control;
(5) Meteorology – aeronautical meteorology; use and appreciation of meteorological documentation and information; origin and characteristics of weather phenomena affecting flight operations and safety; altimetry;
Navigation – principles of air navigation; principle, limitation and accuracy of navigation systems and visual aids; and
(6) Operational procedures – air traffic control, communication, radiotelephony and phraseology procedures (routine, non-routine and emergency); use of the relevant aeronautical documentation; safety practices associated with flight.

(c) For an Aerodrome Control rating—

(1) Aerodrome layout; physical characteristics and visual aids;
(2) Airspace structure;
(3) Applicable rules, procedures and source of information;
(4) Air navigation facilities;

(5) Air traffic control equipment and its use;
(6) Terrain and prominent landmarks;
(7) Characteristics of air traffic;
(8) Weather phenomena; and
(9) Emergency and search and rescue plans

(d) For an Approach Control and/or Area Control rating—
(1) Airspace structure;
(2) Applicable rules, procedures and source of information;
(3) Air navigation facilities;
(4) Air traffic control equipment and its use;
(5) Terrain and prominent landmarks;
(6) Characteristics of air traffic and traffic flow;
(7) Weather phenomena; and
(8) Emergency and search and rescue plans; and

(e) *For an Approach Control Surveillance, Approach Precision Radar Control and/or Area Control Surveillance ratings*, the applicant shall meet the requirements specified in (d) in so far as they affect the area of responsibility and in at least the following additional subjects—
(1) Principles, use and limitations of applicable ATS surveillance systems and associated equipment; and
(2) Procedures for the provision of ATS surveillance services, as appropriate, including procedures to ensure appropriate terrain clearance.

APPENDIX 1 TO 7.865: AIR TRAFFIC CONTROLLER EXPERIENCE REQUIREMENTS

(a) In addition to the requirements of 7.865, the air traffic controller shall have complete the following experience satisfactorily under the supervision of an appropriately rated air traffic controller —
(1) *For Aerodrome Control rating,* an aerodrome control service for a period of not less than 90 hours or one month, whichever is greater, at the ATS unit for which the rating is sought;
(2) *For Approach Control Procedural, Approach Control Surveillance, Area Control Procedural or Area Control Surveillance rating,* the control service for which the rating is sought, for a period of not less than 180 hours or three months, whichever is greater, at the unit for which the rating is sought; and
(3) *For Approach Precision Radar Control rating,* not less than 200 precision approaches of which not more than 100 shall have been carried out on a radar simulator approved for that purpose by the Authority. Not less than 50 of those precision approaches shall have been carried out at the ATS unit and on the equipment for which the rating is sought; and
(4) If the privileges of the approach radar control rating include surveillance radar approach duties, the experience shall include not less than 25 plan position indicator (PPI) approaches on the surveillance equipment of the type in use at the unit for which the rating is sought and under the supervision of an appropriately rated approach radar controller.

END OF RCAR PART 7

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA VIII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX VIII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE VIII A L'ARRÊTÉ MINISTÉRIEL Nº 01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 8

Medical Assessment & Certification

SUBPART A: GENERAL 3
8.001 CITATION & APPLICABILITY 3
8.005 DEFINITIONS 3
8.010 ACRONYMS 3
8.015 MEDICAL CERTIFICATES 3
8.020 INITIAL & SUBSEQUENT MEDICAL EXAMINATION 3
8.025 PERIOD OF VALIDITY 4
8.030 TEMPORARY INVALIDATION OF MEDICAL ASSESSMENT 4

SUBPART B: AVIATION MEDICAL EXAMINERS AND MEDICAL ASSESSOR 5
8.035 AVIATION MEDICAL EXAMINER: DESIGNATION & AUTHORITY 5
8.040 DELEGATION OF AUTHORITY FOR MEDICAL ASSESSOR 5

SUBPART C: MEDICAL CERTIFICATION PROCEDURES 6
8.045 APPLICABILITY 6
8.050 MEDICAL RECORDS 6
8.055 AME SUBMISSION OF SIGNED MEDICAL EVALUATION REPORT 6
8.060 SECURITY & ACCESS TO MEDICAL RECORDS 7
8.065 MEDICAL ASSESSORS 7
8.070 ISSUANCE OR RENEWAL OF MEDICAL CERTIFICATE 8
8.075 DENIAL OF MEDICAL CERTIFICATE 8
8.080 SPECIAL ISSUANCE OF MEDICAL CERTIFICATE 8
8.085 VALIDATION OF FOREIGN MEDICAL CERTIFICATES 8
8.090 RENEWAL OF MEDICAL CERTIFICATE 9
8.095 EXTENSION OR REDUCTION OF PERIOD OF VALIDITY 9
8.100 DEFERRAL OF MEDICAL EXAMINATION 9
8.105 PROGRAMS FOR PROBLEMATIC USE OF SUBSTANCES 9

SUBPART D: PHYSICAL & MENTAL STANDARDS 10
8.110 APPLICABILITY 10
8.115 RELIABLE EXAMINATION METHODS & STANDARDS 10
8.120 PHYSICAL & MENTAL REQUIREMENTS 10
8.125 MENTAL STANDARDS 10
8.130 VISUAL REQUIREMENTS: GENERAL 10
8.135 VISION TESTING REQUIREMENTS 11
8.140 ACCEPTABILITY OF CORRECTING LENSES 11
8.145 DISTANCE VISION REQUIREMENTS 12
8.150 NEAR VISION REQUIREMENTS 12
8.155 COLOUR PERCEPTION REQUIREMENTS 12
8.160 AUDITORY REQUIREMENTS 12
8.165 CARDIOVASCULAR: GENERAL 13
8.170 BLOOD PRESSURE & CIRCULATION 13
8.175 ELECTRO-CARDIOGRAM EXAMINATION 14
8.180 NEUROLOGICAL REQUIREMENTS 14
8.185 RESPIRATORY CAPABILITY 14
8.190 RADIOGRAPHY (XRAY) EVALUATION 14
8.195 VESTIBULAR & RESPIRATORY SYSTEM 14

8.200 BONES, MUSCLES & TENDONS 15
8.205 ENDOCRINE SYSTEM 15
8.210 GASTROINTESTINAL & DIGESTIVE TRACT 15
8.215 KIDNEYS & URINARY TRACT 15
8.220 LYMPHATIC GLANDS OR DISEASE OF THE BLOOD 16
8.225 GYNAECOLOGICAL DISORDERS 16
8.230 PREGNANCY 16
8.235 SPEECH DEFECTS 16
8.240 ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) 16

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SUBPART A: GENERAL

8.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Medical Certification) Regulations.
(b) This Part prescribes the medical standards and certification procedures of Rwanda for medical assessment and issuance of medical certificates.
(c) This Part is applicable to all holders of licences issued by Rwanda for which medical certificates are required for the validity of the licence.
(d) This Part is also applicable to all persons providing medical evaluations, accredited medical conclusions, and special evaluations for operational competency.
(e) The Civil Aviation Technical Standards (Medical Certification) published by the Authority are also applicable to medical assessment and certification in Rwanda.

8.005 DEFINITIONS

(a) The definitions applicable to this Part are consolidated in Part 1, Appendix 1 to 1.015.

8.010 ACRONYMS

(a) The following acronyms and abbreviations are used in this Part—

AIDS = Acquired Immunodeficiency Syndrome
AME = Aviation Medical Examiner
cd = Candela
cm = centimetre(s)
dB = decibels (relative to as 1 microPascal)
HIV = Human Immunodeficiency Virus
Hz = Hertz
m = Metres
Xray = Electro X-Radiation

8.015 MEDICAL CERTIFICATES

(a) Authority has established three classes of medical assessments and issues medical certificates that are intended to indicate the minimum medical qualification for the exercise of the license privileges.
  (1) The Class 1 Medical Assessment applies to applicants for, and holders of—
    (i) Commercial pilot licences;
    (ii) Multi-crew pilot licences; and
    (iii) Airline transport pilot licences.
  (2) The Class 2 Medical Assessment applies to applicants for, and holders of—
    (i) Student pilot licenses;
    (ii) Private Pilot licenses (including glider and free balloon);
    (iii) Flight engineer licences;
    (iv) Flight navigator licenses; and
    (v) Cabin crew licenses.
  (3) The Class 3 Medical Assessment applies to applicants for, and holders of air traffic controller licences.

8.020 INITIAL & SUBSEQUENT MEDICAL EXAMINATION

(a) An applicant for a medical assessment under this Part shall undergo an initial medical examination for the medical standards in Subpart D that include the following requirements for the class of assessment specified for the applicable licence—
  (1) Physical and mental;
  (2) Visual and colour perception; and
  (3) Hearing.
(b) Then the license holder shall undergo subsequent examinations for the standards of Subpart D at intervals

that do not exceed the period of validity for the applicable licence.

8.025 PERIOD OF VALIDITY

(a) The duration of the period of validity for the medical certificate shall be in accordance with the specific licence privileges being exercised, for periods not greater than—
  (1) 60 months for the private pilot licence;
  (2) 24 months for the cabin crew member licence;
  (3) 12 months for the commercial pilot licence;
  (4) 12 months for the multi-crew pilot licence – aeroplane;
  (5) 12 months for the airline transport pilot licence;
  (6) 12 months for the flight engineer licence;
  (7) 12 months for the flight navigator license;
  (8) 48 months for the air traffic controller licence;
  (9) 60 months for the glider pilot licence;
  (10) 60 months for the free balloon pilot licence;

(b) Based on the age of the applicant on the date of the medical assessment, the period of validity for the medical certificate shall be reduced to—
  (1) 6 months when the holders of airline transport pilot licences — aeroplane, helicopter and powered-lift, and commercial pilot licences — aeroplane, airship, helicopter and powered-lift, who are engaged in single-crew commercial air transport operations carrying passengers, have passed their 40th birthday;
  (2) 6 months, following their 60th birthday, for airline transport and commercial pilots continuing to exercise privileges in commercial air transport;
  (3) 24 months, following their 40th birthday, for private pilots and air traffic controllers;
  (4) 12 months, following their 50th birthday, for private pilots.

(c) The period of validity will, for the last month counted, include the day that has the same calendar number as the date of the medical examination or, if that month has no day with that number, the last day of that month.

(d) When clinically indicated, the Authority may reduce the period of validity of a Medical Assessment for safety in the public interest.

8.030 TEMPORARY INVALIDATION OF MEDICAL ASSESSMENT

(a) No person may exercise the privileges of their licences and related ratings issued under Part 7—
  (1) At any time when they are aware of any decrease in their medical fitness which might render them unable to safely and properly exercise these privileges.
  (2) During any period in which their medical fitness has, from any reason, decreased to an extent that would have prevented the issue or renewal of their medical assessment.
  (3) While under the influence of any psychoactive substance which might render them unable to safely and properly exercise these privileges.
  (4) If they are engaged in any problematic use of substances.

(b) Each person who is experiencing a prolonged period involving a decrease of medical fitness or problematic use of substances shall notify Authority in writing of the circumstances and details of their situation and the actions they are taking to ensure safety in aviation is not being jeopardized.

SUBPART B: AVIATION MEDICAL EXAMINERS AND MEDICAL ASSESSOR

8.035 AVIATION MEDICAL EXAMINER: DESIGNATION & AUTHORITY

(a) The Authority shall designate and authorise AMEs to—
  (1) Accept applications for physical examinations necessary for issuing medical certificates under this Part.;
  (2) Conduct physical examinations for medical examinations of fitness of applicants for the issue or renewal of licences or ratings as prescribed by the Authority; and
  (3) Recommend issuance or denial of medical certificates in accordance with this Part, subject to reconsideration by an authorised representative of the Authority.

(b) Each AME shall—
  (1) Be qualified and licenced in the practice of medicine;
  (2) Have received training in aviation medicine at an institution recognised by the RCAA
  (3) Shall refresher training at regular intervals as prescribed by the RCAA;
  (4) Demonstrate competency in aviation medicine;
  (5) Have practical knowledge and experience of the conditions in which the holders of the licences and ratings carry out their duties;
  (6) Demonstrate knowledge of the international aviation medical standards;
  (7) Demonstrate knowledge of the international aviation guidance for AMEs.

(c) Each AME shall report to the Authority any individual case where, in the examiner's judgement, an applicant's failure to meet any requirement could jeopardise flight safety.

8.040 DELEGATION OF AUTHORITY FOR MEDICAL ASSESSOR

(a) The Authority shall only delegate to each AME the authority to—
  (1) Examine applicants for and holders of medical certificates to determine whether they meet applicable medical standards; and
  (2) Recommend issuance, renewal, denial, or withdrawal of medical certificates, medical waivers, or special authorisations to an applicant based on meeting or failing to meet applicable medical standards.

(b) The Authority may delegate to a qualified medical assessor the authorisation as representatives of the Authority, to—
  (1) Review and Evaluate medical reports submitted to the Authority by medical examiners and making final assessments for issue, renew or deny medical certificates.
  (2) Re-evaluate applicants' and holders of medical certificates for fitness; and
  (3) On occasion to visit and review the applicants' files held by an AME.

(c) The medical assessors shall be qualified and experienced in the practice of aviation medicine and competent in evaluating and assessing medical conditions of flight safety significance.

(d) Medical assessors shall maintain the currency of their professional knowledge

(e) The medical assessors shall periodically evaluate the competence of medical examiners to ensure that they meet applicable standards for good medical practice and aeromedical risk assessment.

(f) The medical assessors shall normally be in charge of Accredited Medical Conclusions.

(g) Subject to conditions and limitations as may be prescribed by the RCAA, functions of the medical assessor may be delegated to a qualified medical examiner.

(h) The Authority may reconsider any action of an AME and re-examine an applicant where there is a basis to question a medical examiner's assessment of that individual.

SUBPART C: MEDICAL CERTIFICATION PROCEDURES

8.045 APPLICABILITY

(a) This Subpart prescribes the medical certification procedures required for the issuance of all medical certificates.

8.050 MEDICAL RECORDS

(a) Each applicant for a medical certificate shall, in a form and manner prescribed by the Authority, sign and furnish the medical examiner with a personally certified statement of medical facts concerning—
  (1) Personal, familial, and hereditary history that is as complete and accurate as the applicant's knowledge permits, and
  (2) Whether they have previously undergone such an examination and, if so, the date, place and result of the last examination; and
  (3) They shall also indicate to the examiner whether a Medical Assessment has previously been refused, revoked or suspended and, if so, the reason for such refusal, revocation or suspension.

(b) Whenever the Authority finds that additional medical information or history is needed, the Authority will request that the applicant—
  (1) Furnish that information; or
  (2) Authorise any clinic, hospital, physician, or other person to release to the Authority all available information or records concerning that history.

(c) Each applicant shall be made aware of the necessity for giving a statement that is as complete and accurate as the applicant's knowledge permits and the possible penalties for giving false information.

(d) The medical examiner shall report any false declaration made by an applicant for a licence or rating to Authority for such action as may be considered appropriate

(e) If an applicant or holder of a medical certificate fails to provide the requested medical information or history, fails to authorise the release so requested, or provides information that is false, the Authority may—
  (1) Suspend, modify, or revoke all medical certificates the applicant holds; or
  (2) In the case of an applicant, deny the application for a medical certificate.

(f) If a medical certificate is suspended or modified under this Part, that suspension or modification remains in effect until—
  (1) The holder or applicant provides the requested information, history, or authorisation to the Authority; and
  (2) The Authority determines whether the holder or applicant meets the medical standards.

8.055 AME SUBMISSION OF SIGNED MEDICAL EVALUATION R E P O R T

(a) Having begun a medical examination of an applicant, the medical examiner shall submit to the Authority a signed report with medical fitness details and findings whether the assessment—
  (1) Was terminated prior to completion; or
  (2) Was completed with one of the following results—
    (i) One or more of the applicable medical standards were not met and a grant of medical certificate is—
      (A) Not recommended; or
      (B) Not recommended without further medical assessment; or
    (ii) Issuance of the medical certificate is recommended—
      (A) Only after a satisfactory special medical flight test and annotated results of demonstration of ability;
      (B) Provided appropriate operational limitations are included on the certificate; or
      (C) Without the necessity for further evaluation, limitations or demonstrations of ability.

(b) Where the medical examination is accomplished by more than one medical examiner, the examiner

appointed by the Authority shall—

(1) Coordinate the findings with the other physicians;
(2) Evaluate the findings with regard to medical fitness; and
(3) Sign the report.

(c) The designated medical examiner shall submit a signed medical report, or equivalent, to the Authority in the prescribed form and manner.
   (1) No examiner shall allow the applicant to handle the medical report.
   (2) The report must be submitted to the Authority by the examiner through mail or hand-delivery.

(d) This medical report will provide the results of the examination in sufficient detail to enable the Authority to audit the medical assessments with regard to medical fitness.

(e) Medical examiners with approval to submit the medical report in electronic format shall ensure that their electronic identification is kept secure and, in the event that security is suspected to be compromised, promptly advise the Authority.

8.060 SECURITY & ACCESS TO MEDICAL RECORDS

(a) Medical confidentiality shall be respected at all times by the personnel of the Authority, medical examiners and medical assessors.

(b) All medical reports and records shall be securely held with accessibility restricted to authorised personnel.

(c) Medical assessors shall be granted access to all medical records of an applicant or holder of a medical certificate whether those records are held by medical examiner or private physician.

(d) When justified by operational considerations, the medical assessor shall determine to what extent pertinent medical information is presented to relevant officials of the Authority

(e) Regardless of any confidentiality requirement, no person with knowledge may allow the issuance or continued use of a medical certificate when the holder of that certificate does not meet the applicable medical standards.

8.065 MEDICAL ASSESSORS

(a) The medical assessor employed by the Authority shall—
   (1) Audit all medical reports submitted to the Authority by the AMEs for completeness, accuracy and assessment of possible aeromedical risk trends;
   (2) Re-evaluate the medical assessment process on a continuous basis to concentrate on identified areas of increased medical risk;
   (3) Determine the need for modification of the medical evaluation process and forms to ensure that sufficient information is provided to enable the Authority to undertake Medical Assessment audits;
   (4) Determine the need for follow-up evaluations or more restrictive periods of validity for medical certificates;
   (5) Coordinating the arrangements for an accredited medical conclusion;
   (6) Coordinating the arrangements for a special medical demonstration of ability;
   (7) Conduct routine analysis of in-flight incapacitation events and medical findings during medical assessment to identify areas of increased medical risk;
   (8) Conduct of medical re-examinations in event of an incident or accident;
   (9) Conduct of at least one inspection of the facilities, equipment, and records of each AME annually to ensure the applicable standards for good medical practice and aeromedical risk assessment;
   (10) Evaluate the competence of each medical examiner annually for application of the standards of this Part and aeromedical-related continuation training needs.

(b) Medical assessors shall meet all requirements for designation as a medical examiner and also have training in the auditing of medical records.

(c) A medical examiner designated by the Authority may not be appointed as a medical assessor, if that person intends to continue practicing as a medical examiner.

8.070 ISSUANCE OR RENEWAL OF MEDICAL CERTIFICATE

(a) When the Authority is satisfied that the standards of Subpart D and the general requirements of Subparts B and C have been met, a medical certificate for the class of assessment shall be issued to the applicant.

(b) If the medical Standards of this Part for a particular licence are not met, the appropriate Medical Assessment shall not be issued or renewed unless the following conditions are fulfilled—

(1) An accredited medical conclusion or special medical test indicates that in special circumstances the applicant's failure to meet any requirement, whether numerical or otherwise, is such that exercise of the privileges of the licence applied for is not likely to jeopardize flight safety;

(2) Relevant ability, skill and experience of the applicant and operational conditions have been given due consideration; and

(3) The licence is endorsed with any special limitation or limitations when the safe performance of the licence holder's duties is dependent on compliance with such limitation or limitations.

(c) In accordance with guidance from the Authority, medical examiners may admit certain routine examination items related to the assessment of physical fitness, while increasing the emphasis on health education and prevention of ill health.

(d) Any person who does not meet the medical standards of this Subpart may apply for the discretionary issuance of a certificate.

8.075 DENIAL OF MEDICAL CERTIFICATE

(a) The denial of a medical certificate is effective—

(1) Upon the date of the medical evaluation that determined the applicant was not fit in conformance with the standards of Subpart D of this Part, and

(2) Until such time that the applicant is again determined by the Authority to be fit to exercise the privileges

(b) Any applicant who is denied a medical certificate by the Authority may, within 30 days after the date of the denial, apply in writing and in duplicate to the Authority for reconsideration of that denial.

(c) If the applicant does not ask for reconsideration during the 30-day period after the date of the denial, the Authority will consider that he or she has withdrawn the application for a medical certificate.

8.080 SPECIAL ISSUANCE OF MEDICAL CERTIFICATE

(a) The Authority may issue a Special Issuance of a Medical Certificate (authorisation) to an applicant who does not meet the applicable standards for the medical certificate sought if the applicant shows to the satisfaction of the Authority that—

(1) An accredited medical conclusion indicates that in special circumstances the applicant's failure to meet any requirement, whether numerical or otherwise, is such that exercise of the privileges of the licence applied for is not likely to—

(i) Interfere with safe performance of duties;

(ii) Safe operation of aircraft, or

(iii) Result in incapacitation;

(2) Relevant ability, skill, and experience of the applicant and operational conditions have been given due consideration; and

(3) The licence is endorsed with any special limitation or limitations when the safe performance of the licence holder's duties is dependent on compliance with such limitation or limitations.

8.085 VALIDATION OF FOREIGN MEDICAL CERTIFICATES

(a) The Authority may accept, for issuance of a medical certificate, a certificate issued by another ICAO Contracting State in lieu of a medical examination conducted by a medical examiner designated for Rwanda only if Medical Assessor in his discretion recommended.

Note: The Authority may contact the civil aviation authorities of the other ICAO Contracting State to determine the validity of the certificate submitted to the Authority.

(b) The Authority may accept, for operations within Rwanda, a medical certificate issued by another ICAO Contracting State in lieu of issuance of a certificate by the Authority

Note: The Authority will have available a listing of those States from which a medical certificate is accepted in lieu of one issued by the Authority.

8.090 RENEWAL OF MEDICAL CERTIFICATE

(a) The requirements for the renewal of a Medical Assessment are the same as those for the initial assessment except where otherwise specifically stated.

8.095 EXTENSION OR REDUCTION OF PERIOD OF VALIDITY

(a) The authorised periods of validity for medical certificates are provided in Part 8.025.

(b) The period of validity of a medical assessment may be extended, at the discretion of the Authority, up to 45 days.

(c) The Authority may reduce the period of validity for individual applicants when clinically indicated.

8.100 DEFERRAL OF MEDICAL EXAMINATION

(a) The prescribed re-examination of a licence holder operating in an area distant from designated medical examination facilities may be deferred at the discretion and with the written permission of the Authority, provided that such deferment shall only be made as an exception and shall not exceed—

(1) A single period of six months in the case of a flight crew member of an aircraft engaged in non-commercial operations.

(2) two consecutive periods each of three months in the case of a flight crew member of an aircraft engaged in commercial operations provided that in each case a favourable medical report is obtained after examination by a designated medical examiner of the area concerned, or, in cases where such a designated medical examiner is not available, by a physician legally qualified to practise medicine in that area.

(3) In the case of the holder of a private pilot license, a single period not exceeding 24 months where the medical examination is carried out by an examiner designated by the Contracting State in which the applicant is temporarily located.

(b) A report of the medical examination required by this Part shall be sent to the Authority before the actual conduct of any aircraft operations during the period specified for special renewal.

8.105 PROGRAMS FOR PROBLEMATIC USE OF SUBSTANCES

(a) The Authority shall have a continuous program of identification of, and assistance to, license holders who may be involved in problematic use of substances and removed from their safety critical functions.

(b) As authorised by Part 1.075, the Authority shall coordinate biochemical testing of licenses holders—

(1) Involved in accidents and serious incident where a contributing factor may be decreased or erratic performance; and

(2) When there is a reasonable suspicion that the license holders are under the influence of a substance.

(c) The Authority shall assist organisations in implementation of the biochemical testing authorised under Part 1.075 of these Regulations to license holders prior to employment, at intervals and at random

(d) The return of license holders to the safety-critical functions may be considered after successful treatment or, in cases where no treatment is necessary, after cessation of the problematic use of substances and upon determination that the person's continued performance of the function is unlikely to jeopardize safety

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SUBPART D: PHYSICAL & MENTAL STANDARDS

8.110 APPLICABILITY

(a) This Part prescribes the physical medical standards required for the applicants for all medical certificates.

8.115 RELIABLE EXAMINATION METHODS & S T A N D A R D S

(a) The methods of examination used to evaluate the standards of this Part shall be only those prescribed by the Authority in order to guarantee reliable and standardized testing.

8.120 PHYSICAL & MENTAL R E Q U I R E M E N T S

(a) An applicant shall not suffer from any disease or disability which could render that applicant likely to become suddenly unable either to operate an aircraft safely or to perform assigned duties safely.

(b) No person may hold or be issued a medical certificate that suffers from any physical or mental abnormality such as would entail a degree of functional incapacity which is likely to interfere with the safe performance of duties or the safe operation of an aircraft.

(c) In general, an applicant shall be required to be free from any—
  (1) Abnormality, congenital or acquired; or
  (2) Active, latent, acute or chronic disability; or
  (3) Wound, injury or sequelae from operation; or
  (4) Effect or side-effect of any prescribed or non-prescribed therapeutic, diagnostic or preventive medication taken.

(d) Those conditions due to a transient condition may be assessed as temporarily unfit.

8.125 MENTAL STANDARDS

(a) No person may hold or be issued a medical certificate who has an established medical history or clinical diagnosis such as might render the applicant unable to safety exercise the privileges of the licence applied for or held.

(b) The established medical history or clinical diagnosis restriction of paragraph (a) shall include—
  (1) An organic mental disorder;
  (2) A mental or behavioral disorder due to use of psycho-active substances; this includes dependence syndrome induced by alcohol or other psychoactive substances;
  (3) Schizophrenia or a schizotypal or delusional disorder;
  (4) A mood (affective) disorder;
  (5) A neurotic, stress-related or somatoform disorder;
  (6) A behavioral syndrome associated with physiological disturbances or physical factors;
  (7) A disorder of adult personality or behaviour, particularly if manifested by repeated overt acts;
  (8) Mental retardation;
  (9) A disorder of psychological development;
  (10) A behavioral or emotional disorder, with onset in childhood or adolescence; or
  (11) A mental disorder not otherwise specified.

(c) An applicant with depression, being treated with antidepressant medication, shall be assessed as unfit unless the medical assessor, having access to the details of the case concerned, considers the applicant's condition as unlikely to interfere with the safe exercise of the applicant's licence and rating privileges.

8.130 VISUAL REQUIREMENTS: GENERAL

(a) An applicant shall have—
  (1) Normally functioning eyes and adnexae,
  (2) Normal fields of vision,

(3) Normal binocular function,
   (i) Reduced stereopsis, abnormal convergence not interfering with near vision, and ocular misalignment where the fusional reserves are sufficient to prevent asthenopia and diplopia need not be disqualifying
(4) No active pathological condition, acute or chronic, nor sequelae of surgery or trauma of the eyes or their adnexa which is likely to jeopardise flight safety or to reduce proper visual function to an extent that would interfere with the safe exercise of the applicant's licence and rating privileges.

8.135 VISION TESTING REQUIREMENTS

(a) The corrected and uncorrected visual acuity must be measured and recorded at each examination.

Note: Applicants who use contact lenses may not need to have their uncorrected visual acuity measured at each re-examination provided the history of their contact lens prescription is known.

(b) There are no limits to uncorrected visual acuity.

(c) The test for visual acuity must comply with the following—
   (1) For a visual acuity test in a lighted room, use a level of illumination that corresponds to ordinary office illumination (30-60 cd per square meter).
   (2) Visual acuity shall be measured by means of a series of optotypes of Landolt rings, or similar optotypes, placed at a distance of 6 m from the candidate, or 5 m as appropriate.

(d) The Authority, at its discretion, may require a separate ophthalmic report before issuance of a medical certificate.

(e) Conditions which indicate a need to obtain an ophthalmic report include—
   (1) A substantial decrease in the uncorrected visual acuity,
   (2) Any decrease in best corrected visual acuity, and
   (3) The occurrence of eye disease, eye injury or eye surgery.

8.140 ACCEPTABILITY OF CORRECTING LENSES

(a) An applicant may meet the visual acuity fitness for near or distant vision by using correcting lenses.

(b) Correcting spectacles may be used, provided that—
   (1) Not more than one pair of correcting spectacles is used to demonstrate compliance with visual acuity requirements;
   (2) Single-vision near correction lenses (full lenses of one power only, appropriate to reading) may not be used for both near and distance vision; and
   (3) In order to read the instruments and a chart or manual held in the hand, and to make use of distant vision through the windscreen without removing the lenses, the spectacles may be, as appropriate—
      (i) "lookover;"
      (ii) bifocal, or
      (iii) trifocal.

(c) An applicant may use contact lenses to meet the distance vision acuity requirement provided that the lenses are—
   (1) Monofocal;
   (2) Non-tinted; and
   (3) Well tolerated.

(d) An applicant that is issued a medical certificate that requires correcting lenses or spectacles shall have a limitation placed on that document requiring them, while exercising the privileges of this certificate, to (as appropriate)—
   (1) Wear the distant-correction lenses at all times,
   (2) Have readily available and use the near-correction spectacles as necessary to accomplish near vision functions; and
   (3) Have a second pair of suitable spectacles (distant- and/or near-correction, as appropriate) available

for immediate use.

8.145 DISTANCE VISION REQUIREMENTS

(a) An applicant shall have a distant visual acuity, with or without correcting lenses of at least—
  (1) *Specifically for Class 1 or 3 applicants*, 6/9 (20/30), with binocular visual acuity of 6/6 (20/20) or better.
  (2) *Specifically for Class 2 applicants,* 6/12 (20/40), with binocular visual acuity of 6/9 (20/30) or better.

(b) An applicant with a large refractive error shall use contact lenses or high-index spectacle lenses.

(c) An applicant whose uncorrected distant visual acuity in either eye is worse than 6/60 shall provide a full ophthalmic report prior to initial medical evaluation and every 5 years thereafter.

(d) An applicant who has undergone surgery affecting the refractive status of the eye shall be assessed as unfit unless they are free from those sequelae which are likely to interfere with the safe exercise of their licence and rating privileges.

8.150 NEAR VISION REQUIREMENTS

(a) An applicant shall meet the following minimum visual standards for near visual acuity to read, with or without corrective lenses, an—
  (1) N14 chart (N14 refers to "Times Roman" font) chart or its equivalent at a distance of 100 cm, and
  (2) N5 chart (N5 refers to "Times Roman" font) at a distance of 30 to 50 cm as selected by the applicant.

(b) If this requirement is met only by the use of near correction spectacles, the applicant may be assessed as fit, but should be cautioned that single-vision near correction significantly reduces distant visual acuity.

(c) If these near-vision requirements are met only by the use of near-correction and the applicant also needs distant-correction, the applicant shall be assessed as fit by demonstrating that one pair of spectacles is sufficient to meet both distant and near visual requirements.

(d) When required to obtain or renew correcting lenses, the applicant should advise the AME conducting the medical examination of the new prescription, including revised reading distances for the—
  (1) *Specifically for Class 1 and Class 2 applicants,* visual flight deck tasks relevant to the types of aircraft in with the applicant is likely to function.
  (2) *Specifically, for Class 3 applicants*, duties the applicant is to perform.

8.155 COLOUR PERCEPTION REQUIREMENTS

(a) The applicant shall demonstrate the ability to perceive readily those colours the perception of which is necessary for the safe performance of duties.

(b) The applicant shall be able to correctly identify a series of pseudoisochromatic plates (tables) in daylight or in artificial light of the same colour temperature such as that provided by Illuminant "C" or "D_{65}" as specified by the International Commission on Illumination (CIE).

(c) The use of a different method of examination than provided in paragraph (b) to guarantee reliable testing of colour perception must approved by the Authority.

(d) An applicant failing to obtain a satisfactory score in such a test may nevertheless be assessed as fit provided the applicant is able to readily and correctly identify aviation coloured lights displayed by means of a recognized colour perception lantern in a special test conducted by the Authority.

(e) An applicant unable to satisfactorily complete the special medical test provided in paragraph (c) shall only be eligible for a Class 2 medical assessment with the following restriction: “Valid for Day Operations Only.”

(f) No person shall wear sunglasses during the exercise of their privileges in aviation unless those glasses are non-polarizing and of a neutral gray tint.

8.160 AUDITORY REQUIREMENTS

(a) An applicant shall not have any hearing defect that is likely to jeopardise flight safety or interfere with the safe performance of duties in exercising the privileges of the licence.

Note: Hearing requirements are established in addition to the ear examinations conducted during

the medical examination for the physical and mental requirements

(b) An applicant shall demonstrate acceptable hearing performance sufficient for the safe exercise of their licence and rating privileges by—

(1) Pure-tone audiometry tests at the first issuance of the assessment and—

(i) *Specifically for Class 1 applicants,* not less than once every five years up to the age of 40 years, thereafter not less than once every two years.

(ii) *Specifically for Class 2 applicants,* not less than once every two years after the age of 50 years.

(iii) *Specifically for Class 3 applicants,* not less than once every four years up to the age of 40 years, thereafter not less than once every two years

(2) For the years where audiometry is not required, the applicant shall be tested in a quiet room using spoken and whispered voice tests.

(i) Applicants who are unable to hear an average conversational voice in a quiet room, using both ears, at a distance of 2 m from the examiner and with the back turned to the examiner, shall be assessed as unfit.

(c) The applicant, when tested on a pure-tone audio-meter shall not have a hearing loss, in either ear separately, of more than 35 dB at any of the frequencies 500, 1 000 or 2000 Hz, or more than 50 dB at 3000 Hz.

(d) An applicant with a hearing loss greater than the above may be declared fit provided that the applicant has normal hearing performance against a background noise that reproduces or simulates that—

(1) *Specifically for Class 1 and Class 2 applicants*, reproduces or simulates the masking properties of flight deck noise upon speech and beacon signals

(2) *Specifically for Class 3 applicants,* that experienced in a typical air traffic control working environment.

(e) Alternatively, a practical hearing test may be used if conducted in—

(1) *Specifically for Class 1 and Class 2 applicants,* flight in the cockpit of an aircraft of the type for which the applicant's licence and ratings are valid.

(2) *Specifically, for Class 3 applicants*, an air traffic control environment representative of the one for which the applicant's licence and ratings are valid.

8.165 CARDIOVASCULAR: GENERAL

(a) An applicant shall not have any abnormality of the heart, congenital or acquired, which is likely to interfere with the safe exercise of the applicant's licence and rating privileges

(b) An applicant with an established medical history of cardiac issues shall be assessed as unfit unless their cardiac condition has been investigated and evaluated in accordance with best medical practice and assessed not likely to interfere with the safe exercise of their licence or rating privileges.

(c) The following cardiac issues are specifically included in this Part—

(1) Coronary bypass grafting; or

(2) Angioplasty (with or without stenting); or

(3) Other cardiac intervention; or

(4) Abnormal cardiac rhythm; or

(5) Any other potentially incapacitating cardiac condition.

8.170 BLOOD PRESSURE & CIRCULATION

(a) An applicant shall not have—

(1) Systolic and diastolic blood pressures outside normal limits; or

(i) The use of drugs for control of high blood pressure is disqualifying except for those drugs the use of which are compatible with the safe exercise of the applicant's licence and rating privileges.

(2) A significant functional or structural abnormality of the circulatory tree.

Note: The presence of varicosities does not necessarily entail unfitness.

8.175 ELECTRO-CARDIOGRAM EXAMINATION

(a) An applicant shall be required to have an electrocardiographic examination—

Note: The purpose of routine electrocardiography is case finding. It does not provide sufficient evidence to justify disqualification without further thorough cardiovascular investigation.

(1) *Specifically for Class 1 applicants*—
  (i) At the first application; then
  (ii) Every 2 years after reaching the 30th birthday; and
  (iii) Every year after reaching the 50th birthday.

(2) *Specifically for Class 2 and 3 applicants*—
  (i) At the first examination after reading the age of 40; and
  (ii) After the age of 50 years, every two years.

8.180 NEUROLOGICAL REQUIREMENTS

(a) An applicant shall not have any neurological disorder, disturbance of consciousness, or neurological condition which is likely to jeopardise flight safety.

(b) An applicant shall not have an established medical history or clinical diagnosis of any of the following neurological conditions—
  (1) Epilepsy;
  (2) Any disturbance of consciousness without satisfactory medical explanation of cause; or
  (3) Progressive or non-progressive disease of the nervous system, the effects of which are likely to interfere with the safe exercise of the applicant's licence and rating privileges.

(c) The applicant shall not have suffered any head injury, the effects of which could interfere with the safe exercise of the applicant's licence and rating privileges.

8.185 RESPIRATORY CAPABILITY

(a) Unless their condition has been adequately investigated and evaluated in accordance with best medical practice and is assessed not likely to cause incapacitating symptoms or otherwise interfere with the safe exercise of their licence and rating privileges, applicants with the following shall be assessed as unfit—
  (1) Disability of the lungs or any active disease of the structures of the lungs, mediastinum or pleura.
    (i) Applicants with chronic obstructive pulmonary disease shall be assessed as unfit unless the applicant's condition has been investigated and evaluated in accordance with best medical practice and is assessed not likely to interfere with the safe exercise of the applicant's licence or rating privileges.
    (ii) Applicants with asthma causing significant symptoms or likely to cause incapacitating symptoms shall be assessed as unfit.
    (iii) The use of drugs for control of asthma shall be disqualifying except for those drugs, the use of which is compatible with the safe exercise of the applicant's licence and rating privileges.
  (2) Active pulmonary tuberculosis.
    (i) Applicants with quiescent or healed lesions, known to be tuberculous or presumably tuberculous in origin, may be assessed as fit.

8.190 RADIOGRAPHY (XRAY) EVALUATION

(a) *Specifically for Class 1 and 2 applicants*, a radiography evaluation shall be accomplished during the initial chest examination.

(b) Periodic chest radiography is not required unless it is a necessity in cases where asymptomatic pulmonary disease can be expected.

8.195 VESTIBULAR & RESPIRATORY SYSTEM

(a) The applicant shall not have any abnormality or disease of the ear or related structures which is likely to interfere with the safe exercise of the applicant's licence and rating privileges.

(b) *Specifically for Class 1 and 2 applicants*, there shall be—.
  (1) No disturbance of vestibular function;
  (2) No significant dysfunction of the Eustachian tubes; and
  (3) No unhealed perforation of the tympanic membranes.
    (i) A single dry perforation of the tympanic membrane need not render the applicant unfit.

(c) The applicant shall not have any malformation nor any disease of the nose, buccal cavity or upper respiratory tract which is likely to interfere with the safe exercise of the applicant's licence and rating privileges.

(d) *Specifically, for Class 1 and 2 applicants*, there shall be no nasal obstruction.

8.200 BONES, MUSCLES & TENDONS

(a) Applicants shall not possess any abnormality of the bones, joints, muscles, tendons or related structures which is likely to interfere with the safe exercise of their licence and rating privileges shall be assessed as unfit.

Note: The sequelae after lesions affecting the bones, joints, muscles or tendons and certain anatomical defects will normally require functional assessment to determine fitness.

8.205 ENDOCRINE SYSTEM

(a) Applicants with the following medical conditions will be assessed as unfit—
  (1) Metabolic, nutritional or endocrine disorders likely to interfere with safe exercise of their licence and rating privileges.
  (2) Insulin-treated diabetes mellitus.
  (3) Applicants with non-insulin-treated diabetes shall be assessed as unfit unless the condition is shown to be satisfactorily controlled by diet alone or by diet combined with oral anti-diabetic medication, the use of which is compatible with the safe exercise of the applicant's licence and rating privileges.

8.210 GASTROINTESTINAL & DIGESTIVE T R A C T

(a) Unless their condition has been adequately investigated and evaluated in accordance with best medical practice and is assessed not likely to interfere with the safe exercise of their licence and rating privileges, applicants with the following shall be assessed as unfit—
  (1) Significant impairment of function of the gastrointestinal tract or its adnexae.
  (2) *Specifically for Class 1 and Class 2,* hernias that might give rise to incapacitating symptoms.
  (3) Sequelae of disease or surgical intervention on any part of the digestive tract or its adnexae, likely to cause incapacity during the exercise of privileges, in particular obstructions due to stricture or compression.
  (4) A major surgical operation on the biliary passages of the digestive tract or its adnexae which has involved a total or partial excision or a diversion of any of these organs that may cause incapacity during the exercise of privileges.

Note: A medical assessor having access to the details of the operation concerned may determine that the effects of the operations are not likely to cause incapacitation during the exercise of the privileges of the applicable licence.

8.215 KIDNEYS & URINARY TRACT

(a) Unless their condition has been adequately investigated and evaluated in accordance with best medical practice and is assessed not likely to interfere with the safe exercise of their licence and rating privileges, applicants with the following shall be assessed as unfit—
  (1) Renal or genito-urinary disease—
    (i) Urine shall form part of the medical examination and abnormalities shall be adequately investigated.
  (2) Any sequelae of disease or surgical procedures on the kidneys and the genito-urinary tract likely to cause incapacity, in particular any obstructions due to stricture or compression.

(3) Nephrectomy, unless the condition is well compensated.

8.220 LYMPHATIC GLANDS OR DISEASE OF THE BLOOD

(a) Unless their condition has been adequately investigated and evaluated in accordance with best medical practice and is assessed not likely to interfere with the safe exercise of their licence and rating privileges, applicants with the following shall be assessed as unfit—

(1) Diseases of the lymphatic system; and/or

(2) Diseases of the blood.

Note: Sickle cell trait or other haemoglobinopathic traits are usually compatible with a fit assessment.

8.225 GYNAECOLOGICAL DISORDERS

(a) Applicants with gynaecological disorders that are likely to interfere with the safe exercise of their licence and rating privileges shall be assessed as unfit.

8.230 PREGNANCY

(a) Applicants who are pregnant shall be assessed as unfit unless obstetrical evaluation and continued medical supervision indicate a low-risk uncomplicated pregnancy

(1) *Specifically for Class 1 and 2 applicants,* a fit assessment for a low-risk uncomplicated pregnancy should be limited to a supervised period from the end of the 12th week until the end of the 26th week of gestation.

(2) *Specifically for Class 3 applicants*, a fit assessment for a low-risk uncomplicated pregnancy should be limited to a supervised period until the end of the 34th week of gestation.

(3) During the gestational period, precautionary restrictions requiring the provision for the timely relief of an air traffic controller in the event of early onset of labour or other complications.

(b) Following confinement or termination of pregnancy the applicant shall not be permitted to exercise the privileges of her licence until she has undergone re-evaluation in accordance with best medical practice and it has been determined that she is able to safely exercise the privileges of her licence and ratings.

8.235 SPEECH DEFECTS

(a) Applicants with stuttering or other speech defects sufficiently severe to cause impairment of speech communication shall be assessed as unfit.

8.240 ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS)

(a) Applicants who are seropositive for human immunodeficiency virus (HIV) shall be assessed as unfit unless full investigation determines that it is not likely to interfere with the safe exercise of the applicant's licence or rating privileges

Note: Evaluation of applicants who are seropositive for human immunodeficiency virus (HIV) requires particular attention to their mental state, including the psychological effects of the diagnosis.

END OF RCAR PART 8

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº 04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA IX W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX IX TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEX IX A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 9

Approved Training Organizations

SUBPART A: GENERAL 3
9.001 CITATION & APPLICABILITY 3
9.005 DEFINITIONS 3
9.010 ACRONYMS & ABBREVIATIONS 3
9.015 STUDENT ATTENDANCE 3

SUBPART B: ATO CERTIFICATE 3
9.020 APPLICABILITY 3
9.025 CERTIFICATE REQUIRED 3
9.030 CONTENTS OF AN ATO CERTIFICATE 4
9.035 DURATION OF CERTIFICATE 4
9.040 APPLICATION FOR ORIGINAL ATO CERTIFICATION 4
9.045 AMENDMENT OF AN ATO CERTIFICATION 5
9.050 RENEWAL OF AN ATO CERTIFICATE 5
9.055 DISPLAY OF CERTIFICATE 5
9.060 CERTIFICATE PRIVILEGES 5
9.065 LOSS OF CERTIFICATE PRIVILEGES 5

SUBPART C: CERTIFICATION 6
9.070 APPLICABILITY 6
9.075 INITIAL CERTIFICATION REQUIRED 6
9.080 NO AOC RELATIONSHIP REQUIRED 6
9.085 [RESERVED] 6
9.090 TRAINING PROGRAM APPROVALS 6
9.095 TRAINING PROGRAM CURRICULUM REQUIREMENTS 6
9.100 CURRICULUM 7
9.105 DEVIATIONS OR WAIVERS 7

SUBPART D: SURVEILLANCE & ON-GOING VALIDATION 8
9.110 APPLICABILITY 8
9.115 INSPECTIONS & OBSERVATIONS 8
9.120 MONITORING OF TRAINING & CHECKING ACTIVITIES 8
9.125 CONTINUOUS QUALIFICATION 8
9.130 QUALITY OF TRAINING 8
9.135 MANDATORY REVISIONS TO TRAINING PROGRAMS 8
9.140 CHANGES REQUIRING NOTICE TO THE AUTHORITY 9
9.145 [RESERVED] 9

SUBPART E: ATO ADMINISTRATION 9
9.150 APPLICABILITY 9
9.155 MANAGEMENT PERSONNEL REQUIRED FOR ATO ORGANISATIONS 9
9.160 CHIEF INSTRUCTOR RESPONSIBILITIES 9
9.165 PRINCIPAL BUSINESS OFFICE 10
9.170 SATELLITE LOCATIONS 10
9.175 CHANGE IN LOCATION 10
9.180 TRAINING & PROCEDURES MANUAL 10
9.185 ADHERENCE TO THE APPROVED CURRICULUM 10
9.190 ADVERTISING LIMITATIONS 11

9.195 SAFETY MANAGEMENT SYSTEM 11

SUBPART F: ATO CERTIFICATE HOLDER RECORDS 11
9.200 APPLICABILITY 11
9.205 STUDENT RECORDS 11
9.210 TRAINING & CHECKING STAFF RECORDS 11
9.215 RECORDS RETENTION 11
9.220 PROVISION OF RECORDS 12
9.225 CREDIT FOR PRIOR INSTRUCTION OR EXPERIENCE 12
9.230 GRADUATION CERTIFICATES & TRANSCRIPTS 12
9.235 TRANSCRIPTS 12

SUBPART G: PERSONNEL 13
9.240 APPLICABILITY 13
9.245 GENERAL REQUIREMENTS FOR ATO PERSONNEL 13
9.250 INSTRUCTOR & EVALUATOR PERSONNEL 13
9.255 DESIGNATION OF AN ATO INSTRUCTOR 13
9.260 ATO INSTRUCTOR PRIVILEGES & LIMITATIONS 13
9.265 INSTRUCTOR QUALIFICATIONS (LEVEL 1 OR LEVEL 2) 14
9.270 ATO INSTRUCTOR TRAINING & TESTING REQUIREMENTS 14
9.275 ATO EVALUATOR REQUIREMENTS 15

SUBPART H: FACILITIES & EQUIPMENT 16
9.280 APPLICABILITY 16
9.285 ACCEPTABLE FACILITIES 16
9.290 CLASSROOM & BRIEFING FACILITIES 16
9.295 ACCEPTABLE FLIGHT SIMULATION DEVICES 17
9.300 FLIGHT SIMULATION TRAINING DEVICES 17
9.305 USE OF SIMULATORS & TRAINING DEVICES 17
9.310 AERODROME REQUIREMENTS 17
9.315 AIRCRAFT REQUIREMENTS 18
9.320 AME INSTRUCTIONAL EQUIPMENT 18
9.325 OTHER TRAINING EQUIPMENT REQUIREMENTS 19

APPENDICES 20
APPENDIX 1 TO 9.030: CONTENTS OF TRAINING SPECIFICATIONS 20
APPENDIX 1 TO 9.040: APPLICATION FOR ATO CERTIFICATE 20
APPENDIX 1 TO 9.100: TRAINING COURSE CONTENTS 20
APPENDIX 1 TO 9.180: CONTENTS OF TRAINING & PROCEDURES MANUAL 21
APPENDIX 1 TO 9.205: CONTENTS OF STUDENT RECORDS 23
APPENDIX 1 TO 9.210: CONTENTS OF ATO STAFF QUALIFICATION RECORDS 24
APPENDIX 1 TO 9.225: CREDITING PAST EXPERIENCE & INSTRUCTION 24
APPENDIX 2 TO 9.225: CREDITING OF PREVIOUS PILOT & AME TRAINING 24
APPENDIX 1 TO 9.230: CONTENTS OF GRADUATION CERTIFICATE 25
APPENDIX 1 TO 9.310: AERODROME REQUIREMENTS 25
APPENDIX 1 TO 9.320: FACILITIES FOR AME COURSES 26

SUBPART A: GENERAL

9.001 CITATION & APPLICABILITY

(a) These regulations may be cited as Civil Aviation (Approved Training Organizations) Regulations

(b) This Part prescribes the requirements of Rwanda for—
  (1) Obtaining approval for the conduct of required aviation training by organisations; and
  (2) Maintaining and amending the basis for that approval.

(c) This Part is applicable to—
  (1) Persons seeking licences under these Regulations; and
  (2) Organisations that provide the required training and qualification of aviation personnel; and
  (3) Persons that administer the required training and qualification on behalf of the organisations.

(d) Approved training for flight crew, aircraft maintenance personnel, cabin crew, dispatchers and air traffic controllers shall be conducted with an approved training organisation.

(e) Civil Aviation Technical Standards published by the Authority are also applicable for operations in the airspace of Rwanda and operations of Rwanda-registered aircraft.

9.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part 1 (Appendix 1 to 1.015).

9.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms are used in this Part—

IFR – Instrument Flight Rules
AME = Aircraft Maintenance Engineer
AOC = Air Operator Certificate
AOC holder = The holder of an AOC certificate
ATO = Aviation Training Organization
ATO Certificate Holder = The holder of an ATO certificate

9.015 STUDENT ATTENDANCE

(a) The ATO certificate holder may not require any student to attend classes of instruction more than 8 hours in any consecutive 24-hour period or more than 6 total days or 40 hours in any period of 7 calendar days.

SUBPART B: ATO CERTIFICATE

9.020 APPLICABILITY

(a) This Subpart prescribes the requirements that are applicable to the certificate issued to an Approved Training Organisation.

9.025 CERTIFICATE REQUIRED

(a) No person may operate an aviation training organisation providing training to other organisations without, or in violation of, an ATO certificate and training specifications issued under this Part.

(b) Except for an organisation approved by the Authority for training its own flight crews, no organisation may conduct training, testing, or checking in flight simulation training devices without, or in violation of, the certificate and training specifications required by this Part.

9.030 CONTENTS OF AN ATO CERTIFICATE

(a) The ATO certificate will consist of two documents—
  (1) A certificate for public display signed by the Authority, and
  (2) Training specifications containing the terms, conditions, and authorizations applicable to the ATO certificate.

(b) The ATO certificate will contain—
  (1) The organisation's name and location (main place of business);
  (2) The date of issue and period of validity for each page issued;
  (3) The terms of approval, including—
    (i) Authorised locations of operations; and
    (ii) Training specifications, as applicable:

    See Appendix 1 to 9.030 for the contents of training specifications.

  (4) Other authorizations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the training conducted by the ATO certificate holder.

9.035 DURATION OF CERTIFICATE

(a) Except as shown in paragraph (b), the Authority will issue an ATO certificate which expires, unless surrendered, suspended, or revoked—
  (1) On the last day of the 24th calendar month from the month the certificate was issued;
  (2) Except as provided in paragraph (b), on the date that any change in ownership of the ATO occurs;
  (3) On the date of any significant change in the ATO certificate holder's facilities; or
  (4) Upon notice by the Authority that the ATO certificate holder has failed to maintain the required facilities, aircraft, or personnel for more than 60 calendar days.

(b) A change in the ownership of an ATO does not terminate that ATO certificate holder's certificate if, within 30 calendar days, the new ATO certificate holder—
  (1) Notifies the Authority in writing; and
  (2) Makes no significant change in the management, facilities, operating personnel, or approved training courses which requires re-certification.

9.040 APPLICATION FOR ORIGINAL ATO CERTIFICATION

(a) An applicant for an ATO certificate and training specifications shall apply at least 60 calendar days before the beginning of any proposed training.

(b) Each applicant for an ATO certificate and training specification shall provide the application in the correct form and manner prescribed by the Authority.

    See Appendix 1 to 9.040 for certificate information needed by the Authority.

(c) The Authority will issue to an applicant who meets the requirements—
  (1) An ATO certificate containing all business names included on the application under which the ATO certificate holder may conduct operations and the address of each business office used by the organisation; and
  (2) Training specifications issued by the Authority to the ATO certificate holder, outlining the pertinent authorisations.

(d) The Authority may issue an ATO certificate to an applicant—
  (1) For an ATO inside or outside of Rwanda; and
  (2) Whose business office or primary location, or both are located inside or outside Rwanda.

9.045 AMENDMENT OF AN ATO CERTIFICATION

(a) At any time, the Authority may amend an ATO certificate—
  (1) On the Authority's own initiative, under applicable Rwanda legislation; or
  (2) Upon timely application by the ATO certificate holder.

(b) The ATO certificate holder shall submit an application to amend an ATO certificate at least 30 calendar days prior to the applicant's proposed effective amendment date, unless a different submission period is acceptable to the Authority.

9.050 RENEWAL OF AN ATO CERTIFICATE

(a) The training organization shall make the application for a renewal of an ATO certificate at least 30 days prior to the date of expiration of their ATO.

(b) The training organization applying to the Authority for renewal of an ATO certificate shall submit an application—
  (1) In a form and manner prescribed by the Authority; and
  (2) Containing any information, the Authority requires the applicant to submit.

9.055 DISPLAY OF CERTIFICATE

(a) The holder of an ATO certificate shall display that certificate in a location that is normally accessible to the public and that is not obscured.

9.060 CERTIFICATE PRIVILEGES

(a) The ATO certificate holder may advertise and conduct approved training courses in accordance with the certificate and any ratings that it holds.

9.065 LOSS OF CERTIFICATE PRIVILEGES

(a) The Authority may deny, suspend, revoke, or terminate a certificate under this Part if the Authority finds that the ATO certificate holder—
  (1) Does not meet, or no longer meets, the requirements of this Part for the certificate and/or ratings held;
  (2) Employs or proposes to employ a person who controlled or was previously employed in a management or supervisory position in an organisation that had its certificate revoked, suspended, or terminated within the previous 36 calendar months; or
  (3) Application provided was incomplete or inaccurate, or contained fraudulent or false information.

(b) An ATO certificate holder whose certificate has been surrendered, suspended, revoked, or terminated shall promptly—
  (1) Remove all indications, including signs, wherever located, that the ATO was certified by the Authority;
  (2) Notify all advertising agents, and advertising media employed by the ATO certificate holder to cease all advertising indicating that the organisation is certified by the Authority; and
  (3) Return the certificate to the Authority within five working days after being notified that the certificate is suspended, revoked, or terminated.

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SUBPART C: CERTIFICATION

9.070 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the certification of an Approved Training Organisation.

9.075 INITIAL CERTIFICATION REQUIRED

(a) Prior to the issuance of an ATO certificate, the applicant must be originally certificated in accordance with the system of certification prescribed by the Authority.

(b) The approval of an organisation as an ATO by the Authority shall be dependent upon the applicant demonstrating compliance with the requirements of this Part.

(c) The Authority may issue an applicant an ATO certificate and training specifications if the applicant demonstrates compliance with the requirements of this Part.

9.080 NO AOC RELATIONSHIP REQUIRED

(a) An applicant may request evaluation, qualification, and continuing evaluation for qualification of flight simulation training devices without—
   (1) Holding an AOC certificate; or
   (2) Having a specific relationship to an AOC holder.

9.085 [RESERVED]

9.090 TRAINING PROGRAM APPROVALS

(a) The applicant for an ATO certificate or added authority shall apply to the Authority for training program approval.

(b) The applicant for training program approval shall indicate in the application—
   (1) Which courses are part of the core curriculum and which courses are part of the speciality curriculum;
   (2) Which requirements of Parts 5, 8, 11, 14 or 18 would be satisfied by the curriculum or curricula; and
   (3) Which requirements of these regulation would not be satisfied by the curriculum or curricula.

(c) The applicant may apply for a training program that allows an alternative means of compliance with the experience requirements established by Part 8 or Part 14, provided that the ATO demonstrates a level of competency at least equivalent to that provided by the minimum experience requirements for personnel not receiving such approved training.

(d) The applicant may apply for a training program for a multi-crew pilot licence, provided that the training provides a level of competency in multi-crew operations at least equal to that met by holders of a commercial pilot licence, instrument rating and type rating for an aeroplane certificated for operation with a minimum crew of at least two pilots.

(e) The training program established by the ATO certificate holder shall include training in knowledge and skills related to human performance.

9.095 TRAINING PROGRAM CURRICULUM REQUIREMENTS

(a) The applicant shall ensure that each training program curriculum submitted to the Authority for approval meets the applicable requirements and contains—
   (1) A syllabus for each proposed curriculum;
   (2) Minimum aircraft and flight training equipment requirements for each proposed curriculum;
   (3) Minimum instructor and evaluator qualifications for each proposed curriculum;

(4) A curriculum for initial training and continuing training of each instructor or evaluator employed to instruct in a proposed curriculum; and

(5) For each curriculum that provides for the issuance of a licence or rating in fewer than the minimum hours prescribed by Part 8—

(i) A means of demonstrating the ability to accomplish such training in the reduced number of hours; and

(ii) A means of tracking student performance.

9.100 CURRICULUM

(a) The Authority may approve the following courses of instruction for licensing, rating and special preparation to an applicant who meets the prescribed requirements for implementation of the curriculum—

A training curriculum that prepares a pilot for operations that does not require a licence or rating is considered a special preparation course, for example: agricultural application.

(1) Private pilot;
(2) Commercial pilot;
(3) Instrument rating;
(4) Multi-crew pilot;
(5) Airline transport pilot;
(6) Flight instructor;
(7) Ground instructor;
(8) Additional aircraft category or class rating;
(9) Aircraft type rating;
(10) Flight engineer;
(11) Cabin crew member;
(12) Aircraft Maintenance Engineer
  (i) Airframe ratings;
  (ii) Powerplant ratings; and
  (iii) Avionics ratings
(13) Aviation repair specialist;
(14) Parachute rigger;
(15) Test pilot;
(16) Any preparation or recurrent curriculum required for AOC holders;
(17) Any preparation curriculum for aerial work;
(18) ATC,
(19) Flight Dispatcher,
(20) Any other training curriculum approved by the Authority.

(b) The Authority may approve an applicant as a Level 2 ATO for any course for licensing or for any rating for which the applicant can show an effective curriculum and for which the Authority has qualified the flight training simulation media.

(c) The Authority may approve an applicant for a special course of instruction provided the course will contain features that are beneficial to Rwanda' aviation community.

(d) To the greatest extent possible, training curriculums shall be competency-based, including at least the competency units with quantifiable competency elements.

9.105 DEVIATIONS OR WAIVERS

(a) The Authority may issue an applicant deviations or waivers from any of the requirements of this Part.

(b) The applicant for a deviation or waiver under this Part shall provide information acceptable to the Authority that shows—

(1) Justification for the deviation or waiver; and
(2) That the deviation or waiver will not adversely affect the quality of instruction or evaluation.

SUBPART D: SURVEILLANCE & ON-GOING VALIDATION

9.110 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the on-going validation of an Approved Training Organisation.

9.115 INSPECTIONS & OBSERVATIONS

(a) The Authority may, at any time, inspect an ATO to determine the organisation's compliance with this Part.

(b) The ATO certificate holder and personnel shall allow the authorized representative of the Authority unrestricted access to all locations, equipment, documents and personnel, including all training in progress, in the accomplishment of these inspections and observations.

(c) The continued validity of the original certification approval shall depend upon the ATO certificate holder being in compliance with the requirements of this Part.

9.120 MONITORING OF TRAINING & CHECKING ACTIVITIES

(a) To enable adequate supervision of its training and checking activities, the ATO certificate holder shall forward to the Authority at least 48 hours prior to the scheduled activity the dates, report times and report location of all—
  (1) Training for which a curriculum is approved in the ATO certificate holder's training program;
  (2) End of course knowledge tests; and
  (3) Skill tests, including proficiency, competency and line checks.

(b) Failure to provide the information required by paragraph (a) may invalidate the training or check and the Authority may require that it be repeated for observation purposes.

(c) The Authority may approve a reduced prior notification requirement if it will not interfere with the proper surveillance of such activities.

9.125 CONTINUOUS QUALIFICATION

(a) The ATO certificate holder shall not provide training to a student who is enrolled in an approved course of training unless each requirement for instructors, evaluators, facilities and equipment continuously meets the requirements and the standards specified in the organisation's training specifications.

9.130 QUALITY OF TRAINING

(a) The ATO certificate holder shall provide training at a level of competency at least equal to that provided by the minimum experience requirements for personnel not receiving such approved training.

(b) The ATO certificate holder should ensure that the quality of the trainees graduated demonstrate a consistent level of knowledge and performance.

9.135 MANDATORY REVISIONS TO TRAINING PROGRAMS

(a) After an ATO certificate holder begins operations under an approved training program, the Authority may require revisions to that training program if it determines that the organisation is not meeting the provisions of its approved training program.

(b) If the Authority requires an ATO to make revisions to an approved training program and the

ATO certificate holder does not make those required revisions within 30 calendar days, the Authority may suspend, revoke, or terminate the organisation's certificate.

9.140 CHANGES REQUIRING NOTICE TO THE AUTHORITY

(a) The ATO certificate holder shall notify the Authority prior to any of the following changes—
  (1) The accountable manager;
  (2) Management personnel required by this Part;
  (3) The instructional and evaluation staff; and
  (4) The housing, training facilities and equipment, procedures, curricula, and work scope that could affect the approval.

(b) The Authority may prescribe the conditions under which the ATO certificate holder may operate during such changes unless the Authority determines that the approval should be suspended.

(c) The Authority may suspend an ATO certificate for failure to make these required notifications.

9.145 [RESERVED]

SUBPART E: ATO ADMINISTRATION

9.150 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the on-going administration of an Approved Training Organisation.

9.155 MANAGEMENT PERSONNEL REQUIRED FOR ATO ORGANISATIONS

(a) The ATO certificate holder shall have an accountable manager, acceptable to the Authority, who has corporate authority for ensuring that it is in compliance with the requirements for an ATO.

(b) When providing approved training, the ATO certificate holder shall have qualified management personnel, with proven competency in civil aviation, available and serving in the following positions or their equivalent—
  (1) Manager of Training;
  (2) Chief Instructor (for each specialty of training provided);
  (3) Quality Assurance Manager;
  (4) Safety Manager; and
  (5) Any other position the Authority may require.

(c) The Authority may approve positions or numbers of positions, other than those listed, if the ATO certificate holder is able to show that it can perform the operation with the highest degree of safety under the direction of fewer or different categories of management personnel due to—
  (1) The kind of training curriculum involved;
  (2) The number of aircraft used; and
  (3) Other complexities of operation.

9.160 CHIEF INSTRUCTOR RESPONSIBILITIES

(a) The instructor serves under the supervision of the chief instructor or the assistant chief instructor who is present at the facility when the training is given.

(b) During flight training in an aircraft, the ATO certificate holder shall ensure that the chief instructor or an assistant chief instructor is available—
  (1) At the aerodrome, or
  (2) By telephone, radio, or other electronic means.

9.165 PRINCIPAL BUSINESS OFFICE

(a) An ATO certificate holder shall maintain a principal business office that is physically located at the address shown on the ATO certificate.

(b) The principal business office may not be shared with, or used by, another person who holds an ATO certificate.

9.170 SATELLITE LOCATIONS

(a) The ATO certificate holder may conduct training in accordance with a training program approved by the Authority at a satellite location if—

(1) The facilities, equipment, personnel, and course content of the satellite location meet the applicable requirements;

(2) The instructors and evaluators at the satellite ATO are under the direct supervision of management personnel of the ATO certificate holder's principal location;

(3) The ATO certificate holder has in place procedures for ensuring that the training at the satellite location meets the same level of quality that is possible at the principal location.

(4) The ATO certificate holder notifies the Authority in writing that a particular satellite location is to begin operations at least 30 calendar days prior to proposed commencement of operations at that location; and

(5) The ATO certificate holder's training specifications reflect the name and address of the satellite location and the approved courses offered at that location.

9.175 CHANGE IN LOCATION

(a) An ATO certificate holder may not make any change in the organisation's location unless the change is approved by the Authority in advance.

(b) If the organisation desires to change an authorised location, the ATO certificate holder shall notify the Authority, in writing, at least 30 calendar days before the date of the relocation.

(c) The Authority may prescribe the conditions under which the ATO may operate while it is changing its location or housing facilities.

9.180 TRAINING & PROCEDURES MANUAL

(a) The ATO certificate holder shall provide a training and procedures manual for the use and guidance of personnel concerned.

(b) This manual may be issued in separate parts and shall contain at least the information prescribed by the Authority.

See Appendix 1 to 9.180 regarding contents of the training and procedures manual.

(c) The ATO certificate holder shall ensure that the training and procedures manual is amended as necessary to keep the information contained therein up to date.

(d) The ATO certificate holder shall furnish copies of all amendments to the training and procedures manual to all organisations or persons to whom the manual has been issued.

9.185 ADHERENCE TO THE APPROVED CURRICULUM

(a) The ATO certificate holder and his personnel shall adhere to the approved curriculum.

(b) The ATO certificate holder may not change its approved curriculum unless the change is approved by the Authority in advance.

9.190 ADVERTISING LIMITATIONS

(a) The ATO certificate holder may not—

(1) Make any statement relating to the ATO certificate and training specifications that is false or designed to mislead any person contemplating enrolment in that ATO; or

(2) Advertise that the ATO is certified unless it clearly differentiates between courses that have been approved under this Part and those that have not been approved under this Part.

9.195 SAFETY MANAGEMENT SYSTEM

(a) The ATO certificate holder shall have a safety management system acceptable to the Authority which implements requirements and framework specified in Part 30.

(b) The ATO certificate holder's safety management system shall clearly define lines of safety accountability throughout the operator's organisation, including a direct accountability for safety on the part of senior management.

(c) The ATO certificate holder shall maintain a quality assurance system, as a part of the Safety Management System which ensures that training and instructional practices comply with all relevant requirements.

(d) To meet the requirement of paragraph (a), the ATO certificate holder may contract for the services of a quality auditing organisation that is acceptable to the Authority. Those services shall be implemented applying acceptable practices and at intervals will ensure that the quality of the training remains consistent with the minimum standards of this Part.

SUBPART F: ATO CERTIFICATE HOLDER RECORDS

9.200 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the records of an Approved Training Organisation.

9.205 STUDENT RECORDS

(a) The ATO certificate holder shall maintain, in current status, a detailed record for each student that contains all contents prescribed by the Authority.

See Appendix 1 to 9.205 regarding contents of students records.

(b) The Authority does not consider a student's logbook as sufficient for the records required by paragraph (a).

9.210 TRAINING & CHECKING STAFF RECORDS

(a) The ATO certificate holder shall maintain a system for recording the qualifications and training of instructor and examining staff to indicate that each person has met the applicable requirements of this Part.

See Appendix 1 to 9.210 for the contents of the training and checking staff records.

9.215 RECORDS RETENTION

(a) The detailed student records shall be retained for a minimum period of 24 calendar months after completion of the training.

(b) The required records of the ATO training and checking staff shall be retained for a minimum period of 24 calendar months after the instructor or examiner ceases to perform a function for the training organisation.

(c) The records required by this Part shall be stored at a location acceptable to the Authority in facilities adequate for that purpose.

9.220 PROVISION OFRECORDS

(a) The ATO certificate holder shall provide to a student, upon request and at a reasonable time, a copy of his or her training records.

(b) The ATO certificate holder shall provide the records required by this Part to the Authority upon request, within a reasonable time.

9.225 CREDIT FOR PRIOR INSTRUCTION OR EXPERIENCE

(a) Upon enrolment of a student, the ATO certificate holder may credit a student with instruction or previous experience in accordance with the methods prescribed by the Authority.

See Appendix 1 to 9.225. regarding crediting of previous experience. See Appendix 2 to 9.225 regarding transfer privileges.

9.230 GRADUATION CERTIFICATES & TRANSCRIPTS

(a) The ATO certificate holder shall issue upon completion of training a graduation certificate to each student who completes its approved course of training.

(b) That graduation certificate shall contain the contents prescribed by the Authority.

See Appendix 1 to 9.230. regarding contents of graduation certificates

(c) The ATO certificate holder may not issue a graduation certificate to a student, or recommend a student for a licence or rating, unless the student has—

(1) Completed the training specified in the approved course of training; and

(2) Passed the required final tests

9.235 TRANSCRIPTS

(a) Upon request, the ATO certificate holder shall provide a transcript of a student's grades to each student who is graduated from that ATO or who leaves it before being graduated.

(b) The ATO certificate holder shall include in the transcript required by paragraph (a)—

(1) The curriculum in which the student was enrolled;

(2) Whether the student satisfactorily completed that curriculum;

(3) The final grades the student received; and

(4) An authentication by an official of the organisation.

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SUBPART G: PERSONNEL

9.240 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the training and checking personnel employed by an Approved Training Organisation.

9.245 GENERAL REQUIREMENTS FOR ATO PERSONNEL

(a) The ATO certificate holder shall employ the necessary personnel to plan, perform and supervise the training to be conducted.

(b) The competence of instructional personnel shall be in accordance with procedures approved by the Authority and to a level acceptable to the Authority.

(c) The ATO certificate holder shall ensure that all instructional personnel receive initial and continuation training appropriate to their assigned tasks and responsibilities.

(d) When the ATO certificate holder has been authorised to conduct the testing required for the issuance of a licence or rating, the testing shall be conducted by personnel—

(1) Authorised by the Authority; or

(2) Designated by the ATO in accordance with criteria approved by the Authority.

9.250 INSTRUCTOR & EVALUATOR PERSONNEL

(a) The personnel used by the ATO certificate holder to provide instruction and evaluation shall—

(1) Be at least 18 years of age;

(2) Have demonstrated language proficiency equal to Level 4 in the language used for the instruction.

(b) The ATO certificate holder shall have and maintain for each proposed curriculum a sufficient number of instructors who meet the prescribed qualifications to perform the duties to which they are assigned;

(c) Each ATO certificate holder shall have a sufficient number of evaluators to provide required checks and tests to graduation candidates for 7 calendar days following training completion for any curriculum leading to airman licences or ratings, or both;

(d) The persons listed in this Part may serve in more than one position for the ATO certificate holder, provided that person is qualified for each position.

(e) To meet the requirements of this Part, the ATO certificate holder may employ no more than 50 per cent of these persons on a part-time basis.

(f) The persons required by this Part shall be approved by the Authority prior to the use of their services by the ATO certificate holder.

9.255 DESIGNATION OF AN ATO INSTRUCTOR

(a) The ATO certificate holder shall designate each instructor, in writing, for each approved course, prior to that person functioning as an instructor in that course.

(b) Prior to initial designation, each flight and simulator flight instructor shall complete the prescribed requirements.

9.260 ATO INSTRUCTOR PRIVILEGES & LIMITATIONS

(a) The ATO certificate holder may allow an instructor to provide—

(1) Instruction for each curriculum for which that instructor is qualified;

(2) Testing and checking for which that instructor is qualified; and

(3) Instruction, testing, and checking intended to satisfy the requirements of this Part.

(b) The ATO certificate holder whose instructor or evaluator is designated in accordance with the requirements to conduct training, testing, or checking inflight may allow its instructor or

evaluator to give endorsements required by Parts 5, 8, 11, 14 or 18 if that instructor or evaluator is authorized by the Authority to instruct or evaluate in a curriculum that requires such endorsements.

(c) The ATO certificate holder may not allow an instructor to—

(1) Excluding briefings and debriefings, conduct more than 8 hours of instruction in any 24-consecutive- hour period, or more than 6 days total or 40 hours in any period of 7 calendar days;

(2) Provide flight training equipment instruction unless that instructor meets the applicable requirements; or

(3) Provide flight instruction in an aircraft unless that instructor—

(i) Meets the prescribed requirements;

(ii) Holds a flight instructor licence;

(iii) Holds pilot licences and ratings applicable to the category, class, and type of that aircraft;

(iv) If instructing or evaluating in an aircraft inflight, while occupying a required crew member seat, holds at least a valid second class medical certificate; and

(v) Meets the recency of experience requirements of Part 10.

(4) Provide training in aircraft or aircraft component maintenance, unless that instructor—

(i) Holds an AME licences with ratings appropriate to the subjects;

(ii) Have 5 total years of experience in the maintenance and inspection of aircraft and components, of which at least 2 total years of practical experience;

9.265 INSTRUCTOR QUALIFICATIONS (LEVEL 1 OR LEVEL 2)

(a) The ATO certificate holder shall have adequate personnel, including licenced flight instructors, licenced ground instructors, and holders of a commercial pilot licence with a lighter-than-air rating, if applicable, and a chief instructor who is qualified and competent to perform the duties assigned in each approved training course.

(b) The ATO certificate holder may allow instructors and evaluators to meet recency of experience requirements through the use of a flight simulation training device if that training device is used in an approved course.

(c) Each instructor for ground or flight training shall hold a flight instructor licence, ground instructor licence, or commercial pilot licence with a lighter-than-air rating, as appropriate, with ratings for the approved training course and any aircraft used in that course.

9.270 ATO INSTRUCTOR TRAINING & TESTING REQUIREMENTS

(a) Except as provided in paragraph (c), prior to designation and every 12 calendar months beginning the first day of the month following an instructor's initial designation, the ATO certificate holder shall ensure that each instructor meets the following requirements—

(1) Each instructor shall satisfactorily complete an approved course of ground instruction in at least—

(i) The fundamental principles of the learning process;

(ii) Elements of effective teaching, instruction methods, and techniques;

(iii) Instructor duties, privileges, responsibilities, and limitations;

(iv) Training policies and procedures;

(v) Human factors considerations as applied to specific technical specialities; and

(vi) Evaluation of trainees.

(2) Each instructor shall satisfactorily demonstrate to an authorised evaluator knowledge of, and proficiency in, instruction in a representative segment of each curriculum for which that instructor is designated.

(3) Each instructor who instructs in a flight simulation training device shall satisfactorily

complete an approved course of training in the operation of the training device, and an approved course of ground instruction, applicable to the training courses the instructor is designated to instruct, which shall include—

(i) Proper operation of flight simulation training device controls and systems;
(ii) Proper operation of environmental and fault panels;
(iii) Limitations of simulation; and
(iv) Minimum equipment requirements for each curriculum.

(4) Each flight instructor who provides training in an aircraft shall satisfactorily complete an approved course of ground instruction and flight training in an aircraft, flight simulation training device, which shall include—

(i) Performance and analysis of flight training procedures and manoeuvres applicable to the training courses that the instructor is designated to instruct;
(ii) Technical subjects covering aircraft subsystems and operating rules applicable to the training courses that the instructor is designated to instruct;
(iii) Emergency operations;
(iv) Emergency situations likely to develop during training; and
(v) Appropriate safety measures.

(5) Each instructor who instructs inflight training equipment shall pass a knowledge test and annual proficiency check—

(i) In the flight training equipment in which the instructor will be instructing; and
(ii) On the subject matter and manoeuvres of a representative segment of each curriculum for which the instructor will be instructing.

(6) Each instructor shall have participated in an approved line-observation program, and that—

(i) Was accomplished in the same aircraft type as the aircraft represented by the flight simulator in which that instructor is designated to instruct; and
(ii) Included line-oriented flight training of at least 1 hour of flight during which the instructor was the sole manipulator of the controls in a flight simulator that replicated the same type aircraft for which that instructor is designated to instruct.

(7) In addition to the requirements of paragraphs (a)(1) through (a)(5), each ATO certificate holder shall ensure that each instructor who instructs in a flight simulation training device that the Authority has approved for all training and all testing for the airline transport pilot licensing test, aircraft type rating test, or both, has met at least one of the prescribed requirements.

(b) The Authority will consider completion of a curriculum required by paragraph (a) or (b) taken in the calendar month before or after the month in which it is due as taken in the month in which it was due for the purpose of computing when the next training is due.

(c) The Authority may give credit for the requirements of paragraph (a) or (b) to an instructor who has satisfactorily completed an instructor training course for an AOC holder if the Authority finds such a course equivalent to the requirements of paragraph (a) or (b).

9.275 ATO EVALUATOR REQUIREMENTS

(a) Except as provided by paragraph (c), the ATO certificate holder shall ensure that each person authorised as an evaluator—

(1) Is approved by the Authority;
(2) Is in compliance with the prescribed requirements;
(3) Prior to designation, satisfactorily completes a curriculum within 12 calendar months that includes the following—

(i) Evaluator duties, functions, and responsibilities;
(ii) Methods, procedures, and techniques for conducting required tests and checks;
(iii) Evaluation of pilot performance; and

(iv) Management of unsatisfactory tests and subsequent corrective action; and

(4) If evaluating in-flight training equipment, satisfactorily pass a knowledge test and annual proficiency check in a flight simulator or aircraft in which the evaluator will be evaluating.

(b) For the purpose of computing when evaluator training is due, the Authority will consider that an evaluator who satisfactorily completes a curriculum required by paragraph (a)(3) in the calendar month before or the calendar month after the month in which it was due, to have taken it in the month it was due.

(c) The Authority may give credit for the requirements of paragraph (a)(3) to an evaluator who has satisfactorily completed an evaluator training course for an AOC holder if the Authority finds such a course equivalent to the requirements of paragraph (a)(3).

SUBPART H: FACILITIES & EQUIPMENT

9.280 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the facilities and equipment of an Approved Training Organisation

9.285 ACCEPTABLE FACILITIES

(a) The ATO certificate holder's facilities and working environment shall be—

(1) Appropriate for the task to be performed; and

(2) Acceptable to the Authority.

(b) The ATO certificate holder shall provide facilities, equipment, and material equal to the standards currently required for the issue of the certificate and rating that it holds.

(c) The ATO certificate holder have, or have access to, the necessary information, equipment, training devices and material to conduct the courses for which the organisation is approved.

(d) The ATO certificate holder may not make a substantial change in facilities, equipment, or material that have been approved for a particular curriculum, unless that change is approved by the Authority in advance.

(e) The ATO certificate holder shall have a technical library adequate for the level of training conducted.

9.290 CLASSROOM & BRIEFING FACILITIES

(a) The ATO certificate holder shall show that the classrooms and briefing facilities—

(1) Used for instructional purposes are heated, lighted, and ventilated to conform to local building, sanitation, and health codes;

(2) Are not routinely subject to significant distractions caused by flight operations and maintenance operations at the aerodrome; and

(3) Include audio and visual training equipment appropriate to the training conducted, including computer- projected documents.

(b) The ATO certificate holder conducting pilot flight training shall show that it has continuous use of a briefing area located at each aerodrome at which training flights originate that is—

(1) Adequate to shelter students waiting to engage in their training flights;

(2) Arranged and equipped for the conduct of pilot briefings; and

(3) For an ATO with an instrument rating course or commercial pilot course, equipped with adequate communication to sources of weather and flight planning information

9.295 ACCEPTABLE FLIGHT SIMULATION DEVICES

(a) Flight simulation training devices shall be qualified according to requirements prescribed by the Authority.

(b) The use of flight simulation training devices shall be approved by the Authority to ensure that they are appropriate to the task.

9.300 FLIGHT SIMULATION TRAINING DEVICES

(a) When approved by the Authority, the ATO certificate holder shall have available exclusively, for adequate periods of time and at a location approved by the Authority, adequate flight training equipment and courseware, including at least one flight simulation training device suitable for the approved curriculum.

(b) The ATO certificate holder shall show that each flight simulation training device used for training, testing, and checking will be or is specifically qualified and approved by the Authority for—

(1) Each maneuver and procedure for the make, model, and series of aircraft, set of aircraft, or aircraft type simulated, as applicable; and

(2) Each curriculum or training course in which the flight simulation training device is used, if that curriculum or course is used to satisfy any requirement of these regulations.

(c) The ATO certificate holder shall ensure, prior to use, that the approval required by this Part includes—

(1) The set of aircraft or type aircraft;

(2) If applicable, the particular variation within type for which the training, testing, or checking is being conducted; and

(3) The particular maneuver, procedure, or crew member function to be performed.

9.305 USE OF SIMULATORS & TRAINING DEVICES

(a) Each aeroplane simulator and other training device that is used for training shall—

(1) Be specifically approved by the Authority for—

(i) The AOC holder;

(ii) The type aeroplane, including type variations, for which the training or check is being conducted;

(iii) The particular maneuver, procedure, or crew member function involved;

(2) Maintain the performance, functional, and other characteristics that are required for approval;

(3) Be modified to conform with any modification to the aircraft or component being simulated that results in changes to performance, functional, or other characteristics required for approval;

(4) Be given a daily functional pre-flight check before use; and

(5) Have a daily discrepancy log kept by the appropriate instructor or evaluator at the end of each training or skill test.

(b) Unless otherwise authorised by the Authority, the ATO certificate holder shall ensure that each component on a light simulator or flight training device used by an ATO is operative if the component is essential to, or involved in, the training, testing, or checking of airmen.

9.310 AERODROME REQUIREMENTS

(a) The ATO certificate holder of Level 1 authority shall maintain continuous use of each aerodrome at which training flights originate, and that the aerodrome has an adequate runway and the necessary equipment.

See Appendix 1 to 9.310 for specific runway and equipment requirements.

9.315 AIRCRAFT REQUIREMENTS

(a) An ATO certificate holder shall ensure that each aircraft used for flight instruction and solo flights—
  (1) Has the appropriate Rwanda certificate of airworthiness or the foreign equivalent;
  (2) Is maintained and inspected in accordance with the requirements of Part 4; and
  (3) Is equipped as provided in the training specifications for the approved course for which it is used.
  (4) Except as provided in paragraph (d), is at least a two-place aircraft with engine power controls and flight controls that are easily reached and that operate in a conventional manner from both pilot stations.

(b) An ATO certificate holder may use aeroplanes with controls such as nose-wheel steering, switches, fuel selectors, and engine air flow controls that are not easily reached and operated in a conventional manner by both pilots for flight instruction if the ATO certificate holder determines that the flight instruction can be conducted in a safe manner considering the location of controls and their non-conventional operation, or both.

(c) Each ATO certificate holder shall ensure that each aircraft used in a course involving IFR operations is equipped and maintained for IFR operations.

(d) The Authority may approve aircraft with a restricted airworthiness certificate for use in the agricultural aircraft operations, external-load operations, test pilot, and special operations courses, if its use for training is not prohibited by the aircraft's operating limitations

9.320 AME INSTRUCTIONAL EQUIPMENT

(a) An applicant for, or holder of, an ATO certificate with approved AME courses shall have and maintain the following instructional equipment as is appropriate to the rating sought—
  (1) Various kinds of airframe structures, airframe systems and components, powerplants, and powerplant systems and components (including propellers), of a quantity and type suitable to complete the practical projects required by its approved curricula.
  (2) At least one aircraft of a type acceptable to the Authority.

(b) The required equipment need not be in an airworthy condition, and if damaged prior to use by the ATO, shall have been repaired enough for complete assembly.

(c) An applicant for, or holder of, an ATO certificate with an AME rating shall have airframes, powerplants, propellers, appliances, and components thereof, to be used for instruction and from which students will gain practical working experience, and shall insure that the airframes, powerplants, propellers, appliances, and components thereof be sufficiently diversified as to show the different methods of construction, assembly, inspection, and operation when installed in an aircraft for use.

(d) Each applicant for, or holder of, an ATO certificate with an AME rating shall ensure that it maintains a sufficient number of units of the material so that no more than eight students will work on any one unit at one time.

(e) Each applicant for, or holder of, an ATO certificate with an AME rating using an aircraft for instructional
purposes that does not have retractable landing gear and wing flaps, shall provide training aids, or operational mock-ups of the retractable landing gear and wing flaps which are acceptable to the Authority.

(f) An applicant for an ATO certificate with an AME rating, or and applicant seeking an additional AME rating, shall have at least the facilities, equipment, and materials appropriate to the rating sought.

(g) An applicant for, or holder of, an ATO certificate with an AME rating shall maintain, on the premises and under the full control of the ATO, an adequate supply of material, special tools,

and shop equipment used in construction and maintenance of aircraft, as is appropriate, to the approved curriculum of the ATO, in order to assure that each student will be properly instructed.

(h) An applicant for, or holder of, an ATO certificate with an AME rating shall ensure that the required special tools and shop equipment are in satisfactory working condition for instructional and practice purposes.

See appendix 1 to 9.320: facilities for ame courses

9.325 OTHER TRAINING EQUIPMENT REQUIREMENTS

(a) The ATO certificate holder that is approved for Cabin Crew training curriculums shall have displays, mock- ups and simulation that is appropriate to the approved curriculum.

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APPENDICES

APPENDIX 1 TO 9.030: CONTENTS OF TRAINING SPECIFICATIONS

(a) The contents of the training specifications issued by the Authority will contain—
- (1) Authorization for the ATO certificate holder to function as a Level 1, 2 or 3 ATO.
- (2) The type of training authorized, including approved courses;
- (3) The category, class, and type of aircraft that may be used for training, testing, and checking;
- (4) For each flight simulation training device, the make, model, and series of aircraft or the set of aircraft being simulated and the qualification level assigned, or the make, model, and series of rotor craft, or set of rotor craft being simulated and the qualification level assigned;
- (5) For each flight simulation training device subject to qualification evaluation by the Authority, the identification number assigned by the Authority;
- (6) The name and address of each satellite ATO, and the approved courses offered at each satellite ATO;
- (7) Authorised deviations or waivers from this Part; and
- (8) Any other items the Authority may require or allow.

APPENDIX 1 TO 9.040: APPLICATION FOR ATO CERTIFICATE

(a) Each applicant for an ATO certificate and training specification shall provide to the Authority the following information—
- (1) A statement showing that the minimum qualification requirements for each management position are met or exceeded.
- (2) A statement acknowledging that the applicant may notify the Authority within 10 working days of any change made in the assignment of persons in the required management positions.
- (3) The proposed training specifications requested by the applicant.
- (4) The proposed evaluation authorization.
- (5) A description of the flight training equipment that the applicant proposes to use.
- (6) A description of the applicant's training facilities, equipment, and qualifications of personnel to be used, and proposed evaluation plans.
- (7) A training program curriculum, including syllabi, outlines, courseware, procedures, and documentation to support the required items upon request by the Authority.
- (8) A description of a record keeping system that will identify and document the details of training, qualification, and licensing of students, instructors, and evaluators.
- (9) A description of quality control measures proposed.
- (10) A method of demonstrating the applicant's qualification and ability to provide training for a licence or rating in fewer than the minimum hours prescribed in Part 8 if the applicant proposes to do so.

APPENDIX 1 TO 9.100: TRAINING COURSE CONTENTS

(a) The Level 1 or Level 2 ATO certificate holder shall ensure that each training course contains—
- (1) A description of each flight simulation training device used for training;
- (2) A listing of the aerodromes at which training flights originate and a description of the facilities, including pilot briefing areas that are available for use by the students and personnel at each of those aerodromes;
- (3) A description of the type of aircraft including any special equipment used for each phase of training.

(4) The minimum qualifications and ratings for each instructor assigned to ground or flight training; and

(5) A training syllabus that includes—

(i) The prerequisites for enrolling in the ground and flight portion of the course that include the pilot licence and rating (if required by this Part), training, pilot experience, and pilot knowledge;

(ii) A detailed description of each lesson, including the lesson's objectives, standards, and planned time for completion;

(iii) Course learning objectives;

(iv) Stage learning objectives and standards; and

(v) A description of the checks and tests to be used to measure learning after each stage of training.

(b) A Level 1 ATO certificate holder may—

(1) Include training in a flight simulation training device, provided it is representative of the aircraft for which the course is approved, meets the requirements of this paragraph, and the training is given by an authorised instructor; and

(2) Permit a student to credit training in a flight simulator that meets the requirements for a maximum of 25 percent of the total flight training hour requirements of the approved course.

APPENDIX 1 TO 9.180: CONTENTS OF TRAINING & PROCEDURES MANUAL

(a) Manual administration—

(1) Management introductory policy
(2) Revision summary
(3) List of pages (page control)
(4) Table of contents
(5) Procedures for revision of manual
(6) Method for identification of revisions within the manual
(7) Description of page layout including page numbering, display of revision number
(8) Description of header and paragraph structure and numbering
(9) Glossary of terms and abbreviations)

(b) ATO organization and management—

(1) Organization chart showing management positions and relationships to instructors, evaluators and trainees
(2) Duties and responsibilities of the Accountable Manage
(3) Duties and responsibilities of the Manager of Training
(4) Duties and responsibilities of a Chief Instructor
(5) Safety and Quality Assurance manager
(6) Duties and responsibilities of instructors
(7) Duties and responsibilities of evaluators
(8) Duties and responsibilities of the simulation of maintenance personnel.
(9) Listing of management and supervisory personnel, including contact numbers, emails and addresses.
(10) Listing of instructors and general qualifications
(11) Listing of evaluators and general qualifications

(c) Training Approvals

(1) Copy of current Training Specifications (with approvals)
(2) Copy of each course summary and course curriculum outline

(d) Training Administration

(1) Procedures for notifying the Authority of the intent to conduct and dates of approved training
(2) Procedures for notifying the Authority of the intent to conduct, and dates for specific checking or testing events.
(3) Instructions for accommodating access and inspections of the Authority
(4) Policy and instructions for notifying the Authority of changes relating to approved training.
(5) Procedures for scheduling and publishing of training sessions.
(6) Procedures for requesting additional training authorizations
(7) Instructions for application for renewal of ATO certificate and/or course curriculums.
(8) Procedures for assessment and crediting previous training and experience
(9) Instructions for completion of the graduation certificate
(10) Procedures for providing a transcript of training records to the trainee
(11) Policies and procedures for retention of records
(12) Security procedures for trainee training and qualification records
(13) Security procedures for instructor and evaluator training and qualification records.
(14) Security procedures for original documents approved by the Authority

(e) Description of Training facilities
(1) Location and address of principal business office
(2) Location and address of primary training facilities
(3) Location and address of all satellite training facilities
(4) Pictorial layout of training facilities and rooms
(5) Description of technical library and self-study areas and equipment
(6) Description of classrooms and classroom training equipment
(7) Description and number of briefing areas and equipment
(8) Description of aerodrome(s) which will be used for flight training
(9) Pictorial description of operating areas which will be used for flight training
(10) Description of other areas such as simulator bays and emergency demonstrations
(11) Description of areas that are suitable to maintenance training functions.

(f) Flight Simulation and/or Aircraft Equipment
(1) Listing the aircraft approved for use by the training organization
(2) Listing of the approved simulators and the approved maneuvers and procedures
(3) Listing of all aviation maintenance mockups and other training aids

(g) Training of Trainees
(1) Limitations to trainee ground training periods each day
(2) Restrictions to instructor training and rest periods
(3) Procedures for suspending trainees from training program

(h) Flight Training
(1) Limitations to trainee flight training periods each day
(2) Procedures for supervision of training flights
(3) Procedures for transfer of control between instructor and trainee

(i) Checking and Testing of Trainees
(1) General procedures for conducting each authorized skill tests
(2) Evaluator conduct of progress checks
(3) Evaluator conduct of practical knowledge (oral) tests
(4) Evaluator conduct of applicable skill (performance) tests
(5) Limitations to the length of skill tests for best and/or flight training periods
(6) Procedures for continuing skill tests when at least one event has been unsatisfactory

(7) Procedures for terminating skill tests before completion
(8) Procedures for re-testing of trainees

(j) Instructor and Evaluator Qualification
(1) Curriculum for qualification of instructors
(2) Curriculum for qualification of evaluators
(3) Standardization of
(4) Procedures for safe conduct of training and checking in the aircraft

(k) Training Development Policies & Procedures
(1) Instructions for development of curriculums and curriculum segments
(2) Instructions for development of course summaries
(3) Instructions for development of training outcomes
(4) Instructions for determining prerequisites
(5) Instructions for development of lesson plans
(6) Instructions for development of instructional objectives
(7) Instructions for development of instructor presentations
(8) Instructions for development of trainee exercises and scenarios for competency-based training
(9) Instructions for development of knowledge tests and question development.

(l) Quality Control
(1) Procedures for auditing instructor performance
(2) Procedures for assessment of lesson quality
(3) Procedures for assessment of end-of-course quality
(4) Procedures for correcting quality control issues

(m) Safety Management System
(1) Safety Policies relating to safety management and quality assurance
(2) Checklists and instructions for audit of ATO training records
(3) Checklists and instructions for audit of training course documentation
(4) Checklists and instructions for auditing of conduct of training
(5) Procedures for received and addressing reported hazards.
(6) Procedures for identification of hazards and assessment of risk
(7) Procedures for safety promotion

APPENDIX 1 TO 9.205: CONTENTS OF STUDENT RECORDS

(a) The student records maintained by the ATO certificate holder shall contain—
(1) The name of the student;
(2) A copy of the student's licence, if any, and medical certificate, if required;
(3) The name of the course and the make and model of flight training equipment used, if applicable;
(4) The student's prerequisite experience, including any prior instruction credited and the authenticated transcript of grades from a ATO previously attended;
(5) Course time completed;
(6) The date the student graduated, terminated training, or transferred to another ATO;
(7) The student's performance on each lesson and the name of the instructor providing instruction;
(8) A current progress record for each student showing the practical projects or laboratory work completed or to be completed for each subject;
(9) The date and result of each knowledge test and end-of-course practical test and the name of the evaluator conducting the test(s); and
(10) The number of hours of additional training that was accomplished after any

unsatisfactory practical test.

APPENDIX 1 TO 9.210: CONTENTS OF ATO STAFF QUALIFICATION RECORDS

(a) The records maintained by the ATO certificate holder for the instructor shall contain—
  (1) The name of the instructor and/ or evaluator;
  (2) A copy of the instructor/evaluator's licence, if any, and medical certificate, if required;
  (3) A resume of previous and current experience;
  (4) A qualification and training history applicable to the instruction or evaluation provided;
  (5) The records of the training required to prepare the instructor/evaluator for the duties to be performed by the ATO certificate holder.
  (6) The approval from the Authority for that instructor/evaluator to be used by the ATO certificate holder.
  (7) Scope of training/evaluation that may be provided by the instructor/evaluator;

APPENDIX 1 TO 9.225: CREDITING PAST EXPERIENCE & INSTRUCTION

(a) The ATO shall apply the following guidelines when giving a student credit for past experience—
  (1) Instruction satisfactorily completed at—
    (i) An accredited university, college, or junior college;
    (ii) An accredited vocational, technical, trade or high school;
    (iii) A military technical school; or
    (iv) An ATO.
  (2) Previous aviation maintenance experience comparable to required curriculum subjects—
    (i) By determining the amount of credit to be allowed by documents verifying previous experience; and
    (ii) By giving the student a test equal to the one given to students who complete the comparable required curriculum subject at the ATO.
  (3) Credit to be allowed for previous instruction—
    (i) By an entrance test equal to one given to the students who complete a comparable required curriculum subject at the crediting ATO;
    (ii) By an evaluation of an authenticated transcript from the student's former ATO; or in the case of an applicant from a military school, only on the basis of an entrance test.

APPENDIX 2 TO 9.225: CREDITING OF PREVIOUS PILOT & AME TRAINING

(a) A Level 1 ATO certificate holder receiving a student from another Level 1 ATO may credit that student's previous experience towards the curriculum requirements of a course subject to the following conditions—
  (1) If the credit is based upon the prescribed requirements of this Part, the gaining ATO certificate holder may credit that student not more than 50 percent of the curriculum requirements;
  (2) If the credit is not based upon this Part, the gaining ATO certificate holder may credit that student not more than 25 percent of the curriculum requirements;

(b) The receiving ATO certificate holder shall determine the amount of course credit to be credited under paragraph (1) or paragraph (2), based on a proficiency test or knowledge test, or both, of the student.

(c) The receiving ATO certificate holder may grant credit for training specified in paragraph (a)(1) or paragraph
(2) only if the previous provider of the training has certified the kind and amount of training provided, and the result of each stage check and end-of-course test, if applicable, given to the

student.

(d) An AME training course holder may evaluate and grant credit for an entrant's previous training provided—
  (1) The AME training course holder determines that the training is verifiable and comparable to portions of the training program.
  (2) The individual requesting credit passes an examination given by the AME training course holder, which is equivalent to those examinations given by the AME training course holder for the same subject in the training program.

APPENDIX 1 TO 9.230: CONTENTS OF GRADUATION CERTIFICATE

(a) The ATO certificate holder shall include in each graduation certificate—
  (1) The name of the ATO and the certificate number;
  (2) The name of the graduate to whom it was issued;
  (3) The approved curriculum title;
  (4) The date of graduation;
  (5) A statement that the student has satisfactorily completed each required stage of the approved course of training including the tests for those stages;
  (6) An authentication by an official of the ATO; and
  (7) A statement showing the cross-country flight training that the student received in the course of training, if applicable.
  (8) is required, of the same type replicated by the approved flight simulator in which that instructor is designated to instruct;
  (9) Each instructor shall have participated in an approved line-observation program, and that—
    (i) Was accomplished in the same aircraft type as the aircraft represented by the flight simulator in which that instructor is designated to instruct; and
    (ii) Included line-oriented flight training of at least 1 hour of flight during which the instructor was the sole manipulator of the controls in a flight simulator that replicated the same type aircraft for which that instructor is designated to instruct.

APPENDIX 1 TO 9.310: AERODROME REQUIREMENTS

(a) For the original authorization, the ATO certificate holder shall show that the aerodrome at which training flights originate has the following—
  (1) At least one runway or takeoff area that allows training aircraft used by the ATO certificate holder to safely make a normal takeoff and landing at the aircraft's maximum certified takeoff gross weight;
  (2) The performance calculation to establish the maximum safe performance requirement for this runway shall be determined using the following performance conditions—
    (i) Headwind component is not more than 5 knots;
    (ii) Temperatures equal to the mean high temperature for the hottest month of the year in the operating area;
    (iii) If applicable, with the powerplant operation, and landing gear and flap operation recommended by the manufacturer; and
    (iv) In the case of a takeoff—
      (A) With smooth transition from liftoff to the best rate of climb speed without exceptional piloting skills or techniques; and
      (B) Clearing all obstacles in the takeoff flight path by at least 50 feet.
  (3) A wind direction indicator that is visible from the end of each runway at ground level.
  (4) A traffic direction indicator when—
    (i) The aerodrome does not have an operating control tower; and
    (ii) Traffic and wind advisories are not available.

(5) Except as provided in paragraph (a)(5), permanent runway lights if that aerodrome is to be used for night training flights.

Adequate non-permanent lighting or shoreline lighting for an aerodrome or seaplane base for night training flights in seaplanes, if approved by the Authority.

APPENDIX 1 TO 9.320: FACILITIES FOR AME COURSES

(a) An applicant for, and holder of, an ATO certificate shall have facilities the Authority determines are appropriate for the maximum number of students expected to be taught at any time, as follows—

(1) An enclosed classroom.

(2) Suitable facilities arranged to assure proper separation from the working space, for parts, tools, materials, and similar articles.

(3) Suitable area for application of finishing materials, including paint spraying.

(4) Suitable areas equipped with washtank and degreasing equipment with air pressure or other adequate cleaning equipment.

(5) Suitable facilities for running engines.

(6) Suitable area with adequate equipment, including benches, tables, and test equipment, to disassemble, service, and inspect—

(i) Ignition systems, electrical equipment, and appliances;

(ii) Carburettors and fuel systems; and

(iii) Hydraulic and vacuum systems for aircraft, aircraft engines, and their appliances.

(7) Suitable space with adequate equipment, including tables, benches, stands, and jacks, for disassembling, inspecting, and rigging aircraft.

(8) Suitable space with adequate equipment for disassembling, inspecting, assembling, troubleshooting, and timing engines.

END OF RCAR PART 09

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº 04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

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(sé)
BUSINGYE Johnston
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UMUGEREKA WA X W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX X TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE X A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 10

Operations of Aircraft

SUBPART A: GENERAL 8
10.001 CITATION & APPLICABILITY 8
10.003 SPECIFIC APPROVALS 8
10.005 DEFINITIONS 8
10.010 ACRONYMS 8
SUBPART B: AIRCRAFT REQUIREMENTS 10
10.015 AIRCRAFT REGISTRATION & MARKINGS 10
10.020 CIVIL AIRCRAFT AIRWORTHINESS 10
10.025 OPERATIONAL RESTRICTIONS: CERTIFICATE OF AIRWORTHINESS 10
1.030 AIRCRAFT INSTRUMENTS & EQUIPMENT 10
10.035 INOPERATIVE INSTRUMENTS & EQUIPMENT 10
10.040 CIVIL AIRCRAFT FLIGHT MANUAL, MARKING & PLACARD REQUIREMENTS 11
10.045 REQUIRED AIRCRAFT & EQUIPMENT INSPECTIONS 11
10.050 DOCUMENTS TO BE CARRIED ON AIRCRAFT: ALL OPERATIONS 12
10.051 ADDITIONAL DOCUMENTS APPLICABLE TO INTERNATIONAL FLIGHTS 12
10.055 ADDITIONAL DOCUMENT REQUIREMENTS : COMMERCIAL AIR TRANSPORT 13
SUBPART C: FLIGHT CREW REQUIREMENTS 13
10.059 APPLICABILITY 13
10.060 COMPOSITION OF THE FLIGHT CREW 13
10.063 [RESERVED] 13
10.065 FLIGHT CREW QUALIFICATIONS 13
10.070 WHEN AIRCRAFT TYPE RATING IS REQUIRED 14
10.075 FLIGHT CREW LICENCES REQUIRED 14
10.077 RADIO OPERATOR LICENSE 14
10.078 LANGUAGE PROFICIENCY 15
10.080 MEDICAL CERTIFICATE REQUIRED 15
10.085 AIRMAN: LIMITATIONS ON USE OF SER 15
10.087 CATEGORY, CLASS & TYPE RATING REQUI 15
10.090 RATING REQUIRED FOR IFR OPERATIONS 15
10.095 SPECIAL AUTHORISATION REQUIRED FOR CEGORY II/III O P E R A T I O N S 16
10.096 ADDITIONAL TRAINING REQUIREMENTS FOR PILOT IN COMMAND 16
10.097 SPECIAL TRAINING REQUIREMENTS 16
10.100 PILOT LOGBOOKS 17
10.101 CONTENTS OF PILOT LOGBOOK 17
10.102 LOGGING & CREDITING OF FLIGHT TIME 17
10.105 PILOT CURRENCY: TAKE-OFF & LANDINGS 17

10.110 PILOT CURRENCY: IFR OPERATIONS....18
10.115 PILOT CURRENCY: GENERAL AVIATION OPERATIONS....18
10.120 ADDITIONAL COMMERCIAL AIR TRANSPORT QUALIFICATIONS....18
10.125 PILOT PRIVILEGES & LIMITATIONS....18
10.130 AIRLINE TRANSPORT PILOT PRIVILEGES....18
10.133 MULTI-CREW PILOT PRIVILEGES....19
10.135 COMMERCIAL PILOT PRIVILEGES & LIMITATIONS: GENERAL....19
10.137 INSTRUMENT RATING PRIVILEGES....20
10.140 PRIVATE PILOT PRIVILEGES & LIMITATIONS: REQUIRED CREW MEMBER....20
10.145 STUDENT PILOT: GENERAL LIMITATIONS....20
10.146 STUDENT PILOT: SOLO FLIGHT LIMITATIONS....21
10.147 FLIGHT INSTRUCTOR PRIVILEGES & LIMITATIONS.....21
10.148 FLIGHT ENGINEER PRIVILEGES & LIMITATIONS....22
SUBPART D: CREW MEMBER DUTIES & RESPONSIBILITIES....22
10.150 AUTHORITY & RESPONSIBILITY OF THE PIC....22
10.155 DESIGNATION & ASSIGNMENT OF CREW MEMBERS....23
10.160 COMPLIANCE WITH LOCAL REGULATIONS....23
10.165 OPERATIONAL CONTROL....23
10.170 FITNESS OF FLIGHT CREW MEMBERS....23
10.175 PROBLEMATIC USE OF PSYCHOACTIVE SUBSTANCES....24
10.180 CREW MEMBER USE OF SEAT BELTS & SHOULDER HARNESSES....24
10.185 FLIGHT CREW MEMBERS AT DUTY STATIONS....24
10.190 REQUIRED CREW MEMBER EQUIPMENT....24
10.193 REQUIRED CORRECTIVE LENSES....25
10.195 COMPLIANCE WITH CHECKLISTS....25
10.200 SEARCH & RESCUE INFORMATION....25
10.205 PRODUCTION OF AIRCRAFT AND FLIGHT DOCUMENTATION....25
10.210 LOCKING OF FLIGHT DECK COMPARTMENT DOOR: COMMERCIAL AIR TRANSPORT..25
10.215 ADMISSION TO THE FLIGHT DECK: COMMERCIAL AIR TRANSPORT....26
10.220 ADMISSION OF INSPECTOR TO THE FLIGHT DECK....26
10.225 DUTIES DURING CRITICAL PHASES OF FLIGHT: COMMERCIAL AIR TRANSPORT....26
10.227 FLIGHT DECK COMMUNICATIONS....26
10.230 MANIPULATION OF THE CONTROLS: COMMERCIAL AIR TRANSPORT....26
10.235 RESPONSIBILITY FOR REQUIRED DOCUMENTS....26
10.240 AIRCRAFT TECHNICAL LOGBOOK: COMMERCIAL AIR TRANSPORT....27
10.245 REPORTING KNOWN OR SUSPECTED DEFECTS OF AIRCRAFT....27
10.250 REPORTING OF FACILITY & AIR NAVIGATION INADEQUACIES....27
10.255 REPORTING OF WEATHER & HAZARDOUS CONDITIONS....27
10.257 REPORTING OF POSSIBLE COMMUNICABLE DISEASE....27
10.260 REPORTING OF INCIDENTS....28

10.263 DANGEROUS GOODS INCIDENT OR ACCIDENT 28
10.265 ACCIDENT NOTIFICATION 28
10.270 OPERATION OF FLIGHT DECK VOICE & FLIGHT DATA RECORDERS 29
10.275 CREW MEMBER OXYGEN: MINIMUM SUPPLY & USE 29
10.277 WEARING OF SURVIVAL SUITS 29
10.280 PORTABLE ELECTRONIC DEVICES 30
10.281 ELECTRONIC FLIGHT BAG [EFB] 30
10.282 CARRIAGE OF DANGEROUS GOODS 30
10.283 COMPLIANCE WITH SECURITY PROGRAM 30
10.284 RECORDS OF EMERGENCY & SURVIVAL EQUIPMENT CARRIED 30
SUBPART E: ALL PASSENGER CARRYING OPERATIONS 31
10.285 APPLICABILITY 31
10.287 UNACCEPTABLE CONDUCT 31
10.290 REFUELING WITH PASSENGERS ON BOARD: ALL AIRCRAFT 31
10.292 REFUELING WITH PASSENGERS ON BOARD: HELICOPTERS 31
10.295 PASSENGER SAFETY 32
10.300 PASSENGER BRIEFING 32
10.305 INFLIGHT EMERGENCY INSTRUCTION 33
10.315 PASSENGER OXYGEN: MINIMUM SUPPLY & USE 33
10.320 ALCOHOL OR DRUGS 33
SUBPART F: FLIGHT PLANS 34
10.324 APPLICABILITY 34
10.325 SUBMISSION OF A FLIGHT PLAN 34
10.330 AIR TRAFFIC CONTROL FLIGHT PLAN: COMMERCIAL AIR TRANSPORT 34
10.335 CONTENTS OF A FLIGHT PLAN 34
10.340 PLANNED RECLEARANCE (RE-DISPATCH) 35
10.345 CHANGES TO A FLIGHT PLAN 35
10.350 CLOSING A FLIGHT PLAN 35
SUBPART G: FLIGHT PLANNING & PREPARATION 36
10.354 APPLICABILITY 36
10.355 AIRCRAFT AIRWORTHINESS & SAFETY PRECAUTIONS 36
10.360 ADEQUACY OF OPERATING FACILITIES 36
10.363 SELECTION OF VFR LANDMARKS 36
10.365 PRE-FLIGHT ACTION, INCLUDING WEATHER REPORTS & FORECASTS 36
10.370 WEATHER LIMITATIONS FOR VFR FLIGHTS 37
10.375 WEATHER LIMITATIONS FOR IFR FLIGHTS 37
10.380 IFR DESTINATION ALTERNATE AERODROME/HELIPORT/LANDING LOCATION 37
10.382 ADDITIONAL REQUIREMENTS FOR ISOLATED AERODROMES 38
10.385 IFR ALTERNATE AERODROME/HELIPORT SELECTION CRITERIA 38
10.390 OFFSHORE ALTERNATES FOR HELICOPTER OPERATIONS 39

10.395 TAKE-OFF ALTERNATE REQUIREMENTS 39
10.397 EN-ROUTE ALTERNATES....40
10.398 TIME CAPABILITY OF CARGO COMPARTMENT FIRE SUPPRESSION....40
10.400 OPERATIONS BEYOND 60 MINUTES TO AN EN-ROUTE ALTERNATE AERODROME 40
10.410 FUEL SUPPLY: GENERAL CONSIDERATIONS 41
10.415 MINIMUM FUEL SUPPLY FOR VFR DOMESTIC FLIGHTS....41
10.416 IFR FUEL REQUIREMENTS: HELICOPTERS....42
10.418 IFR FUEL REQUIREMENTS: GENERAL AVIATION PISTON-ENGINED AERO PLANES 42
10.420 IFR FUEL REQUIREMENTS: LARGE & TURBINE AERO PLANES....42
10.423 IN-FLIGHT CHANGES & RE-PLANNING....44
10.425 IN-FLIGHT FUEL MANAGEMENT 44
10.430 AIRCRAFT LOADING, MASS & BALANCE....44
10.435 AIRCRAFT PERFORMANCE & OPERATING LIMITATIONS 45
10.440 FLIGHT RELEASE REQUIRED: COMMERCIAL AIR TRANSPORT 45
10.445 OPERATIONAL FLIGHT PLAN: COMMERCIAL AIR TRANSPORT 46
10.450 FLIGHT PLANNING DOCUMENT DISTRIBUTION & RETENTION: COMMERCIAL AIR TRANSPORT....46
SUBPART H: FLIGHT RULES FOR ALL OPERATIONS 46
10.470 APPLICABILITY & COMPLIANCE....46
10.475 NEGLIGENT OR RECKLESS OPERATIONS OF THE AIRCRAFT 47
10.476 UNMANNED OR REMOTELY PILOTED AIRCRAFT....47
10.477 COMPLIANCE WITH LOCAL REGULATIONS....47
10.480 OPERATION OF AIRCRAFT ON THE GROUND 47
10.482 TAKE-OFF & LANDING....48
10.484 PRE-TAKEOFF INSPECTIONS 48
10.485 TAKE-OFF CONDITIONS....48
10.487 NOISE ABATEMENT....49
10.490 FLIGHT INTO KNOWN OR EXPECTED ICING 49
10.493 AIRCRAFT OPERATING LIMITATIONS 49
10.494 CRUISING LEVELS....49
10.495 ALTIMETER SETTINGS....50
10.500 MINIMUM SAFE ALTITUDES: GENERAL....50
10.505 MINIMUM SAFE VFR ALTITUDES: COMMERCIAL AIR TRANSPORT OPERATIONS....50
10.510 AERODROME OPERATING MINIMA 50
10.513 HELICOPTER OPERATIONS & HELIPORTS IN CONGESTED HOSTILE ENVIRONMENT....51
10.515 DIVERSION DECISION....51
10.520 OPERATING NEAR OTHER AIRCRAFT 51
10.521 CLIMB & DESCENT PRECAUTIONS 51
10.525 RIGHT-OF-WAY RULES: AIRCRAFT IN FLIGHT 51
10.529 RIGHT OF WAY RULES: AERODROME SURFACE MOVEMENT 52

10.530 RIGHT-OF-WAY RULES: WATER SURFACE OPERATIONS....53
10.535 USE OF AIRCRAFT LIGHTS....53
10.537 NIGHT OPERATIONS....54
10.540 SIMULATED INSTRUMENT FLIGHT....54
10.545 INFLIGHT SIMULATION....54
10.550 DROPPING, SPRAYING, TOWING....54
10.555 AEROBATIC FLIGHT....54
10.560 FLIGHT TEST AREAS....55
10.565 DANGER, PROHIBITED & RESTRICTED AREAS....55
10.570 REQUIRED SPECIAL AIRSPACE APPROVALS PBN/RNP, MNPS/NAT, RVSM, PBC)....55
10.571 ADDITIONAL OPERATIONAL CERTIFICATION APPROVALS....55
10.572 HEADS-UP DISPLAYS, VISION & IMAGING SYSTEMS....56
10.575 OPERATIONS ON OR IN THE VICINITY OF AN AERODROME....56
10.577 OPERATIONS IN CERTAIN AIRSPACE....56
10.580 AERODROME TRAFFIC PATTERN ALTITUDES: TURBOJET OR LARGE AIRCRAFT....57
10.583 AEROPLANE OPERATING PROCEDURES FOR LANDING PERFORMANCE....57
10.585 COMPLIANCE WITH VISUAL & ELECTRONIC GLIDE SLOPES....57
10.587 STABILIZED FINAL APPROACH....57
10.589 MAXIMUM AIRSPEEDS....57
10.590 RESTRICTION OR SUSPENSION OF OPERATIONS: COMMERCIAL AIR TRANSPORT....57
10.595 CONTINUATION OF FLIGHT....57
10.597 CONTINUATION OF FLIGHT: COMMERCIAL AIR TRANSPORT....57
10.600 INTERCEPTION BY MILITARY OR GOVERNMENT AIRCRAFT....58
10.601 OVERWATER OPERATIONS OF HELICOPTERS....58
SUBPART I: OPERATIONS IN CONTROLLED FLIGHT....58
10.605 ATC CLEARANCES....58
10.610 ADHERENCE TO ATC CLEARANCES....58
10.615 COMMUNICATIONS & COMMUNICATIONS FAILURE....59
10.620 ROUTE TO BE FLOWN....60
10.625 DEVIATIONS FROM PLANNED FLIGHT....60
10.630 ATC CLEARANCE: INTENDED CHANGES....60
10.635 POSITION REPORTS....61
10.637 FORMATION FLIGHTS IN CONTROLLED AIRSPACE....61
10.640 OPERATIONS ON OR IN THE VICINITY OF A CONTROLLED AERODROME....61
10.643 TERMINATION OF CONTROL....62
10.645 UNLAWFUL INTERFERENCE....62
10.650 TIME CHECKS....62
10.655 UNIVERSAL SIGNALS....62
SUBPART J: VFR FLIGHT RULES....62
10.659 APPLICABILITY....62

10.660 VISUAL METEOROLOGICAL CONDITIONS 63
10.665 VFR WEATHER MINIMUMS FOR TAKE-OFF & LANDING 63
10.670 SPECIAL VFR OPERATIONS 63
10.675 VFR CRUISING ALTITUDES 63
10.680 ATC CLEARANCES FOR VFR FLIGHTS 64
10.685 VFR FLIGHTS REQUIRING ATC AUTHORISATION 64
10.687 VFR FLIGHT NOT AUTHORISED IN RVSM AIRSPACE 64
10.690 WEATHER DETERIORATION BELOW VMC 64
10.695 CHANGING FROM VFR TO IFR 64
SUBPART K: IFR FLIGHT RULES 65
10.703 APPLICABILITY & COMPLIANCE 65
10.705 IFR IN CONTROLLED AIRSPACE 65
10.710 IFR FLIGHTS OUTSIDE CONTROLLED AIRSPACE 65
10.714 IFR TAKE-OFF MINIMUMS: GENERAL AVIATION 65
10.715 IFR TAKE-OFF MINIMUMS FOR COMMERCIAL AIR TRANSPORT 65
10.720 MINIMUM ALTITUDES FOR IFR OPERATIONS 66
10.725 MINIMUM ALTITUDES FOR USE OF AN AUTOPILOT 66
10.730 IFR CRUISING ALTITUDE OR FLIGHT LEVEL IN CONTROLLED AIRSPACE 66
10.735 IFR CRUISING ALTITUDE OR FLIGHT LEVEL IN UNCONTROLLED AIRSPACE 67
10.740 IFR RADIO COMMUNICATIONS 67
10.745 OPERATION UNDER IFR IN CONTROLLED AIRSPACE: MALFUNCTION REPORTS 67
10.750 CONTINUATION OF IFR FLIGHT TOWARD A DESTINATION 67
10.755 INSTRUMENT APPROACHES TO CIVIL AERODROMES 67
10.757 APPROVAL REQUIRED: CATEGORY II OR III APPROACHES 68
10.760 RUNWAY VISUAL RANGE (RVR) MINIMUMS 68
10.765 CONTINUING AN INSTRUMENT APPROACH 68
10.770 OPERATION BELOW DH OR MDA 68
10.772 THRESHOLD CROSSING HEIGHT FOR PRECISION APPROACHES 69
10.775 LANDING DURING INSTRUMENT METEOROLOGICAL CONDITIONS 69
10.780 EXECUTION OF A MISSED APPROACH PROCEDURE 69
10.785 CHANGE FROM IFR FLIGHT TO VFR FLIGHT 69
APPENDICES 70
APPENDIX 1 TO 10.035: INOPERATIVE INSTRUMENTS & EQUIPMENT 70
APPENDIX 1 TO 10.051: CONTENTS OF JOURNEY LOG 70
APPENDIX 1 TO 10.097: ACAS II TRAINING 70
APPENDIX 1 TO 10.102: LOGGING OF FLIGHT TIME 71
APPENDIX 2 TO 10.102: CREDITING OF FLIGHT TIME 72
APPENDIX 1 TO 10.147: FLIGHT INSTRUCTOR RECORDS 72
APPENDIX 2 TO 10.147: FLIGHT INSTRUCTOR LIMITATIONS AND QUALIFICATIONS 72
APPENDIX 1 TO 10.175: USE OF PSYCHOACTIVE SUBSTANCES 74

APPENDIX 1 TO 10.185: FLIGHT CREW MEMBERS AT DUTY STATIONS 74
APPENDIX 1 TO 10.400: DETERMINATION OF FLIGHT PLANNING SPEED: EDTO.....74
APPENDIX 1 TO 10.410: EDTO ALTERNATE PLANNING 75
APPENDIX 1 TO 10.494: TABLES OF CRUISING LEVELS.....76
APPENDIX 1 TO 10.570: PERFORMANCE-BASED NAVIGATION APPROVAL.....79
APPENDIX 1 TO 10.570: PERFORMANCE-BASED COMMUNICATIONS APPROVAL.....79
APPENDIX 3 TO 10.570: APPROVAL FOR RVSM OPERATIONS.....80
APPENDIX 1 TO 10.571: PERFORMANCE-BASED SURVEILLANCE APPROVAL.....80
APPENDIX 2 TO 10.571: APPROVAL OF ELECTRONIC FLIGHT BAGS 81
APPENDIX 1 TO 10.572: APPROVAL OF AUTO LANDING, HUD, NVIS OR CVS SYSTEMS 81
APPENDIX 1 TO 10.660: AIRSPACE AND VMC MINIMUMS 82

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SUBPART A: GENERAL

10.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Operations of Aircraft) Regulations.

(b) This Part prescribes the requirements for—

(1) Operations conducted by airman licensed in Rwanda while operating aircraft registered in Rwanda.

(2) Operations of foreign registered aircraft by Rwanda AOC holders.

(c) This Part is applicable to operators of aircraft in—

(1) Aerial work;

(2) Commercial air transport; or

(3) General aviation.

(d) This Part is applicable to pilots and other persons performing duties required by these Regulations.

(e) For operations outside of Rwanda, all Rwanda pilots and operators shall comply with these requirements unless compliance would result in a violation of the laws of the foreign State in which the operation is conducted.

(f) Where a particular requirement is applicable only to a particular segment of aviation operations, it will be identified by a reference to those particular operations, such as "commercial air transport" or "small non- turbojet aero planes."

(g) Civil Aviation Technical Standards published by the Authority shall also be applicable to the operations of aircraft.

10.003 SPECIFIC APPROVALS

(a) The pilot-in-command shall not conduct operations for which a specific approval is required by this Part unless such approval has been issued by the State of Registry.

(b) Specific approvals issued by the Authority shall follow a specific layout and contain at least the information required to clearly indicate the approval that is granted, any applicable limitation(s) and, if applicable, the expiration date.

10.005 DEFINITIONS

(a) The definitions applicable to this Part are consolidated in Part 1, Appendix 1 to 1.015.

10.010 ACRONYMS

(a) The following acronyms are used in this part—

ADS – Automatic Dependent Surveillance
AFM – Aircraft Flight Manual
AGL – Above Ground Level
AOC – Air Operator Certificate
AOM – Aircraft Operating Manual
ATC – Air Traffic Control
ATSU – Air Traffic Service Unit
CAT – Category
CG – Center of Gravity
DH – Decision Height
ETA – Estimated Time of Arrival
EDTO – Extended Diversion Time Operations
FL – Flight Level
ft – Feet
IFR – Instrument Flight Rules

IMC – Instrument Meteorological Conditions
LOC – Localizer
LVTO – Low Visibility Take Off
kph – Kilometres Per Hour
km – Kilometre
m – Meter
MDA – Minimum Decent Altitude
MEA — Minimum En Route Altitude
MEL – Minimum Equipment List
MMEL – Master Minimum Equipment List
MNPSA – Minimum Navigation Specifications Airspace
MOCA — Minimum Obstruction Clearance Altitude
MSL – Mean Sea Level
nm – Nautical Mile
NOTAM – Notice to Airmen
RFM – Rotorcraft Flight Manual
RVR – Runway Visibility Range
RVSM – Reduced Vertical Separation Minimum
PBE – Protective Breathing Equipment
PBC = Performance-Based Communications
PBN = Performance-Based Navigation
PBS = Performance-Based Surveillance
PIC – Pilot In Command
SIC – Second In Command
SCA – Senior Cabin crew member
sm – Statute Miles
VFR – Visual Flight Rules
VMC – Visual Meteorological Conditions

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SUBPART B: AIRCRAFT REQUIREMENTS

10.015 AIRCRAFT REGISTRATION & MARKINGS

(a) No person may operate a Rwanda-registered aircraft unless it—
  (1) Has a valid Certificate of Aircraft Registration issued by the Authority; and
  (2) Displays the proper markings prescribed in Part 2.

(b) No person may operate an aircraft in Rwanda unless it—
  (1) Has a valid Certificate of Aircraft Registration issued by the State of Registry which has not expired; and
  (2) Displays registration markings in accordance with ICAO Annex 7.

10.020 CIVIL AIRCRAFT AIRWORTHINESS

(a) No person may operate a civil aircraft unless it has—
  (1) A valid Certification of Airworthiness issued by the State of Registry; and
  (2) Been maintained in an airworthy condition and released to service under a system of maintenance acceptable to the State of Registry.

(b) No person may operate an aircraft unless, before take-off, it has been determined to be in condition for safe flight.

(c) The PIC shall discontinue a flight as soon as practicable when an unairworthy mechanical, electrical or structural condition occurs.

10.025 OPERATIONAL RESTRICTIONS: CERTIFICATE OF AIRWORTHINESS

(a) No person may operate an aircraft except—
  (1) As provided in the terms of the airworthiness certificate or equivalent document issued by the State of Registry;
  (2) Within the approved operating limitations contained in its flight manual; and
  (3) Within the mass limitations imposed by compliance with the applicable noise certificate, unless otherwise authorised in exceptional circumstances for a certain aerodrome or a runway where there is no noise disturbance problem, by the competent authority of the State in which the aerodrome is situated.

(b) No person may operate an aircraft with a Special Certificate of Airworthiness except as provided in the limitations issued with that certificate.

1.030 AIRCRAFT INSTRUMENTS & EQUIPMENT

(a) No person may operate an aircraft unless it is equipped with the instruments and equipment requirements of Part 6 appropriate to the type of flight operation conducted and the route being flown.

(b) No person may operate an aircraft unless the owner, or in the case where it is leased, the lessee, has available at all times for immediate communication to rescue coordination centres, lists containing information on the emergency and survival equipment carried on board the aircraft.

(c) The information shall include, as applicable, the—
  (1) Number, colour and type of life rafts and pyrotechnics;
  (2) Details of emergency medical supplies, water supplies; and
  (3) Type and frequencies of the emergency portable radio equipment.

10.035 INOPERATIVE INSTRUMENTS & EQUIPMENT

(a) No person may take-off in an aircraft with inoperative instruments or equipment installed, except as authorised by the Authority.

(b) No person may take-off in a multi-engine aircraft with inoperative instruments and

equipment installed unless the following conditions are met—

(1) An approved Minimum Equipment List exists for that aircraft.

(2) The Authority has approved the MEL for use for the specific aircraft and AOC holder.

(3) The approved Minimum Equipment List must—

(i) Be prepared in accordance with the most current Master Minimum Equipment List issued by the State of Design;

(ii) Be prepared in accordance with the limitations specified in paragraph (c) of this Section; and

(iii) Provide for the operation of the aircraft with certain instruments and equipment in an inoperative condition.

(4) Records identifying the inoperative instruments and equipment and the information required by paragraph (b)(3)(ii) of this Section must be available to the pilot.

(5) The aircraft is operated under all applicable conditions and limitations contained in the Minimum Equipment List and the specific operating provisions authorising use of the Minimum Equipment List

(c) The following instruments and equipment may not be included in the Minimum Equipment List—

(1) Instruments and equipment that are either specifically or otherwise required by the airworthiness requirements under which the aircraft is type certificated and which are essential for safe operations under all operating conditions.

(2) Instruments and equipment required by an airworthiness directive to be in operable condition unless

the airworthiness directive provides otherwise.

(3) Instruments and equipment required for specific operations under Parts 7, 9, 10, 11, 12 or 28.

(d) An aircraft with inoperative instruments or equipment may be operated under a Special Flight Permit issued under Part 4.

See Appendix 1 to 10.035 for specific limitation on inoperative instruments and equipment.

10.040 CIVIL AIRCRAFT FLIGHT MANUAL, MARKING & PLACARD REQUIREMENTS

(a) No person may operate a civil aircraft unless there is available in the aircraft—

(1) A current, appropriate Approved Flight Manual; or

(2) An AOM approved by the Authority for the AOC holder; or

(3) If no appropriate Approved Flight Manual exists, approved manual material, markings and placards, or any combination thereof which provide the PIC with the necessary limitations for safe operation.

(b) Placards, listings, instrument markings or combination thereof, containing those operating limitations prescribed by the State of Registry for visual presentation shall be displayed in the aircraft.

(c) Each person operating a civil aircraft shall cause the appropriate Approved Flight Manual to be updated by implementing changes made mandatory by the State of Registry.

10.045 REQUIRED AIRCRAFT & EQUIPMENT INSPECTIONS

(a) Unless otherwise authorised by the Authority, no person may operate a Rwanda civil aircraft unless it has had the following inspections and evidence of those inspections are carried on the aircraft—

(1) An annual inspection within the past 12 calendar months;

(2) For remuneration or hire operations, a 100-hour inspection;

(3) For IFR operations, an altimeter and pitot-static system inspection in the past 24 calendar months;

(4) For transponder equipped aircraft, a transponder check within the past 12 calendar

months;

(5) For ELT-equipped aircraft, an ELT check within the past 12 calendar months; and

(6) For IFR aircraft, a VOR receiver check within the past 30 days or an alternative method prescribed by the Authority.

(7) For aircraft equipped with flight and cockpit voice recorders, operational checks and evaluations of recordings shall be conducted to ensure their serviceability at intervals prescribed by the Authority.

(b) The requirements for these inspections are contained in Part 4.

(c) Aircraft maintained under an alternate maintenance and inspection program approved by the Authority, as specified in Part 4, may not have current annual or 100-hour inspections in their maintenance records. An alternate maintenance and inspection program include—

(1) A manufacturer's recommended program;

(2) Instructions for continued airworthiness; or

(3) A program designed by the operator and approved by the Authority.

10.050 DOCUMENTS TO BE CARRIED ON AIRCRAFT: ALL OPERATIONS

(a) No person may operate a civil aircraft unless it has within it the current and approved documents appropriate to the operations to be conducted—

(1) Properly displayed registration certificate issued to the owner;

(2) Properly airworthiness certificate;

(3) Properly displayed aircraft noise certificate;

(4) Appropriate Approved Flight Manual;

(5) Normal, abnormal and emergency checklists;

(6) Pilot operating handbook (or aircraft operating manual);

(7) Performance and Mass and Balance tables or graphs;

(8) Aircraft radio license (if radio is installed and being used by the crew);

(9) Current and suitable charts for—

(i) The route of the proposed flight; and

(ii) All routes along which it is reasonable to expect that the flight may be diverted;

(10) Air-ground signals and essential information for search and rescue services over which the aircraft will be flown; and

(11) Third-party liability insurance certificate.

(b) An operations manual shall be carried on the aircraft for all operations involving commercial air transport and aircraft subject to the requirements of Part 28.

(c) Maintenance records or related documents, other than a valid certificate of airworthiness, shall not be carried in the aircraft during normal flight operations.

10.051 ADDITIONAL DOCUMENTS APPLICABLE TO INTERNATIONAL FLIGHTS

(a) No person may operate a civil aircraft for flights across international borders unless it has within it the additional documents necessary for such flights, including—

(1) A general declaration for customs;

(2) List of passenger names and points of embarkation and destination, if applicable;

(3) Filed ATC flight plan;

(4) Aircraft journey log (or equivalent document);

Refer to Appendix 1 to 10.033 for the required contents of the Journey Logbook.

(5) An aircraft radio licence;

(6) The procedures and visual signals relation to interception of aircraft;

(7) An English translation of the aircraft noise certificate (or equivalent document); and

(8) Any other documentation that may be required by the Authority or States concerned with

a proposed flight.

10.055 ADDITIONAL DOCUMENT REQUIREMENTS : COMMERCIAL AIR TRANSPORT

(a) No person may operate a civil aircraft for commercial air transport unless it has within it the additional documents necessary for such flights, including—
  (1) Aircraft Technical Log;
  (2) Aircraft Load Manifest;
  (3) Operational Flight Plan;
  (4) NOTAMS briefing documentation;
  (5) Meteorological information;
  (6) Part(s) of the Operations Manual relevant to operation(s) conducted;
  (7) Aircraft Operating Manual acceptable to the State of the Operator;
  (8) MEL approved by the State of the Operator;
  (9) An English translation of a certified true copy of—
    (i) The AOC; and
    (ii) The operations specifications containing pertinent authorisations, conditions and limitations for the fleet of aircraft operated;
  (10) Bomb search checklist;
  (11) Least risk location instruction in the event a bomb is found; and
  (12) Forms for complying with the reporting requirements of the Authority and the AOC holder.

SUBPART C: FLIGHT CREW REQUIREMENTS

10.059 APPLICABILITY

(a) This Subpart provides the flight crew requirements to ensure that they are qualified and current for flight operations.

10.060 COMPOSITION OF THE FLIGHT CREW

(a) The number and composition of the flight crew may not be less than the minimum numbers specified in the—
  (1) Flight manual or other documents associated with the airworthiness certificate; and
  (2) The operator's operations manual.

(b) A co-pilot is required for IFR commercial air transport operations, unless the Authority has issued a deviation.

(c) When a separate flight engineer's station is incorporated in the design of an aeroplane, the flight crew shall include at least one flight engineer especially assigned to that station, unless the duties associated with that station can be satisfactorily performed by another flight crew member, holding a flight engineer licence, without interference with regular duties.

(d) 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—
  (1) Type of aeroplane used;
  (2) Type of operations involved; and
  (3) Duration of flight between points where flight crews are exchanged.

10.063 [RESERVED]

10.065 FLIGHT CREW QUALIFICATIONS

(a) The PIC and, where applicable, the operator shall ensure for each flight crew member that—
  (1) Their licences have been issued or rendered valid by the State of Registry and contain the appropriate category, class and type ratings;

(2) They have completed the recency of experience requirements of this Part; and
(3) They are competent to perform the crew duties they have been assigned.

(b) No person may operate or perform duties in a civil aircraft that require a licence unless the licence authorising the privileges to conduct that operation were issued in accordance with the specifications of Part 7 and/or, where applicable, the Standards of Annex 1 of the International Civil Aviation Organisation.

10.070 WHEN AIRCRAFT TYPE RATING IS REQUIRED

(a) Except as provided in paragraph (b) of this Section, no person may operate any of the following civil aircraft as PIC unless that person's licence has been endorsed for the aircraft type—
(1) Large aircraft, other than lighter-than-air.
(2) Turbine-engined aero planes.
(3) Helicopters and powered lift;
(4) Aircraft certificated for operation with a minimum crew of at least two pilots.
(5) Any aircraft considered necessary by the Authority.

(b) The Authority may give a special authorisation in writing to authorise a pilot to operate an aircraft requiring a class and/or type rating in place of issuing that rating in accordance with this Part provided—
(1) The Authority has determined that an equivalent level of safety can be achieved through the operating limitations on the authorisation;
(2) The applicant shows that compliance with paragraph (a) of this Section or Part 7 is impracticable for the flight or series of flights;
(3) The operations—
(i) Are for the purpose of training, testing or specific special purpose non-revenue, non-passenger carrying flight (e.g. ferry flight);
(ii) Are within Rwanda, unless, by previous agreement with the Authority, the aircraft is flown to an adjacent contracting State for maintenance;
(iii) Are not for compensation or hire unless the compensation or hire involves payment for the use of the aircraft for training or taking a skill test; and
(iv) Involve only the carriage of flight crew members considered essential for the flight.
(4) The authorisation is limited in validity to the time need to complete the specific flight or series of flights

10.075 FLIGHT CREW LICENCES REQUIRED

(a) No person may act as PIC or in any other capacity as a required flight crew member of a civil aircraft of—
(1) Rwanda registry, unless he or she carries in their personal possession the appropriate and current licence issued in accordance with Part 7 for that flight crew position for the category, class and type of aircraft and a valid medical certificate.
(2) Foreign registry, unless he or she carries in their personal possession a valid and current licence for that type of aircraft issued to them by the State in which the aircraft is registered.

(b) No person may act as a flight crew member of a foreign registered aircraft operated by a Rwanda AOC holder unless they have been issued a Rwanda licence for the category, class and type of aircraft.

(c) No person may act as a flight engineer of a civil aircraft of Rwanda registry unless he or she has a flight engineer licence with appropriate ratings issued in accordance with Part 7.

10.077 RADIO OPERATOR LICENSE

(a) For international operations, the flight crew shall include at least one member who holds a valid license or endorsement, issued or rendered valid by the State of Registry, authorizing

operation of the type of radio transmitting equipment to be used.

10.078 LANGUAGE PROFICIENCY

(a) No person may use the aircraft radio for aeronautical radiotelephony unless their licenses has been endorsed for at least Level 4 language proficiency (as specified in Part 7) for the language to be used.

(b) The PIC shall ensure that all flight crew member licenses are endorsed for language proficiency in the language used for aeronautical radiotelephony communications.

(c) The PIC shall ascertain that the common language used by the crew for the operation of the aircraft is adequate for those operations.

(d) Operators shall ensure that flight crew members demonstrate the ability to speak and understand the language used for aeronautical radiotelephony communications as specified in Regulation 7.200.

10.080 MEDICAL CERTIFICATE REQUIRED

(a) The following persons must have a current and valid medical certificate as specified in Regulation 8.015 in order to exercise the privileges of their licences in operations of aircraft—

(1) Pilots; and

(2) Flight engineers.

(b) No person may serve in aviation unless that person has in their personal possession a valid airman medical certificate.

10.085 AIRMAN: LIMITATIONS ON USE OF SERVICES

(a) No person may serve as an airman, nor may any person use an airman in commercial air transport unless that person is qualified for the operations for which they are to be used in accordance with Part 14.

(b) No person may operate a civil aircraft in aerial work unless that person is qualified for the specific operation and in the specific type of aircraft used.

10.087 CATEGORY, CLASS & TYPE RATING REQUIR E D

(a) No person may act as the PIC of an aircraft unless that person holds the appropriate category, class, and type rating (if a class rating and type rating is required) for the aircraft to be flown, except where the pilot is the sole occupant of the aircraft, or—

(1) Is receiving training for the purpose of obtaining an additional pilot licence or rating that is appropriate to that aircraft while under the supervision of an authorised instructor; or

(2) Has received training required by these Parts that is appropriate to the aircraft category, class, and type rating (if a class or type rating is required) for the aircraft to be flown, and has received the required endorsements from an authorised instructor.

(b) A pilot may not act as PIC of an aircraft that is carrying another person, or is operated for remuneration or hire, unless that pilot holds a category, class, and type rating (if a class and type rating is required) that applies to the aircraft.

10.090 RATING REQUIRED FOR IFR OPERATIONS

(a) No person may operate a civil aircraft as the PIC in the following situations unless that person's pilot licence has been endorsed with an instrument or airline transport pilot (not limited to VFR) rating for the category, class and, if required, type of aircraft—

(1) In flight conditions where the proximity to clouds and minimum visibility is less than those prescribed for VFR (Visual Flight Rules);

(2) In IMC (instrument meteorological conditions);

(3) On an ATS clearance for operations in IFR (Instrument Flight Rules);
(4) Conducting Special VFR Operations at night in Class G airspace; or
(5) Inter-island flight at night within Rwanda airspace.

(b) No person may perform the duties of a co-pilot in any of the situations described in paragraph (a) of this Section when a co-pilot is required, unless that person's pilot licence has been endorsed with an instrument rating for the category of aircraft.

10.095 SPECIAL AUTHORISATION REQUIRED FOR CEGORY II/III O P E R A T I O N S

(a) Except as shown in paragraph (b) of this Section, no person may act as a pilot crew member of a civil aircraft in a Category II/III operation unless—
(1) In the case of a PIC, he or she holds a current Category II or III pilot authorisation for that type aircraft.
(2) In the case of a co-pilot, he or she is authorised by the State of Registry to act as co-pilot in that aircraft in Category II/III operations.

(b) An authorisation is not required for individual pilots of an AOC holder that has operations specifications approving Category II or III operations, but no pilot for an AOC may act as a pilot crew member in a Category II/IIII operation unless current and qualified for the operation conducted.

10.096 ADDITIONAL TRAINING REQUIREMENTS FOR PILOT IN COMMAND

(a)Complex Aircraft. No person may act as PIC of a complex aeroplane, high-performance aeroplane, or a pressurised aircraft capable of flight above 7500 m (25,000 ft) MSL, or an aircraft that the Authority has determined requires aircraft type-specific training, unless the person has—
(1) Received and logged ground and flight training from an authorised instructor in the applicable aeroplane type, or in an approved flight simulator or approved flight training device that is representative of that, and has been found proficient in the operation and systems of that aeroplane; and
(2) Received a one-time endorsement in the pilot's logbook from an authorised instructor who certifies the person is proficient to operate that aircraft.

(b) Additional training required for operating tail wheel aero planes. No person may act as PIC of a tail wheel aeroplane unless that person has—
(1) Received and logged flight training from an authorised instructor in a tail wheel aeroplane on the manoeuvres and procedures, to include at least—
(i) Normal and crosswind take-offs and landings;
(ii) Wheel landings (unless the manufacturer has recommended against such landings); and
(iii) Go-around procedures
(2) Received an endorsement in the person's logbook from an authorised instructor who found the person proficient in the operation of a tail wheel aeroplane for the manuevers and procedures specified in (b)(1).

10.097 SPECIAL TRAINING REQUIREMENTS

(a) The pilot-in-command of an aeroplane equipped with an airborne collision avoidance system (ACAS II) shall ensure that each flight crew member has been appropriately trained to competency in the use of ACAS II equipment and the avoidance of collision.

Note: Additional guidance regarding ACAS training is provided in Appendix 1 to 10.097

10.100 PILOT LOGBOOKS

(a) Each pilot shall show the aeronautical training and experience used to meet the requirements for a licence or rating, or recency of experience, by a reliable record that is acceptable to the Authority.

(b) Each PIC shall carry his or her logbook on all general aviation international flights.

(c) A student pilot shall carry his or her logbook, including the proper flight instructor endorsements, on all solo cross-country flights.

(d) Upon the request of an authorised representative of the Authority or a law enforcement officer, the pilot shall provide their logbook to that person.

10.101 CONTENTS OF PILOT LOGBOOK

(a) Each person shall enter the following information for each flight or lesson logged—

(1) General—

(i) Date.

(ii) Total flight time.

(iii) Location where the aircraft departed and arrived, or for lessons in an approved flight simulator or an approved flight training device, the location where the lesson occurred.

(iv) Type and identification of aircraft, approved flight simulator, or approved flight training device, as appropriate.

(v) The name of a safety pilot, if required

(2) Type of pilot experience or training—

(i) Solo.

(ii) PIC.

(iii) Co-pilot.

(iv) Flight and ground training received from an authorised instructor.

(v) Training received in an approved flight simulator or approved flight training device from an authorised instructor.

(3) Conditions of flight—

(i) Day or night.

(ii) Actual instrument.

(iii) Simulated instrument conditions in flight, an approved flight simulator, or an approved flight training device.

10.102 LOGGING & CREDITING OF FLIGHT TIME

(a) *Logging of pilot time*. The pilot shall, at a minimum and in accordance with the requirements of Appendix 1 to 10.102, log the—

(1) Training and experience used to meet the eligibility requirements for a license, rating and/or authorisation prescribed by Part 7 of these Regulations; and

(2) The experience required to show recent flight experience prescribed by Parts 10, 11 or 14 of these Regulations.

(b) *Crediting of pilot time*. The pilot shall be authorised to credit the logged flight time toward a higher grade of pilot license as prescribed in Appendix 2 of 10.102.

10.105 PILOT CURRENCY: TAKE-OFF & LANDINGS

(a) No person may act as PIC of an aircraft carrying passengers, nor of an aircraft certified for more than one required pilot flight crew member unless, within the preceding 90 days that pilot has—

(1) Made 3 take-offs and landings as the sole manipulator of the flight controls in an aircraft of the same category and class and if a type rating is required, of the same type.

(2) *For a tailwheel aeroplane*, made the 3 take-offs and landings in a tailwheel aeroplane with each landing to a full stop.

(3) *For night operations*, made the 3 take-offs and landings required by paragraph (a)(1) at night.

(b) No person may act as the co-pilot of an aircraft subject to the applicability of Part 28 unless the pilot has complied with the take-off and landing requirements of paragraph (a) of this Section.

(c) A pilot who has not met the recency of experience for take-offs and landings shall satisfactorily complete a requalification curriculum acceptable to the Authority.

(d) Requirements of paragraphs (a) and (b) of this Section may be satisfied in a flight simulator approved by the Authority.

10.110 PILOT CURRENCY: IFR OPERATIONS

(a) No person may act as PIC under IFR, nor in IMC, unless he or she has, within the preceding 6 calendar months—

(1) Logged at least 6 hours of instrument flight time including at least 3 hours in flight in the category of aircraft; and

(2) Completed at least 6 instrument approaches.

(b) No person may act as PIC for an aeroplane subject to Part 28 unless, with the previous 7 calender months, they have completed an instrument proficiency check acceptable to the Authority.

(c) A pilot who has completed an instrument competency check with an authorised representative of the Authority retains currency for IFR operations for 6 calendar months following that check.

10.115 PILOT CURRENCY: GENERAL AVIATION OPERATIONS

(a) No person may act as pilot of an aircraft type certified for more than one pilot or subject to the applicability of Part 28 unless, since the beginning of the preceding 12 calendar months, he or she has passed a proficiency check in the specific type of aircraft with an authorised representative of the Authority.

(b) No person may act as PIC of an aircraft type certified for a single pilot unless, since the beginning of the 24 calendar months, he or she has passed a proficiency check with an authorised representative of the Authority.

(c) The proficiency check shall include the maneuvers and procedures listed in the appropriate Skill Test Standards prescribed by the Authority.

10.120 ADDITIONAL COMMERCIAL AIR TRANSPORT QUALIFICATIONS

(a) All aviation personnel involved in commercial air transport shall also conform to—

(1) The initial and continuing qualification requirements of Part 14, and

(2) The requirements of Part 15 for maximum duty and flight time and minimum rest periods.

10.125 PILOT PRIVILEGES & LIMITATIONS

(a) A pilot may conduct operations only within the general privileges and limitations of the type of valid licence that he has been issued by the Authority.

10.130 AIRLINE TRANSPORT PILOT PRIVILEGES

(a) When qualified and current for the aircraft category, class and type being operated, the holder of an airline transport pilot licence may—

(1) Act as PIC (or co-pilot) of the aircraft in commercial air transportation certificated for operation with more than one pilot after completing the additional requirements of Part 12;

(1) Exercise the privileges accorded to a commercial pilot;
(2) Not give flight instruction unless also the holder of a specific authorisation from the Authority;
(3) Unless limited to VFR operations only, exercise the privileges accorded to an instrument rating for that category of aircraft; and
(4) When appropriate, exercise the privileges accorded to a private pilot.

(b) When the holder of an airline transport pilot licence in the aeroplane category has previously held only a multi-crew pilot licence, the privileges of the licence shall be limited to multi-crew operations unless the holder has met the appropriate requirements established in Sections 7.305 through 7.320. Any limitation of privileges shall be endorsed on the licence.

10.133 MULTI-CREW PILOT PRIVILEGES

(a) The holder of a multi-crew pilot licence may exercise—
(1) Commercial pilot privileges while acting as a co-pilot of an aeroplane required to be operated with a co-pilot; and
(2) Instrument rating privileges during a multi-crew flight operation.

(b) The holder of a multi-crew pilot license may make application to the Authority to act the PIC of an aeroplane certificated for single-pilot operation only after completion of the requirements of Part 7 for the exercise of—
(1) Commercial pilot privileges;
(2) Instrument rating privileges; or
(3) Private pilot privileges.

(c) The Authority may exercise the option to issue one or more of the authorisations for these privileges by—
(1) An endorsement on the holder's multi-crew pilot licence; or
(2) The separate issuance of a commercial or private pilot license with the appropriate ratings.

10.135 COMMERCIAL PILOT PRIVILEGES & LIMITATIONS: GENERAL

(a) When qualified and current for the aircraft category, class and type being operated, the holder of a commercial pilot licence may receive remuneration and exercise the following privileges—
(1) To act as pilot-in-command or co-pilot of an aircraft within the appropriate aircraft category engaged in operations other than commercial air transportation;
(2) *For commercial air transport,* after completing Part 12 qualification requirements—
(i) To act as pilot-in-command of an aircraft within the appropriate aircraft category and certificated for single-pilot operation; or
(ii) to act as co-pilot of an aircraft within the appropriate aircraft category that is required to be operated with a co-pilot;
(3) For the airship category, to pilot an airship under IFR; and
(4) To exercise all the privileges of the holder of a private pilot licence in an aircraft within the appropriate aircraft category;
(5) When appropriate, exercise the privileges accorded to a private pilot within the appropriate aircraft category.

(b) Before exercising the commercial pilot privileges at night, the licence holder shall have received dual instruction in aircraft within the appropriate category of aircraft in night flying, including take-off, landing and navigation.

(c) A commercial pilot shall not give flight instruction for a license or rating unless also the holder of an appropriate flight instructor licence and rating.

10.137 INSTRUMENT RATING PRIVILEGES

(a) When qualified and current for IFR operations in the aircraft category and class being operated the holder of an instrument rating may act as a required pilot for flights IFR flights in—
  (1) General aviation;
  (2) Aerial work operations; and
  (3) Commercial Air Transport as the—
    (i) PIC (or co-pilot) of an aircraft with a maximum gross weight of up to 5700 kg after completing the additional requirements of Part 14.
    (ii) Co-pilot of an aircraft with a maximum gross weight of more than 5700 kg after completing the additional requirements of Part 14.

(b) The holder of an instrument rating shall not exercise those privileges in a multi-engined aircraft unless they have demonstrated their instruments skills in a multi-engined aircraft, including engine-out operations, as required by Section 7.215.

(c) The holder of an instrument rating for one category may not exercise instrument privileges in another category of aircraft, unless they have completed the requirements in each category.

10.140 PRIVATE PILOT PRIVILEGES & LIMITATIONS: REQUIRED CREW MEMBER

(a) When qualified and current for the aircraft category, class and type being operated, or, in the case of gliders, the launch method, the holder of a private pilot licence may operate that aircraft as the pilot in command or the co-pilot carrying passengers or property engaged in non-revenue flights as provided in this Section.

(b) A private pilot may not act as a required crew member of an aircraft carrying passengers or property for compensation or hire or for the purpose of flight instruction.

(c) A private pilot may act as a required crew member of an aircraft in connection with any business or employment if the—
  (1) Pilot holds the required category, class and type ratings;
  (2) Flight is only incidental to that business or employment; and
  (3) Flight is for commercial air transport purposes as defined in Part 1 of these Regulations.

(d) A private pilot may receive remuneration or valuable consideration for only the sharing of expenses for a flight, provided that a private pilot may not pay less than the pro-rata share of the operating expenses of a flight with passengers, provided the expenses involve only fuel, oil, aerodrome expenditures, or rental fees.

(e) Before exercising the private pilot privileges at night, the licence holder shall have received dual instruction in aircraft within the appropriate category of aircraft in night flying, including take-off, landing and navigation.

(f) A private pilot with a glider category rating may serve as the PIC—
  (1) If the license holder has documented operational experience in the launching method used; and
  (2) *If passengers are to be carried*, a minimum of 10 hours of total flight time as the pilot of a glider.

(g) A private pilot with a lighter-than-air category rating may serve as PIC only on the type (gas or hot-air) of balloon for which he has documented operational experience.

10.145 STUDENT PILOT: GENERAL LIMITATIONS

(a) A student pilot may not act as PIC of an aircraft—
  (1) That is carrying a passenger;
  (2) That is carrying property for compensation or hire;
  (3) That is operated for compensation or hire;

(4) In furtherance of a business;
(5) On an international flight, unless by special or general arrangement between the States concerned;
(6) With a flight or surface visibility of less than 3 statute miles during daylight hours or 5 statute miles at night;
(7) When the flight cannot be made with visual reference to the surface; or
(8) In a manner contrary to any limitations placed in the pilot's logbook by an authorised instructor.

(b) A student pilot may not act as a required pilot flight crew member on any aircraft for which more than one pilot is required by the aircraft type certificate or by these Part under which the flight is conducted, except when receiving flight training from an authorised instructor on board an airship, and no person other than a required flight crew member is carried on the aircraft.

10.146 STUDENT PILOT: SOLO FLIGHT LIMITATIONS

(a) A student pilot may not operate an aircraft in solo flight unless that pilot has been trained and satisfactorily demonstrated the knowledge and proficiency requirements of—
(1) Regulation 7.265 for solo flight and,
(2) For solo cross-country flights, Regulation 7.270, and
(3) Been so endorsed in his or her logbook by a flight instructor.

(b) A student pilot may not operate an aircraft in solo flight unless that student pilot has received within the 90 calendar days preceding the date of the flight an endorsement from an authorised instructor for the specific make and model aircraft to be flown made—
(1) On his or her student pilot licence; and
(2) In the student's logbook.

(c) A student pilot may not operate an aircraft in solo flight at night.

(d) A student pilot may not operate an aircraft in solo cross-country flights of more than 40 km (25 sm) unless the flight planning has been reviewed by a flight instructor and pilot's logbook has been endorsed by the instructor for the flight(s) as provided in Section 7.265.

10.147 FLIGHT INSTRUCTOR PRIVILEGES & LIMITATIONS.

(a) A flight instructor is authorised within the limitations of that person's flight instructor licence and ratings, and pilot licence and ratings, to give training and endorsements that are required for, and relate to—
(1) A student pilot licence, including the supervision of solo flights;
(2) A pilot licence;
(3) A flight instructor licence;
(4) A ground instructor licence;
(5) An aircraft category, class or type rating;
(6) An instrument rating;
(7) A flight review, operating privilege, or recency of experience requirement;
(8) A skill test; and
(9) A knowledge test.

(b) Except as provided in this Section, no person other than the holder of a flight instructor licence with appropriate rating may—
(1) Give training required to qualify a person for solo flight and solo cross-country flight;
(2) Endorse an applicant for a pilot, flight instructor, or ground instructor licence or rating issued under this Part;
(3) Endorse a pilot logbook to show training given; or
(4) Endorse a student pilot licence and logbook for solo operating privileges.

(c) Provided that the flight instructor—

(1) Holds at least the licence and rating for which instruction is being given, in the appropriate aircraft category;
(2) Holds the licence and rating necessary to act as the pilot-in-command of the aircraft on which the instruction is given; and
(3) Has the authorisation of the Authority as either—
(i) A valid flight instructor license; or
(ii) An endorsement of flight instructor privileges entered on the holder's pilot licence.

(d) In order to carry out instruction for the multi-crew pilot licence, the flight instructor shall have also met all the instructor qualification requirements.

(e) The following license holders shall not give flight instruction unless their license is endorsed by the Authority for this purpose—
(1) The holder of a commercial pilot licence with a lighter-than-air rating, provided the training is given in a lighter-than-air aircraft;
(2) The holder of an airline transport pilot licence with appropriate ratings, provided the training is conducted in accordance with an approved training program approved under Part 14;
(3) A person who is qualified in accordance with Part 9, provided the training is conducted in accordance with an approved training program; or
(4) The holder of a ground instructor licence in accordance with the privileges of the licence.

Note: See Appendix 1 of 10.147 for expanded flight instructor record-keeping requirements. Note: See Appendix 2 of 10.147 for expanded flight instructor limitations.

10.148 FLIGHT ENGINEER PRIVILEGES & LIMITATIONS

(a) No person may act as a flight engineer of an aircraft unless he or she has a flight engineer licence with appropriate ratings.

(b) When qualified and current for the category and type of aircraft operated, the holder of a flight engineer licence with the appropriate rating is authorised to perform those duties on those aircraft that require a flight engineer for the operation of the aircraft under the type certificate.

(c) A flight engineer in commercial air transport operations must also be qualified and current in accordance with Part 14 requirements.

(d) The Authority may exercise the option to enter the types of aircraft on which the holder of a flight engineer licence is authorised to exercise the privileges of that licence, shall be either entered on the licence or recorded elsewhere in a manner acceptable to the Authority

SUBPART D: CREW MEMBER DUTIES & RESPONSIBILITIES

10.150 AUTHORITY & RESPONSIBILITY OF THE PIC

(a) The PIC shall be responsible for the operation, safety and security of the aircraft and for the safety of all persons and cargo on board when the—
(1) Doors are closed, if installed; and
(2) The aircraft is ready to move for the purpose of taking off until the moment if finally comes to rest at the end of the flight with the primary propulsion units shut down and any propellers or rotor blades have stopped turning.

(b) The PIC of an aircraft shall have final authority as to the operation of the aircraft while he or she is in command.

(c) The PIC of an aircraft shall, whether manipulating the controls or not, be responsible for the operation of the aircraft in accordance with the rules of the air, except that the PIC may depart from these rules in emergency circumstances that render such departure absolutely necessary in the interests of safety.

(d) Nothing in these Regulations shall relieve the pilot-in-command of an aircraft from the responsibility of taking such action, including collision avoidance manoeuvres based on resolution advisories provided by ACAS equipment, as will best avert collision

10.155 DESIGNATION & ASSIGNMENT OF CREW MEMBERS

(a) **Pilot in Command -** For each flight, a PIC shall be designated, in writing or computer assignment, by—
  (1) AOC holders for commercial air transport operations;
  (2) Aerial work operators; and
  (3) Operators subject to the requirements of Part 28 of these Regulations.

(b) **Other Flight Crew Members-** The PIC shall ensure that qualified flight crew members are assigned to each required flight crew position and are at their station before initiating the pre-start checklists.

(c) **Cabin Crew Members -**The PIC shall ensure that qualified cabin crew members are assigned to each required cabin crew position and are at their station before initiating the pre-start checklists, but may delegate that responsibility to the senior cabin crew member where more than 2 cabin crew members are required.

(d) **Operator Responsibility -** No operator may assign a crew member that is not qualified to perform the necessary duties and functions—
  (1) That are required for their assigned station; and
  (2) In an emergency or in a situation requiring emergency evacuation.

(e) **Presumption of Qualification -** The PIC may presume that the crew members assigned by an AOC holder are qualified to perform the necessary duties and functions of their assigned station.

10.160 COMPLIANCE WITH LOCAL REGULATIONS

(a) All persons shall comply with the relevant laws, Regulations and procedures of the States in which the aircraft is operated.

(b) If an emergency situation which endangers the safety of the aircraft or persons necessitates the taking of action which involves a violation of local regulations or procedures, the PIC shall—
  (1) Notify the appropriate local authority without delay;
  (2) Submit a report of the circumstances, if required by the State in which the incident occurs; and
  (3) Submit a copy of this report to the Authority.

(c) Each PIC shall submit reports specified in paragraph (b) of this Section to the Authority within 10 days in the form prescribed.

10.165 OPERATIONAL CONTROL

(a) The PIC shall have responsibility for operational control for all general aviation and aerial work operations.

(b) For commercial air transport operations, the operational control requirements of Part 16 shall apply.

10.170 FITNESS OF FLIGHT CREW MEMBERS

(a) No person may act as PIC or in any other capacity as a required flight crew member when they are aware of any decrease in their medical fitness which might render them unable to safely exercise the privileges of his or her licence.

(b) The PIC shall be responsible for ensuring that a flight is not—
  (1) 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; or
  (2) Continued beyond the nearest suitable aerodrome/heliport if a flight crew members' capacity to perform functions is significantly reduced by impairment of faculties from causes such as fatigue, sickness or lack of oxygen.

10.175 PROBLEMATIC USE OF PSYCHOACTIVE SUBSTANCES

(a) No person whose function is critical to the safety of aviation (safety-sensitive personnel) shall undertake that function while under the influence of any psychoactive substance, by reason of which human performance is impaired.

(b) No such person shall engage in any kind of problematic use of substances.

(c) No person may act or attempt to act as a crew member of a civil aircraft—

(1) Within 8 hours after the consumption of any alcoholic beverage;

(2) While under the influence of alcohol; or

(3) While using any psychoactive substance or drug that affects the person's faculties in any way contrary to safety.

(d) A crew member shall, on request of a law enforcement officer or the Authority, yield to a test to indicate the presence of alcohol or psychoactive substances in the blood at any time—

(1) Up to 8 hours before acting as a crew member,

(2) Immediately after attempting to act as a crew member, or

(3) Immediately after acting as a crew member.

Note: See Appendix 1 of 10.175 for additional requirements regarding alcohol and psychoactive substances.

10.180 CREW MEMBER USE OF SEAT BELTS & SHOULDER H A R N E S S E S

(a) Each crew member shall have his or her seat belts fastened during take-off and landing and all other times when seated at his or her station.

(b) Each crew member occupying a station equipped with a shoulder harness shall fasten that harness during take-off and landing.

(c) Each occupant of a seat equipped with a combined safety belt and shoulder harness shall have the combined safety belt and shoulder harness properly secured about that occupant during take-off and landing and be able to properly perform assigned duties.

(d) At each unoccupied seat, the safety belt and shoulder harness, if installed, shall be secured so as not to interfere with crew members in the performance of their duties or with the rapid egress of occupants in an emergency.

10.185 FLIGHT CREW MEMBERS AT DUTY STATIONS

(a) Each required flight crew member shall remain at the assigned duty station during take-off and landing and critical phases of flight.

(b) Each flight crew member shall remain at his or her station during all other phases of flight unless—

(1) Absence is necessary for the performance of his or her duties in connection with the operation;

(2) Absence is necessary for physiological needs, provided one qualified pilot remains at the controls at all times; or

(3) The crew member is taking a rest period and a qualified relief crew member replaces him or her at the duty station.

See Appendix 1 to 10.185 for specific requirement pertaining to qualified relief crew members.

10.190 REQUIRED CREW MEMBER EQUIPMENT

(a) Each crew member involved in night operations shall have a portable light at his or her station.

(b) Each pilot crew member shall have at his or her station an aircraft checklist containing at least the pre-take- off, after take-off, before landing and emergency procedures.

(c) Each pilot crew member shall have at his or her station current and suitable charts to cover the route of the proposed flight and any route along which it is reasonable to expect that the flight may be diverted.

(d) Each pilot crew member wearing sunglasses will ensure that any sunglasses worn during the exercise of airman privileges are non-polarizing and of a neutral gray tint.

10.193 REQUIRED CORRECTIVE LENSES

(a) Each flight crew member assessed as fit to exercise the privileges of a licence subject to the use of suitable correcting lenses, shall use those lenses or have them immediately available when performing as a required crew member.

(b) Each flight crew member assessed as fit to exercise the privileges of a licence subject to the use of suitable correcting lenses, shall have a spare set of the correcting spectacles readily available when performing as a required crew member in commercial air transport.

(c) If near correction for distances other than those tested for the medical certificate are necessary for visual flight deck tasks relevant to the types of aircraft in which the applicant is likely to function, the applicant shall obtain and use such lenses in the medical evaluation.

10.195 COMPLIANCE WITH CHECKLISTS

(a) The PIC and the operator shall ensure that the flight crew—
   (1) Has checklists for each phase of flight and emergencies available in the cockpit;
   (2) Uses these checklists prior to, during and after each phase of flight and emergencies; and
   (3) Complies with the approved checklist procedures in detail when operating the aircraft.

(b) All members of the flight crew shall use the checklists prior to, during and after all phases of operations and in an emergency to ensure compliance with the—
   (1) Operating procedures contained in the aircraft operating manual; and
   (2) The flight manual; or
   (3) Other documents associated with the certificate of airworthiness; and
   (4) Otherwise in the operations manual.

(c) The design and utilisation of checklists shall observe Human Factors principles.

10.200 SEARCH & RESCUE INFORMATION

(a) For all international flights, the PIC shall have on board the aircraft essential information concerning the search and rescue services in the areas over which they intend to operate the aircraft.

(b) Operators subject to the requirements of Parts 12 or 28 shall ensure that the pilot-in-command has available on board the aeroplane all the essential information concerning the search and rescue services in the area over which the aeroplane will be flown.

(c) This information shall contain the air-ground visual signals for search and rescue.

10.205 PRODUCTION OF AIRCRAFT AND FLIGHT DOCUMENTATION

(a) The PIC shall, within a reasonable time of being requested to do so by a person authorised by the Authority, produce to that person the documentation required to be carried on the aircraft.

10.210 LOCKING OF FLIGHT DECK COMPARTMENT DOOR: COMMERCIAL AIR TRANSPORT

(a) The PIC shall ensure that the flight deck compartment door (if installed) is locked during passenger- carrying commercial air transport operations from the time all external doors are closed following embarkation until any such door is opened for disembarkation except when necessary to—
   (1) Permit access and egress by authorised persons; and
   (2) Provide for emergency evacuation.

(b) No person shall unlock the flight deck compartment door in flight unless they have used the means of monitoring the door area to identify persons requesting entry.

10.215 ADMISSION TO THE FLIGHT DECK: COMMERCIAL AIR TRANSPORT

(a) No person may admit any person to the flight deck of an aircraft engaged in commercial air transport operations unless the person being admitted is—
   (1) An operating crew member;
   (2) A representative of the authority responsible for certification, licensing or inspection, if this is required for the performance of his or her official duties; or
   (3) Permitted by and carried out in accordance with instructions contained in the Operations Manual.

(b) The PIC shall ensure that—
   (1) In the interest of safety, admission on the flight deck does not cause distraction and/or interference with the flight's operations; and
   (2) All persons carried on the flight deck are made familiar with the relevant safety procedures.

10.220 ADMISSION OF INSPECTOR TO THE FLIGHT DECK

(a) Whenever, in performing the duties of conducting an inspection, an inspector from the Authority presents an Aviation Inspector's Credential issued by the Authority to the PIC, the PIC shall give the inspector free and uninterrupted access to the flight deck of the aircraft.

10.225 DUTIES DURING CRITICAL PHASES OF FLIGHT: COMMERCIAL AIR TRANSPORT

(a) No flight crew member may perform any duties during a critical phase of flight except those required for the safe operation of the aircraft.

(b) No PIC may permit a flight crew member to engage in any activity during a critical phase of flight which could distract or interfere with the performance of their assigned duties.

10.227 FLIGHT DECK COMMUNICATIONS

(a) Each required flight crew member shall use a boom or throat microphone to communicate with each other and air traffic service below the transition area or 10,000 feet, whichever is lower.

10.230 MANIPULATION OF THE CONTROLS: COMMERCIAL AIR TRANSPORT

(a) No PIC may allow an unqualified person to manipulate the controls of an aircraft during commercial air transport operations.

(b) No person may manipulate the controls of an aircraft during commercial air transport operations unless he or she is qualified to perform the applicable crew member functions and is authorised by the AOC holder.

10.235 RESPONSIBILITY FOR REQUIRED DOCUMENTS

(a) The PIC shall ensure that all documents required for the specific flight operations are carried on board the aircraft as prescribed by Sections—
   (1) 10.050;
   (2) 10.051; and/or
   (3) (3) 10.055.

(b) For all international flights, the PIC shall ensure the completion of—
   (1) Journey log book; and
   (2) General declaration and its safekeeping and delivery.

Note: See Appendix 1 to 10.051 for the prescribed contents of a journey log book.

10.240 AIRCRAFT TECHNICAL LOGBOOK: COMMERCIAL AIR TRANSPORT

(a) The PIC shall ensure that all portions of the technical logbook are completed at the appropriate points before, during and after flight operations.

10.245 REPORTING KNOWN OR SUSPECTED DEFECTS OF AIRCRAFT

(a) The PIC shall ensure that all known or suspected defects to the aircraft occurring during flight time are—
  (1) *For general aviation operations,* entered in the aircraft logbook and disposed of in accordance with the MEL or other approved or prescribed procedure.
  (2) *For commercial air transport operations and aerial work operations*, entered in the aircraft maintenance records section of the technical log of the aircraft at the appropriate points before, during and at the end of that flight time.

(b) No person may allow or participate in the operation of an aircraft unless these defects are properly corrected or deferred in accordance with an approved MEL or manufacturer's technical data prior to the flight.

10.250 REPORTING OF FACILITY & AIR NAVIGATION I N A D E Q U A C I E S

(a) Each crew member shall report, without delay, any inadequacy or irregularity of a facility or navigational aid observed in the course of operations to the person responsible for that facility or navigational aid.

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

10.255 REPORTING OF WEATHER & HAZARDOUS C O N D I T I O N S

(a) The flight crews should record and report on routine meteorological observation during departure and en- route and climb-out phases of the flight and special and other non-routine observations during any phase of the flight.

(b) When making a meteorological report in flight, a pilot should follow the procedures for recording and reporting such observations in a consistent manner.

(c) The PIC shall report to the appropriate ATC facility, without delay and with enough detail to be pertinent to the safety of other aircraft, any hazardous flight conditions encountered en route, including those associated with—
  (1) Meteorological conditions;
  (2) Volcanic activity; and
  (3) Any other report prescribed by the Authority.

(d) The pilot-in-command shall report the runway braking action special air-report (AIREP) when the runway braking action encountered is not as good as reported.

10.257 REPORTING OF POSSIBLE COMMUNICABLE DISEASE

(a) The PIC shall, upon identifying a suspected case(s) of communicable disease or other public health risk, on board the aircraft, promptly notify the ATS unit which the pilot is communicating, the following information—
  (1) Aircraft identification;
  (2) Departure aerodrome;
  (3) Destination aerodrome;
  (4) Estimated time of arrival;
  (5) Number of persons on board;
  (6) Number of suspected case(s) on board; and
  (7) Nature of the public health risk, if known.

A communicable disease could be suspected if a person has a fever (temperature 38C (100F) or greater that is associated with signs or symptoms, such as appearing

obviously unwell, persistent coughing, impaired breathing, persistent diarrhoea; persistent vomiting; skin rash, bruising or bleeding without previous injury, confusion of recent onset.

(b) After notifying the ATS unit, the PIC shall—

(1) Implement the operator's operations manual procedures for situations involving possible communicable diseases;

(2) Comply with the ATS instructions regarding selection of aerodromes and parking locations to facilitate the aerodrome procedures planned for such situations.

10.260 REPORTING OF INCIDENTS

(a) *Air traffic report*. The PIC shall submit, without delay, an air traffic incident report whenever an aircraft in flight has been endangered by—

(1) A near collision with another aircraft or object;

(2) Faulty air traffic procedures or lack of compliance with applicable procedures by ATC or by the flight crew; or

(3) A failure of ATC facilities.

(b) *Birds*. In the event a bird constitutes an in-flight hazard or an actual bird strike the PIC shall, without delay—

(1) Inform the appropriate ground station whenever a potential bird hazard is observed; and

(2) Submit a written bird strike report after landing.

(c) *Dangerous Goods*. The PIC shall inform the appropriate ATC facility, if the situation permits, when an in- flight emergency occurs involving dangerous goods on board.

(d) *Unlawful Interference*. The PIC shall submit a report to the local authorities and to the Authority, without delay, following an act of unlawful interference with the crew members on board an aircraft.

(e) *Voluntary Incident Report*. All crew members should report incidents that occur during flight operations that, in their estimation, were potentially hazardous.

(f) *PBN Navigation Error Report.* The PIC shall submit a report to the Authority following any flight that involved a determination that navigation error occurred that exceeded the navigation specifications for the airspace being transited.

(g) *RVSM Height keeping Error Report.* The PIC shall submit a report to the Authority following any flight that involved a determination that a height keeping error occurred that exceeded the acceptable vertical tolerances prescribed for the airspace transited.

(h) PBC Communication Error report. The PIC shall submit a report to the Authority following any flight that received a observation that performance issued by a monitoring programmes established in accordance with Annex 11.

10.263 DANGEROUS GOODS INCIDENT OR ACCIDENT

(a) The PIC shall inform the appropriate ATC facility, if the situation permits, when an in-flight emergency occurs, involving dangerous goods on board.

(b) An operator who is involved in a dangerous goods incident and/or accident in the Rwanda must provide the Authority all the necessary information to allow the Authority take necessary accident mitigation action.

(c) A written report shall be prepared and sent by the operator (or his authorised representative) to the Authority within 24 hours of the occurrence.

10.265 ACCIDENT NOTIFICATION

(a) The PIC shall notify the nearest appropriate authority, by the quickest available means, of any accident involving his or her aircraft that results in serious injury or death of any person, or substantial damage to the aircraft or property.

(b) The PIC shall submit a report to the Authority of any accident which occurred while he or she was responsible for the flight.

(c) In the event that the pilot is incapacitated, the operator of the aircraft shall make this accident notification and complete the accident report.

10.270 OPERATION OF FLIGHT DECK VOICE & FLIGHT DATA RECORDERS

(a) The PIC shall ensure that whenever an aircraft has flight recorders installed, those recorders are operated continuously from the instant—

(1) *For a flight data recorder,* the aircraft begins its take-off roll until it has completed the landing roll, and

(2) *For a flight deck voice recorder,* the initiation of the pre-start checklist until the end of the securing aircraft checklist.

(b) The PIC may not permit a flight data recorder or flight deck voice recorder to be disabled, switched off or erased during flight, unless necessary to preserve the data for an accident or incident investigation.

(c) In event of an accident or incident, the PIC and the operator shall act to preserve the flight recorder records and recorded data and ensure their retention in safe custody pending their disposition as determined by the investigating Authority.

(d) The flight recorders shall not be reactivated before their disposition is determined by the investigating Authority.

10.275 CREW MEMBER OXYGEN: MINIMUM SUPPLY & USE

(a) The PIC shall ensure that breathing oxygen and masks are available to crew members in sufficient quantities for all flights at such altitudes where a lack of oxygen might result in impairment of the faculties of crew members.

(b) No person may commence a flight where the minimum supply of crew oxygen on board the aircraft be less than that prescribed by the Authority for the intended altitudes and type of operations.

Note: The requirements for oxygen supply and use are prescribed in Part 6.

(c) The PIC shall ensure that all flight crew members, when engaged in performing duties essential to the safe operation of an aircraft in flight, use breathing oxygen continuously—

(1) At cabin altitudes exceeding 700 hpa (10,000 ft) for a period in excess of 30 minutes; and

(2) Whenever the cabin altitude exceeds 620 hpa (13,000 ft).

(d) One pilot at the controls of a pressurised aircraft in flight shall wear and use an oxygen mask—

(1) *For general aviation operations*, at flight levels above 350, if there is no other pilot at their duty station; and

(2) *For commercial air transport operations*, at flight levels above 250, if there is no other pilot at their duty station.

10.277 WEARING OF SURVIVAL SUITS

(a) *For commercial air transport helicopter operations Offshore*, a survival suit shall be worn by every occupant when the—

(1) Sea temperature is less than 10 degrees Centigrade; or

(2) Estimated rescue time exceeds the calculated survival time based on the sea state and ambient flight conditions.

(b) The flight crew may deviate from this requirement when the elevation and strength of the sun results in a high temperature hazard on the flight deck.

10.280 PORTABLE ELECTRONIC DEVICES

(a) No PIC or SCA may permit any person to use, nor may any person use a portable electronic device on board an aircraft that may adversely affect the performance of aircraft systems and equipment unless—

(1) For IFR operations other than commercial air transport, the PIC allows such a device prior to its use; or

(2) For commercial air transport operations, the AOC holder makes a determination of acceptable devices and publishes that information in the Operations Manual for the crew members use; and

(3) The PIC informs passengers when use of the device is permitted.

10.281 ELECTRONIC FLIGHT BAG [EFB]

(a) Where portable EFBs are used on board, the pilot-in-command and/or the operator/owner shall ensure that they do not affect the performance of the aeroplane systems, equipment or the ability to operate the aeroplane.

(b) Where EFBs are used on board an aeroplane the pilot-in-command and/or the owner/operator shall—

(1) Assess the safety risk(s) associated with each EFB function;

(2) Establish the procedures for the use of, and training requirements for, the device and each EFB function; and

(3) Ensure that, in the event of an EFB failure, sufficient information is readily available to the flight crew for the flight to be conducted safely.

10.282 CARRIAGE OF DANGEROUS GOODS

(a) No person shall load or cause to load any goods on an aircraft which that person knows or ought to know or suspect to be dangerous goods, unless this act is in conformance with the requirements of Part 18 regarding carriage of dangerous goods by air.

(b) No person shall carry dangerous goods unless the details of that information are included in the flight plan and proper notification has been made to both the appropriate authorities at the intermediate and destination aerodromes.

(c) No person shall carry dangerous goods in an aircraft registered in Rwanda or operated in Rwanda except—

(1) With the written permission of the Authority and in accordance with the regulations and/or conditions set by the Authority in granting such permission; and

(2) In accordance with the Technical Instructions for the Safe Transport of Dangerous Goods by Air issued by the Council of International Civil Aviation Organisation and with any variations to those instructions that the Authority may from time to time mandate and provide notification of to ICAO.

10.283 COMPLIANCE WITH SECURITY PROGRAM

(a) The PIC shall be responsible for the security of the aircraft during its operation.

(b) No person shall commence a flight unless all requirements of the operator security program have been completed.

(c) Each operator shall establish, implement and maintain a written operator security program that meets the requirements of the national civil aviation security program and includes the accepted industry codes of practice for such programs.

10.284 RECORDS OF EMERGENCY & SURVIVAL EQUIPMENT CARRIED

(a) The owner of the aircraft, or in the case where it is leased, the lessee, shall at all times have available for immediate communication to rescue co-ordination centres, lists containing information on the emergency and survival equipment carried on board any of their aircraft.

(b) This information shall include, as applicable, the—
  (1) Number, colour and type of life rafts and pyrotechnics;
  (2) Details of emergency medical supplies;
  (3) Water supplies; and
  (4) Type and frequencies of the emergency portable radio equipment.

(c) The PIC shall determine that this information is immediately available from the owner (or operator) before commencing flight overwater or remote areas.

SUBPART E: ALL PASSENGER CARRYING OPERATIONS

10.285 APPLICABILITY

(a) This Subpart applies to all passenger-carrying operations in civil aircraft.

(b) Operators of aircraft with passenger seating capacity of more than 9 passengers shall also comply with the applicable passenger carrying requirements contained in Part13.

10.287 UNACCEPTABLE CONDUCT

(a) No person on board may interfere with a crew member in the performance of his or her duties.

(b) Each passenger shall fasten his or her seat belt and keep it fastened while the seat belt sign is lighted.

(c) No person on board an aircraft shall recklessly or negligently act or omit to act in such a manner as to endanger the aircraft or persons and property therein.

(d) No person may secrete himself or herself nor secrete cargo on board an aircraft.

(e) No person may smoke while the no-smoking sign is lighted.

(f) No person may smoke in any aircraft lavatory.

(g) No person may tamper with, disable or destroy any smoke detector installed in any aircraft lavatory.

10.290 REFUELING WITH PASSENGERS ON BOARD: ALL AIRCRAFT

(a) No PIC or operator may allow an aircraft to be refueled when passengers are embarking, on board or disembarking unless—
  (1) The aircraft is manned by qualified personnel ready to initiate and direct an evacuation by the most practical and expeditious means available; and
  (2) Two-way communication is maintained by the aeroplane's intercommunication system or other suitable means between the qualified personnel in the aircraft and the ground crew supervising the refuelling.

10.292 REFUELING WITH PASSENGERS ON BOARD: HELICOPTERS

(a) No person may allow a helicopter to be refuelled with AVGAS (aviation gasoline) or wide-cut type fuel or a mixture of these types of fuel, when passengers are on board.

(b) No person may allow a helicopter to be defueled at any time while passengers remain on board, or while passengers are embarking or disembarking.

(c) No person may allow a helicopter to be refueled when—
  (1) Passengers are embarking, on board, or disembarking; or
  (2) The rotors are turning.

(d) No person may allow a helicopter to be refuelled, rotors stopped or turning, when—
  (1) passengers are embarking or disembarking; or
  (2) when oxygen is being replenished.

(e) When the helicopter is refuelled with passengers on board, rotors stopped or turning, the

flight crew and operator shall ensure that it is 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 the flight crew and operator shall ensure that—

(1) the passengers are briefed on what actions to take if an incident occurs during refueling;

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

Note.— Caution needs to be exercised when using radios for this purpose due to the potential for stray currents and radio-induced voltages.

(3) during an emergency shutdown procedure, any personnel or passengers outside the helicopter are clear of the rotor area.

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

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

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

(7) if the presence of fuel vapour is detected inside the helicopter, or any other hazard arises during refuelling, fuelling be stopped immediately;

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

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

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

(f) The operator shall establish procedures and specify conditions under which such refuelling may be carried out and these operational procedures shall specify that at least the precautions listed in paragraph (e) are taken.

10.295 PASSENGER SAFETY

(a) The PIC and operator shall ensure that—

(1) Each person on board occupies an approved seat or berth with their own individual safety belt and shoulder harness (if installed) properly secured about them during movement on the surface, take-off and landing.

(2) Each passenger shall have his or her seat belt or harness securely fastened at any other time the PIC determines it is necessary for safety, especially during turbulence or emergency.

(3) A safety belt provided for the occupant of a seat is not used during take-off and landing by more than one person who has reached his or her second birthday.

(4) All carry-on baggage is adequately and securely stowed for take-off and landing.

(5) All cargo carried in the passenger cabin is restrained through the use of straps or nets attached to the airframe.

(6) All crew members understand and are capable of performing their assigned emergency duties related to emergency evacuation and passenger safety.

10.300 PASSENGER BRIEFING

(a) The PIC shall ensure that crew members and passengers are made familiar, by means of an oral briefing or by other means, with the location, when and how to use the following items, if appropriate—

(1) Seat belts;

(2) Emergency exits;

(3) Life jackets or equivalent individual flotation devices;

(4) Oxygen dispensing equipment; and
(5) Other emergency equipment provided for individual use, including passenger emergency briefing cards.

(b) The PIC and operator shall ensure that all persons on board are aware of the locations and general manner of use of the principal emergency equipment carried for collective use.

(c) *For commercial air transport operation*s, the briefing shall contain all subjects approved by the Authority for the specific operations conducted as included in the pertinent Operations Manual.

(d) When cabin crew members are required because of the passenger capacity of the aircraft, the PIC and operator may delegate this responsibility, but shall ascertain that the proper briefing has been conducted prior to take-off.

10.305 INFLIGHT EMERGENCY INSTRUCTION

(a) In an emergency during flight, the PIC shall ensure that all persons on board are instructed in such emergency action as may be appropriate to the circumstances.

10.315 PASSENGER OXYGEN: MINIMUM SUPPLY & USE

(a) The PIC shall ensure that breathing oxygen and masks are available to passengers in sufficient quantities for all flights at such altitudes where a lack of oxygen might harmfully effect passengers.

(b) No person may commence a flight that is intended for operations above an altitude of 700 hpa (10,000 feet) unless the minimum supply of stored breathing oxygen carried on board the aircraft is—

(1) For non-pressurised aircraft—

(i) Sufficient for 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

(ii) Sufficient for any period that the atmospheric pressure in compartments occupied by them will be less than 620 hPa.

(2) For pressurised aircraft—

(i) Sufficient to supply all passengers, as is appropriate to the circumstances of the flight being undertaken, in the event of loss of pressurisation, for any period that the atmospheric pressure in any compartment occupied by them would be less than 700 hPa; and

(ii) In addition, when an aeroplane is operated at flight altitudes at which the atmospheric pressure is less than 376 hPa (24,000 feet); or

(iii) Which, if operated at flight altitudes at which the atmospheric pressure is more than 376 hPa and cannot descend safely within four minutes to a flight altitude at which the atmospheric pressure is equal to 620 hPa, there shall be no less than a 10-minute supply for the occupants of the passenger compartment.

Note: The requirements for oxygen storage and dispensing apparatus are prescribed in Part 6.

(c) The PIC shall require all passengers to use oxygen continuously at cabin pressure altitudes above 620 hpa. (15,000 ft)

10.320 ALCOHOL OR DRUGS

(a) No person may permit the boarding or serving of any person who appears to be intoxicated or who demonstrates, by manner or physical indications, that person is under the influence of drugs (except a medical patient under proper care).

SUBPART F: FLIGHT PLANS

10.324 APPLICABILITY

(a) The rules of this Subpart are applicable to all operations of aircraft in the airspace of Rwanda and, for international flights, wherever they may be, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

10.325 SUBMISSION OF A FLIGHT PLAN

(a) Information relative to an intended flight or portion of a flight, to be provided to air traffic services units, shall be in the form of a flight plan.

(b) Prior to operating one of the following, a pilot shall file a VFR or IFR flight plan, as applicable, for—
  (1) Any flight (or portion thereof) to be provided with air traffic control service;
  (2) Any IFR flight within advisory airspace;
  (3) Any flight within or into designated areas, or along designated routes, when so required by the appropriate ATC authority to facilitate the provision of flight information, alerting and search and rescue services;
  (4) Any flight within or into designated areas, or along designated routes, when so required by the appropriate ATC authority to facilitate coordination with appropriate military units or with ATC facilities in adjacent states in order to avoid the possible need for interception for the purpose of identification; and
  (5) Any flight across international borders.

(c) The PIC shall submit a flight plan before departure or during flight, to the appropriate ATC facility, unless arrangements have been made for submission of repetitive flight plans.

(d) Unless otherwise prescribed by the appropriate ATC authority, a pilot should submit a flight plan to the appropriate ATC facility—
  (1) At least 1 hour before departure; or
  (2) If submitted during flight, at a time which will ensure its receipt by the appropriate ATC facility at least ten minutes before the aircraft is estimated to reach—
    (i) The intended point of entry into a control area or advisory area; or
    (ii) The point of crossing an airway or advisory route.

10.330 AIR TRAFFIC CONTROL FLIGHT PLAN: COMMERCIAL AIR TRANSPORT

(a) No person may take-off an aircraft in commercial air transport if an ATC flight plan has not been filed, except as authorized by the Authority.

10.335 CONTENTS OF A FLIGHT PLAN

(a) Each person filing an IFR or VFR flight plan shall include in it the following information—
  (1) Aircraft identification;
  (2) Flight rules and type of flight;
  (3) Number and type(s) of aircraft and wake turbulence category;
  (4) Equipment;
  (5) Departure aerodrome/heliport and alternate (if required);
  (6) Estimated off-block time;
  (7) Cruising speed(s);
  (8) Cruising level(s);
  (9) Route to be followed;
  (10) Destination aerodrome/heliport and alternates, including those for ETDO (if required);
  (11) Fuel endurance;
  (12) Total number of persons on board;

(13) Emergency and survival equipment; and
(14) Other information.

(b) Whatever the purpose for which it is submitted, a flight plan shall contain information, as applicable, on relevant items up to and including "alternate aerodrome(s)" regarding the whole route or the portion thereof for which the flight plan is submitted.

(c) It shall, in addition, contain information, as applicable, on all other items when so prescribed by the appropriate ATS authority or when otherwise deemed necessary by the person submitting the flight plan.

10.340 PLANNED RECLEARANCE (RE-DISPATCH)

(a) No person shall commence a flight, if prior to departure it is anticipated that depending on fuel endurance decision may be taken request clearance to proceed to a revised destination aerodrome, unless the flight
plan submitted to the appropriate ATC unit contains information concerning the revised route (where known) and the revised destination.

(b) No person may plan to change destinations in flight unless there is adequate fuel on board to comply the required fuel requirements from the point of re-planning and ATC has been notified of the planned change and, in the case of IFR flight, an ATC clearance to the revised destination has been received.

(c) An AOC holder shall submit all pre-planned re-dispatch rationale to the Authority for approval in accordance with Part 12.

10.345 CHANGES TO A FLIGHT PLAN

(a) When a change occurs to a flight plan submitted for an IFR flight or a VFR flight operated as a controlled flight, the pilot shall report that change as soon as practicable to the appropriate ATC facility.

(b) For VFR flights other than those operated as controlled flight, the PIC shall report significant changes to a flight plan as soon as practicable to the appropriate ATC facility.

(c) Where information submitted prior to departure regarding fuel endurance or total number of persons carried on board is incorrect at time of departure, this significant change shall be reported by the PIC.

10.350 CLOSING A FLIGHT PLAN

(a) The PIC shall make a report of arrival either in person, by radio or data link to the appropriate ATC facility at the earliest possible moment after landing at the destination aerodrome, unless ATS automatically closes a flight plan.

(b) When a flight plan has been submitted for a portion of a flight, but not the arrival at destination, the pilot shall close that flight plan en route with the appropriate ATC facility.

(c) When no ATC facility exists at the arrival aerodrome, the pilot shall contact the nearest ATC facility to close the flight plan as soon as practicable after landing and by the quickest means available.

(d) When communication facilities at the arrival aerodrome/heliport are known to be inadequate and alternate arrangements for the handling of arrival reports on the ground are not available, the following action shall be taken—

(1) Immediately prior to landing the pilot shall, if practicable, transmit to the appropriate air traffic services unit, a message comparable to an arrival report, where such a report is required.

(2) Normally this transmission shall be made to the aeronautical station serving the ATS unit in charge of the flight information region in which the aircraft is operated.

(e) Pilots shall include the following elements of information in their arrival reports—

(1) Aircraft identification;
(2) Departure aerodrome;
(3) Destination aerodrome/heliport (only in the case of a diversionary landing);
(4) Arrival aerodrome; and
(5) Time of arrival.

(f) Pilots and operators are cautioned that whenever an arrival report is required, failure to comply with these provisions may cause serious disruption in the air traffic services and incur great expense in carrying out unnecessary search and rescue operations

SUBPART G: FLIGHT PLANNING & PREPARATION

10.354 APPLICABILITY

(a) The rules of this Subpart are applicable to all operations of aircraft in the airspace of Rwanda and, for international flights, wherever they may be, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

10.355 AIRCRAFT AIRWORTHINESS & SAFETY PRECAUTIONS

(a) The PIC may not commence a flight, or series of flights, in a civil aircraft until satisfied that—
(1) The aircraft is airworthy, duly registered and that appropriate certificates (i.e. airworthiness, registration) are aboard the aircraft;
(2) The instruments and equipment installed in the aircraft are appropriate, taking into account the expected flight conditions; and
(3) Any necessary maintenance has been performed and a maintenance release, if applicable, has been issued in respect to the aircraft.

(b) *For commercial air transport operations*, before commencing the flight, the PIC shall certify by signing the aircraft technical log that he or she is satisfied that the requirements of paragraph (a) of this Section have been met for a particular flight.

10.360 ADEQUACY OF OPERATING FACILITIES

(a) *No* person may commence a flight unless it has been determined by every reasonable means available that the ground and/or water areas and facilities available and directly required for such flight and for the safe operation of the aircraft 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, including communication facilities and navigation aids.

10.363 SELECTION OF VFR LANDMARKS

(a) No person may commence a flight under VFR unless it has been determined that the flight can be conducted by visual reference to landmarks spaced no greater than 110 km (60 nm) apart.

10.365 PRE-FLIGHT ACTION, INCLUDING WEATHER REPORTS & FORECASTS

(a) Before commencing a flight, the PIC shall be familiar with all available meteorological information appropriate to the intended flight.

(b) The PIC shall include, during preparation for a flight away from the vicinity of the place of departure, and for every flight under the instrument flight rules—
(1) A study of available current weather reports and forecasts; and
(2) 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.

10.370 WEATHER LIMITATIONS FOR VFR FLIGHTS

(a) No person may commence a flight to be conducted in accordance with VFR unless available 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, will, at the appropriate time, allow VFR operations.

10.375 WEATHER LIMITATIONS FOR IFR FLIGHTS

(a) For IFR flight planning purposes, no person may commence an IFR flight unless the available information indicates that the weather conditions at the estimated time of arrival at the aerodrome of intended landing
and, where a destination alternate is required, at least one suitable destination alternate, will be at or above the—
  (1) Minimum ceiling and visibility values for the standard instrument approach procedure to be used; or
  (2) Minimum operating altitude, if no instrument approach procedure is to be used, that would allow a VMC decent to the aerodrome.

(b) *For commercial air transport operations and general aviation operations of large or turbojet aero planes,* no person may—
  (1) take-off from the departure aerodrome unless the meteorological conditions, at the time of use, are at or above the operator's established aerodrome operating minima for that operation; and
  (2) take-off or continue beyond the point of in-flight re-planning unless at the aerodrome of intended landing or at each alternate aerodrome to be selected in compliance with Regulation 10.380 through 10.400, current meteorological reports or a combination of current reports and forecasts indicate that the meteorological conditions will be, at the estimated time of use, at or above the operator's established aerodrome operating minima for that operation.

(c) *For commercial air transport operations*: The weather at the destination does not have to be at or above the approach minima to release and commence a flight, as long as the designated alternate aerodrome meets the IFR weather selection criteria.

10.380 IFR DESTINATION ALTERNATE AERODROME/HELIPORT/LANDING LOCATION
One Destination Alternate Normally Required

(a) Except as provided in paragraph (b), no person may commence a flight to be conducted in accordance with the instrument flight rules, unless at least one suitable destination alternate aerodrome shall be selected and specified in the—
  (1) ATS flight plan; and
  (2) *For commercial air transport*, the operational flight plan.

(b) A destination alternate aerodrome is not required to be selected when—
  (1) The aerodrome is isolated; or
  (2) For the duration of the flight from the departure aerodrome, or from the point of in-flight re-planning, to the destination aerodrome, a reasonable certainty exists that at the estimated time of use (taking into account all meteorological conditions and operational information relevant to the flight)—
    (i) The approach and landing may be made under visual meteorological conditions as specified in paragraphs (d) and (e); and
    (ii) Separate runways are usable at the estimated time of use of the destination aerodrome with at least one runway having an operational instrument approach procedure.

Two Destination Alternate Aerodromes Required

(c) Two destination alternate aerodromes shall be selected and specified in the operational and ATS flight plans when, for the destination aerodrome—

(1) Meteorological conditions at the estimated time of use will be below the operator's established aerodrome operating minima for that operation; or

(2) Meteorological information is not available.

Standard Instrument approach available

(d) No person may commence an IFR flight in an aircraft without at least one destination alternate aerodrome listed in the flight plan unless available current meteorological information indicates that the following meteorological conditions will exist from 1 hour before to 1 hour after the estimated time of arrival at the destination with a standard instrument approach—

(1) *For an aeroplane*—

(i) A cloud base of at least 300 meters (1,000 ft) above the minimum associated with a standard instrument approach procedure for that aerodrome; and

(ii) Visibility of at least 4.5 km more than the minimum associated with the procedure.

(2) For a helicopter—

(i) A cloud base of at least 120 meters (400 ft) above the minimum associated with a standard instrument approach procedure for that aerodrome; and

(ii) Visibility of at least 1.5 km more than the minimum associated with the procedure.

No standard instrument approach available

(e) No person may commence an IFR flight in an aircraft without at least one destination alternate aerodrome listed in the flight plan 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 at the destination with a standard instrument approach—

(1) A cloud base of at least 300 meters (1,000 feet) above the lowest minimum en-route altitude within 10 km of the aerodrome; and

(2) Visibility of 8 kilometers at the aerodrome.

10.382 ADDITIONAL REQUIREMENTS FOR ISOLATED AERODROMES

(a) No person may commence a flight into an isolated aerodrome, unless a determination of the point of no return has been made and that PNR has been included in the flight plan remarks.

(b) No person may continue a flight to an isolated aerodrome past the point of no return unless a current assessment of meteorological conditions, traffic and other operational conditions indicate that a safe landing can be made at the estimated time of use.

10.385 IFR ALTERNATE AERODROME/HELIPORT SELECTION CRITERIA

Published Alternate Minima

(a) If alternate minimums are published, no PIC may designate an alternate aerodrome in an IFR flight plan unless the current available forecast indicates that the meteorological conditions at that alternate at the ETA will be at or above those published alternate minimums.

Alternate Minimums Not Published

(b) *If alternate minimums are not published,* and if there is no prohibition against using the aerodrome as an IFR planning alternate, each PIC shall ensure that the meteorological conditions at that alternate at the ETA will be at or above—

(1) For a precision approach procedure, a ceiling of at least 180 m (600 ft) and visibility of not less than 3 km (2 sm); or

(2) For a non-precision approach procedure, a ceiling of at least 240 m (800 ft) and visibility of not less than 3 km (2 sm).

Additional Limitations to Commercial Air Transport

(c) *For commercial air transport operations in aero planes*, the PIC shall ensure that the

meteorological conditions at that alternate 1 hour before and after the ETA are forecast to be at or above—

(1) For a Cat II and III approach, at least the published Category I minimums;
(2) For a Cat I approach, at least the published non-precision minimums;
(3) For a non-precision approach, at least 150 m (500 ft) above the published non-precision minimums;
(4) For a circling approach, at least the circling approach minimums.

Two Destination Alternates Required

(d) Where two destination alternates are required, the meteorological forecasts for those aerodromes—

(1) The first destination alternate should be forecast to be at or above the operating minima for use as a destination; and
(2) The second at or above the operating minima for selection as an alternate.

Special Alternate Minima

(e) The Authority may approve more appropriate incremental values for the height of cloud base and visibility in lieu of those specified in paragraphs (b) and (c) if the operator can demonstrate 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 aerodrome

(f) The Authority may approve a margin of time in lieu of the requirement of paragraph (c) if the operator can demonstrate that an adequate margin of safety will exist.

10.390 OFFSHORE ALTERNATES FOR HELICOPTER OPERATIONS

(a) No person may designate an offshore alternate landing site when—

(1) It is possible to carry enough fuel to have an on-shore alternate landing site; or
(2) A hostile environment exists.

(b) The selection of offshore alternates shall be exceptional cases, the details of which have been approved by the Authority, and should not include payload enhancement in IMC.

(c) Each person selecting an Offshore alternate landing site shall consider the following—

(1) The offshore alternate may be used only after a point of no return;
(2) The mechanical reliability of critical control systems and critical components shall be considered and taken into account when determining the suitability of the alternates;
(3) One engine inoperative performance capability will be obtained prior to arrival at the alternate;
(4) The helideck availability is guaranteed;
(5) The weather information at the helideck shall be available from a source approved or accepted by the Authority; and
(6) For IFR operations, an instrument approach procedure shall be prescribed and available; and
(7) Whether the landing technique specified in the flight manual following control system failure precludes the selection of certain helidecks as alternate aerodromes.

10.395 TAKE-OFF ALTERNATE REQUIREMENTS

(a) No person may release or take-off an aircraft without a suitable take-off alternate specified in the operational flight plan if either meteorological conditions at the aerodrome/heliport of departure are below the operator's established aerodrome/heliport landing minima for that operation or it would not be possible to return to the aerodrome/heliport of departure for other reasons.

(b) Each operator shall ensure that each take-off alternate specified shall be located within the following flight time from the aerodrome/heliport of departure—

(1) For aircraft with two engines, one hour of flight time at a one-engine-inoperative

cruising speed, determined from the aircraft operating manual, calculated in ISA and still-air conditions using the actual take-off mass; or

(2) For aircraft with three or more engines, two hours of flight time at an all-engine operating cruising speed, determined from the aircraft operating manual, calculated in ISA and still-air conditions using the actual take-off mass; or

(3) For airplanes engaged in extended diversion time operations (EDTO) where an alternate aerodrome meeting the distance criteria of a) or b) is not available, the first available alternate aerodrome located
within the distance of the operator's approved maximum diversion time considering the actual take-off mass.

10.397 EN-ROUTE ALTERNATES

(a) No person may commence a flight without suitable en-route alternates along the route at which the aircraft would be able to land after experiencing an abnormal or emergency condition.

(b) Where required for extended diversion time operations by aero planes with two turbine engines, en-route alternate aerodromes shall be selected and specified in the operational and air traffic services (ATS) flight plans.

10.398 TIME CAPABILITY OF CARGO COMPARTMENT FIRE SUPPRESSION

(a) No person may plan a diversion time to an aerodrome where a safe landing could be made that exceeds the published cargo compartment fire suppression time capability of the aeroplane (when one is identified in the relevant aeroplane documentation) minus an operational safety margin of 15 minutes.

10.400 OPERATIONS BEYOND 60 MINUTES TO AN EN-ROUTE ALTERNATE AERODROME

(a) No person may conduct flight operations on a route where the nearest en-route alternate aerodrome is beyond—

(1) 60 minutes in cruising flight; or

(2) A threshold time approved by the Authority.

(b) Operators conducting operations beyond 60 minutes from a point on a route to an en-route alternate aerodrome shall ensure that—

(1) For all airplanes—

(i) En-route alternate aerodromes are identified; and

(ii) The most up-to-date information is provided to the flight crew on identified en-route alternate aerodromes, including operational status and meteorological conditions;

(2) For airplanes with two turbine engines, the most up-to-date information provided to the flight crew indicates that conditions at identified en-route alternate aerodromes will be at or above the operator's established aerodrome operating minima for the operation at the estimated time of use.

(c) In addition to the requirements in paragraph (b), all operators shall ensure that the following are taken into account and provide the overall level of safety intended by the provisions for—

(1) Operational control and flight dispatch procedures;

(2) Operating procedures; and

(3) Training programs.

(d) Unless specifically approved by the Authority (EDTO Approval), no person may operate, and no person may authorize operations of an airplane with two or more turbine engines over a route which contains a diversion time from any point on the route, calculated in ISA and still air conditions at the one-engine inoperative cruise speed for airplanes with two turbine engines and at the all-engine operating cruise speed for airplanes with more than two turbine engines, to

an en-route alternate aerodrome exceeds the threshold time prescribed for such operations by the Authority.

(1) The maximum diversion time, for an operator of a particular airplane type engaged in extended diversion time operations shall be approved by the Authority before such operations.

(2) For airplanes engaged in EDTO, the required additional fuel shall include the fuel necessary to comply with the EDTO critical fuel scenario as established by the Authority

(e) No pilot may continue, and no person may authorise a flight to continue, beyond the threshold time unless the identified en-route alternate aerodromes have been re-evaluated for availability and the most up to date information indicates that, during the estimated time of use—

(3) Conditions at those aerodromes will be at or above the operator's established aerodrome operating minima for the operation; and

(4) If any conditions are identified that would preclude a safe approach and landing at that aerodrome during the estimated time of use, the PIC shall determine and implement an alternative course of action.

10.410 FUEL SUPPLY: GENERAL CONSIDERATIONS

(a) No person may commence a flight without carrying enough usable fuel on the aircraft, to complete the planned flight safely and to allow for deviations from the planned operation.

(b) The amount of usable fuel to be carried shall, as a minimum, be based on—

(1) The following data—

(i) Current aircraft-specific data derived from a fuel consumption monitoring system, if available; or

(ii) If current aircraft-specific data is not available, data provided by the aircraft manufacturer; and—

(2) The operating conditions for the planned flight including—

(i) Anticipated aircraft mass;

(ii) Notices to Airmen;

(iii) Current meteorological reports or a combination of current reports and forecasts;

(iv) Air traffic services procedures, restrictions and anticipated delays;

(v) Procedures prescribed in the operations manual for loss of pressurization en route, where applicable;

(vi) Failure of one power-unit en route;

(vii) The effects of deferred maintenance items and/or configuration deviations; and

(viii) Any other conditions that may delay landing of the aircraft or increase fuel and/or oil consumption.

10.415 MINIMUM FUEL SUPPLY FOR VFR DOMESTIC FLIGHTS

VFR: Aero planes

(a) No person may commence a flight in an aeroplane under VFR unless, (considering the wind, forecast weather conditions and contingencies), the amount of fuel to be carried permits flight—

(1) To the aerodrome of intended landing; and

(2) Assuming normal cruising altitude, to have a final reserve fuel after that—

(i) *For day operations*, at least 30 minutes.

(ii) *For night operations*, at least 45 minutes.

VFR: Helicopters

(b) No person may commence a flight in a helicopter under VFR unless (considering the wind, forecast weather conditions and contingencies) there is enough fuel carried—

(1) To fly to the first point of planned landing; and

(2) Have a final reserve fuel to fly after that for—
  (i) A period of 20 minutes at best range speed; and
  (ii) Still have an additional amount of fuel equal to 10% of the total flight time calculated to provide for the increased consumption on the occurrence of potential contingencies.

10.416 IFR FUEL REQUIREMENTS: HELICOPTERS

(a) No person may commence a flight in a helicopter under IFR unless, (considering the wind, forecast weather conditions and contingencies), the amount of fuel and oil to be carried permits flight—
  (1) When no alternate is required, 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) To an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of potential contingencies.
  (2) 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) To 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) To have an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of potential contingencies.
  (3) Where the aerodrome/heliport of intended landing is an isolated heliport or landing location. 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.

10.418 IFR FUEL REQUIREMENTS: GENERAL AVIATION PISTON-ENGINED AERO PLANES

No destination alternate required or to isolated aerodrome

(a) No person may commence a flight under IFR in general aviation piston-engined aeroplane unless there is enough fuel supply (considering weather reports and forecasts and contingencies), to—
  (1) Fly to the aerodrome of intended landing;
  (2) Execute an instrument approach; and
  (3) After that, have a final reserve fuel for at least 45 minutes at normal cruising altitude.

Destination alternate required

(b) No person may commence a flight under IFR in general aviation piston-engined aeroplane unless there is enough fuel supply (considering weather reports and forecasts and contingencies), to—
  (1) Fly to the aerodrome of intended landing and execute an instrument approach; and
  (2) Then to an alternate aerodrome, and
  (3) After that, have a final reserve fuel for at least 45 minutes at normal cruising altitude

10.420 IFR FUEL REQUIREMENTS: LARGE & TURBINE AERO PLANES

(a) No person may commence a flight under IFR or for international operations unless, considering the wind and forecast weather conditions, the pre-flight calculation of usable fuel

required and available fuel at take- off includes—

(1) *Taxi fuel,* which shall be the amount of fuel expected to be consumed before take-off;

(2) *Trip fuel*, which shall be the amount of fuel required to enable the airplane to fly from take-off or the point of in-flight re-planning until landing at the destination aerodrome/heliport taking into account the operating conditions of Section 10.410;

(3) *Contingency fuel,* which shall be the amount of fuel required to compensate for unforeseen factors. It shall be 5 per cent of the planned trip fuel or of the fuel required from the point of in flight re-planning based on the consumption rate used to plan the trip fuel but in any case shall not be lower than the
amount required to fly for five minutes at holding speed at 450 m (1 500 ft) above the destination aerodrome/heliport in standard conditions;

(4) *Destination alternate fuel*, which shall be—

(i) Where a destination alternate aerodrome/heliport is required, the amount of fuel required to enable the airplane to—

(A) Perform a missed approach at the destination aerodrome;

(B) Climb to the expected cruising altitude;

(C) Fly the expected routing;

(D) Descend to the point where the expected approach is initiated; and

(E) Conduct the approach and landing at the destination alternate aerodrome; or

(ii) Where two destination alternate aerodromes are required, the amount of fuel, as calculated), required to enable the airplane to proceed to the destination alternate aerodrome/heliport which requires the greater amount of alternate fuel; or

(iii) Where a flight is operated without a destination alternate aerodrome, the amount of fuel required to enable the airplane to fly for 15 minutes at holding speed at 450 m (1 500 ft) above destination aerodrome/heliport elevation in standard conditions; or

(iv) Where the aerodrome/heliport of intended landing is an isolated aerodrome—

(A) *For piston engine airplanes*, the amount of fuel required to fly for 45 minutes plus 15 per cent of the flight time planned to be spent at cruising level, including final reserve fuel, or two hours, whichever is less; or

(B) *For turbine engine airplanes*, the amount of fuel required to fly for two hours at normal cruise consumption above the destination aerodrome, including final reserve fuel;

(C) *For helicopters,* 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.

(5) *Final reserve fuel,* which shall be the amount of fuel calculated using the estimated mass on arrival at the destination alternate aerodrome/heliport or the destination aerodrome, when no destination alternate aerodrome is required—

(i) *For piston engine airplanes*, the amount of fuel required to fly for 45 minutes, under speed and altitude conditions specified by the Authority; or

(ii) *For turbine engine airplanes and helicopters*, the amount of fuel required to fly for 30 minutes at holding speed at 450 m (1 500 ft) above aerodrome elevation in standard conditions;

(6) *Additional fuel,* which shall be the supplementary amount of fuel required if the minimum fuel as calculated is not sufficient to—

(i) Allow the aircraft to descend as necessary and proceed to an alternate aerodrome/heliport in the event of engine failure or loss of pressurisation, whichever requires the greater amount of fuel based on the assumption that such a failure occurs at the most critical point along the route—

(A) Fly for 15 minutes at holding speed at 450 m (1 500 ft) above

aerodrome/heliport elevation in standard conditions; and

(B) Make an approach and landing;

(C) Allow an airplane engaged in EDTO to comply with the EDTO critical fuel scenario as established by the Authority;

(D) Meet additional requirements not covered above;

(7) *Discretionary fuel,* which shall be the extra amount of fuel to be carried at the discretion of the pilot-in- command.

(b) No person may commence or if required continue from the point of in-flight re-planning and re-dispatch unless the usable fuel on board meets the requirements,

10.423 IN-FLIGHT CHANGES & RE-PLANNING

(a) No person may use fuel after flight commencement for purposes other than originally intended during pre- flight planning unless they have performed a re-analysis and, if applicable, adjustment of the planned operation.

(b) No person may commence or continue from the point of in-flight re-planning unless the re-analysis required by paragraph (a) shows that the usable fuel on board meets the requirements of Sections 10.410, 10.415, 10.416, 10.418 or 10.420 as applicable to the aircraft used and type of operation.

10.425 IN-FLIGHT FUEL MANAGEMENT

(a) The pilot-in-command shall continually ensure that the amount of usable fuel remaining on board is not less than the fuel required to proceed to an aerodrome/heliport where a safe landing can be made with the planned final reserve fuel remaining upon landing.

(b) The pilot-in-command shall request delay information from ATC when unanticipated circumstances may result in landing at the destination aerodrome/heliport with less than the final reserve fuel plus any fuel required to proceed to an alternate aerodrome or the fuel required to operate to an isolated aerodrome.

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

(d) The pilot-in-command shall declare a situation of fuel emergency by broadcasting MAYDAY MAYDAY MAYDAY FUEL, when the calculated usable fuel predicted to be available upon landing at the nearest aerodrome/heliport where a safe landing can be made is less than the planned final reserve fuel.

10.430 AIRCRAFT LOADING, MASS & BALANCE

(a) No person may commence a flight unless all loads carried are properly distributed and safely secured, taking into consideration the effect of the mass on centre of gravity and floor loading limitations.

(b) No person may commence a flight unless the calculations for the mass of the aircraft and centre of gravity location indicate that the flight can be conducted safely and in accordance with the aircraft limitations, taking into account the flight conditions expected.

(c) When load masters, load planners or other qualified personnel are provided by the AOC holder in a commercial air transport operation, the PIC may delegate these responsibilities, but shall ascertain that proper loading procedures are followed.

(d) Unless otherwise authorised by the Authority, the computations for the mass and balance shall be based on the AFM or RFM method for determination of the C.G. and the mass values used for these computations shall be based on the—

(1) Aircraft empty weight derived through a periodic weighing of the aircraft;

(2) Actual weights of the required crew, their equipment and baggage;

(3) Actual weights of the passengers, their baggage and cargo; and
(4) Actual weight of the usable fuel boarded.

(e) *For commercial air transport operations and general aviation operations subject to Part 28*, no person may commence a flight unless these mass and balance computations are accomplished by qualified persons and are also in conformance with the requirements of this Section and the additional mass and balance requirements of Part 17.

10.435 AIRCRAFT PERFORMANCE & OPERATING LIMITATIONS

(a) The detailed and comprehensive performance code of the State of Registry shall be the basis for any determination of aircraft performance.

(b) No person may commence a flight unless the calculations for the performance of the aircraft in all phases of flight indicate that the flight can be conducted safely taking into account the flight conditions expected and in accordance with the aircraft's designed operating limitations, contained in the flight manual, or its equivalent, will not be exceeded. This information should be based on the manufacturer's or other data, acceptable to the Authority, and should be included in the operations manual.

(c) No person may commence a flight unless the performance data is available for use inflight and, when applying performance data, each person performing calculations shall account for the aircraft configuration, environmental conditions, and the operation of any system or systems that may have an adverse effect on performance.

(d) No person may commence a flight that, given the aircraft's weight and assuming normal engine operation, cannot safely clear all obstacles during all phases of flight, including all points along the intended en route path or any planned diversions.

(e) No person may commence a flight without ensuring that the maximum allowable weight for a flight does not exceed the maximum allowable take-off or landing weight, or any applicable en route performance or landing distance limitations considering the—
(1) Condition of the take-off and landing areas to be used;
(2) Gradient of runway to be used (landplanes only);
(3) Pressure altitude;
(4) Ambient temperature;
(5) Current and forecast winds; and
(6) Any know conditions (e.g., atmospheric and aircraft configuration), such as density altitude, which may adversely affect performance.

(f) *For commercial air transport operations and general aviation operations subject to Part 28*, no person may commence a flight unless the performance computations are accomplished by qualified persons and are in conformance with the requirements of this Section and additional performance requirements of Part 17.

10.440 FLIGHT RELEASE REQUIRED: COMMERCIAL AIR TRANSPORT

(a) No person may commence a flight, or series of flights, under a flight following system without specific authority from the person authorised by the AOC holder to exercise operational control over the flight.

(b) No person may commence a passenger-carrying flight in commercial air transport for which there is a published schedule, unless a qualified person authorised by the AOC holder to perform operational control functions has issued a flight release for that specific flight or series of flights.

(c) No person may release or commence a commercial air transport flight or series of flights unless it has been determined to be in compliance with the additional requirements of Part 16 of these Regulations.

10.445 OPERATIONAL FLIGHT PLAN: COMMERCIAL AIR TRANSPORT

(a) No person may commence a flight, or series of flights, unless the operational flight plan has been signed by the PIC.

(b) A PIC may sign the operational flight plan only when the PIC and the person authorised by the operator to exercise operational control have determined that the flight can be safely completed.

(c) The operational flight plan shall include the routing and fuel calculations, with respect to the meteorological and other factors expected, to complete the flight to the destination and all required alternates, and Minimum Acceptable Aerodrome Rescue and Fire Fighting Services (RFFS) Category as prescribed by the Authority in the applicable RCATS

(d) The PIC signing the operational flight plan shall have access to the applicable flight planning information for fuel supply, alternate aerodromes, weather reports and forecasts and NOTAMs for the routing and aerodrome.

(e) No person may continue a flight from an intermediate aerodrome/heliport without a new operational flight plan if the aircraft has been on the ground more than 4 hours.

10.450 FLIGHT PLANNING DOCUMENT DISTRIBUTION & RETENTION: COMMERCIAL AIR TRANSPORT

(a) For commercial air transport operations, the PIC shall complete and sign the following flight preparation documents before commencing a flight or series of flights—

(1) An operational flight plan, including NOTAMs and weather pertinent to the flight planning decisions regarding minimum fuel supply, en route performance, and destination and alternate aerodromes;

(2) A load manifest, showing the distribution of the load, centre of gravity, take-off and landing weights and compliance with maximum operating weight limitations, and performance analysis; and

(3) An applicable technical log page, if mechanical irregularities were entered after a previous flight, maintenance or inspection functions were performed or a maintenance release was issued at the departure aerodrome.

(b) No person may take-off an aircraft unless a copy of all flight preparation documents, signed by the PIC, are retained and available with a company representative at the point of departure, unless a different retention method has been approved by the Authority.

(c) The PIC shall carry a copy of the documents specified in paragraph (a) of this Section on the aircraft to the destination aerodrome.

(d) These documents will be retained by the AOC holder for at least 3 months using the location and methodology approved by the Authority.

SUBPART H: FLIGHT RULES FOR ALL OPERATIONS

10.470 APPLICABILITY & COMPLIANCE

(a) The flight rules of this Subpart are applicable to all operations of aircraft in the airspace of Rwanda and, for international flights, wherever they may be, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

(b) All persons involved in the operation of an aircraft either in flight or on the movement area of an aerodrome shall ensure that it is operated in compliance with the applicable regulations and, in addition, when in flight, either with the—

(1) Visual flight rules; or

(2) Instrument flight rules.

(c) The holders of airman certificates issued by Rwanda will comply with these rules when flying outside Rwanda, except where these rules may differ with the other State, in which case

compliance with the rules of the State being overflown is required.

10.475 NEGLIGENT OR RECKLESS OPERATIONS OF THE AIRCRAFT

(a) No person may operate an aircraft in a negligent or reckless manner so as to endanger life or property of others.

10.476 UNMANNED OR REMOTELY PILOTED AIRCRAFT

(a) A remotely piloted aircraft shall be operated in such a manner as to minimize hazards to persons, property or other aircraft and in accordance with the conditions specified in Part 27

(b) An unmanned free balloon shall be operated in such a manner as to minimize hazards to persons, property or other aircraft and in accordance with the conditions specified in Appendix 1 to 10.476.

10.477 COMPLIANCE WITH LOCAL REGULATIONS

(a) All pilots shall be familiar with the laws, regulations and procedures pertinent to the performance of their duties, prescribed for the—
   (1) Areas to be traversed;
   (2) The aerodromes to be used; and
   (3) The air navigation facilities relating to them.

(b) The PIC shall ensure that other members of the flight crew are familiar with such of these laws, regulations and procedures as are pertinent to the performance of their respective duties in the operation of the aeroplane

(c) All other members of the crew shall be familiar with the laws, regulations and procedures as are pertinent to the performance of their respective duties in the operation of the aircraft.

(d) The operator of the aircraft shall ensure that the crew members of the aircraft are familiar with the laws, regulations and procedures of the States where operations are conducted.

10.480 OPERATION OF AIRCRAFT ON THE GROUND

Taxiing on the Movement Area

(a) No person may taxi an aircraft on the movement area of an aerodrome unless the person at the controls is an appropriately qualified pilot or—
   (1) Has been authorized by the owner, the lessee, or a designated agent;
   (2) Is fully competent to taxi the aircraft;
   (3) Is qualified to use the radio if radio communications are required; and
   (4) Has received instruction from a competent person in respect of aerodrome layout, and where appropriate, information on routes, signs, marking, lights, ATC signals and instructions, phraseology and procedures, and is able to conform to the operational standards required for safe aircraft movement at the aerodrome; and
   (5) When required, displays the required exterior lighting.

(b) No person may taxi an aircraft on the maneuvering area of a controlled aerodrome without clearance from the aerodrome control tower and shall comply with any instructions given by that unit.

Helicopter Rotors

(c) No person shall cause a helicopter rotor to be turned under power unless there is a qualified pilot at the controls.

(d) The operator shall provide appropriately 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.

Taxiing Under Guidance of Signalman

(e) No person shall guide an aircraft unless trained, qualified and approved by the appropriate

authority to carry out the functions of a signalman.

(f) No pilot shall taxi an aircraft under the guidance of a signalman unless—

(1) The standard marshalling signals to aircraft are provided in a clear and precise manner using the signals as prescribed by the Authority;

Note: Refer to AC 10-003 for the standard aircraft marshalling signals that correspond to those specified in ICAO Annex 2. Appendix 1.

(2) The signalman Is wearing a distinctive fluorescent identification vest to allow the flight crew to identify that he or she is the person responsible for the marshalling operation; and

(3) The signalman and all participating ground staff are using daylight-fluorescent wands, table-tennis bats or gloves for all signalling during daylight hours and illuminated wands at night or in low visibility.

10.482 TAKE-OFF & LANDING

(a) No person shall cause an aircraft to take-off or land at an aerodrome or heliport within Rwanda that is not licensed by the Government or a Government aerodrome for which permission for use has been received, if the purpose of the flight operation is—

(1) Commercial air transport with passengers;

(2) Flight instruction; or

(3) Solo flight by a student pilot.

(b) No person shall cause an aircraft to take-off or land at an aerodrome or heliport at night within Rwanda for the purpose of commercial air transport carrying passengers, unless there is adequate lighting to—

(1) Determine the landing direction; and

(2) Make a safe approach and landing.

(c) Except where specifically authorised by the Authority, no person shall cause an aircraft with a certificated passenger capacity of more than 20 passengers to take-off or land at an aerodrome or heliport within Rwanda for the purpose of commercial air transport carrying passengers, unless there is—

(1) Current runway analysis for obstacle clearance and stopping distance;

(2) Established communications with a qualified person on the surface to determine the—

(i) Prevailing approach and landing conditions; and

(ii) Status of runway surface.

(d) No person may cause a helicopter to take-off or land at an elevated—

(1) Heliport in a congested area unless it is operating in Performance Class 1.

(2) Heliport or helideck unless it is operating in Performance Class 1 or 2.

10.484 PRE-TAKEOFF INSPECTIONS

(a) No person may take-off an aircraft unless they have completed an inspection of the aircraft, in accordance with a published checklist, of the—

(1) Exterior for airworthiness; including the quantity and quality of the fuel onboard;

(2) Passenger cabin readiness and required equipment;

(3) Interior flight deck equipment, instruments and documents on the aircraft; and

(4) Pre-take-off setup of the flight deck instruments and controls.

10.485 TAKE-OFF CONDITIONS

(a) No person may take-off an aircraft, unless—

(1) According to the available information, the weather at the aerodrome and the condition of the runway intended to be used will allow for a safe take-off and departure; and

(2) The RVR or visibility in the take-off direction of the aircraft is equal to or better than

the applicable minimum.

(b) No person may take-off an aircraft unless, in determining the length of the runway required and available, the loss, if any, of runway length due to alignment of the aeroplane prior to take-off has been determined.

10.487 NOISE ABATEMENT

(a) No person may take-off an aircraft at an aerodrome where a noise abatement departure is applicable to the aircraft without following those procedures, unless this action would not be considered safe or practical considering the existing conditions or performance limitations.

(b) Unless otherwise required by special circumstances at an aerodrome, each person shall use, any one aircraft type, the same noise abatement procedure and profiles at all aerodromes.

(c) No person may take-off or land an aircraft at a mass that exceeds the maximum demonstrated for that aircraft to comply with the noise certification standards, unless authorised by the competent authority of the State for a specific aerodrome or runway where there is no noise disturbance problem.

(d) The operator of a helicopter should ensure that take-off and landing procedures take into account the need to minimize the effect of helicopter noise.

10.490 FLIGHT INTO KNOWN OR EXPECTED ICING

(a) No person may take-off an aircraft or continue to operate an aircraft en route when the icing conditions are expected or encountered, without ensuring that the aircraft is certified for icing operations and has sufficient operational de-icing or anti-icing equipment.

(b) No person may take-off an aircraft in suspected or known ground icing conditions unless the aircraft has been inspected for icing and, if necessary, has been given appropriate de-icing/anti-icing treatment.

(c) No person may take-off an aircraft when frost, ice or snow is adhering to the wings, control surfaces, propellers, engine inlets or other critical surfaces of the aircraft which might adversely affect the performance or controllability of the aircraft. Accumulation of ice or naturally occurring contaminates shall be removed so that the aircraft is kept in an airworthy condition prior to take-off.

(d) *For commercial air transport operations*, no person may take-off an aircraft when conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless the procedures approved for the AOC holder by the Authority are followed to ensure ground de-icing and anti-icing is accomplished.

10.493 AIRCRAFT OPERATING LIMITATIONS

(a) *No* person may operate a civil aircraft without complying with the operating limitations specified in the approved AFM or RFM, markings and placards, or as otherwise prescribed by the certifying authority for the State of Registry.

10.494 CRUISING LEVELS

(a) The cruising levels at which a flight or a portion of a flight is to be conducted shall be in terms of—

(1) *Flight levels*, for flights at or above the lowest usable flight level or, where applicable, above the transition altitude.

(2) *Altitudes,* for flights below the lowest usable flight level or, where applicable, at or below the transition altitude.

(b) Unless otherwise specified by the appropriate ATS facility, the cruising levels provided in Appendix 1 to

10.494 shall be used when selecting a cruising level appropriate to the aircraft track for VFR or IFR flight.

10.495 ALTIMETER SETTINGS

(a) Each person operating an aircraft shall maintain the cruising altitude or flight level by reference to an altimeter set—
  (1) Below the transition altitude to—
    (i) The current reported QNH altimeter setting of a station along the route and within 160 km (100 nm) of the aircraft;
    (ii) The current reported QNH altimeter setting of a nearby station, if there is not a station along the route; or
    (iii) In the case of an aircraft not equipped with a radio, the elevation of the departure aerodrome or an appropriate altimeter setting available before departure; or
  (2) At or above the prescribed transition altitude to the QFE altimeter setting of 1013.2 hPa (29.92" Hg).

10.500 MINIMUM SAFE ALTITUDES: GENERAL

(a) Except when necessary for take-off or landing, no person may operate an aircraft below the following altitudes—
  (1) *Anywhere.* An altitude allowing, if a power unit fails, continuation of flight or an emergency landing without undue hazard to persons or property on the surface.
  (2) *Over congested areas.* Over any congested area of a city, town, or settlement, or over any open-air assembly of persons, an altitude of 300m (1,000 feet) above the highest obstacle within a horizontal radius of 600m (2,000 feet) of the aircraft.
  (3) *Over other than congested areas.* An altitude of 150m (500 feet) above the surface, except over open water or sparsely populated areas where the aircraft may not be operated closer than 150m (500 feet) to any person, vessel, vehicle, or structure.
  (4) *Helicopters.* Except as restricted by Section 10.513, pilots of helicopters are not subject to the proximity restrictions provided they are operated in a manner that is not hazardous to persons and property on the surface.

(b) The PIC of a helicopter shall comply with any routes or altitudes for the area that are prescribed for helicopters by the Authority.

10.505 MINIMUM SAFE VFR ALTITUDES: COMMERCIAL AIR TRANSPORT OPERATIONS

(a) No person may operate an aeroplane in commercial air transport during the day, under VFR, at an altitude less than 1,000 feet above the surface or within 1,000 feet of any mountain, hill, or other obstruction to flight.

(b) No person may operate an aeroplane in commercial air transport at night, under VFR, at an altitude less than—
  (1) 600 m (2,000 feet) above the highest obstacle within a horizontal distance of 8 km (5 sm) from the centre of the intended course, or
  (2) In designated mountainous areas, less than 900 m (3,000 feet) above the highest obstacle within a horizontal distance of 8 km (5 sm) from the centre of the intended course.

10.510 AERODROME OPERATING MINIMA

(a) The pilot-in-command shall establish aerodrome operating minima in accordance with criteria specified by the State of Registry, for each aerodrome to be used in operations.

(b) No person may operate an aircraft to or from an aerodrome (or heliport) using an operating minima lower than those established by the State in which the aerodrome is located, except with specific approval of that State's civil aviation authority.

(c) 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.

(d) 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.

10.513 HELICOPTER OPERATIONS & HELIPORTS IN CONGESTED HOSTILE ENVIRONMENT

(a) Except as specifically approved by the Authority, no person may operate a helicopter over a congested hostile environment or to or from a heliport in a congested hostile environment unless the operation conforms to requirements for Performance Class 1.

10.515 DIVERSION DECISION

(a) Except as provided in paragraph (b) of this Section, the PIC shall land the aircraft at the nearest suitable aerodrome at which a safe landing can be made whenever an engine of an aircraft fails or is shut down to prevent possible damage.

(b) If not more than one engine of an aeroplane having three or more engines fails, or its rotation is stopped, the PIC may proceed to an aerodrome if he or she decides that proceeding to that aerodrome is as safe as landing at the nearest suitable aerodrome after considering the—

(1) Nature of the malfunction and the possible mechanical difficulties that may occur if flight is continued;
(2) Altitude, weight, and usable fuel at the time of engine stoppage;
(3) Weather conditions en route and at possible landing points;
(4) Air traffic congestion;
(5) Kind of terrain; and
(6) Familiarity with the aerodrome to be used.

10.520 OPERATING NEAR OTHER AIRCRAFT

(a) No person may operate an aircraft so close to another aircraft as to create a collision hazard.

(b) No person may operate an aircraft in formation flight except by pre-arrangement with the PIC of each aircraft in the formation and, in controlled airspace, in accordance with the conditions prescribed in Section 10.637.

(c) No person may operate an aircraft carrying passengers for hire in formation flight.

10.521 CLIMB & DESCENT PRECAUTIONS

(a) Unless otherwise specified in an air traffic control instruction, the flight crew shall use a rate less than 8 m/ sec or 1 500 ft/min (depending on the instrumentation available) throughout the last 300 m (1 000 ft) of climb or descent to the assigned level to avoid unnecessary airborne collision avoidance system (ACAS II) resolution advisories in aircraft at or approaching adjacent altitudes or flight levels.

10.525 RIGHT-OF-WAY RULES: AIRCRAFT IN FLIGHT

(a) *General*.

(1) Each pilot shall maintain vigilance so as to see and avoid other aircraft; and
(2) When a rule of this Section gives another aircraft the right-of-way, the pilot shall give way to that aircraft and may not pass over, under, or ahead of it unless well clear.
(3) The pilot of the aircraft with the right-of-way should maintain heading and speed except as necessary to avoid collision;
(4) Nothing in these rules shall relieve the PIC of an aircraft from the responsibility of taking such action, including collision avoidance manoeuvres based on resolution advisories

proved by ACAS equipment, as will best avert collision.

(b) *In distress*. An aircraft in distress has the right-of-way over all other air traffic.

(c) *Converging*: When two aircraft of the same category are converging at approximately the same altitude (except head-on, or nearly so), the aircraft to the other's right has the right-of-way, except as follows—

(1) Power-driven heavier-than-air aircraft shall give way to airships, gliders and balloons;
(2) Airships shall give way to gliders and balloons;
(3) Gliders shall give way to balloons; and
(4) Power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects.

(d) *Towing or refuelling*. An aircraft towing or refuelling other aircraft has the right-of- way over all other engine- driven aircraft, except aircraft in distress.

(e) *Approaching head-on*. When two aircraft are approaching each other head-on, or approximately so, and there is a danger of collision, each pilot of each aircraft shall alter heading to the right.

(f) *Overtaking*—

(1) Each aircraft that is being overtaken has the right-of-way and each pilot of an overtaking aircraft, whether climbing descending or in horizontal flight, shall alter heading to the right to pass well clear.
(2) No subsequent change to the relative position of the two aircraft shall absolve the pilot of the overtaking aircraft from this obligation until it is entirely past and clear.
(3) An overtaking aircraft is an aircraft that approaches another from the rear on a line forming an angle of less than 70 degrees with the plane of symmetry of the latter. In such a position with reference to the other aircraft at night it should be unable to see either of the aircraft left (port) or right (starboard) navigation lights.

(g) *Landing*—

(1) Aircraft, while on final approach to land or while landing, have the right-of-way over other aircraft in flight or operating on the surface. But the pilot may not take advantage of this rule to force an aircraft off the runway surface which has already landed and is attempting to make way for an aircraft on final approach
(2) The pilot of an aircraft in flight, or operating on the ground or water shall give way to aircraft landing or in the final stages of an approach to land.
(3) The pilot of an aircraft that is aware that another is compelled by emergency to land shall give way to that aircraft.
(4) When two or more heavier-than-air aircraft are approaching an aerodrome for the purpose of landing—

(i) The pilot of an aircraft at the higher level shall give way to aircraft at the lower level.
(ii) But the pilot of the lower aircraft shall not take advantage of this rule to cut in front of or overtake the higher aircraft which is in the final stages of an approach to land.
(iii) Nevertheless, the pilot of a power-driven heavier-than-air aircraft shall give way to gliders.

10.529 RIGHT OF WAY RULES: AERODROME SURFACE MOVEMENT

(a) In case of danger of collision between two aircraft taxiing on the movement area of an aerodrome the following shall apply—

(1) When two aircraft are approaching head on, or approximately so, each pilot shall stop or where practicable alter the course aircraft to the right so as to keep well clear.
(2) When two aircraft are on a converging course, the pilot which has the other aircraft on

his right shall give way.

(3) An aircraft which is being overtaken by another aircraft shall have the right-of-way and the pilot of the overtaking aircraft shall keep well clear of the other aircraft.

(b) The pilot of an aircraft taxiing on the manoeuvring area shall stop and hold at all runway-holding positions unless otherwise authorised by the aerodrome control tower.

(c) The pilot of an aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may proceed further when the lights are switched off.

(d) The pilot of an aircraft taxiing on the manoeuvring area of an aerodrome shall give way to aircraft—

(1) Taking off or about to take off; and

(2) Landing or in the final stages of an approach to landing.

10.530 RIGHT-OF-WAY RULES: WATER SURFACE OPERATIONS

(a) *General*. Each person operating an aircraft on the water shall, insofar as possible, keep clear of all vessels and avoid impeding their navigation, and shall give way to any vessel or other aircraft that is given the right- of-way by any rule of this Section.

(b) *Converging*. When aircraft, or an aircraft and a vessel, are on crossing courses, the aircraft or vessel to the other's right has the right-of-way.

(c) *Approaching head-on*. When aircraft, or an aircraft and a vessel, are approaching head-on, or nearly so, each shall alter its course to the right to keep well clear.

(d) *Overtaking*. Each aircraft or vessel that is being overtaken has the right-of-way, and the one overtaking shall alter course to keep well clear.

(e) *Landing and taking off.* Aircraft landing on or taking off from the water shall, in so far as practicable, keep well clear of all vessels and avoid impeding their navigation.

(f) *Special circumstances*. When aircraft, or an aircraft and a vessel, approach so as to involve risk of collision, each aircraft or vessel shall proceed with careful regard to existing circumstances, including the limitations of the respective craft.

10.535 USE OF AIRCRAFT LIGHTS

(a) If an aircraft has red rotating beacon lights installed, the pilot shall switch those lights on prior to starting engines and display those lights at all times the engines are running.

(b) No person may operate an aircraft in the movement area of an aerodrome, on the water or in flight between the period from sunset to sunrise, or any other period prescribed by the appropriate authority, unless it displays—

(1) Anti-collision lights intended to attract attention to the aircraft; and

(2) Navigation lights intended to indicate the relative path of the aircraft to an observer.

(c) An aircraft is considered to be operating when it is taxiing or being towed or is stopped temporarily during the course of taxiing or being towed.

(d) The pilots of all aircraft in flight and fitted with anti-collision lights shall display such lights during all operations from take-off to landing.

(e) A pilot shall be permitted to switch off or reduce the intensity of any required flashing lights if they do or are likely to—

(1) Adversely affect the satisfactory performance of duties; or

(2) Subject an outside observer to harmful dazzle.

(f) Lights fitted for other purposes, such as landing lights, taxi lights, airframe floodlights, and logo lights may also be used to enhance aircraft conspicuity and attract attention to the aircraft, but no person may not display any lights that are likely to be mistaken for the navigation or anti-collision lights.

(g) No person may park or move an aircraft at night in, or in a dangerous proximity to, a movement area of an aerodrome, unless the aircraft—
  (1) Is clearly illuminated;
  (2) Has lighted navigation lights, or
  (3) Is in an area that is marked by obstruction lights.

(h) No person may anchor an aircraft unless that aircraft—
  (1) Has lighted anchor lights; or
  (2) Is in an area where anchor lights are not required on vessels.

10.537 NIGHT OPERATIONS

(a) No person may operate the following aircraft in night operations within the airspace of Rwanda—
  (1) Gliders, or
  (2) Free Balloons.

(b) No person may operate single-engine aircraft in night cross-country operations within the airspace of Rwanda.

10.540 SIMULATED INSTRUMENT FLIGHT

(a) No person may operate an aircraft in simulated instrument flight unless—
  (1) That aircraft has fully functioning dual controls;
  (2) The other control seat is occupied by a safety pilot who holds at least a private pilot licence with category and class ratings appropriate to the aircraft being flown; and
  (3) The safety pilot has adequate vision forward and to each side of the aircraft, or a competent observer in the aircraft adequately supplements the vision of the safety pilot.

10.545 INFLIGHT SIMULATION

(a) No person may engage in simulated instrument flight conditions *during commercial air transport operations*.

(b) No person may simulate an abnormal or emergency situation—
  (1) When carrying passengers; or
  (2) During commercial air transport operations carrying passengers or cargo.

10.550 DROPPING, SPRAYING, TOWING

(a) Except under conditions prescribed by the Authority in Part 11, no pilot may take the following actions—
  (1) Dropping, dusting or spraying from an aircraft;
  (2) Towing of aircraft or other objects; or
  (3) Allowing parachute descents.

10.555 AEROBATIC FLIGHT

(a) No person may operate an aircraft in aerobatic flight—
  (1) Over any city, town or settlement;
  (2) Over an open air assembly of persons;
  (3) Within the lateral boundaries of the surface areas of Class B, C, D or E airspace designated for an aerodrome;
  (4) Below an altitude of 450 m (1,500 feet) above the surface; or
  (5) When the flight visibility is less than 5 km (3 sm).

(b) Each pilot of an aircraft shall, before commencing acrobatic maneuvers, contact the appropriate air traffic services unit for advice and/or clearance.

(c) No person may operate an aircraft in manoeuvres exceeding a bank of 60 degrees or pitch of 30 degrees from level flight attitude unless all occupants of the aircraft are wearing parachutes packed by a qualified parachute rigger in the past 12 calendar months.

10.560 FLIGHT TEST AREAS

(a) No person may flight-test an aircraft except—
  (1) As authorised by the Authority; and
  (2) Conducted over open water or sparsely populated areas having light traffic.

10.565 DANGER, PROHIBITED & RESTRICTED AREAS

(a) No person may operate an aircraft in a danger area, restricted area or prohibited area, the particulars of which have been duly published, except—
  (1) In accordance with the conditions of the restrictions; or
  (2) By permission of the State over whose territory the areas are established.

10.570 REQUIRED SPECIAL AIRSPACE APPROVALS PBN/RNP, MNPS/NAT, RVSM, PBC)

(a) No person may operate in airspace or on routes for where PBN (RNP), MNPS/NAT, RVSM or PBC (RCP) performance specifications have been prescribed without a written approval issued by the Authority indicating—
  (1) The navigation and communications capability of the aircraft satisfies the requirements specified for such operations;
  (2) The operator has instituted appropriate procedures in respect of continued airworthiness (maintenance and repair) practices and program; and
  (3) The operator has instituted appropriate flight crew procedures for operations in the authorised airspace.
  (4) The approval is valid globally only when any operating procedures specific to a given region are stated in the operations manual or appropriate crew guidance.

Refer to Appendix 1 to 10.570 for additional requirements prescribed for Performance-Based Navigation.

Refer to Appendix 2 to 10.570 for additional requirements prescribed for Performance-Based Communications.

Refer to Appendix 3 to 10.570 for expanded requirements prescribed for RVSM operations.

(b) No person may operate an aircraft in airspace or on routes requiring a special authorisation by the Authority, except in accordance with the conditions of the procedures and restrictions required for this airspace.

(c) The operator and pilots involved shall provide an incident report in the form and manner prescribed by the Authority within 10 days of any deviation from the performance specifications of a route or airspace.

(d) The operator shall make application for one or more of these operational approvals in the form and manner prescribed by the Authority and complete the prescribed certification process 30 days prior to the intended operation.

10.571 ADDITIONAL OPERATIONAL CERTIFICATION APPROVALS

(a) Operators shall make application to the Authority and complete the certification process for the following approvals prior to operational use—
  (1) Automatic Landing Systems;
  (2) HUD (or equivalent) EVS, SVS, CVS, or any combination of these systems into a hybrid system;
  (3) PBN variations, including RNP-APCH;
  (4) ADS-C, including CPDLC;

(5) ADS-B-IN and -OUT;
(6) Performance-Based Surveillance (PBS);
(7) Electronic Flight Bag (EFB); and
(8) Other critical approvals identified by the Authority or by evolving international standards.

Refer to Appendix 1 to 10.571 for requirements regarding PBS approvals.
Refer to Appendix 2 to 10.571 for requirements regarding EFB approvals.

(b) The operator shall make application for these operational approvals in the form and manner prescribed by the Authority at least 30 days prior to the intended operation.

10.572 HEADS-UP DISPLAYS, VISION & IMAGING SYSTEMS

(a) Unless the installation and procedures are approved by the Authority, no person may operate an aircraft using an automatic landing systems, HUD or equivalent displays, EVS, SVS, CVS, or NVIS to—
(1) Conduct descent or take-off in weather conditions below VFR minimums;
(2) Conduct Instrument approach operations below Category I instrument approach minimums;
(3) Reduce or satisfy visibility requirements;
(4) Compensate for required ground facilities;
(5) Conduct night operations to a site other than an aerodrome or heliport; or
(6) Gain any other operational benefit related to these Regulations.

Refer to Appendix 1 to 10.572 for expanded requirements for these approvals.

(b) In consideration of the approval of operational credit(s) for operations with aircraft equipped with a HUD or equivalent displays, EVS, SVS or CVS, these approvals shall not affect the classification of the instrument approach procedure.

(c) The operator shall make application for one or more of these operational approvals in the form and manner prescribed by the Authority 30 days prior to the intended operation and complete the prescribed certification process prior to operational use.

10.575 OPERATIONS ON OR IN THE VICINITY OF AN AERODROME

(a) Each pilot of an aircraft operated on or in the vicinity of an aerodrome shall, whether or not within an aerodrome traffic zone—
(1) Observe other aerodrome traffic for the purpose of avoiding collision;
(2) Conform with or avoid the pattern of traffic formed by other aircraft in operation;
(3) Make all turns to the left, when approaching for a landing and after taking off, unless otherwise instructed;
(4) Comply with any traffic patterns established by the authorities having jurisdiction over that aerodrome.
(5) Land and take off into the wind unless safety, the runway configuration, or air traffic considerations determine that a different direction is preferable, and
(6) Comply with traffic light signals when radio communication cannot be established.

(b) A helicopter shall avoid the flow of aero planes.

10.577 OPERATIONS IN CERTAIN AIRSPACE

(a) No person may operate an aircraft in Class A airspace unless they are operating under IFR in accordance with an ATS clearance.

(b) No person may operate an aircraft in Class B, C, D or E airspace unless they establish two-way radio communications with the controlling ATS facility prior to entering and, while operating in that airspace—
(1) Operate on an ATS clearance; and
(2) Maintain two-way communications.

10.580 AERODROME TRAFFIC PATTERN ALTITUDES: TURBOJET OR LARGE AIRCRAFT

(a) When arriving at an aerodrome, the PIC of a turbojet or large aircraft shall enter the traffic pattern at least 1,500 feet AGL until further descent is required for landing.

(b) When departing, the PIC of a turbojet or large aircraft shall climb to 1,500 AGL as rapidly as practicable.

10.583 AEROPLANE OPERATING PROCEDURES FOR LANDING PERFORMANCE

(a) The PIC shall not continue an approach to land below 300 m (1 000 ft) above aerodrome elevation unless satisfied that, with the runway surface condition information available, the aeroplane performance information indicates that a safe landing can be made.

10.585 COMPLIANCE WITH VISUAL & ELECTRONIC GLIDE SLOPES

(a) The PIC of an aeroplane approaching to land on a runway served by a visual approach slope indicator shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.

(b) The PIC of a turbojet or large aeroplane approaching to land on a runway served by an ILS shall fly that aeroplane at or above the glide slope from the point of interception to the middle marker.

10.587 STABILIZED FINAL APPROACH

(a) The PIC of an aeroplane on final approach for landing will establish the aircraft in landing configuration (landing gear, flaps, airspeed, attitude and power) at or before 150 m (500 ft) above the elevation of the runway touchdown zone and maintain a stabilized configuration until the landing flare.

10.589 MAXIMUM AIRSPEEDS

(a) Unless otherwise authorised by ATS, no person may operate an aircraft at an airspeed greater than—

(1) 340 kph (180 knots) in the aerodrome traffic area.

(2) 400 kph (210 knots) while in an assigned holding pattern, unless authorised by ATS clearance for a higher airspeed.

(3) 475 kph (250 knots) between the surface and 3,000 m (10,000 ft). MSL.

10.590 RESTRICTION OR SUSPENSION OF OPERATIONS: COMMERCIAL AIR TRANSPORT

(a) If a PIC or an AOC holder knows of conditions, including aerodrome and runway conditions, that are a hazard to safe operations, that person shall restrict or suspend all commercial air transport operations to such aerodromes and runways as necessary until those conditions are corrected.

10.595 CONTINUATION OF FLIGHT

(a) No person may continue a flight towards the aerodrome of intended landing, unless the latest available information indicates that at the expected time of arrival, a landing can be effected at that aerodrome, or at least one alternate aerodrome, in compliances with the operating minima applicable to that flight.

10.597 CONTINUATION OF FLIGHT: COMMERCIAL AIR TRANSPORT

(a) No PIC may allow a flight to continue toward any aerodrome of intended landing where commercial air transport operations have been restricted or suspended, unless—

(1) In the opinion of the PIC, the conditions that are a hazard to safe operations may reasonably be expected to be corrected by the estimated time of arrival; or

(2) There is no safer procedure.

10.600 INTERCEPTION BY MILITARY OR GOVERNMENT AIRCRAFT

(a) No pilot may conduct an international flight unless the procedures and visual signals relating to actions to be taken when intercepted by military or government aircraft are readily available on the flight deck.

(b) When intercepted by a military or government aircraft, each PIC shall comply with the international standards when interpreting and responding to visual signals as prescribed by the Authority.

10.601 OVERWATER OPERATIONS OF HELICOPTERS

(a) No person may operate a helicopter over water beyond a safe forced landing distance from land unless—
   (1) That helicopter has been certified for ditching, a
   (2) Information about the ditching procedures and the sea state are available in the aircraft.

SUBPART I: OPERATIONS IN CONTROLLED FLIGHT

10.603 APPLICABILITY & COMPLIANCE

(a) The flight rules of this Subpart are applicable to all operations of aircraft in the airspace of Rwanda and, for international flights, wherever they may be, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

(b) The holders of airman licenses issued by Rwanda shall comply with these rules when flying outside Rwanda, except where these rules may differ with the other State, in which case compliance with the rules of the State or region being overflown is required.

10.605 ATC CLEARANCES

(a) Each PIC shall obtain an ATC clearance prior to operating a controlled flight, or a portion of a flight as a controlled flight.

(b) Each PIC shall request an ATC clearance through the submission of a flight plan to an ATC facility.

(c) Whenever an aircraft has requested a clearance involving priority, each PIC shall submit a report explaining the necessity for such priority, if requested by the appropriate ATC facility.

(d) No person operating an aircraft on a controlled aerodrome may taxi on the manoeuvring area or any runway without clearance from the aerodrome control tower.

10.610 ADHERENCE TO ATC CLEARANCES

(a) When an ATC clearance has been obtained, no PIC may deviate from the clearance, except in an emergency, unless he or she obtains an amended clearance. This requirement does not prohibit a pilot from cancelling an IFR clearance when operating in VMC conditions or cancelling a controlled flight clearance when operating in airspace that does not required controlled flight.

(b) When operating in airspace requiring controlled flight, no PIC may operate contrary to ATC instructions, except in an emergency.

(c) Each PIC who deviates from an ATC clearance or instructions in an emergency, shall—
   (1) Notify ATC of that deviation as soon as circumstances permit; and
   (2) State that this action has been taken under emergency authority.

(d) A flight plan may cover only part of a flight, as necessary, to describe that portion of the flight or those manoeuvres which are subject to air traffic control. A clearance may cover only part of a current flight plan, as indicated in a clearance limit or by reference to specific manoeuvres such as taxiing, landing or take-off.

10.615 COMMUNICATIONS & COMMUNICATIONS FAILURE

Listening Watch

(a) Each person operating an aircraft on a controlled flight under VFR or IFR shall maintain a continuous air- ground voice communication watch on the appropriate communication channel or, and establish two-way communication as necessary with, the appropriate ATS unit, except as may be prescribed by the appropriate ATS authority in respect of aircraft forming part of aerodrome traffic at a controlled aerodrome.

SELCAL or similar automatic signalling devices may be used to satisfy the requirement to maintain a continuous listening watch.

The requirement for an aircraft to maintain air-ground voice communication watch remains in effect after CPDLC has been established.

Communications Failure: General

(b) If a communication failure precludes compliance with paragraph (a), the pilot shall comply with the voice communication failure procedures of Annex 10, Volume II, and with such of the following procedures as are appropriate.

(c) In event of communications failure, the pilot shall attempt to establish communications with the appropriate air traffic control unit using all other available means.

(d) In addition, the pilot shall, when forming part of the aerodrome traffic at a controlled aerodrome, shall keep a watch for such instructions as may be issued by visual signals.

Communications Failure: Visual Meteorological Conditions

(e) If in visual meteorological conditions, the PIC shall—

(1) Continue to fly in visual meteorological conditions; land at the nearest suitable aerodrome; and report its arrival by the most expeditious means to the appropriate air traffic services unit; or

(2) If considered advisable, complete an IFR flight in accordance with paragraph (f).

Communications Failure: Instrument Meteorological Conditions

(f) If in instrument meteorological conditions or when the pilot of an IFR flight considers it inadvisable to complete the flight in VMC, the PIC shall—

(1) Unless otherwise prescribed on the basis of regional air navigation agreement, in airspace where radar is not used in the provision of air traffic control, maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of 20 minutes following the aircraft's failure to report its position over a compulsory reporting point and thereafter adjust level and speed in accordance with the filed flight plan;

(2) In airspace where radar is used in the provision of air traffic control, maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of 7 minutes following—

(i) The time the last assigned level or minimum flight altitude is reached; or

(ii) The time the transponder is set to Code 7600; or

(iii) The aircraft's failure to report its position over a compulsory reporting point; whichever is later, and thereafter adjust level and speed in accordance with the filed flight plan;

(g) When being radar vectored or having been directed by ATC to proceed offset using area navigation (RNAV) without a specified limit, rejoin the current flight plan route no later than the next significant point, taking into consideration the applicable minimum flight altitude;

(h) Proceed according to the current flight plan route to the appropriate designated navigation aid or fix serving the destination aerodrome and, when required to ensure compliance with (i) below, hold over this aid or fix until commencement of descent;

(i) Commence descent from the navigation aid or fix specified in (h) at, or as close as possible to, the expected approach time last received and acknowledged; or, if no expected approach time has been received and acknowledged, at, or as close as possible to, the estimated time of arrival

resulting from the current flight plan; estimated time of arrival specified in (h) or the last acknowledged expected approach time, whichever is later; and

(j) Complete a normal instrument approach procedure as specified for the designated navigation aid or fix; and

(k) Land, if possible, within 30 minutes after the estimated time of arrival specified in e) or the last acknowledged expected approach time, whichever is later.

10.620 ROUTE TO BE FLOWN

(a) Unless otherwise authorised or directed by the appropriate ATC facility, the PIC of a controlled flight shall, in so far as practicable—

(1) When on an established ATC route, operate along the defined centre line of that route; or

(2) When on any other route, operate directly between the navigation facilities and/or points defining that route.

(b) The PIC of a controlled flight operating along an ATC route defined by reference to VORs shall change over for primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the change-over point, where established.

(c) The requirements of this Section do not prohibit manoeuvring the aircraft to pass well clear of other air traffic or the manoeuvring of the aircraft in VFR conditions to clear the intended flight path both before and during climb or descent.

(d) The PIC of a controlled flight shall notify the appropriate ATC facility of any deviations of paragraph (a) or (b).

10.625 DEVIATIONS FROM PLANNED FLIGHT

(a) A PIC shall take the following action in the event that a controlled flight deviates from its current flight plan—

(1) *Deviation from track*. If the aircraft is off track, the PIC shall adjust the heading of the aircraft forthwith to regain track as soon as practicable.

(2) *Deviation from ATC assigned Mach number/indicated airspeed:* the appropriate air traffic services unit shall be informed immediately

(3) Deviation from Mach number/true airspeed: if the sustained Mach number/true airspeed at cruising level varies by plus or minus Mach 0.02 or more, or plus or minus 19 km/h (10 kt) true airspeed or more from the current flight plan, the appropriate air traffic services unit shall be so informed.

(4) *Change in time estimate:* except where ADS-C is activated and serviceable in airspace where ADS-C services are provided, if the time estimate for the next applicable reporting point, flight information region boundary or destination aerodrome, whichever comes first, changes in excess of 2 minutes from that previously notified to air traffic services, or such other period of time as is prescribed by the appropriate ATS authority or on the basis of regional air navigation agreements, the flight crew shall notify the appropriate air traffic services unit as soon as possible.

(b) When ADS-C services are provided and ADS-C is activated, the air traffic services unit shall be informed automatically via data link whenever changes occur beyond the threshold values stipulated by the ADS event contract.

10.630 ATC CLEARANCE: INTENDED CHANGES

Requests for current flight plan changes shall include the following information—

(1) *Change of cruising level*. Aircraft identification, requested new cruising level and cruising speed at this level, and revised time estimates, when applicable, at subsequent reporting points or flight information region boundaries.

(2) *Change of Mach number/true airspeed*: aircraft identification; requested Mach number/true

airspeed.

(3) *Change of route*—

(i) *Destination unchanged*. Aircraft identification, flight rules; description of new route of flight including related flight plan data beginning with the position from which requested change of route is to commence; revised time estimates, and any other pertinent information.

(ii) *Destination change*. Aircraft identification; flight rules; description of revised route of flight to revised destination aerodrome including related flight plan data, beginning with the position from which requested change of route is to commence; revised time estimates; alternate aerodrome(s); any other pertinent information.

10.635 POSITION REPORTS

(a) Each pilot of a controlled flight shall report to the appropriate ATC facility, as soon as possible, the time and level of passing each designated compulsory reporting point, together with any other required information, unless exempted from this requirement by the appropriate ATC authority.

(b) Each pilot of a controlled flight shall make position reports in relation to additional points or intervals when requested by the appropriate ATC unit.

(c) In the absence of designated reporting points, pilot shall make position reports at intervals prescribed by the appropriate ATS authority or specified by the appropriate air traffic services unit.

(d) Pilot of controlled flights providing position information to the appropriate air traffic services unit via data link communications shall only provide voice position reports when requested.

10.637 FORMATION FLIGHTS IN CONTROLLED AIRSPACE

(a) No person will operate an aircraft in formation flight in controlled airspace unless those operations are conducted in accordance with an ATS clearance and any other prescribed conditions including--

(1) The formation operates as a single aircraft with regards to navigation and position reporting;

(2) Separation between aircraft in the flight shall be the responsibility of the flight leader and the PICs of the individual aircraft; and

(3) A distance not exceeding 1 km (0.5 NM) laterally and longitudinally and 30 meters (100 ft) vertically from the flight leader shall be maintained by both aircraft.

(b) The separation requirements of (a) also apply to periods of transition when aircraft are manoeuvring to attain their own separation within the formation and during join-up and break-away.

10.640 OPERATIONS ON OR IN THE VICINITY OF A CONTROLLED AERODROME

(a) No person may operate an aircraft to, from, through, or on an aerodrome having an operational control tower unless two-way communications are maintained between that aircraft and the control tower.

(b) On arrival, each PIC shall establish communications required by paragraph (a) of this Section prior to 4 nautical miles from the aerodrome when operating from the surface up to and including 2,500 feet.

(c) On departure, each PIC shall establish communications with the control tower prior to taxi.

(d) *take-off, landing, taxi clearance*. No person may, at any aerodrome with an operating control tower, operate an aircraft on a runway or taxiway or take-off or land an aircraft, unless an appropriate clearance has been received by ATC.

(e) A clearance to "taxi to" the take-off runway is not a clearance to cross or taxi on to that runway. It does authorise the PIC to cross other runways during the taxi to the assigned runway. A clearance to "taxi to" any other point on the aerodrome is a clearance to cross all runways that intersect the taxi route to the assigned point.

Note: Section 10.540(f) deleted - this requirement relocated to Section 10.615.

10.643 TERMINATION OF CONTROL

(a) The pilot of a controlled flight shall, except when landing at a controlled aerodrome, advise the appropriate ATC unit as soon as it ceases to be subject to air traffic control service.

10.645 UNLAWFUL INTERFERENCE

(a) A PIC shall, when and if possible, notify the appropriate ATC facility when an aircraft is being subjected to unlawful interference, including—
   (1) Any significant circumstances associated with the unlawful interference; and
   (2) Any deviation from the current flight plan necessitated by the circumstances, in order to enable the ATS unit to give priority to the aircraft and to minimize conflict with other aircraft.

(b) If an aircraft is subjected to unlawful interference, the pilot-in-command shall attempt to land as soon as practicable—
   (1) At the nearest suitable aerodrome; or
   (2) At a dedicated aerodrome assigned by the appropriate authority unless considerations aboard the aircraft dictate otherwise.

(c) Following an act of unlawful interference, the PIC shall submit the report required by Section 10.260 to the designated local authority.

10.650 TIME CHECKS

(a) Each PIC shall use Coordinated Universal Time (UTC), expressed in hours and minutes of the 24-hour day beginning at midnight, in flight operations.

(b) Each PIC shall obtain a time check prior to operating a controlled flight and at such other times during the flight as may be necessary.

(c) Wherever time is utilized in the application of data link communications, it shall be accurate to within 1 second of UTC.

10.655 UNIVERSAL SIGNALS

(a) Upon observing or receiving any of the designated universal aviation signals, each person operating an aircraft shall take such action as may be required by the interpretation of the signal.

Note: Refer to AC 10-001, AC 10-002 and AC 10-003 for specific guidance regarding the universal aviation signals. This guidance corresponds to that provided in ICAO Annex 2, Appendix 1.

(b) Universal signals shall have only the meanings designated.

(c) Each person using universal signals in the movement of aircraft shall only use them for the purpose indicated.

(d) No person may use signals likely to cause confusion with universal aviation signals.

SUBPART J: VFR FLIGHT RULES

10.659 APPLICABILITY

(a) The VFR rules of this Subpart are applicable in the airspace of Rwanda and, for international flights, wherever they may be, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

(b) The holders of airman licenses issued by Rwanda shall comply with these rules when flying outside Rwanda, except where these rules may differ with the other State, in which case compliance with the rules of the State or region being overflown is required.

10.660 VISUAL METEOROLOGICAL CONDITIONS

(a) No person may operate an aircraft under VFR when the flight visibility is less than, or at a distance from the clouds that is less than that prescribed in Appendix 1 to 10.660, or the corresponding altitude and class of airspace prescribed by the International Civil Aviation Organisation (ICAO) in Annex 2 – Rules of the Air.

10.665 VFR WEATHER MINIMUMS FOR TAKE-OFF & LANDING

(a) No person may enter the traffic pattern, land or take-off an aircraft under VFR from an aerodrome located in Class B, Class C, Class D or Class airspace unless the—
  (1) Reported ceiling is at least 450 m (1,500 ft); and
  (2) Reported ground visibility is at least 5 km (3 sm), if reported.

(b) If the ground visibility is not reported, the pilot shall maintain 5 km (3 sm) flight visibility.

(c) Class G Airspace. No person may enter the traffic pattern, land or take-off an aircraft under VFR from an aerodrome located in Class G airspace below 360 m (1,200 ft) AGL unless—
  (1) *For aero planes*. The visibility is at least 2 km (1 sm) and the aircraft can be operated clear of clouds within 1 km (one-half mile) of the runway; or
  (2) *For helicopters*. The helicopter can be operated clear of clouds at a speed that allows the pilot adequate opportunity to see any air traffic or obstruction in time to avoid a collision.

(d) The only exception to the required weather minimums of this Section is during a Special VFR operation.

10.670 SPECIAL VFR OPERATIONS

(a) No person may conduct a Special VFR flight operation to enter the traffic pattern, land or take-off an aircraft under Special VFR from an aerodrome located in Class B, Class C, Class D or Class airspace unless—
  (1) Authorised by an ATC clearance;
  (2) The aircraft remains clear of clouds; and
  (3) The flight visibility is at least 1 statute mile.

(b) No person may conduct a Special VFR flight operation in an aircraft between sunset and sunrise unless the—
  (1) The PIC is current and qualified for IFR operations; and
  (2) The aircraft is qualified to be operated for IFR flight.

10.675 VFR CRUISING ALTITUDES

(a) Except as provided in paragraph (b), each person operating an aircraft in level cruising flight under VFR at altitudes above 900 m (3,000 ft), but below FL 290, above the ground or water, shall maintain—
  (1) For magnetic track from zero degrees to 179 degrees, any odd thousand MSL altitude or flight level plus 150 m (500 ft).
  (2) For magnetic track from 180 degrees to 359 degrees, any even thousand MSL altitude or flight level plus 150 m (500 ft)).

(b) The ultimate selection of a VFR cruising altitude shall correspond to the appropriate table in Appendix 1 to 10.494.

(c) The requirement of paragraph (a) does not apply—
  (1) When otherwise authorised by ATC;

(2) When operating in a holding pattern; or
(3) During manoeuvring in turns.

10.680 ATC CLEARANCES FOR VFR FLIGHTS

(a) Each pilot of a VFR flight shall obtain and comply with ATC clearances and maintain an air-ground communications watch before and during operations—
  (1) Within Classes B, C and D airspace;
  (2) As part of aerodrome traffic at controlled aerodromes;
  (3) Under Special VFR;
  (4) Crossing international borders; and
  (5) On other routes as required by ATS or the national authority.

10.685 VFR FLIGHTS REQUIRING ATC AUTHORISATION

(a) Unless authorised by the appropriate ATC authority, no pilot may operate in VFR flight—
  (1) Above FL 200; or
  (2) At transonic and supersonic speeds.

10.687 VFR FLIGHT NOT AUTHORISED IN RVSM AIRSPACE

(a) Authorisation for VFR flights to operate above FL 290 shall not be granted in areas where a vertical separation minimum of 300 m (1 000 ft) is applied above FL 290.

10.690 WEATHER DETERIORATION BELOW VMC

(a) Each pilot of a VFR flight operated as a controlled flight shall, when he or she finds it is not practical or possible to maintain flight in VMC in accordance with the ATC flight plan—
  (1) Request an amended clearance enabling the aircraft to continue in VMC to its destination or to an alternative aerodrome, or to leave the airspace within which an ATC clearance is required;
  (2) If no clearance can be obtained, continue to operate in VMC and notify the appropriate ATC facility of the action being taken either to leave the airspace concerned or to land at the nearest suitable aerodrome;
  (3) Operating within a control zone, request authorisation to operate as a special VFR flight; or
  (4) Request clearance to operate in IFR, if currently rated for IFR operations.

10.695 CHANGING FROM VFR TO IFR

(a) Each pilot operating in VFR who wishes to change to IFR shall—
  (1) If a flight plan was submitted, communicate the necessary changes to be effected to its current flight plan; or
  (2) Submit a flight plan to the appropriate ATC facility and obtain a clearance prior to proceeding IFR when in controlled airspace.

Note. Section 10.700 deleted - requirements relocated to Section 10.615]

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SUBPART K: IFR FLIGHT RULES

10.703 APPLICABILITY & COMPLIANCE

(a) The IFR rules of this Subpart are applicable in the airspace of Rwanda and, for international flights, wherever they may be, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

(b) The holders of airman licenses issued by Rwanda shall comply with these rules when flying outside Rwanda, except where these rules may differ with the other State, in which case compliance with the rules and procedures of the State or region being overflown is required.

10.705 IFR IN CONTROLLED AIRSPACE

(a) No person may operate an aircraft in controlled airspace under IFR unless that person has—
  (1) Filed an IFR flight plan;
  (2) Received an appropriate ATC clearance; and
  (3) Maintains a continuous air-ground communication watch on the appropriate ATS frequency

(b) A pilot may elect to fly in accordance with instrument flight rules in visual meteorological conditions or may be required to do so by the appropriate ATS facility.

10.710 IFR FLIGHTS OUTSIDE CONTROLLED AIRSPACE

(a) Each PIC of an IFR flight operating outside controlled airspace but within or into areas, or along routes, designated by the appropriate ATC authority, shall—
  (1) File a flight plan;
  (2) Maintain a continuous air-ground communication watch on the appropriate ATS frequency and establish two-way communications with the ATS unit providing flight information service; and
  (3) Make position reports as required for controlled flights.

(b) Each PIC of an IFR flight operating outside controlled airspace that is required to comply with (a) shall report position using the same phraseology and sequencing as specified for controlled flights.

10.714 IFR TAKE-OFF MINIMUMS: GENERAL AVIATION

(a) A flight to be conducted in accordance with the instrument flight rules shall not—
  (1) Take off from the departure aerodrome unless the meteorological conditions, at the time of use, are at or above the aerodrome operating minima for that operation; and
  (2) Take off or continue beyond the point of in-flight re-planning unless at the aerodrome of intended landing or at each alternate aerodrome to be selected in compliance with Section 10.380 and 10.385, current meteorological reports or a combination of current reports and forecasts indicate that the meteorological conditions will be, 1 hour before and after the ETA, at or above the aerodrome operating minima for that operation.

10.715 IFR TAKE-OFF MINIMUMS FOR COMMERCIAL AIR TRANSPORT

(a) Unless otherwise approved by the Authority, no pilot operating an aircraft in commercial air transport operations may accept a clearance to take off from a civil aerodrome under IFR unless weather conditions are at or above—
  (1) For aircraft, other than helicopters, having two engines or less; 1 statute mile visibility.
  (2) For aircraft having more than two engines; 1/2 statute mile visibility.
  (3) For helicopters; 1/2 statute mile visibility.

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10.720 MINIMUM ALTITUDES FOR IFR OPERATIONS

(a) *Operation of aircraft at minimum altitudes*. Except when necessary for take-off or landing, no person may operate an aircraft under IFR below—

(1) The applicable minimum altitudes prescribed by the authorities having jurisdiction over the airspace being overflown; or

(2) If no applicable minimum altitude is prescribed by the authorities—

(i) Over high terrain or in mountainous areas, at a level which is at least 900 m (2,000 ft) above the highest obstacle located within 8 km (5 sm) of the estimated position of the aircraft; and

(ii) Elsewhere than as specified in paragraph (a) of this Section, at a level which is at least 600 m (I,000 ft) above the highest obstacle located within 8 km (5 sm) of the estimated position of the aircraft.

(3) If an MEA and a MOCA are prescribed for a particular route or route segment, a person may operate an aircraft below the MEA down to, but not below, the MOCA, when within 22 nautical miles of the VOR concerned.

(b) *Climb for obstacle clearance*.

(1) If unable to communicate with ATC, each pilot shall climb to a higher minimum IFR altitude immediately after passing the point beyond which that minimum altitude applies.

(2) If ground obstructions intervene, each pilot shall climb to a point beyond which that higher minimum altitude applies, at or above the applicable MCA.

10.725 MINIMUM ALTITUDES FOR USE OF AN AUTOPILOT

(a) For en route operations, no person may use an autopilot at an altitude above the terrain that is less than 500 feet.

(b) For instrument approach operations, no person may use an autopilot at an altitude above the terrain that is less than 50 feet below the MDA or DH.

(c) For Category III approaches, the Authority may approve the use of a flight control guidance system with automatic capability to touchdown.

(d) If the maximum altitude loss specified in the AFM for a malfunction, when multiplied by two is more than—

(1) *For en route operations,* 500 feet, then it becomes the controlling minimum altitude for use of the autopilot; or

(2) *For instrument approach operations*, 50 feet, then it becomes the controlling minimum altitude for use of the autopilot.

10.730 IFR CRUISING ALTITUDE OR FLIGHT LEVEL IN CONTROLLED AIRSPACE

(a) Each person operating an aircraft under IFR in level cruising flight in controlled airspace shall maintain the altitude or flight level—

(1) Assigned that aircraft by ATC; or

(2) Specified by the appropriate ATS authority in Aeronautical Information Publications.

(b) In all other situations involving the selection of an IFR cruising level, the appropriate table in Appendix 1 to
10.494 shall be used.

(c) If the ATC clearance assigns “VFR conditions on-top,” each person shall maintain a VFR cruising altitude in VMC.

10.735 IFR CRUISING ALTITUDE OR FLIGHT LEVEL IN UNCONTROLLED AIRSPACE

(a) Except when otherwise specified by the appropriate ATS facility or as provided in paragraph (b) or (c), each person operating an aircraft in level cruising flight under IMC at altitudes above 900 m (3,000 ft), but below Flight Level 290, from the ground or water, shall maintain—
  (1) For magnetic courses from zero degrees to 179 degrees, any odd thousand MSL altitude or flight level, such as 5,000, 7,000, or FL 210; and
  (2) For magnetic courses from 180 degrees to 359 degrees, any even thousand MSL altitude or flight level, such as 4,000, 6,000 or FL 220.

(b) The ultimate selection of an IFR cruising altitude shall correspond to the appropriate table in Appendix 1 to 10.494.

(c) A person may deviate from the cruising altitudes specified in paragraph (a) of this Section only when—
  (1) Authorised by ATC;
  (2) Operating in a holding pattern; or
  (3) Manoeuvring in turns.

10.740 IFR RADIO COMMUNICATIONS

(a) Each PIC of an aircraft operated under IFR in controlled airspace shall have a continuous watch maintained on the appropriate frequency and shall report by radio as soon as possible—
  (1) The time and altitude of passing each designated reporting point, or the reporting points specified by ATC, except that while the aircraft is under radar control, only the passing of those reporting points specifically requested by ATC need be reported;
  (2) Any unforecast weather conditions encountered; and
  (3) Any other information relating to the safety of flight, such as hazardous weather or abnormal radio station indications.

10.745 OPERATION UNDER IFR IN CONTROLLED AIRSPACE: MALFUNCTION REPORTS

(a) The PIC of each aircraft operated in controlled airspace under IFR shall report as soon as practical to ATC any malfunctions of navigational, approach, or communication equipment occurring in flight.

(b) In each report specified in paragraph (a) of this Section, the PIC shall include the—
  (1) Aircraft identification;
  (2) Equipment affected;
  (3) Degree to which the capability of the pilot to operate under IFR in the ATC system is impaired; and
  (4) Nature and extent of assistance desired from ATC.

10.750 CONTINUATION OF IFR FLIGHT TOWARD A DESTINATION

(a) No pilot may continue an IFR flight toward an aerodrome or heliport of intended landing, unless the latest available meteorological information indicates that the conditions at that aerodrome, or at least one destination alternate aerodrome will, at the expected time of arrival, be at or above the specified instrument approach minima.

10.755 INSTRUMENT APPROACHES TO CIVIL AERODROMES

(a) Each person operating a civil aircraft shall use a standard instrument approach procedure prescribed by the State having jurisdiction over the aerodrome, unless specifically approved by that State.

(c) No person may make an instrument approach at an aerodrome except in accordance with IFR weather minimums and the published instrument approach procedures.

(b) For the purpose of this Section, when the approach procedure being used provides for and requires the use of a DH or MDA, the authorised DH or MDA is the highest of the

following—

(1) The DH or MDA prescribed by the approach procedure.
(2) The DH or MDA prescribed for the PIC.
(3) The DH or MDA for which the aircraft is equipped.

10.757 APPROVAL REQUIRED: CATEGORY II OR III APPROACHES

(a) No person may operate an aircraft to the instrument approach minimums for Category II or III approaches unless pilots are—
  (1) Holders of written authorisation issued by the Authority; or
  (2) Authorised under operations specifications issued to the AOC holder.

(b) No person may operate an aircraft in the conduct of an instrument approach requiring a special authorisation by the Authority, except in accordance with the conditions of the procedures and restrictions required for this approach.

10.760 RUNWAY VISUAL RANGE (RVR) MINIMUMS

(a) No person may operate an aircraft for the purpose of the following landing or take-off operations at an aerodrome unless adequate landing and rollout Runway Visual Range (RVR) information is available—
  (1) take-off, approach and landing operations with reported visibility less than 800 m; and
  (2) Category II and III Approaches.

(b) Where RVR is used, the controlling RVR is the touchdown RVR, unless otherwise specified by the Authority.

(c) *For helicopter operations,* the Authority may approve the use of an alternate method that provides a precise measurement or observation of visibility.

10.765 CONTINUING AN INSTRUMENT APPROACH

(a) No pilot may continue below 300 m (1 000 ft) above the aerodrome elevation or into the final approach segment unless the reported visibility or controlling RVR is at or above the aerodrome operating minima for that procedure.

(b) If after entering the final approach segment or after descending below 300 m (1,000 ft) above the aerodrome elevation, the reported visibility or controlling RVR falls below the specified minimum, the pilot may continue the approach to DA/H or MDA/H.

(c) In any case, no pilot may continue its approach-to-land at any aerodrome beyond a point at which the limits of the operating minima specified for that aerodrome would be infringed.

10.770 OPERATION BELOW DH OR MDA

(a) No pilot may continue an approach-to-land beyond a point at which the limits of the aerodrome operating minima would be infringed.

(b) Where a DH or MDA is applicable, no pilot may operate a civil aircraft at any aerodrome or heliport below the authorised MDA, or continue an approach below the authorised DH unless—
  (1) The aircraft is continuously in a position from which a descent to a landing on the intended runway can be made at a normal rate of descent using normal manoeuvres;
  (2) *For commercial air transport operations*, a descent rate will allow touchdown to occur within the touchdown zone of the runway of intended landing;
  (3) The flight visibility is not less than the visibility prescribed in the standard instrument approach being used; and
  (4) At least one of the following visual references for the intended runway is distinctly visible and identifiable to the pilot—
    (i) The approach light system, except that the pilot may not descend below 100 feet

above the touchdown zone elevation using the approach lights as a reference unless the red terminating bars or the red side row bars are also distinctly visible and identifiable.

(ii) The threshold;
(iii) The threshold markings;
(iv) Threshold lights;
(v) The runway end identifier lights;
(vi) The visual approach slope indicator;
(vii) The touchdown zone or touchdown zone markings;
(viii) The touchdown zone lights;
(ix) The runway or runway markings; or
(x) The runway lights.

(c) These visual references specified in (a) do not apply to Category II and III operations. The required visual references under Category II and III operations are provided in the AOC holder's operations specifications or a special authorisation prescribed by the Authority.

10.772 THRESHOLD CROSSING HEIGHT FOR PRECISION APPROACHES

(a) An operator shall establish operational procedures designed to ensure that an airplane being used to conduct precision approaches crosses the threshold by a safe margin with the airplane in the landing configuration and attitude.

10.775 LANDING DURING INSTRUMENT METEOROLOGICAL CONDITIONS

(a) No pilot operating a civil aircraft may land that aircraft when the flight visibility is less than the visibility prescribed in the standard instrument approach procedure being used.
(b) No pilot may continue a precision approach to landing unless in compliance with operational procedures that ensure the aircraft will cross the threshold by a safe margin with the aircraft in landing configuration and attitude.

10.780 EXECUTION OF A MISSED APPROACH PROCEDURE

(a) Each pilot operating a civil aircraft shall immediately execute an appropriate missed approach procedure when either of the following conditions exist—
  (1) Whenever the required visual reference criteria is not met in the following situations—
    (i) When the aircraft is being operated below MDA; or
    (ii) Upon arrival at the missed approach point, including a DH where a DH is specified and its use is required, and at any time after that until touchdown.
  (2) Whenever an identifiable part of the aerodrome is not distinctly visible to the pilot during a circling manoeuvre at or above MDA, unless the inability to see an identifiable part of the aerodrome results only from a normal bank of the aircraft during the circling approach.

10.785 CHANGE FROM IFR FLIGHT TO VFR FLIGHT

(a) A pilot electing to change from IFR flight to VFR flight shall notify the appropriate ATC facility specifically that the IFR flight is cancelled and then communicate the changes to be made to his or her current flight plan.

(b) When acceptable to ATC, a pilot operating under IFR encountering VMC may cancel the IFR flight plan if the VMC conditions were anticipated and it is intended that the flight will be continued for a reasonable period of time in uninterrupted VMC.

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APPENDICES

APPENDIX 1 TO 10.035: INOPERATIVE INSTRUMENTS & EQUIPMENT

(a) This implementing standard authorises flight operations with inoperative instruments and equipment installed in situations where no master minimum equipment list (MMEL) is available and no MEL is required for the specific aircraft operation under these Regulations.

(b) The inoperative instruments and equipment may not be—

(1) VFR-day instruments and equipment prescribed in Part 6;

(2) Required on the aircraft's equipment list or the operations equipment list for the kind of flight operation being conducted;

(3) Required by Part 6 for the specific kind of flight operation being conducted; or

(4) Required to be operational by an airworthiness directive.

(c) To be eligible for these provisions, the inoperative instruments and equipment shall be—

(1) Determined by the PIC not to be a hazard to safe operation;

(2) Deactivated and placarded;

(3) *Inoperative*; and

Note: If deactivation of the inoperative instrument or equipment involves maintenance, it must be accomplished and recorded in accordance with Part 4.

(4) Removed from the aircraft, the flight deck control placarded and the maintenance recorded in accordance with Part 4.

(d) The following instruments and equipment may not be included in the MEL—

(1) Instruments and equipment that are either specifically or otherwise required by the certification airworthiness requirements and which are essential for safe operations under all operating conditions.

(2) Instruments and equipment required for operable condition by an airworthiness directive, unless the airworthiness directive provides otherwise.

(3) Instruments and equipment required for specific operations.

Note: The required instruments and equipment for specific operations are listed in Part 6.

APPENDIX 1 TO 10.051: CONTENTS OF JOURNEY LOG

(a) The operator shall provide a journey log for each aircraft involved in international operations which includes the following information—

(1) Aeroplane nationality and registration;

(2) Date;

(3) Crew member names and duty assignments;

(4) Departure and arrival points and times;

(5) Purpose of flight;

(6) Observations regarding the flight; and

(7) Signature of the pilot-in-command.

APPENDIX 1 TO 10.097: ACAS II TRAINING

(a) Appropriate training, to the satisfaction of the Authority, to competency in the use of ACAS II equipment and the avoidance of collisions may be evidenced by—

(1) Possession of a type rating for an aeroplane equipped with ACAS II, where the operation and use of ACAS II are included in the training syllabus for the type rating; or

(2) Possession of a document issued by a training organisation or person approved by the State to conduct training for pilots in the use of ACAS II, indicating that the holder has—

(i) Been trained in accordance with the appropriate ACAS II training guidelines; or

(ii) Received a comprehensive pre-flight briefing by a pilot who has been trained in the use of ACAS II in accordance with the ACAS II training guidelines.

(3) Signature of the pilot-in-command.

APPENDIX 1 TO 10.102: LOGGING OF FLIGHT TIME

(a) *Logging of solo flight time*. Except for a student pilot acting as PIC of an airship requiring more than one flight crew member, a pilot may log as solo flight time only that flight time when the pilot is the sole occupant of the aircraft.

(b) *Logging PIC flight time*—

(1) A private or commercial pilot may log PIC time only for that flight time during which that person is—

i. The sole manipulator of the controls of an aircraft for which the pilot is rated; or

ii. Acting as PIC of an aircraft on which more than one pilot is required under the type certification of the aircraft or the requirements under which the flight is conducted; or

iii. Performing the duties of PIC under the supervision of a check airman designated by the Authority, or

iv. A sole occupant.

(2) A qualified airline transport pilot may log as PIC time all of the flight time while acting as PIC of an operation requiring an airline transport pilot licence.

(3) An authorised instructor may log as PIC time all flight time while acting as an authorised instructor.

(4) A student pilot may log PIC time when the student pilot—

i. Is the sole occupant of the aircraft or is performing functions of the PIC of an airship requiring more than one flight crew member;

ii. Has a current solo flight endorsement; or

iii. Is undergoing training for a pilot licence or rating.

(c) *Logging co-pilot flight time*. A person may log co-pilot flight time only for that flight time during which that person—

(1) Is qualified in accordance with the requirements of this Part for co-pilot and occupies a pilot station of an aircraft—

i. Certificated to be operated with a co-pilot; or

ii. Engaged in operations of a aircraft certificated for a single pilot, but these type of operation requires a co-pilot;

(2) Holds the appropriate category, class, and instrument rating (if an instrument rating is required for the flight) for the aircraft being flown in operations requiring a co-pilot.

(3) Is involved in multi-crew operations that have been approved by the Authority.

(d) Logging instrument flight time.

(1) A person may log instrument flight time only for that flight time when the person operates the aircraft solely by reference to instruments under actual or simulated instrument flight conditions.

(2) An authorised instructor may log instrument flight time when conducting instrument flight instruction in actual instrument flight conditions.

(3) For the purposes of logging instrument flight time to meet the recency of instrument experience requirements, the following information shall be recorded in a person's logbook—

i. The location and type of each instrument approach accomplished; and

ii. The name of the safety pilot, if required.

(4) An approved flight simulator or approved flight training device may be used by a person to log instrument flight time, provided an authorised instructor is present

during the simulated flight.

(e) *Logging flight instruction time*.

(1) A person may log flight instruction time when that person receives training from an authorised instructor in an aircraft, approved flight simulator, or approved flight training device.

(2) The flight instruction time shall be logged in a logbook and shall—

i. Be endorsed in a legible manner by the authorised instructor;

ii. Include a description of the training given, the length of the training lesson and the instructor's signature, licence number, and licence expiration date.

APPENDIX 2 TO 10.102: CREDITING OF FLIGHT TIME

(a) A student pilot or the holder of a pilot licence shall be entitled to be credited in full with all solo, dual instruction and pilot-in-command flight time towards the total flight time required for the initial issue of a pilot licence or the issue of a higher grade of pilot licence.

(b) The holder of a pilot licence, when acting as co-pilot at a pilot station of an aircraft certificated for operation by a single pilot but required by the Authority to be operated with a co-pilot, shall be entitled to be credited with not more than 50 per cent of the co-pilot flight time towards the total flight time required for a higher grade of pilot licence.

(c) The holder of a pilot licence may have the flight time specified in (b) credited in full towards the total flight time required if the aircraft is equipped (second instrument panel) to be operated by a co-pilot and the aircraft is operated in a multi-crew operation.

(d) The holder of a pilot licence, when acting as co-pilot at a pilot station of an aircraft certificated to be operated with a co-pilot, shall be entitled to be credited in full with this flight time towards the total flight time required for a higher grade of pilot licence.

(e) The holder of a pilot licence, when acting as pilot-in-command under supervision, shall be entitled to be credited in full with this flight time towards the total flight time required for a higher grade of pilot licence.

APPENDIX 1 TO 10.147: FLIGHT INSTRUCTOR RECORDS

(a) Each holder of a flight instructor shall comply with the following record keeping requirements—

(1) Sign the logbook of each person to whom that instructor has given flight training or ground training;

(2) Maintain a record in a logbook or a separate document that contains the following—

(i) The name of each person whose logbook or student pilot licence that instructor has endorsed for solo flight privileges, and the date of the endorsement; and

(ii) The name of each person that instructor has endorsed for a knowledge test or practical test, and a record of the kind of test, the date, and the results; and

(3) Retain the records required by this Section for at least 3 years.

APPENDIX 2 TO 10.147: FLIGHT INSTRUCTOR LIMITATIONS AND QUALIFICATIONS

(a) Each holder of a flight instructor licence shall observe the following limitations and qualifications—

(1) ***Hours of training***. In any 24-consecutive-hour period, a flight instructor may not conduct more than 8 hours of flight training.

(2) ***Required ratings***. A flight instructor may not conduct flight training in any aircraft for which the flight instructor does not hold—

(i) A pilot licence and flight instructor licence with the applicable category and class rating; and

(ii) If appropriate, a type rating, and.

(iii) For instrument flight training or for training for a type rating not limited to VFR, an

appropriate instrument rating on his or her flight instructor licence and pilot licence.

(b) ***Limitations on endorsements***. A flight instructor may not endorse a—

(1) Student pilot's licence or logbook for solo flight privileges, unless that flight instructor has—

(i) Given that student the flight training required for solo flight privileges required by this Section;

(ii) Determined that the student is prepared to conduct the flight safely under known circumstances, subject to any limitations listed in the student's logbook that the instructor considers necessary for the safety of the flight;

(iii) Given that student pilot training in the make and model of aircraft or a similar make and model of aircraft in which the solo flight is to be flown; and

(iv) Endorsed the student pilot's logbook for the specific make and model aircraft to be flown.

(2) Student pilot's licence and logbook for a solo cross-country flight, unless that flight instructor has determined that—

(i) The student's flight preparation, planning, equipment, and proposed procedures are adequate for the proposed flight under the existing conditions and within any limitations listed in the logbook that the instructor considers necessary for the safety of the flight; and

(ii) The student has the appropriate solo cross-country endorsement for the make and model of aircraft to be flown.

(3) Student pilot's licence and logbook for solo flight in a Class B airspace area or at an aerodrome within Class B airspace unless that flight instructor has—

(i) Given that student ground and flight training in that Class B airspace or at that aerodrome; and

(ii) Determined that the student is proficient to operate the aircraft safely.

(4) Logbook of a pilot for a flight review, unless that instructor has conducted a review of that pilot in accordance with the requirements; or

(5) Logbook of a pilot for an instrument proficiency check, unless that instructor has tested that pilot in accordance with the requirements.

(c) ***Training in a multi engine aeroplane or helicopter***. A flight instructor may not give training required for the issuance of a licence or rating in a multi engine aeroplane or a helicopter, unless that flight instructor has at least 5 flight hours of PIC time in the specific make and model of multi engine aeroplane or helicopter, as appropriate.

(d) ***Training first-time flight instructors***. The qualifications of the flight instructor for training first-time flight instructor applicants.

(1) No flight instructor may provide instruction to another pilot who has never held a flight instructor licence unless that flight instructor—

(i) Holds a current ground or flight instructor licence with the appropriate rating, has held that licence for at least 24 months, and has given at least 40 hours of ground training; or

(ii) Meets the prescribed eligibility requirements;

(iii) For training in preparation for an aeroplane, rotorcraft, has given at least 200 hours of flight training as a flight instructor; and

(iv) For training in preparation for a glider rating, has given at least 80 hours of flight training as a flight instructor.

(e) ***Prohibition against self-endorsements***. A flight instructor may not make any self-endorsement for a licence, rating, flight review, authorisation, operating privilege, practical test, or knowledge test that is required by this Part.

(f) ***Category II and Category III instructions***: A flight instructor may not give training in Category II or Category III operations unless the flight instructor has been trained and tested in

Category II or Category III operations as applicable.

APPENDIX 1 TO 10.175: USE OF PSYCHOACTIVE SUBSTANCES

(a) Whenever there is a reasonable basis to believe that a person may not be in compliance with Regulation 10.175 and upon the request of the Authority, that person shall furnish the Authority or authorise any clinic, doctor, or other person to release to the Authority, the results of each blood test taken for presence of alcohol or psychoactive substances up to 8 hours before or immediately after acting or attempting to act as a crew member.

(b) Any test information provided to the Authority under the provisions of this Section may be used as evidence in any legal proceeding.

APPENDIX 1 TO 10.185: FLIGHT CREW MEMBERS AT DUTY STATIONS

(a) A required flight crew member may leave the assigned duty station if the crew member is taking a rest period, and relief is provided—

(1) For the assigned PIC during the en route cruise portion of the flight by a pilot who holds an airline transport pilot licence and an appropriate type rating, and who is currently qualified as PIC or co-pilot, and is qualified as PIC of that aircraft during the en route cruise portion of the flight; and

(2) In the case of the assigned co-pilot, by a pilot qualified to act as PIC or co-pilot of that aircraft during en route operations.

APPENDIX 1 TO 10.400: DETERMINATION OF FLIGHT PLANNING SPEED: EDTO

(a) An AOC holder shall determine a speed for the calculation of the maximum distance to an adequate aerodrome for each two-engined aeroplane type or variant operated, not exceeding V_{mo} based upon the true airspeed that the aeroplane can maintain with one-engine-inoperative under the following conditions—

(1) International Standard Atmosphere;

(2) Level flight—

(i) For turbine engined powered aero planes at—

(A) FL 170; or

(B) At the maximum flight level to which the aeroplane, with one engine inoperative, can climb, and maintain, using the gross rate of climb specified in the AFM, whichever is less.

(ii) For propeller driven aero planes

(A) FL 80; or

(B) At the maximum flight level to which the aeroplane, with one engine inoperative, can climb, and maintain, using the gross rate of climb specified in the AFM, whichever is less.

(3) Maximum continuous thrust or power on the remaining operating engine;

(4) An aeroplane mass not less than that resulting from—

(i) Take-off at sea-level at maximum take-off mass until the time elapsed since take-off is equal to the applicable threshold prescribed in paragraph (a);

(ii) All engines climb to the optimum long range cruise altitude until the time elapsed since take-off is equal to the applicable threshold prescribed in sub paragraph (a); and

(iii) All engines cruise at the long range cruise speed at this altitude until the time elapsed since take-off is equal to the applicable threshold prescribed in paragraph (a).

(b) An AOC holder shall ensure that the following data, specific to each type or variant, is included in the Operations Manual—

(1) The one-engine-inoperative cruise speed determined in accordance with paragraph (b); and

(2) The maximum distance from an adequate aerodrome determined in accordance with paragraphs (a) and (b).

Note: The speeds and altitudes (flight levels) specified above are only intended to be used for establishing the maximum distance from an adequate aerodrome.

APPENDIX 1 TO 10.410: EDTO ALTERNATE PLANNING

Approach Facility Configuration[1]	Alternate Airport IFR Weather Minimum Ceiling[2]	Alternate Airport IFR Weather Minimum Visibility[3]
For airports with at least one operational navigational facility providing a straight-in non- precision approach procedure, or Category I precision approach, or, when applicable, a circling maneuver from an instrument approach procedure.	Add 400 ft to the MDA(H) or DA(H), as applicable.	Add 1 sm or 1 600m to the landing minimum.
For airports with at least two operational navigational facilities, each providing a straight- in approach procedure to different suitable runways.	Add 200 ft to the higher DA(H) or MDA(H) of the two approaches used.	Add 1/2 sm or 800m[4] to the higher authorized landing minimum of the two approaches used.
One usable authorized Category II ILS IAP.	300 feet	3/4 sm (1200 m) or RVR 4000 (1200 m)
One usable authorized category III ILS Instrument Approach Procedure (IAP).	200 feet	1/2 sm (800 m)[4] or RVR 1800 feet (550 m)

[1] When determining the usability of an IAP, wind plus gust must be forecast to be within operating limits, including reduced visibility limits, and should be within the manufacturer's maximum demonstrated crosswind value.
[2] Conditional forecast elements need not be considered, except that a PROB40 or TEMPO condition below the lowest applicable operating minima must be taken into account.
[3] When dispatching under the provisions of the MEL, those MEL limitations affecting instrument approach minima must be considered in determining EDTO alternate minima.
[4] Because of variations in the international metric weather forecasting standards, 700m may be used in lieu of 800m.

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APPENDIX 1 TO 10.494: TABLES OF CRUISING LEVELS

The cruising levels to be observed when so required by this Part are as follows—

RVSM – FEET

(a) in areas where feet are used for altitude and where, in accordance with regional air navigation agreements, a vertical separation minimum of 1 000 ft is applied between FL 290 and FL 410 inclusive:*

TRACK**											
From 000 degrees to 179 degrees***						From 180 degrees to 359 degrees***					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level			Level			Level			Level		
FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres
010	1 000	300	–	–	–	020	2 000	600	–	–	–
030	3 000	900	035	3 500	1 050	040	4 000	1 200	045	4 500	1 350
050	5 000	1 500	055	5 500	1 700	060	6 000	1 850	065	6 500	2 000
070	7 000	2 150	075	7 500	2 300	080	8 000	2 450	085	8 500	2 600
090	9 000	2 750	095	9 500	2 900	100	10 000	3 050	105	10 500	3 200
110	11 000	3 350	115	11 500	3 500	120	12 000	3 650	125	12 500	3 800
130	13 000	3 950	135	13 500	4 100	140	14 000	4 250	145	14 500	4 400
150	15 000	4 550	155	15 500	4 700	160	16 000	4 900	165	16 500	5 050
170	17 000	5 200	175	17 500	5 350	180	18 000	5 500	185	18 500	5 650
190	19 000	5 800	195	19 500	5 950	200	20 000	6 100	205	20 500	6 250
210	21 000	6 400	215	21 500	6 550	220	22 000	6 700	225	22 500	6 850
230	23 000	7 000	235	23 500	7 150	240	24 000	7 300	245	24 500	7 450
250	25 000	7 600	255	25 500	7 750	260	26 000	7 900	265	26 500	8 100
270	27 000	8 250	275	27 500	8 400	280	28 000	8 550	285	28 500	8 700
290	29 000	8 850				300	30 000	9 150			
310	31 000	9 450				320	32 000	9 750			
330	33 000	10 050				340	34 000	10 350			
350	35 000	10 650				360	36 000	10 950			
370	37 000	11 300				380	38 000	11 600			
390	39 000	11 900				400	40 000	12 200			
410	41 000	12 500				430	43 000	13 100			
450	45 000	13 700				470	47 000	14 350			
490	49 000	14 950				510	51 000	15 550			
etc.	etc.	etc.				etc.	etc.	etc.			

** Except when, on the basis of regional air navigation agreements, a modified table of cruising levels based on a nominal vertical separation minimum of 1 000 ft (300 m) is prescribed for use, under specified conditions, by aircraft operating above FL 410 within designated portions of the airspace.*

*** Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.*

**** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.*

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RVSM – METRES

(b) in areas where metres are used for altitude and where, in accordance with regional air navigation agreements, a vertical separation minimum of 300 m is applied between 8 900 m and 12 500 m inclusive:

TRACK**											
From 000 degrees to 179 degrees***						From 180 degrees to 359 degrees***					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level			Level			Level			Level		
Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet
0030	300	1 000	–	–	–	0060	600	2 000	–	–	–
0090	900	3 000	0105	1 050	3 500	0120	1 200	3 900	0135	1 350	4 400
0150	1 500	4 900	0165	1 650	5 400	0180	1 800	5 900	0195	1 950	6 400
0210	2 100	6 900	0225	2 250	7 400	0240	2 400	7 900	0255	2 550	8 400
0270	2 700	8 900	0285	2 850	9 400	0300	3 000	9 800	0315	3 150	10 300
0330	3 300	10 800	0345	3 450	11 300	0360	3 600	11 800	0375	3 750	12 300
0390	3 900	12 800	0405	4 050	13 300	0420	4 200	13 800	0435	4 350	14 300
0450	4 500	14 800	0465	4 650	15 300	0480	4 800	15 700	0495	4 950	16 200
0510	5 100	16 700	0525	5 250	17 200	0540	5 400	17 700	0555	5 550	18 200
0570	5 700	18 700	0585	5 850	19 200	0600	6 000	19 700	0615	6 150	20 200
0630	6 300	20 700	0645	6 450	21 200	0660	6 600	21 700	0675	6 750	22 100
0690	6 900	22 600	0705	7 050	23 100	0720	7 200	23 600	0735	7 350	24 100
0750	7 500	24 600	0765	7 650	25 100	0780	7 800	25 600	0795	7 950	26 100
0810	8 100	26 600	0825	8 250	27 100	0840	8 400	27 600	0855	8 550	28 100
0890	8 900	29 100				0920	9 200	30 100			
0950	9 500	31 100				0980	9 800	32 100			
1010	10 100	33 100				1040	10 400	34 100			
1070	10 700	35 100				1100	11 000	36 100			
1130	11 300	37 100				1160	11 600	38 100			
1190	11 900	39 100				1220	12 200	40 100			
1250	12 500	41 100				1310	13 100	43 000			
1370	13 700	44 900				1430	14 300	46 900			
1490	14 900	48 900				1550	15 500	50 900			
etc.	etc.	etc.				etc.	etc.	etc.			

** Except when, on the basis of regional air navigation agreements, a modified table of cruising levels based on a nominal vertical separation minimum of 1 000 ft (300 m) is prescribed for use, under specified conditions, by aircraft operating above FL 410 within designated portions of the airspace.*

*** Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.*

**** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.*

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Non-RVSM – FEET

(c) In other areas where feet are the primary unit of measurement for altitude:

TRACK*											
From 000 degrees to 179 degrees**						From 180 degrees to 359 degrees**					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level			Level			Level			Level		
FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres	FL	Feet	Metres
010	1 000	300	–	–	–	020	2 000	600	–	–	–
030	3 000	900	035	3 500	1 050	040	4 000	1 200	045	4 500	1 350
050	5 000	1 500	055	5 500	1 700	060	6 000	1 850	065	6 500	2 000
070	7 000	2 150	075	7 500	2 300	080	8 000	2 450	085	8 500	2 600
090	9 000	2 750	095	9 500	2 900	100	10 000	3 050	105	10 500	3 200
110	11 000	3 350	115	11 500	3500	120	12 000	3 650	125	12 500	3 800
130	13 000	3 950	135	13 500	4 100	140	14 000	4 250	145	14 500	4 400
150	15 000	4 550	155	15 500	4 700	160	16 000	4 900	165	16 500	5 050
170	17 000	5 200	175	17 500	5 350	180	18 000	5 500	185	18 500	5 650
190	19 000	5 800	195	19 500	5 950	200	20 000	6 100	205	20 500	6 250
210	21 000	6 400	215	21 500	6 550	220	22 000	6 700	225	22 500	6 850
230	23 000	7 000	235	23 500	7 150	240	24 000	7 300	245	24 500	7 450
250	25 000	7 600	255	25 500	7 750	260	26 000	7 900	265	26 500	8 100
270	27 000	8 250	275	27 500	8 400	280	28 000	8 550	285	28 500	8 700
290	29 000	8 850	300	30 000	9 150	310	31 000	9 450	320	32 000	9 750
330	33 000	10 050	340	34 000	10 350	350	35 000	10 650	360	36 000	10 950
370	37 000	11 300	380	38 000	11 600	390	39 000	11 900	400	40 000	12 200
410	41 000	12 500	420	42 000	12 800	430	43 000	13 100	440	44 000	13 400
450	45 000	13 700	460	46 000	14 000	470	47 000	14 350	480	48 000	14 650
490	49 000	14 950	500	50 000	15 250	510	51 000	15 550	520	52 000	15 850
etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.

** Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.*

*** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.*

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Non-RVSM – METRES

(d) In other areas where metres are the primary unit of measurement for altitude:

TRACK*											
From 000 degrees to 179 degrees**						From 180 degrees to 359 degrees**					
IFR Flights			VFR Flights			IFR Flights			VFR Flights		
Level			Level			Level			Level		
Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet	Standard Metric	Metres	Feet
0030	300	1 000	–	–	–	0060	600	2 000	–	–	–
0090	900	3 000	0105	1 050	3 500	0120	1 200	3 900	0135	1 350	4 400
0150	1 500	4 900	0165	1 650	5 400	0180	1 800	5 900	0195	1 950	6 400
0210	2 100	6 900	0225	2 250	7 400	0240	2 400	7 900	0255	2 550	8 400
0270	2 700	8 900	0285	2 850	9 400	0300	3 000	9 800	0315	3 150	10 300
0330	3 300	10 800	0345	3 450	11 300	0360	3 600	11 800	0375	3 750	12 300
0390	3 900	12 800	0405	4 050	13 300	0420	4 200	13 800	0435	4 350	14 300
0450	4 500	14 800	0465	4 650	15 300	0480	4 800	15 700	0495	4 950	16 200
0510	5 100	16 700	0525	5 250	17 200	0540	5 400	17 700	0555	5 550	18 200
0570	5 700	18 700	0585	5 850	19 200	0600	6 000	19 700	0615	6 150	20 200
0630	6 300	20 700	0645	6 450	21 200	0660	6 600	21 700	0675	6 750	22 100
0690	6 900	22 600	0705	7 050	23 100	0720	7 200	23 600	0735	7 350	24 100
0750	7 500	24 600	0765	7 650	25 100	0780	7 800	25 600	0795	7 950	26 100
0810	8 100	26 600	0825	8 250	27 100	0840	8 400	27 600	0855	8 550	28 100
0890	8 900	29 100	0920	9 200	30 100	0950	9 500	31 100	0980	9 800	32 100
1010	10 100	33 100	1040	10 400	34 100	1070	10 700	35 100	1100	11 000	36 100
1130	11 300	37 100	1160	11 600	38 100	1190	11 900	39 100	1220	12 200	40 100
1250	12 500	41 100	1280	12 800	42 100	1310	13 100	43 000	1370	13 400	44 000
1370	13 700	44 900	1400	14 000	46 100	1430	14 300	46 900	1460	14 600	47 900
1490	14 900	48 900	1520	15 200	49 900	1550	15 500	50 900	1580	15 800	51 900
etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.

** Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.*

*** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.*

APPENDIX 1 TO 10.570: PERFORMANCE-BASED NAVIGATION APPROVAL

(a) The Authority shall, for operations where a navigation specification for PBN has been prescribed, ensure that the operator has established and documented—

(1) Normal and abnormal procedures including contingency procedures;

(2) Flight crew qualification and proficiency requirements in accordance with the appropriate navigation specifications;

(3) A training programme for relevant personnel consistent with the intended operations;

(4) Appropriate maintenance procedures to ensure continued airworthiness in accordance with the appropriate navigation specifications'

(5) Additional requirements determined to be necessary for safety.

(b) The Authority shall issue a specific approval for operations based on PBN authorization required (AR) navigation specifications.

APPENDIX 1 TO 10.570: PERFORMANCE-BASED COMMUNICATIONS APPROVAL

(a) The Authority shall, for operations where an RCP specification for PBC has been prescribed, ensure that the operator has established and documented—

(1) Normal and abnormal procedures, including contingency procedures;

(2) Flight crew qualification and proficiency requirements, in accordance with appropriate RCP specifications;

(3) A training programme for relevant personnel consistent with the intended operations;

(4) Appropriate maintenance procedures to ensure continued airworthiness, in accordance with appropriate RCP specifications; and
(5) Additional requirements determined to be necessary for safety

(b) The Authority shall ensure that, in respect of those aero planes mentioned in Section 6.092, adequate provisions exist for—
(1) Receiving the reports of observed communication performance issued by monitoring programmes established in accordance with ICAO Annex 11, Chapter 3, 3.3.5.2; and
(2) Taking immediate corrective action for individual aircraft, aircraft types or operators, identified in such reports as not complying with the RCP specification.

APPENDIX 3 TO 10.570: APPROVAL FOR RVSM OPERATIONS

(a) Prior to granting the RVSM approval required in accordance with Section 10.570, the operator shall satisfy the Authority that—
(1) The equipment requirements of Section 6.067 have been met;
(2) The demonstrated vertical navigation performance capability of the aeroplane satisfies the requirements specified in Appendix 1 to 6.067;
(3) The owner/operator has instituted appropriate procedures in respect of continued airworthiness (maintenance and repair) practices and programs;
(4) The owner/operator has instituted appropriate flight crew procedures for operations in RVSM airspace.

Note: An RVSM approval is valid globally on the understanding that any operating procedures specific to a given region will be stated in the operations manual or appropriate crew guidance.

(b) The operator shall ensure that, in respect of those aero planes mentioned in Section 6.067, adequate provisions exist to ensure that it is—
(1) Receiving the reports of height-keeping performance issued by the monitoring agencies established in accordance with Annex 11; 3.3.4.1;
(2) Taking immediate corrective action for individual aircraft, or aircraft type groups, identified in such reports as not complying with the height-keeping requirements for operation in airspace where RVSM is applied; and
(3) Ensuring that the Authority is receiving the reports and the corrective actions that have been initiated.

APPENDIX 1 TO 10.571: PERFORMANCE-BASED SURVEILLANCE APPROVAL

(a) The Authority shall, for operations where an RSP specification for PBS has been prescribed, ensure that the operator has established and documented—
(1) Normal and abnormal procedures, including contingency procedures;
(2) Flight crew qualification and proficiency requirements, in accordance with appropriate RSP specifications;
(3) A training programme for relevant personnel consistent with the intended operations;
(4) Appropriate maintenance procedures to ensure continued airworthiness, in accordance with appropriate RSP specifications; and
(5) Additional requirements determined to be necessary for safety.

(b) The State of the Operator shall ensure that, in respect of those aero planes mentioned in Section 6.122, adequate provisions exist for—
(1) Receiving the reports of observed surveillance performance issued by monitoring programmes established in accordance with ICAO Annex 11, Chapter 3, 3.3.5.2; and
(2) Taking immediate corrective action for individual aircraft, aircraft types or operators, identified in such reports as not complying with the RSP specification.

APPENDIX 2 TO 10.571: APPROVAL OF ELECTRONIC FLIGHT BAGS

(a) In establishing operational criteria for the use of EFBs, the State of Registry shall ensure that—

(1) The EFB equipment and its associated installation hardware, including interaction with aeroplane systems if applicable, meet the appropriate airworthiness certification requirements;

(2) The operator/owner has assessed the risks associated with the operations supported by the EFB function(s);

(3) The operator/owner has established requirements for redundancy of the information (if appropriate) contained in and displayed by the EFB function(s);

(4) The operator/owner has established and documented procedures for the management of the EFB function(s) including any databases it may use;

(5) The operator/owner has established and documented the procedures for the use of, and training requirements for, the EFB function(s); and

(6) Any additional requirements necessary for safety are completed.

APPENDIX 1 TO 10.572: APPROVAL OF AUTO LANDING, HUD, NVIS OR CVS SYSTEMS

(a) In establishing operational criteria for the use of automatic landing systems, a HUD or equivalent displays, EVS, SVS or CVS, the State of Registry shall ensure that—

(1) The equipment meets the appropriate airworthiness certification requirements;

(2) The operator/owner has carried out a safety risk assessment associated with the operations supported by the automatic landing systems, a HUD or equivalent displays, EVS, SVS or CVS;

(3) The operator/owner has established and documented the procedures for the use of, and training requirements for automatic landing systems, a HUD or equivalent displays, EVS, SVS or CVS, and

(4) Additional requirements determined to be necessary for safety are included.

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APPENDIX 1 TO 10.660: AIRSPACE AND VMC MINIMUMS

Airspace Class	**A*** B C D E**	**F**	**G**
		ABOVE 900 m (3 000 ft.) AMSL or above 300 m (1 000 ft.) above terrain,	At and below 900 m (3 000 ft.) AMSL or 300 m (1 000 ft.) above terrain,
		whichever is the higher	whichever is the higher
Distance from cloud	1 500 m horizontally 300 m (1 000 ft.) vertically		Clear of cloud and in sight of the surface
Flight visibility	8 km at and above 3 050 m (10 000 ft.) AMSL 5 km below 3 050 m (10 000 ft.) AMSL		5 km**

* When the height of the transition altitude is lower than 3 050 m (10 000 ft.) AMSL, FL 100 should be used in lieu of 10 000 ft.

** When so prescribed by the appropriate ATS authority—

a) lower flight visibilities to 1 500 m may be permitted for flights operating—

1. at speeds that, in the prevailing visibility, will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision; or

2. in circumstances in which the probability of encounters with other traffic would normally be low, e.g. in areas of low volume traffic and for aerial work at low levels.

b) HELICOPTERS may be permitted to operate *in less than 1 500 m* flight visibility, if manoeuvred at a speed that will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision.

*** The VMC minima in Class A airspace are included for guidance to pilots and do not imply acceptance of VFR flights in Class A airspace.

END OF RCAR PART 10

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº 04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XI W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XI TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MNISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XI A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 11

Aerial Work Operations

SUBPART A: GENERAL 3
11.001 CITATION & APPLICABILITY 3
11.005 DEFINITIONS 3
11.010 ACRONYMS 4

SUBPART B: AERIAL WORK CERTIFICATE 5
11.015 APPLICABILITY 5
11.020 CERTIFICATE REQUIRED 5
11.025 CONTENTS OF AN AERIAL WORK CERTIFICATE 5
11.030 DURATION OF CERTIFICATE 5
11.035 APPLICATION FOR ISSUANCE OR AMENDMENT 5
11.040 AMENDMENT OF AN AWC CERTIFICATION 6
11.045 DISPLAY OF CERTIFICATE 6
11.050 AVAILABILITY OF CERTIFICATE 6
11.055 CARRYING OF CERTIFICATE 6
11.060 CERTIFICATE PRIVILEGES 6
11.065 LOSS OF CERTIFICATE PRIVILEGES 6

SUBPART C: CERTIFICATION 7
11.070 APPLICABILITY 7
11.075 INITIAL CERTIFICATION REQUIRED 7
11.080 AUTHORISATIONS FOR AERIAL WORK OPERATORS 7
11.085 WAIVERS 7

SUBPART D: SURVEILLANCE & ON-GOING VALIDATION 8
11.090 APPLICABILITY 8
11.095 INSPECTIONS & OBSERVATIONS 8
11.100.CONTINUOUS QUALIFICATION 8
11.105.MANDATORY REVISIONS TO OPERATIONAL PRACTICES 8
11.115. RENEWAL OF CERTIFICATES & RATINGS 8

SUBPART E: AWC ADMINISTRATION 9
11.120.APPLICABILITY 9
11.125. MANAGEMENT PERSONNEL REQUIRED FOR AWC ORGANISATIONS 9
11.130. CHIEF PILOT RESPONSIBILITIES 9
11.135. PRINCIPAL BUSINESS OFFICE 9
11.140. SATELLITE LOCATIONS 9
11.145. ADVERTISING LIMITATIONS 9

SUBPART F: AWC ADMINISTRATIVE REQUIREMENTS 10
11.150. APPLICABILITY 10
11.155. RECORDS: COMMERCIAL AGRICULTURAL AIRCRAFT OPERATOR 10
11.160.CONTENTS OF A MOTION PICTURE & TELEVISION FLIGHT OPERATIONS MANUAL 10

SUBPART G: PERSONNEL & QUALIFICATION REQUIREMENTS 11
11.165. APPLICABILITY 11
11.170. GENERAL PERSONNEL REQUIREMENTS: AGRICULTURAL APPLICATION 11
11.175. PILOT QUALIFICATION: AGRICULTURAL APPLICATION 11
11.180. EXTERNAL LOAD PERSONNEL 12
11.185. EXTERNAL LOAD: PILOT MEMBER QUALIFICATION 12
11.190. PILOT QUALIFICATION: GLIDER TOWING 13
11.195. PILOT QUALIFICATION: GLIDER TOWING 13
11.195. PILOT QUALIFICATION: TV & MOVIE FILMING 14

SUBPART H: AIRCRAFT & EQUIPMENT REQUIREMENTS 14
11.200. APPLICABILITY 14
11.205. AIRCRAFT REQUIREMENTS: AGRICULTURAL APPLICATION 14
11.210. HELICOPTER REQUIRED: EXTERNAL LOAD 14
11.215. FLIGHT CHARACTERISTICS REQUIREMENTS: EXTERNAL LOAD 14
11.220. STRUCTURES & DESIGN: EXTERNAL LOAD 15
11.225. OPERATING LIMITATIONS: EXTERNAL LOAD 15
11.230. ROTORCRAFT-LOAD COMBINATION FLIGHT MANUAL: EXTERNAL LOAD 16
11.235. MARKINGS & PLACARDS: EXTERNAL LOAD 16
11.240.AIRWORTHINESS CERTIFICATION: EXTERNAL LOAD 16
11.245. TOW HOOK & RELEASE SYSTEM: GLIDER TOWING 16
11.250. AIRCRAFT REQUIREMENTS: BANNER TOWING 16
11.255. AIRCRAFT REQUIREMENT: TV & MOVIE/TV FILMING 16

SUBPART I: SPECIAL OPERATING RULES: AGRICULTURAL APPLICATION 17
11.260. APPLICABILITY 17
11.265. GENERAL OPERATING RULES 17
11.270. PUBLIC EMERGENCY 17
11.275. CERTIFICATE REQUIRED 17
11.280.CARRYING OF CERTIFICATE 17
11.285. MANNER OF DISPENSING 17
11.290.ECONOMIC POISON DISPENSING 17
11.295.OPERATIONS IN CONTROLLED AIRSPACE DESIGNATED FOR AN AERODROME 18
11.300.OPERATION OVER CONGESTED AREAS: GENERAL 18

SUBPART J: SPECIAL OPERATING RULES: EXTERNAL LOAD 19
11.305.APPLICABILITY 19
11.310. GENERAL OPERATING RULES 19
11.315. CARRIAGE OF PERSONS 20

SUBPART K: OTHER AERIAL WORK SPECIAL OPERATING RULES 20
11.320.APPLICABILITY 20
11.325.SPECIAL OPERATING RULES: GLIDER TOWING 20
11.330. SPECIAL OPERATING RULES: MOVIE WAIVER REQUIREMENTS 21
11.325.SPECIAL OPERATING RULES: FISH SPOTTING 21

SUBPART A: GENERAL

11.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Aerial Work) Regulations.

(b) This Part prescribes the requirements of Rwanda for those operators and operations that engage in aerial work.

(c) This Part is applicable to persons and organisations that conduct aerial work operations within Rwanda and the persons performing duties on their behalf.

(d) All persons that conduct aerial work in Rwanda must comply with the applicable airworthiness and operational requirements of the other Parts of these Regulations, except where this Part—

(1) Grants relief from those requirements; or

(2) Specifies additional requirements.

(e) The Civil Aviation Technical Standards (Aerial Work) published by the Authority shall also be applicable to aerial work operations in the airspace of Rwanda.

11.005 DEFINITIONS

For the purpose of this Part, the following definitions shall apply—

Additional aviation-related terms are defined in Part 1 of these Regulations.

Accountable manager (aerial work). The manager who has corporate authority for ensuring that all AWC functions can be financed and carried out to the standard required by the Authority.

Aerial Exhibition. The operation of an aircraft for the purposes of performing acts intended for spectators on the ground. This exhibition may include aerobatic maneuvers, if authorised.

Aerial work. An aircraft operation in which an aircraft is used for specialised services that are not defined as general aviation or commercial air transport operations.

Aerobatic flight. An intentional manoeuvre involving an abrupt change in an aircraft's attitude, an abnormal attitude, or abnormal acceleration, not necessary for normal flight.

Agricultural application. The operation of an aircraft for the purpose of—

(i) Dispensing any economic poison,

(ii) Engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects.

Banner. An advertising medium supported by a temporary framework attached externally to the aircraft and towed behind the aircraft.

Banner Towing. The operation of an aircraft for the purpose of towing or displaying an advertisement in- flight.

Competency in civil aviation. This phrase means that an individual shall have a technical qualification and management experience acceptable to the Authority for the position served.

Economic poison. Any substance or mixture of substances intended for—

(i) Preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living human beings or other animals, which Rwanda may declare to be a pest, and

(ii) Use as a plant regulator, defoliant or desiccant.

Fish spotting. The operation of an aircraft for the purpose of locating, tracking, and reporting on the location of fish and fish schools, when those operations are conducted as part of a business enterprise or for compensation or hire.

Glider Towing The operation of an aircraft for the purpose of towing gliders to a launching altitude or to another landing location.**Movie.** This term includes film, videos, and live broadcast in any format, and the preparation and rehearsal for those operations.

Operations Specifications. Formal documents issued by the Authority as a part of an approved organisation's certificate to define the authorisations and limitations conveyed by the certificate.

Private Agricultural Application. The operation of an aircraft for the purpose of agricultural application over a property where the pilot is—

(i) The owner or lessee, or

(ii) Has ownership or other property interest in the crop located on that property.

Rotorcraft load combinations. Configurations for external loads carried by rotorcraft—

(i) Class A – external load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo.

(ii) Class B – external load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations.

(iii) Class C – external load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation.

(iv) Class D - external load suspended from the rotorcraft for the carriage of persons.

Sight-Seeing Flights. The operation of an aircraft involving the carriage of persons for viewing natural formations or man-made objects on the ground when those operations are conducted as part of a business enterprise or for compensation or hire, and—

(i) The flight is unquestionably advertised as "sight-seeing," and

(ii) The flight returns to the aerodrome of departure without having landed at any other aerodrome, and

(iii) The certificated passenger capacity of the aircraft does not exceed 9 passengers.

Any other passenger carrying flight for remuneration, hire or valuable consideration must be conducted under an Air Operator Certificate (AOC).

Special Purpose Patrolling. The operation of an aircraft for the purpose of low-level patrolling for potential problems of power lines, pipe lines and canals.

Traffic Watch. The operation of an aircraft for the purpose of observation of, and reporting on, vehicular traffic conditions on the highways and streets.

TV and Movie Filming. The operation of an aircraft for the purpose of movie filming, appearance in flight in movies, and airborne direction or production of such filming when those operations are conducted as part of a business enterprise or for compensation or hire.

11.010 ACRONYMS

(a) The following acronyms are used in this Part: —

AGL = Above Ground Level

AWC = Aerial Work Certificate

IFR = Instrument Flight Rules

PIC = Pilot In Command

SUBPART B: AERIAL WORK CERTIFICATE

11.015 APPLICABILITY

This Subpart prescribes the requirements that are applicable to the certificate issued to an Aerial Work Operator.

11.020 CERTIFICATE REQUIRED

No person may operate in aerial work operations without, or in violation of, an AWC and operations specifications issued under this Part.

11.025 CONTENTS OF AN AERIAL WORK CERTIFICATE

(a) The AWC will consist of two documents—
  (1) A certificate for public display signed by the Authority, and
  (2) Operations specifications containing the terms, conditions, and authorisations applicable to the AWC.

(b) The AWC will contain—
  (1) The organisation's name and location (main place of business);
  (2) The date of issue and period of validity for each page issued;
  (3) The terms of approval, including—
    (i) Authorised areas or locations of operations; and
    (ii) Operations specifications, as applicable.
  (4) Other authorisations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the operations conducted by the AWC holder.

11.030 DURATION OF CERTIFICATE

(a) Except as shown in paragraph (b), the Authority will issue an AWC which expires, unless surrendered, suspended, or revoked—
  (1) On the last day of the 12th calendar month from the month the certificate was issued;
  (2) Except as provided in paragraph (b), on the date that any change in ownership of the aerial work organisation occurs;
  (3) On the date of any significant change in the AWC holder's capabilities occurs; or
  (4) Upon notice by the Authority that the AWC holder has failed for more than 60 consecutive days to maintain the required equipment, aircraft, or personnel.

(b) A change in the ownership of an Aerial Work Operator does not terminate the AWC holder's certificate if, within 30 consecutive days—
  (1) The AWC holder makes notification and, if appropriate, amendment to the certificate; and
  (2) No significant change in the facilities, operating personnel, or types of operations is involved.

11.035 APPLICATION FOR ISSUANCE OR AMENDMENT

(a) An applicant for an AWC, including operations specifications shall apply at least 30 calendar days before the beginning of any proposed aerial work operations.

(b) Each applicant for an AWC and operations specification shall provide the application in the correct form and manner prescribed by the Authority.

(c) The Authority will issue to an applicant who meets the requirements and is approved by the Authority—

(1) An AWC containing all business names included on the application under which the AWC holder may conduct operations and the address of each business office used by the organisation; and

(2) Operations specifications, issued by the Authority to the AWC holder, outlining the pertinent authorisations.

(d) The Authority may issue an AWC to an applicant whose business office or primary location or both are located in Rwanda.

11.040 AMENDMENT OF AN AWC CERTIFICATION

(a) At any time, the Authority may amend an AWC—

(1) On the Authority's own initiative, under applicable Rwanda legislation; or

(2) Upon timely application by the AWC holder.

(b) The AWC holder shall file an application to amend an AWC at least 20 working days prior to the applicant's proposed effective amendment date unless a different filing period is approved by the Authority.

11.045 DISPLAY OF CERTIFICATE

(a) The holder of an AWC shall display that certificate in a place in the school that is normally accessible to the public and that is not obscured.

11.050 AVAILABILITY OF CERTIFICATE

(a) Each holder of an AWC shall keep that certificate at its home base and shall present it for inspection on the request of the Authority or any government law enforcement officer.

11.055 CARRYING OF CERTIFICATE

(a) No person may operate an aircraft unless a certified copy of the AWC is carried on that aircraft.

11.060 CERTIFICATE PRIVILEGES

(a) The AWC holder may advertise and conduct aerial work operations in accordance with the certificate and any ratings that it holds.

11.065 LOSS OF CERTIFICATE PRIVILEGES

(a) The Authority may deny, suspend, revoke, or terminate a certificate under this Part if the Authority finds that the AWC holder—

(1) Does not meet, or no longer meets, the requirements of this Part for the certificate and/or ratings held;

(2) Employs or proposes to employ a person who controlled or was previously employed in a management or supervisory position in an organisation has had its certificate revoked, suspended, or terminated within the previous 3 calendar years; or

(3) Application provided was incomplete or inaccurate, or contained fraudulent or false information.

(b) An AWC holder whose certificate has been surrendered, suspended, revoked, or terminated shall promptly—

(1) Remove all indications, including signs, wherever located, that the AWC holder was certified by the Authority; and

(2) Notify all advertising agents, and advertising media employed by the AWC holder to cease all advertising indicating that the organisation is certified by the Authority.

(3) Return the certificate to the Authority within 5 working days after being notified that the certificate is suspended, revoked, or terminated.

SUBPART C: CERTIFICATION

11.070 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the certification of an Aerial Work Operator.

11.075 INITIAL CERTIFICATION REQUIRED

(a) Prior to the issuance of an AWC, the applicant must be originally certificated in accordance with the system of certification prescribed by the Authority.

(b) The approval of an organisation as an AWC by the Authority shall be dependent upon the applicant demonstrating compliance with the requirements of this Part.

(c) The Authority may issue an applicant an AWC and operations specifications if the applicant demonstrates compliance with the requirements of this Part.

11.080 AUTHORISATIONS FOR AERIAL WORK OPERATORS

(a) The Authority grant an authorisation to an applicant to conduct the following types of aerial work—

(1) Agricultural Application (Economic Poisons)
(2) Agricultural Application (Fertilizing & Seeding)
(3) Agricultural Application (Fire-Fighting)
(4) Private Agricultural Application
(5) External Load (Rotorcraft)
(6) External Load (Airship)
(7) External Load (Fire-Fighting)
(8) Aerial Advertising (Skywriting, Banner Towing Airborne Signs and Public Address Systems)
(9) Glider Towing
(10) Passenger Sight-Seeing
(11) Parachute Jumping
(12) Traffic Watch
(13) TV and Movie Filming
(14) Aerial Surveying (photography, mapping and oil mineral exploration)
(15) Special Purpose Patrolling
(16) Aerial Exhibition
(17) Weather Control (cloud seeding)
(18) Fish Spotting
(19) Unmanned Aircraft Operations
(20) Other aviation operations determined by the Authority to fall under the definition of aerial work.

11.085 WAIVERS

(a) The Authority may issue an applicant waiver from any of the requirements of this Part.

(b) The applicant for a deviation or waiver under this Regulation shall provide information acceptable to the Authority that shows—

(1) Justification for the deviation or waiver; and

(2) That the deviation or waiver, when used for the aerial work operation, will not adversely affect the safety of the public or the personnel involved in the operation.

SUBPART D: SURVEILLANCE & ON-GOING VALIDATION

11.090 APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the on-going validation of Aerial Work Operators.

11.095 INSPECTIONS & OBSERVATIONS

(a) The Authority may, at any time, inspect an AWC to determine the organisation's compliance with this Part.

(b) The AWC holder and personnel shall allow the authorised representative of the Authority unrestricted access to all locations, equipment, documents and personnel, including operations in progress, in the accomplishment of these inspections and observations.

(c) The continued validity of the original certification approval shall depend upon the AWC holder remaining in compliance with the requirements of this Part.

11.100.CONTINUOUS QUALIFICATION

(a) The AWC holder shall not conduct aerial work operations without the personnel, facilities, equipment and aircraft continuously meets the requirements and the standards specified in the organisation's operations specifications.

11.105.MANDATORY REVISIONS TO OPERATIONAL PRACTICES

(a) The Authority may require the AWC holder to make revisions to operational practices, if it determines that other practices are necessary for public safety.

(b) If the Authority requires an AWC holder to make revisions to their operational practices, these revisions should be implemented as soon as possible.

(c) If the AWC holder does not make those required revisions within 20 consecutive days, the Authority may suspend, revoke, or terminate the organisation's certificate.

11.110 CHANGES REQUIRING NOTICE TO THE AUTHORITY

(a) The AWC holder shall notify the Authority prior to any of the following changes—

(1) The accountable manager.

(2) The Chief Pilot

(3) The maintenance arrangements

(4) Relocation of principal or satellite operations bases

(b) The Authority may prescribe the conditions under which the AWC holder may operate during such changes unless the Authority determines that the approval should be suspended.

(c) The Authority may suspend an AWC for failure to make these required notifications.

11.115. RENEWAL OF CERTIFICATES & RATINGS

(a) An AWC holder may apply for renewal of the certificate and ratings within 30 days preceding the month that their certificate is set to expire.

(b) The Authority may renew an AWC and ratings if the Authority determines the AWC holder's personnel, aircraft, facility and aerodrome (if applicable), and quality meet the requirements.

SUBPART E: AWC ADMINISTRATION

11.120.APPLICABILITY

(a) This Subpart prescribes the general requirements that are applicable to the on-going administration of an Aerial Work Operator.

11.125. MANAGEMENT PERSONNEL REQUIRED FOR AWC ORGANISATIONS

(a) The AWC holder shall have an accountable manager, acceptable to the Authority, who has corporate authority for ensuring that it is in compliance with the requirements for an AWC.

(b) When providing approved aerial work operations involving more than two pilots, the AWC holder shall have qualified person, with proven competency in civil aviation, available and serving as the Chief Pilot or an equivalent: post.

11.130. CHIEF PILOT RESPONSIBILITIES

(a) The Chief Pilot provides overall operational and testing requirements.

(b) During aerial work operations, the AWC holder shall ensure that the chief pilot is available—

(1) At the aerodrome, or

(2) By telephone, radio, or other electronic means.

11.135. PRINCIPAL BUSINESS OFFICE

(a) An AWC holder shall maintain a principal business office that is physically located at the address shown on the AWC.

(b) An AWC holder may not make any change in the organisation's principal business address unless the change is approved by the Authority in advance.

(c) The Authority may prescribe the conditions under which the AWC may operate while it is changing its location or housing facilities.

11.140. SATELLITE LOCATIONS

(a) The AWC holder may conduct aerial work operations authorised by the Authority at a satellite location if—

(1) The Authority has been notified of the satellite location operations; and

(2) The Chief Pilot is available by telephone, radio or other electronic means.

11.145. ADVERTISING LIMITATIONS

(a) The AWC holder may not—

(1) Make any statement relating to the AWC and operations specifications that is false or designed to mislead any person contemplating the employment of that AWC holder.

(2) Advertise that the AWC holder is certified by the Authority unless that advertisement contains only the authorisation granted by the Authority.

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SUBPART F: AWC ADMINISTRATIVE REQUIREMENTS

11.150. APPLICABILITY

(a) This Subpart prescribes the general administrative requirements that are applicable an AWC holder.

(b) If an administrative requirement is not included in this Subpart for a specific category of AWC holder, there are none applicable to that category.

11.155. RECORDS: COMMERCIAL AGRICULTURAL AIRCRAFT OPERATOR

(a) Each holder of a commercial agricultural application authorisation shall maintain and keep current, at the home base designated in its application, the following records—

(1) The name and address of each person for whom agricultural aircraft services were provided;

(2) The date of the service;

(3) The name and quantity of the material dispensed for each operation conducted; and

(4) The name, address, and certificate number of each pilot used in agricultural aircraft operations and the date that pilot met the knowledge and skill requirements of this Subpart.

(b) The records required by this Regulation must be kept for at least 12 months.

11.160. CONTENTS OF A MOTION PICTURE & TELEVISION FLIGHT OPERATIONS MANUAL

(a) Each Motion Picture and Television Flight Operations Manual shall contain at least the following—

(1) *Company Organisation*.

(i) Business name, address, and telephone number of applicant.

(ii) List of pilots to be used during the filming, including their pilot certificate numbers, grade, and class and date of medical.

(iii) List of aircraft by make and model.

(2) *Distribution and Revision*. Procedures for revising the manual to ensure that all manuals are kept current.

(3) *Persons Authorised*. Procedures to ensure that no persons, except those persons consenting to be involved and necessary for the filming production, are allowed within 500 feet of the filming production area.

(4) *Area of Operations*. The area that will be used during the term of the waiver.

(5) *Plan of Activities*. Procedures for the submission, within three days of scheduled filming, a written plan of activities to the Authority containing at least the following—

(i) Dates and times for all flights.

(ii) Name and phone number of person responsible for the filming production event.

(iii) Make and model of aircraft to be used and type of airworthiness certificate, including category

(iv) Name of pilots involved in the filming production event.

(v) A statement that permission has been obtained from property owners and/or local officials to conduct the filming production event.

(vi) Signature of waiver holder or a designated representative.

(vii) A general outline, or summary, of the production schedule, to include maps or diagrams of the specific filming location, if necessary.

(6) *Permission to Operate*. Requirements and procedures that the waiver holder will use to obtain permission from property owners and/or local officials (e.g., police,

fire departments, etc.) as appropriate for the conduct of all filming operations when using thewaiver.

(7) *Security*. Method of security that will be used to exclude all persons not directly involved with the operation from the location.

This should also include the provision that will be used to stop activities when unauthorised persons, vehicles, or aircraft enter the operations area, or for any other reason, in the interest of safety.

(8) *Briefing of Pilot/Production Personnel*. Procedures to brief personnel of the risks involved, emergency procedures, and safeguards to be followed during the filming production event.

(9) *Certification/Airworthiness*. Procedures to ensure that required inspections will be conducted.

(10) *Communications*. Procedures to provide communications capability with all participants during the actual operation and filming.

The applicant can use oral, visual, or radio communications as along as it keeps the participants continuously apprised of the current status of the operation.

SUBPART G: PERSONNEL & QUALIFICATION REQUIREMENTS

11.165. APPLICABILITY

(a) This Subpart prescribes the personnel and qualification requirements that are applicable an AWC holder.

(b) If personnel and/or qualification requirements is not included in this Subpart for a specific category of AWC holder, there are none applicable to that category.

11.170. GENERAL PERSONNEL REQUIREMENTS: AGRICULTURAL APPLICATION

(a) *Each person.* The holder of an agricultural application authorisation shall insure that each person used in the holder's agricultural aircraft operation is informed of that person's duties and responsibilities.

(b) *Supervisors.* No person may supervise an agricultural aircraft operation unless he or she has met the knowledge and skill requirements for the type of aerial work.

(c) Pilots.

(1) A private operator-pilot applicant shall hold a current Rwanda private, commercial, or airline transport pilot certificate and be properly rated for the aircraft to be used.

(2) A commercial operator-pilot applicant shall hold, or have available the services of at least one pilot who holds a current commercial or airline transport pilot certificate issued by the Authority and who is properly rated for the aircraft to be used.

11.175. PILOT QUALIFICATION: AGRICULTURAL APPLICATION

(a) *Pilot in command.* No person may act as pilot in command of an aircraft operated under this Subpart unless that pilot—

(1) Holds a pilot certificate and rating prescribed by this Subpart as appropriate to the type of operation conducted; or

(2) Has demonstrated to the holder of the agricultural application authorisation conducting the operation, or to a supervisor designated by that certificate holder, that he or she possesses the knowledge and skill requirements of paragraph (b).

(b) Each pilot shall show that it has satisfactory knowledge and skill of the following agricultural aircraft operations—

(1) Knowledge—

With the AWC holder has an authorisation containing a prohibition against the dispensing of economic poisons, a demonstration knowledge specific to economic poisons is not required.

(i) Steps to be taken before starting operations, including a survey of the area to be worked.
(ii) Safe handling of economic poisons and the proper disposal of used containers for those poisons.
(iii) The general effects of economic poisons and agricultural chemicals on plants, animals, and persons, and the precautions to be observed in using poisons and chemicals.
(iv) Primary symptoms of poisoning of persons from economic poisons, the appropriate emergency measures to be taken, and the location of poison control centres.
(v) Performance capabilities and operating limitations of the aircraft to be used.
(vi) Safe flight and application procedures.

(2) Skill in the following manoeuvres, demonstrated at the aircraft's maximum certified take-off weight, or the maximum weight established for the special purpose load, whichever is greater—
(i) Short-field and soft-field take-offs (aeroplanes and gyroplanes only).
(ii) Approaches to the working area.
(iii) Flare-outs.
(iv) Swath runs.
(v) Pull-ups and turnarounds.
(vi) Rapid deceleration (quick stops) in helicopters only.

(c) For operations over congested areas, each pilot in command must have at least—
(1) 25 hours of pilot-in-command flight time in the make and basic model of the aircraft, including at least 10 hours within the preceding 12 calendar months; and
(2) 100 hours of flight experience as pilot in command in dispensing agricultural materials or chemicals.

11.180. EXTERNAL LOAD PERSONNEL

(a) An applicant shall hold, or have available the services of at least one person who holds a current commercial or airline transport pilot certificate issued by the Authority with a rating appropriate for the rotorcraft to be used.

(b) An applicant shall designate one pilot, who may be the applicant, as chief pilot for rotorcraft external-load operations.

(c) An applicant may designate qualified pilots as assistant chief pilots to perform the functions of the chief pilot when the chief pilot is not readily available.

(d) The chief pilot and assistant chief pilots must be acceptable to the Authority and each must hold a current Commercial or Airline Transport Pilot Certificate, with a rating appropriate for the rotorcraft to be used.

(e) The holder of a Rotorcraft External-Load Operator Certificate shall report any change in designation of chief pilot or assistant chief pilot immediately to the Authority.

(f) A newly designated chief pilot shall comply with the knowledge and skill requirements of this Subpart within 30 days or the operator may not conduct further operations under the Rotorcraft External-Load Operator Certificate, unless otherwise authorised by the Authority.

11.185. EXTERNAL LOAD: PILOT MEMBER QUALIFICATION

(a) No certificate holder may use, nor may any person serve, as a pilot in helicopter external load operations unless that person—

(1) Has successfully demonstrated to the Authority the knowledge and skill with respect to the rotorcraft/ load combination; and

(2) Has in his or her personal possession a letter of competency or an appropriate logbook entry indicating compliance with paragraph (a)(1) of this Regulation.

(b) No AWC holder may use, nor may any person serve as, a crew member or other operations personnel in Class D operations unless, within the preceding 12 calendar months, that person has successfully completed either an approved initial or a recurrent training program.

(c) Notwithstanding the provisions of paragraph (b) of this Regulation, a person who has performed a rotorcraft external load operation of the same class and in an aircraft of the same type within the past 12 calendar months need not undergo recurrent training.

11.190. PILOT QUALIFICATION: GLIDER TOWING

(a) No person may act as a tow pilot for a glider unless that person has at least a private pilot certificate with a category rating for the tow aircraft.

(b) No person may act as a tow pilot for a glider unless that person has—

(1) Logged at least 100 hours of pilot-in-command time in same aircraft category, class, and type, if applicable, as the tow aircraft;

(2) Received training in and instructor endorsement for—

(i) The techniques and procedures essential to the safe towing of gliders, including airspeed limitations;

(ii) Emergency procedures;

(iii) Signals used; and

(iv) Maximum angles of bank.

(3) Except as provided in paragraph (b)(2) of this Regulation, has completed and had endorsed at least three flights as the sole manipulator of the controls of an aircraft towing a glider or simulating glider-towing flight procedures while accompanied by a pilot who meets the requirements of this Regulation; and

(4) Within the preceding 12 months has—

(i) Made at least three actual glider tows; or

(ii) Made at least three flights as pilot in command of a glider towed by an aircraft.

(c) Any person who before January 31, 2009, made and logged 10 or more flights as PIC of an aircraft towing a glider in accordance with authorisation of the Authority need not comply with paragraphs (b)(3) and (b)(4) of this Regulation.

11.195. PILOT QUALIFICATION: GLIDER TOWING

(a) For non-revenue flights, the pilot of the tow aircraft shall hold at least a valid private pilot certificate and have a minimum of 200 hours PIC time.

(b) When banner tow operations are conducted for compensation or hire, the pilot shall have at least a—

(1) Commercial pilot certificate (instrument rating not required); and

(2) Valid second class medical certificate.

(c) All pilots engaged in banner towing operations shall demonstrate competence to the Authority by performing at least one pickup and drop of the maximum number of letters (panels) to be used by the certificate holder.

This demonstration should be observed from the ground to allow the inspector to evaluate the competence of any essential ground personnel as well as the flight operation.

11.196. PILOT QUALIFICATION: TV & MOVIE FILMING

(a) No pilot may conduct television and movie operations unless he or she has—
  (1) A commercial licence with ratings appropriate to the category and class aircraft to be used under the terms of the waiver.
  (2) At least 500 hours as PIC.
  (3) A minimum of 100 hours in the category and class of aircraft to be used.
  (4) A minimum of five hours in the make and model aircraft to be used under the waiver.
  (5) If the pilot intends to perform aerobatics below 1,500 AGL, a Statement of Aerobatics Competency for the operations to be performed.

SUBPART H: AIRCRAFT & EQUIPMENT REQUIREMENTS

11.200. APPLICABILITY

(a) This Subpart prescribes the additional aircraft and equipment requirements that are applicable an AWC holder.

(b) If there are no special aircraft and equipment requirements is included in this Subpart for a specific category of AWC holder, there are none applicable to that category.

11.205. AIRCRAFT REQUIREMENTS: AGRICULTURAL APPLICATION

(a) The AWC holder of an agricultural application authorisation shall have at least one certified and airworthy aircraft, equipped for agricultural operation.

(b) Except for helicopters, no person may operate an aircraft over a congested area while engaged in agricultural application unless there is the capability to jettison at least one-half of the aircraft's maximum authorised load of agricultural material within 45 seconds.

(c) If an aircraft designed or modified for agricultural application is equipped to release the tank or hopper as a unit, there shall be a means to prevent inadvertent release by the pilot or other crew member.

11.210. HELICOPTER REQUIRED: EXTERNAL LOAD

(a) An applicant must have the exclusive use of at least one rotorcraft that—
  (1) Was type certified under, and meets the requirements of, the several parts of these Regulations which prescribe requirements for rotorcraft external-load operations;
  (2) Complies with the certification provisions in this Subpart that apply to the rotorcraft-load combinations for which authorisation is requested; and
  (3) Has a valid standard or restricted category airworthiness certificate.

11.215. FLIGHT CHARACTERISTICS REQUIREMENTS: EXTERNAL LOAD

(a) The applicant must demonstrate to the Authority, by performing the following operational flight checks, that the rotorcraft-load combination has satisfactory flight characteristics, unless these operational flight checks have been demonstrated previously and the rotorcraft-load combination flight characteristics were satisfactory. For the purposes of this demonstration, the external-load weight (including the external-load attaching means) is the maximum weight for which authorisation is requested.

(b) *Class A rotorcraft-load combinations*: The operational flight check must consist of at least the following manoeuvres—
  (1) Take-off and landing.
  (2) Demonstration of adequate directional control while hovering.
  (3) Acceleration from a hover.
  (4) Horizontal flight at airspeeds up to the maximum airspeed for which authorisation is requested.

(c) *Class B and D rotorcraft-load combinations*: The operational flight check must consist of at least the following manoeuvres—

(1) Pickup of the external load.

(2) Demonstration of adequate directional control while hovering.

(3) Acceleration from a hover.

(4) Horizontal flight at airspeeds up to the maximum airspeed for which authorisation is requested.

(5) Demonstrating appropriate lifting device operation.

(6) Manoeuvring of the external load into release position and its release, under probable flight operation conditions, by means of each of the quick-release controls installed on the rotorcraft.

(d) *Class C rotorcraft-load combinations*: For Class C rotorcraft-load combinations used in wire-stringing, cable-laying, or similar operations, the operational flight check must consist of the manoeuvres, as applicable, prescribed in paragraph (c) of this Regulation.

11.220. STRUCTURES & DESIGN: EXTERNAL LOAD

(a) External-load attaching means. Each external-load attaching means shall be approved by the Authority.

(b) Quick release devices. Each quick release device means shall be approved by the Authority.

(c) Weight and centre of gravity—

(1) Weight. The total weight of the rotorcraft-load combination must not exceed the total weight approved for the rotorcraft during its type certification.

(2) Centre of gravity. The location of the centre of gravity must, for all loading conditions, be within the range established for the rotorcraft during its type certification. For Class C rotorcraft-load combinations, the magnitude and direction of the loading force must be established at those values for which the effective location of the centre of gravity remains within its established range.

11.225. OPERATING LIMITATIONS: EXTERNAL LOAD

(a) In addition to the operating limitations set forth in the approved Rotorcraft Flight Manual, and to any other limitations the Authority may prescribe, the operator shall establish at least the following limitations and set them forth in the Rotorcraft-Load Combination Flight Manual for rotorcraft-load combination operations—

(1) The rotorcraft-load combination may be operated only within the weight and centre of gravity limitations established in accordance with this Subpart.

(2) The rotorcraft-load combination may not be operated with an external load weight exceeding that used in showing compliance with this Subpart.

(3) The rotorcraft-load combination may not be operated at airspeeds greater than those established in accordance with this Subpart.

(4) No person may conduct an external-load operation under this Part with a rotorcraft type certified in the restricted category over a densely populated area, in a congested airway, or near a busy aerodrome where passenger transport operations are conducted.

(5) The rotorcraft-load combination of Class D may be conducted only in accordance with the following—

(i) The rotorcraft to be used must have been type certified under transport Category A for the operating weight and provide hover capability with one engine inoperative at that operating weight and altitude.

(ii) The rotorcraft must be equipped to allow direct radio intercommunication among required crew members.

(iii) The personnel lifting device must be approved by the Authority.
(iv) The lifting device must have an emergency release requiring two distinct actions.

11.230. ROTORCRAFT-LOAD COMBINATION FLIGHT MANUAL: EXTERNAL LOAD

(a) The applicant must prepare a Rotorcraft-Load Combination Flight Manual and submit it for approval by the Authority. The limiting height-speed envelope data need not be listed as operating limitations. The manual shall set forth—
  (1) Operating limitations, procedures (normal and emergency), performance, and other information established under this Subpart;
  (2) The class of rotorcraft-load combinations for which the airworthiness of the rotorcraft has been demonstrated in accordance with this Subpart; and
  (3) In the information Regulation of the Rotorcraft-Load Combination Flight Manual—
    (i) Information on any peculiarities discovered when operating particular rotorcraft-load combinations;
    (ii) Precautionary advice regarding static electricity discharges for Class B, Class C, and Class D rotorcraft-load combinations; and
    (iii) Any other information essential for safe operation with external loads.

11.235. MARKINGS & PLACARDS: EXTERNAL LOAD

(a) The following markings and placards must be displayed conspicuously and must be such that they cannot be easily erased, disfigured, or obscured—
  (1) A placard (displayed in the cockpit or cabin) stating the class of rotorcraft-load combination and the occupancy limitation for which the rotorcraft has been approved.
  (2) A placard, marking, or instruction (displayed next to the external-load attaching means) stating the maximum external load approved.

11.240.AIRWORTHINESS CERTIFICATION: EXTERNAL LOAD

(a) A Rotorcraft External-Load Operator Certificate is a current and valid airworthiness certificate for each rotorcraft type and listed by registration number on a list attached to the certificate, when the rotorcraft is being used in operations conducted under this Part.

11.245. TOW HOOK & RELEASE SYSTEM: GLIDER TOWING

(a) No person may operate an aircraft that is towing a glider unless the aircraft is equipped with a tow hook and release control system that meet the applicable standards of airworthiness.

11.250. AIRCRAFT REQUIREMENTS: BANNER TOWING

(a) No person may operate an aircraft that is towing a banner unless the aircraft is equipped with a tow hook and release control system that meet the applicable standards of airworthiness.

(b) No person may operate a helicopter that is towing a banner unless the helicopter has a means to prevent the banner from becoming entangled in the helicopter's tail rotor during all phases of flight, including auto-rotations.

11.255. AIRCRAFT REQUIREMENT: TV & MOVIE/TV FILMING

(a) Aircraft in the experimental category shall have an airworthiness certificate issued for the purpose of exhibition in order to be used in motion picture and television filming operations,

SUBPART I: SPECIAL OPERATING RULES: AGRICULTURAL APPLICATION

11.260. APPLICABILITY

(a) The Subpart contains the special operating rules applicable to agricultural application operations by an AWC holder that are to be implemented in addition to, or in lie11.2u of the requirements of Part 10

11.265. GENERAL OPERATING RULES

(a) Except as provided in paragraph (c), this Regulation prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under this Part.

May be involved in fire extinguishing without requiring authorization.

(b) The holder of an agricultural application authorisation may deviate from the provisions of Part 10 without a certificate of waiver when conducting aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating rules of this Regulation.

(c) The operating rules of this Subpart apply to Rotorcraft External load certificate holders conducting agricultural aircraft operations involving only the dispensing of water on forest fires by rotorcraft external- load means.

(d) An operator may, if it complies with this Subpart, conduct agricultural aircraft operations with a rotorcraft with external dispensing equipment in place without a rotorcraft external-load operator certificate.

11.270. PUBLIC EMERGENCY

(a) In a public emergency, a person conducting agricultural aircraft operations under this Part may, to the extent necessary, deviate from the operating rules of this Part for relief and welfare activities approved by an agency of the National or a local government.

(b) Each person who, under the authority of this Regulation, deviates from a rule of this Part shall, within 10 days after the deviation send to the Authority a complete report of the aircraft operation involved, including a description of the operation and the reasons for it.

11.275. CERTIFICATE REQUIRED

(a) Except as provided in paragraph (b) of this Regulation, no person may conduct agricultural aircraft operations without, or in violation of, an agricultural application authorisation issued under this Part.

(b) The holder of a rotorcraft external-load operator certificate under this Part may conduct an agricultural aircraft operation involving only the dispensing of water on forest fires by rotorcraft external-load means.

11.280.CARRYING OF CERTIFICATE

(a) The registration and airworthiness certificates issued for the aircraft need not be carried in the aircraft provided that those certificates not carried in the aircraft shall be kept available for inspection at the base from which the dispensing operation is conducted.

11.285. MANNER OF DISPENSING

(a) No persons may dispense, or cause to be dispensed, any material or substance in a manner that creates a hazard to persons or property on the surface.

11.290.ECONOMIC POISON DISPENSING

(a) Except as provided in paragraph (b) of this Regulation, no person may dispense or cause to be dispensed, any economic poison that is registered with Rwanda—

(1) For a use other than that for which it is registered;
(2) Contrary to any safety instructions or use limitations on its label; or
(3) In violation of any law or regulation of Rwanda.

(b) This Regulation does not apply to any person dispensing economic poisons for experimental purposes under—
(1) The supervision of a Rwanda agency authorised by law to conduct research in the field of economic poisons; or
(2) A permit from Rwanda.

11.295.OPERATIONS IN CONTROLLED AIRSPACE DESIGNATED FOR AN AERODROME

(a) Except for flights to and from a dispensing area, no person may operate an aircraft within the lateral boundaries of the surface area of Class D airspace designated for an aerodrome unless authorisation for that operation has been obtained from the ATC facility having jurisdiction over that area.

(b) No person may operate an aircraft in weather conditions below VFR minimums within the lateral boundaries of a Class E airspace area that extends upward from the surface unless authorisation for that operation has been obtained from the ATC facility having jurisdiction over that area.

11.300.OPERATION OVER CONGESTED AREAS: GENERAL

(a) A certificate holder may operate or cause the operation of an aircraft over a congested area at altitudes required if the operation is conducted with—
(1) The maximum safety to persons and property on the surface, consistent with the operation; and
(2) A plan for each operation, submitted and have approved by the Authority, which includes—
(i) Obstructions to flight;
(ii) Emergency landing capabilities of the aircraft to be used; and
(iii) Any necessary co-ordination with air traffic control.

(b) Each certificate holder shall ensure that all single engine aircraft while in a congested area operate—
(1) Except for helicopters, during take offs and turnarounds, with no load.
(2) Not below the altitudes prescribed in Part 10 except during the actual dispensing operation, including the approaches and departures necessary for that operation.
(3) During the actual dispensing operation, including the approaches and departures for that operation, not below the altitudes prescribed in Part 10 unless it is in an area and at such an altitude that the aircraft can make an emergency landing without endangering persons or property on the surface.

(c) Each certificate holder shall ensure that all multiengine aircraft while in a congested area operate—
(1) During take-off, under conditions that will allow the aeroplane to be brought to a safe stop within the effective length of the runway from any point on take-off up to the time of attaining, with all engines operating at normal take-off power, 105 percent of the minimum control speed with the critical engine inoperative in the take-off configuration or 115 percent of the power-off stall speed in the take-off configuration, whichever is greater.

Note: Assume still-air conditions, and no correction for any uphill gradient of 1 percent or less when the percentage is measured as the difference between elevation at the end points of the runway divided by the total length. For uphill gradients greater than 1 percent, the effective take-off length of the runway is reduced 20 percent for each 1-percent grade.

(2) At a weight greater than the weight that, with the critical engine inoperative, would permit a rate of climb of at least 50 feet per minute at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within the area to be worked or at an altitude of 5,000 feet, whichever is higher. Assume that the propeller of the inoperative engine is in the minimum drag position; that the wing flaps and landing gear are in the most favourable positions; and that the remaining engine or engines are operating at the maximum continuous power available.

(3) Below the altitudes prescribed in Part 10 except during the actual dispensing operation, including the approaches, departures, and turnarounds necessary for that operation.

SUBPART J: SPECIAL OPERATING RULES: EXTERNAL LOAD

11.305.APPLICABILITY

(a) The Subpart contains the special operating rules applicable to external load operations by an AWC holder that are to be implemented in addition to, or in lieu of the requirements of Part 10

11.310. GENERAL OPERATING RULES

(a) No person may conduct a rotorcraft external load operation without, or contrary to, the Rotorcraft/Load Combination Flight Manual prescribed in this Part.

(b) No person may conduct a rotorcraft external load operation unless—

(1) The rotorcraft complies with this Part; and

(2) The rotorcraft and rotorcraft/load combination is authorised under the Rotorcraft External Load Operator Certificate.

(c) Before a person may operate a rotorcraft with an external load configuration that differs substantially from any that person has previously carried with that type of rotorcraft (whether or not the rotorcraft/load combination is of the same class), that person shall conduct, in a manner that will not endanger persons or property on the surface, such of the following flight operational checks as the Authority determines are appropriate to the rotorcraft/load combination—

(1) A determination that the weight of the rotorcraft/load combination and the location of its centre of gravity are within approved limits, that the external load is securely fastened, and that the external load does not interfere with devices provided for its emergency release.

(2) Make an initial liftoff and verify that controllability is satisfactory.

(3) While hovering, verify that directional control is adequate.

(4) Accelerate into forward flight to verify that no attitude (whether of the rotorcraft or of the external load) is encountered in which the rotorcraft is uncontrollable or which is otherwise hazardous.

(5) In forward flight, check for hazardous oscillations of the external load, but if the external load is not visible to the pilot, other crew members or ground personnel may make this check and signal the pilot.

(6) Increase the forward airspeed and determine an operational airspeed at which no hazardous oscillation or hazardous aerodynamic turbulence is encountered.

(d) Notwithstanding the provisions of Part 10, the holder of a Rotorcraft External Load Operator Certificate may conduct rotorcraft external load operations over congested areas if those operations are conducted without hazard to persons or property on the surface and comply with the following—

(1) The operator shall develop a plan for each complete operation and obtain approval for the operation from the Authority.

Note: The plan must include an agreement with the appropriate political subdivision that local officials will exclude unauthorised persons from the area in which the operation will be conducted, coordination with air traffic control, if necessary, and a detailed chart depicting the flight routes and altitudes.

(2) Each flight shall be conducted at an altitude, and on a route, that will allow a jettisonable external load to be released, and the rotorcraft landed, in an emergency without hazard to persons or property on the surface.

(e) Notwithstanding the provisions of Part 10, and except as provided in this Part, the holder of a Rotorcraft External Load Operator Certificate may conduct external load operations, including approaches, departures, and load positioning manoeuvres necessary for the operation, below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.

(f) No person may conduct rotorcraft external load operations under IFR unless specifically approved by the Authority.

11.315. CARRIAGE OF PERSONS

(a) No certificate holder may allow a person to be carried during rotorcraft external load operations unless that person—
  (1) Is a flight crew member;
  (2) Is a flight crew member trainee;
  (3) Performs an essential function in connection with the external load operation; or
  (4) Is necessary to accomplish the work activity directly associated with that operation.

(b) The PIC shall ensure that all persons are briefed before take-off on all pertinent procedures to be followed (including normal, abnormal, and emergency procedures) and equipment to be used during the external load operation.

SUBPART K: OTHER AERIAL WORK SPECIAL OPERATING RULES

11.320.APPLICABILITY

(a) The Subpart contains the operating rules applicable to external load operations, other than agricultural application and external load operations, by an AWC holder that are to be implemented in addition to, or in lieu, of the requirements of Part 10

(b) If there are no special operating rules is included in this Subpart for a specific category of AWC holder, the requirements specified in Part 10 are applicable to those operations.

11.325.SPECIAL OPERATING RULES: GLIDER TOWING

(a) All banner tow operations shall be conducted only—
  (1) In VFR weather conditions; and
  (2) Between the hours of official sunrise and official sunset.

(b) No person may conduct banner towing operations—
  (1) Over congested areas or open air assemblies of persons lower than 1,000 feet; and
  (2) Elsewhere lower than the minimum safe altitude requirements of Part 10.

Note: Helicopters may be operated at less than the minimums prescribed in paragraph No person may conduct banner towing operations— if the operation is conducted without hazard to persons or property on the surface.

(c) The certificate holder shall obtain the aerodrome manager's approval to conduct banner tow operations.

(d) If banner towing operations take place at an aerodrome with a control tower, the certificate holder shall inform that control tower of the time of the banner tow operation.

(e) The certificate holder shall notify the appropriate aerodrome officials in advance when banner tow operations will be in close proximity to an uncontrolled aerodrome.

(f) Only essential crew members shall be carried when conducting banner tow operations.

(g) When banner tow operations are conducted around congested areas, the pilot shall exercise due care so that, in the event of emergency release of the banner and/or tow rope, it will not cause undue hazard to persons or property on the surface.

(h) Each pilot shall drop the towrope in a predesignated area at least 500 feet from persons, buildings, parked automobiles, and aircraft.

Note: If the tow plane lands with the rope attached, due care will be exercised to avoid trailing the rope and endangering other aircraft in the air, or persons, property or aircraft on the surface.

(i) Each pilot conducting banner towing operations shall carry on board the aircraft a current copy of the following certificate of Waiver or Authorisation allowing banner towing operations.

11.330. SPECIAL OPERATING RULES: MOVIE WAIVER REQUIREMENTS

(a) A waiver shall be obtained if filming sequences require an aircraft to be flown—

(1) In aerobatic flight below 1,500 AGL,

(2) Over a congested area, or

(3) In controlled airspace.

Note: When conducting any filming operation requiring a waiver, the certificate holder shall ensure that all reasonable efforts are made to confine spectators to designated areas. If reasonable efforts have been taken and unauthorised persons or vehicles enter the airspace where manoeuvres are being performed during the filming production event, efforts must be made to remove them.

(b) The holder of the waiver shall provide a schedule of events that lists the—

(1) Identification of the aircraft; and

(2) Performers in the sequence of their appearance.

(c) Any manoeuvres added or time changes to the schedule of events shall be approved by the Authority.

(d) The waiver holder shall develop, have approved by the Authority, and adhere to a Motion Picture and Television Flight Operations Manual.

11.325.SPECIAL OPERATING RULES: FISH SPOTTING

(a) Each operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.

(b) Minimum cloud clearance requirements and minimum altitude requirements of Part 10 do not apply to those persons to whom the Authority has specifically approved different minimums as a part of an authorisation under this Subpart.

END OF RCAR PART 11

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 12

Air Operator Certification & Administration

SUBPART A: GENERAL 6
12.001 CITATION & APPLICABILITY 6
12.005 DEFINITIONS 6
12.010 ACRONYMS & ABBREVIATIONS 6
SUBPART B: AIR OPERATOR CERTIFICATE 7
12.015 COMPLIANCE WITH AN AIR OPERATOR CERTIFICATE 7
12.020 APPLICATION FOR AN AIR OPERATOR CERTIFICATE 7
12.025 ISSUANCE OR DENIAL OF AIR OPERATOR CERTIFICATE 7
12.030 CONTENTS OF MASTER AIR OPERATOR CERTIFICATE 7
12.031 AIRCRAFT DISPLAY AOC & OPERATIONS SPECIFICATIONS 8
12.035 DURATION OF AN AIR OPERATOR CERTIFICATE 8
12.040 AMENDMENT OF AN AIR OPERATOR CERTIFICATE 8
12.045 RENEWAL OF AN AIR OPERATOR CERTIFICATE 9
12.046 THROUGH 12.055 [RESERVED] 9
SUBPART C: CERTIFICATION 9
12.060 INITIAL CERTIFICATION REQUIRED 9
12.065 SUBSEQUENT CERTIFICATION REQUIRED 9
12.070 DEMONSTRATION FLIGHTS 10
12.075 EXTENDED DIVERSION TIME OPERATIONS (EDTO) 10
12.077 REDUCED VERTICAL SEPARATION CERTIFICATION 10
12.080 DANGEROUS GOODS AWARENESS & C E R T I F I C A T I O N 11
12.085 OPERATIONAL VARIATIONS BASED ON SAFETY RISK ASSESSMENT 12
12.086 THROUGH 12.095 [RESERVED] 12
SUBPART D: SURVEILLANCE & REVALIDATION 12
12.100 CONTINUING VALIDATION OF THE CERTIFICATION BASIS REQUIRED 12
12.105 ACCESS FOR INSPECTION 12
12.110 CONDUCTING TESTS & INSPECTIONS 13
SUBPART E: AOC ADMINISTRATION 13
12.130 REQUIRED MANAGEMENT PERSONNEL 13
1.135 BASE OF OPERATIONS 14
12.140 FACILITIES 15
12.145 INTEGRATED FLIGHT SAFETY DOCUMENTS SYSTEM 15
12.147 PERFORMANCE OF WORK BY THIRD PARTIES 15
12.150 OPERATIONS SCHEDULES 15
12.153 SAFETY MANAGEMENT SYSTEM 15

12.155 QUALITY ASSURANCE PROGRAM 16
12.159 GROUND HANDLING ARRANGEMENTS 17
12.160 SECURITY PROGRAM 17
12.165 PREPAREDNESS FOR POSSIBLE COMMUNICATIVE DISEASES 18
12.170 THROUGH 12.185 [RESERVED] 18
SUBPART F: AOC HOLDER RECORDS 18
12.190 APPLICABILITY 18
12.195 RECORD COMPLETION REQUIREMENTS 18
12.200 RETENTION & MAINTENANCE OF RECORDS 19
12.205 MAINTENANCE PERSONNEL QUALIFICATION & CURRENCY RECORDS 19
12.210 LOAD CONTROLLER QUALIFICATION & CURRENCY RECORDS 19
12.215 FLIGHT CREW QUALIFICATION & CURRENCY RECORDS 19
12.220 CABIN CREW QUALIFICATION & CURRENCY RECORDS 19
12.225 CREW DUTY & FLIGHT TIME RECORDS 19
12.227 COSMIC RADIATION DOSE RECORDS 20
12.230 OPERATIONAL CONTROL PERSONNEL QUALIFICATION RECORDS 20
12.235 AIRCRAFT JOURNEY LOG 20
12.240 AIRCRAFT SERVICE & MAINTENANCE RECORDS 20
12.241 FUEL & OIL RECORDS 21
12.242 DEFERRED DEFECTS SUMMARY 21
12.245 AIRCRAFT INSPECTION & CONDITION SUMMARY RECORD 21
12.250 LOAD & PERFORMANCE PLANNING RECORDS 21
12.255 OPERATIONAL FLIGHT PLANNING RECORDS 22
12.260 AIRCRAFT-SPECIFIC EMERGENCY & SURVIVAL EQUIPMENT RECORDS 22
12.265 FLIGHT DECK VOICE & FLIGHT DATA RECORDER RECORDS 22
12.270 THROUGH 12.290 [RESERVED] 23
SUBPART G: AIRCRAFT 23
12.295 APPLICABILITY 23
12.300 AUTHORISED AIRCRAFT 23
12.305 EMERGENCY EVACUATION DEMONSTRATION 23
12.310 DITCHING DEMONSTRATION 23
12.313 DRY LEASING OF AIRCRAFT 23
12.315 DRY LEASING OF FOREIGN REGISTERED AIRCRAFT 24
12.320 AIRCRAFT INTERCHANGE 25
12.325 WET-LEASING 25
12.330 THROUGH 12.345 [RESERVED] 25
SUBPART H: AOC FLIGHT OPERATIONS MANAGEMENT 25
12.350 APPLICABILITY 25
12.355 OPERATIONS MANUAL 25

12.360 MANDATORY MATERIAL 26
12.365 FATIGUE MANAGEMENT 26
12.370 TRAINING PROGRAM 27
12.375 AIRCRAFT OPERATING MANUAL 27
12.377 APPROVED FLIGHT MANUAL 28
12.380 STANDARD OPERATING PROCEDURES 28
12.385 MINIMUM EQUIPMENT LIST & CONFIGURATION DEVIATION LIST 29
12.390 PERFORMANCE PLANNING MANUAL 29
12.395 PERFORMANCE DATA CONTROL SYSTEM 29
12.400 AIRCRAFT HANDLING & LOADING MANUAL 29
12.405 MASS & BALANCE DATA CONTROL SYSTEM 30
12.410 CABIN CREW MEMBER MANUAL 30
12.415 PASSENGER BRIEFING CARDS 30
12.420 AERONAUTICAL DATA INFORMATION SYSTEM 30
12.425 ROUTE GUIDE 31
12.427 ELECTRONIC NAVIGATION DATA MANAGEMENT 31
12.430 WEATHER REPORTING SOURCES 31
12.435 DEICING & ANTI-ICING PROGRAM 31
12.440 FLIGHT SUPERVISION & TRACKING SYSTEM 32
12.445 FLIGHT FOLLOWING OR FLIGHT LOCATING SYSTEMS 32
12.447 FUEL MANAGEMENT PROGRAM 32
12.449 OPERATIONAL VARIATIONS BASED ON SAFETY RISK ASSESSMENT 33
12.450 COMMUNICATIONS FACILITIES 33
12.455 ROUTES & AREAS OF OPERATION 34
12.460 NAVIGATIONAL ACCURACY 34
12.465 MINIMUM SAFE ALTITUDES 34
12.470 ERODROME/HELIPORT OPERATING MINIMA 35
12.475 THROUGH 12.520 [RESERVED] 35
SUBPART I: AOC MAINTENANCE REQUIREMENTS 35
12.525 APPLICABILITY 35
12.530 MAINTENANCE RESPONSIBILITY 35
12.535 APPROVAL & ACCEPTANCE OF AOC MAINTENANCE SYSTEMS & PROGRAM 36
12.540 MAINTENANCE CONTROL MANUAL 37
12.542 MANDATORY MATERIAL 37
12.545 MAINTENANCE MANAGEMENT 37
12.550 MAINTENANCE QUALITY ASSURANCE PROGRAM 38
12.555 AIRCRAFT TECHNICAL LOG ENTRIES: AOC HOLDERS 38
12.560 MAINTENANCE RECORDS 38
12.565 RELEASE TO SERVICE OR MAINTENANCE SECTION RECORDS OF THE TECHNICAL LOG

.....39
12.570 MODIFICATION & REPAIRS.....39
12.575 AIRCRAFT MAINTENANCE PROGRAM 40
12.580 MANDATORY AIRWORTHINESS MATERIAL.....41
12.583 CONTINUING AIRWORTHINESS INFORMATION.....41
12.585 AUTHORITY TO PERFORM AND APPROVE MAINTENANCE & MODIFICATIONS.....41
12.590 REQUIRED INSPECTION PERSONNEL.....42
12.595 LICENSE REQUIREMENTS: AOC HOLDER USING EQUIVALENT SYSTEM 42
SUBPART J: OTHER OPERATOR PROGRAMMES.....42
12.610 APPLICABILITY.....42
12.615 FINANCIAL SUBSTANTIATION FOR OPERATIONS.....42
12.620 PREPAREDNESS FOR POSSIBLE COMMUNICATIVE DISEASES.....43
APPENDICES.....44
APPENDIX 1 TO 12.031: AIRCRAFT DISPLAY AIR OPERATOR CERTIFICATE 44
APPENDIX 2 TO 12.031: AIRCRAFT DISPLAY OPERATIONS SPECIFICATIONS 45
APPENDIX 1 TO 12.065: CERTIFICATION OF SINGLE-PILOT AIR TAXIS 47
APPENDIX 2 TO 12.065: NIGHT & IMC OPS: SINGLE-ENGINE TURBINE-POWERED.....47
APPENDIX 3 TO 12.065 NIGHT & IMC OPS: HELICOPTERS IN PERFORMANCE CLASS 3.....50
APPENDIX 1 TO 12.085: ALTERNATE AIRPORT SELECTION 52
APPENDIX 2 TO 12.085: MINIMUM FUEL REQUIREMENTS.....52
APPENDIX 3 TO 12.085: EDTO DIVERSION REQUIREMENTS 52
APPENDIX 1 TO 12.130: REQUIRED MANAGEMENT PERSONNEL 53
APPENDIX 1 TO 12.165: PREPAREDNESS PROGRAM: COMMUNICATIVE DISEASES 54
APPENDIX 1 TO 12.235: CONTENTS OF AN AOC JOURNEY LOG.....58
APPENDIX 2 TO 12.240: CONTENTS OF THE AIRCRAFT TECHNICAL LOG 58
APPENDIX 1 TO 12.315: DRY LEASING OF FOREIGN REGISTERED AIRCRAFT 59
APPENDIX 1 TO 12.320: AIRCRAFT INTERCHANGE.....59
APPENDIX 1 TO 12.325: WET LEASING 60
APPENDIX 1 TO 12.355: OPERATIONS MANUAL 60
APPENDIX 1 TO 12.385: MINIMUM EQUIPMENT LISTS 63
APPENDIX 1 TO 12.415: PASSENGER BRIEFING CARDS 64
APPENDIX 1 TO 12.420: AERONAUTICAL DATA CONTROL SYSTEM 65
APPENDIX 1 TO 12.430: WEATHER REPORTING SOURCES.....65
APPENDIX 1 TO 12.435: DEICING & ANTI-ICING PROGRAM.....66
APPENDIX 1 TO 12.540: CONTENTS OF THE MAINTENANCE CONTROL MANUAL 66
APPENDIX 1 TO 12.550: MAINTENANCE QUALITY ASSURANCE PROGRAM.....68
APPENDIX 1 TO 12.615: INITIAL FINANCIAL SUBSTANTIATION.....68
APPENDIX 2 TO 12.615: PERIODIC FINANCIAL REPORTS 70
APPENDIX 1 TO 12.620: PREPAREDNESS PROGRAM FOR POSSIBLE COMMUNICATIVE

DISEASES.....70

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SUBPART A: GENERAL

12.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Air Operator Certification and Administration) Regulations.

(b) This Part applies to the carriage of passengers, cargo or mail for remuneration or hire by persons whose principal place of business or permanent residence is located in Rwanda.

(c) This Part of these Regulations prescribes requirements for the original certification and continued validity of air operator certificates (AOC) issued by Rwanda.

(d) This Part applies to all persons and organizations that operate aircraft in commercial air transport that do not hold an AOC from another ICAO Contracting State for—

(1) Operations within Rwanda (domestic operations); and/or

(2) International operations.

(e) The Part also applies to—

(1) Persons performing duties for the AOC holder; and

(2) Third parties performing work on behalf of the AOC holder.

(f) Civil Aviation Technical Standards published by the Authority shall also be applicable to air operators and the persons who provide services on their behalf.

12.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part 1 (Appendix 1 to 1.015) of these Regulations.

12.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

AFM – Approved Flight Manual
AMO – Approved Maintenance Organisation
AOC – Air Operator Certificate,
AOM – Aircraft Operating Manual
ATP – Airline Transport Pilot
CDL – Configuration Deviation List
ETDO – Extended Diversion Time Operations
ICAO – International Civil Aviation Organisation
MEL – Minimum Equipment List
MMEL – Master Minimum Equipment List
RFM – Rotorcraft Flight Manual
TVE – Total Vertical Error
UN – United Nations

SUBPART B: AIR OPERATOR CERTIFICATE

12.015 COMPLIANCE WITH AN AIR OPERATOR CERTIFICATE

(a) No operator may operate an aircraft in commercial air transport unless that operator holds an AOC for the operations being conducted.

(b) No person may operate an aircraft in commercial air transport operations that are not authorised by the terms and conditions of its AOC.

(c) The AOC holder shall, at all times, continue in compliance with the AOC terms, conditions of issuance, and maintenance requirements in order to hold that certificate.

(d) The conditions of issuance include all written approvals granted to meet the certification requirements of this Part, including operations specifications, letters of designation, letters of approval and approvals or acceptance of a manual's list of effective pages.

12.020 APPLICATION FOR AN AIR OPERATOR CERTIFICATE

(a) An operator applying to the Authority for an AOC shall submit an application—
  (1) In a form and manner prescribed by the Authority; and
  (2) Containing any information, the Authority requires the applicant to submit.

(b) Each applicant shall make the application for an initial issue of an AOC at least 90 days before the date of intended operation.

(c) An applicant who is requesting to be a Single Pilot Air Taxi shall make application at least 30 days prior to the dated of intended operation.

12.025 ISSUANCE OR DENIAL OF AIR OPERATOR CERTIFICATE

(a) The Authority may issue an AOC if, after investigation, the Authority finds that the applicant—
  (1) Is a citizen of Rwanda;
  (2) Has its principal place of business and its registered office, if any, located in Rwanda;
  (3) Meets the applicable regulations and standards for the holder of an AOC;
  (4) Is properly and adequately equipped for safe operations in commercial air transport and maintenance of the aircraft; and
  (5) Has paid the cost recovery fee required, and
  (6) Holds the economic authority issued by Rwanda under the provisions of the Civil Aviation Act.

(b) The Authority may deny application for an AOC if the Authority finds that—
  (1) The applicant is not properly or adequately equipped or is not able to conduct safe operations in commercial air transport;
  (2) The applicant previously held an AOC which was revoked; or
  (3) An individual that contributed to the circumstances causing the revocation process of an AOC obtains a substantial ownership or is employed in a position required by this Part.

12.030 CONTENTS OF MASTER AIR OPERATOR CERTIFICATE

(a) The master AOC will consist of two documents—
  (1) A one-page certificate for public display signed by the Authority, and
  (2) Multi-page AOC master operations specifications containing the terms and conditions applicable to the AOC holder's certificate.

(b) The Authority will issue an AOC which will contain—
(1) The name and location (main place of business) of the AOC holder;
(2) The date of issue and period of validity for each page issued;
(3) A description of the type of operations authorised;
(4) The type(s) of aircraft(s) authorised for use;
(5) The authorised areas of operations and/or routes; and
(6) Other special authorisations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the operations and maintenance conducted by the AOC holder.

12.031 AIRCRAFT DISPLAY AOC & OPERATIONS SPECIFICATIONS

(a) For each fleet of aircraft type and authorisation, the Authority shall issue the following documents for placement in the flight deck of each aircraft operated by the AOC holder—
(1) A certified true copy of an aircraft display AOC as prescribed by Appendix 1 to 12.031; and
(2) A summarized copy of the operations specifications as prescribed by Appendix 2 to 12.031, detailing key authorisations, conditions and limitations for that fleet of aircraft.

(b) These aircraft display documents shall—
(1) Be worded In English;
(2) Include, at least the minimum contents specified by the ICAO in Annex 6; and
(3) Be formatted to follow the layout specified in the ICAO Annex 6.

(c) The AOC holder shall ensure that these documents are located on the flight deck of their aircraft for all operation in commercial air transport.

(d) The AOC holder and its personnel shall make these documents available upon request to international authorities.

12.035 DURATION OF AN AIR OPERATOR CERTIFICATE

(a) An AOC, or any portion of the AOC, issued by the Authority is effective until—
(1) The Authority amends, suspends, revokes or otherwise terminates the certificate;
(2) The AOC holder surrenders it to the Authority;
(3) The AOC holder suspends operations for more than 60 days, or
(4) Twelve calendar months, whichever comes first.

(b) Notwithstanding paragraph (a)(4) of this Regulation, an AOC may be issued with an validity of up to 24 calendar months provided the qualifying risk assessment conditions prescribed by the Authority for such an issuance have been met.

12.040 AMENDMENT OF AN AIR OPERATOR CERTIFICATE

(a) The Authority may amend any AOC if—
(1) The Authority determines that safety in commercial air transport and the public interest require the amendment; or
(2) The AOC holder applies for an amendment, and the Authority determines that safety in commercial air transport and the public interest allows the amendment.

(b) If the Authority stipulates in writing that an emergency exists requiring immediate amendment in the public interest with respect to safety in commercial air transportation, such an amendment is effective without stay on the date the AOC holder receives notice.

(c) An AOC holder may appeal the amendment, but shall operate in accordance with it, unless it is subsequently withdrawn.

(d) Amendments proposed by the Authority, other than emergency amendments, become effective 30 days after notice to the AOC holder, unless the AOC holder appeals the proposal in writing prior to the effective date. The filing of an appeal stays the effective date until the appeal process is completed.

(e) Amendments proposed by the AOC holder shall be made at least 30 days prior to the intended date of any operation under that amendment.

(f) No person may perform a commercial air transport operation for which an AOC amendment is required, unless it has received notice of the approval from the Authority.

12.045 RENEWAL OF AN AIR OPERATOR CERTIFICATE

(a) Each applicant shall make the application for a renewal of an AOC at least 30 days prior to the date of expiration of their AOC.

(b) An operator applying to the Authority for renewal of an AOC shall submit an application—

(1) In a form and manner prescribed by the Authority; and

(2) Containing any information the Authority requires the applicant to submit.

(c) Prior to renewal, the Authority shall conduct a risk assessment of the AOC holder's continued compliance with the certification standards for an AOC applicable to the type and complexity of the operations and ensure that there are no outstanding safety concerns at the time of renewal.

12.046 THROUGH 12.055 [RESERVED]

SUBPART C: CERTIFICATION

12.060 INITIAL CERTIFICATION REQUIRED

(a) Prior to the issuance of an AOC, the applicant must be originally certificated in accordance with the system of certification used by the Authority.

(b) This system of certification shall require, at a minimum, that no AOC will be issued by the Authority until the applicant has demonstrated that it has an adequate organisation, method of control and supervision of flight operations, training program as well as ground handling and maintenance arrangements consistent with the nature and extent of the operations specified.

12.065 SUBSEQUENT CERTIFICATION REQUIRED

(a) Unless addressed in the initial certification, subsequent requests for the following amendments to AOC operating authority for the following require completion of a full certification process prior to operation—

(1) Adding variant aircraft;

(2) All weather operations, such as Category II and III approaches to the AOC

(3) Critical performance based navigation, e.g., RNP-10 navigation

(4) Critical airspace operations, e.g., MNPS, NORPAC, RVSM, CPDLC, Polar;

(5) Extended diversion time operations (ETDO);

(6) Single-pilot night and IMC operations, as prescribed in Appendix 1 to 12.065;

(7) Single-engine turbine-powered night and IMC operations as prescribed in Appendix 2 to 12.065;

(8) Helicopter operations in Performance Class 3 at night and IMC operations as prescribed in Appendix 3 to 12.065.

(9) Any other complex authorisation that may be prescribed by the Authority.

12.070 DEMONSTRATION FLIGHTS

(a) No person may operate an aircraft type in commercial air transport unless it first conducts satisfactory demonstration flights for the Authority in that aircraft type.

(b) No person may operate an aircraft in a designated special area, or using a specialised navigation system, unless it conducts a satisfactory demonstration flight or validation flight as prescribed by the Authority.

(c) Demonstration flights required by paragraph (a) shall be conducted in accordance with the regulations applicable to the type of operation and aircraft type used.

(d) Notwithstanding the provisions of paragraph (a), the Authority, following an assessment, may not require demonstration flight on the grounds that the special circumstances of a particular case make a literal observance of these provisions unnecessary for safety.

(e) This demonstration flight is not required for Single Pilot or Basic Air Taxi operators who receive their initial proficiency checks from authorised persons designated by the Authority.

12.075 EXTENDED DIVERSION TIME OPERATIONS (EDTO)

(a) No person may conduct EDTO operations unless the Authority has completed a certification process and issued an approval for specific threshold times.

(b) In making this certification evaluation, the Authority shall take into account the route to be flown, the anticipated operating conditions and the location of adequate en-route alternate aerodromes. The approval of these operations will consider—

(1) The airworthiness certification of the aeroplane type;
(2) The reliability of the propulsion system;
(3) The operator's maintenance procedures;
(4) The operator's operating practices;
(5) The operator's flight dispatch procedures; and
(6) The operator's crew training program.

(c) When approving the appropriate maximum diversion time for an operator for a particular aeroplane type engaged in extended diversion time operations, the Authority shall ensure that—

(1) *For all aeroplanes:* the most limiting EDTO significant system time limitation, if any, indicated in the Aeroplane Flight Manual (directly or by reference) and relevant to that particular operation is not exceeded; and
(2) *For aeroplanes with two turbine engines*: the aeroplane is EDTO certified.

(d) The Authority shall, when approving maximum diversion times for aeroplanes with two turbine engines, ensure that the following are taken into account in providing the overall level of safety intended by the provision of Annex 8—

(1) Reliability of the propulsion system;
(2) Airworthiness certification for EDTO of the aeroplane type; and
(3) EDTO maintenance program.

12.077 REDUCED VERTICAL SEPARATION CERTIFICATION

(a) No person may conduct RVSM operations unless the Authority has completed a certification process and issued an approval for the specific aircraft or fleet of aircraft.

(b) In making this certification evaluation, the Authority shall take into account the route to be flown, the anticipated operating conditions and the suitability of the aircraft.

(c) The Authority shall be satisfied that—

(1) The vertical navigation performance capability of the aeroplane satisfies the specified requirements including the altimetry standards prescribed in Appendix 1 to 7.067.

(2) The AOC holder has instituted appropriate procedures in respect of continued airworthiness (maintenance and repair) practices and programs; and

(3) The AOC holder has instituted appropriate flight crew procedures in the operations manual for operations in RVSM airspace.

(d) The Authority shall ensure that, prior to authorising RVSM operations for a specific aeroplane or fleet of aeroplanes, there are adequate provisions for—

(1) Receiving the reports of height keeping performance issued by the monitoring agencies; and

(2) Taking immediate corrective action for individual aircraft, or aircraft type groups, identified in such reports as not complying with the height-keeping requirements for operation in airspace where RVSM is applied.

12.080 DANGEROUS GOODS AWARENESS & C E R T I F I C A T I O N

(a) No person may conduct any commercial air transport operation unless in compliance with the requirements of Part 18 regarding transportation of dangerous goods by air

(b) *Operators not seeking approval for transport dangerous goods by air* shall establish as prescribed by the Authority—

(1) A Dangerous goods training programme that meets the requirements of this Part, Parts 14 and 18 and the Technical Instructions, Part 1, Chapter 4, Table 1-5, as appropriate; and

(2) Dangerous goods policies and procedures in its operations manual to meet, at a minimum, the requirements of Annex 18, the Technical Instructions and the Part 18 of these Regulations to ensure that operator personnel can—

(i) Identify, reject and report undeclared dangerous goods, including COMAT classified as dangerous goods; and

(ii) Report dangerous goods accidents and incidents to the Authority and the appropriate authorities of the State in which the accident or incident occurred.

(c) *Operators seeking approval for transport of dangerous goods by air* shall complete a separate certification process must be completed as prescribed by the Authority to ensure that the operator has demonstrated compliance with the Part 18 safety requirements for carriage of dangerous goods by air, with emphasis on the establishment of—.

(1) A dangerous goods training programme that meets the requirements in the Technical Instructions, Part 1, Chapter 4, Table 1-4 and the requirements of this Part and Parts 14 and 18, as appropriate; and

(2) Dangerous goods policies and procedures in its operations manual to meet, at a minimum, the requirements of Part 18 and the Technical Instructions to enable operator personnel to—

(i) Identify, reject and report undeclared or misdeclared dangerous goods, including COMAT, classified as dangerous goods;

(ii) Report dangerous goods accidents and incidents to the Authority and

the appropriate authorities of the State in which the accident or incident occurred;

(iii) Accept, handle, store, transport, load and unload dangerous goods, including COMAT, classified as dangerous goods as cargo on board an aircraft; and

(iv) Provide the pilot-in-command with accurate and legible written or printed information concerning dangerous goods that are to be carried as cargo.

(d) The AOC holder 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 operational approval and limitations with regard to the transport of dangerous goods.

12.085 OPERATIONAL VARIATIONS BASED ON SAFETY RISK ASSESSMENT

(a) Notwithstanding a specific regulation requirement, the Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve operational variations to the following requirements—

(1) Alternate airport selection;

(2) Minimum fuel requirements;

(3) EDTO diversion requirements;

(b) The operator shall make application for the variation in the form and manner prescribed by the Authority.

Note: See the Appendices 1, 2 and 3 to 12.085 for additional requirements relating the applications for these safety risk variations

12.086 THROUGH 12.095 [RESERVED]

SUBPART D: SURVEILLANCE & REVALIDATION

12.100 CONTINUING VALIDATION OF THE CERTIFICATION BASIS REQUIRED

(a) The AOC holder shall be subject to a continuing system of surveillance administered by the Authority to validate the original certification basis.

(b) The continued validity of an air operator certificate shall depend upon the operator maintaining the requirements for original issuance of the certificate under the supervision of the Authority.

12.105 ACCESS FOR INSPECTION

(a) To determine continued compliance with the applicable regulations, the AOC holder shall—

(1) Grant the Authority access to and co-operation with any of its organisations, facilities and aircraft;

(2) Ensure that the Authority is granted access to and co-operation with any organisation or facilities that it has contracted for services associated with commercial air transport operations and maintenance for services; and

(3) Grant the Authority free and uninterrupted access to the flight deck of the aircraft during flight operations.

(b) The AOC holder shall provide to the Authority a forward observer's position on each of the AOC holder's aircraft from which the flight crew's actions and conversations may be easily observed.

(c) The suitability of the seat location and the ability to monitor crew member actions, conversations and radio communications is determined by the Authority.

(d) The forward observer's position (seat, oxygen mask and interphone system) shall be operational at all times. In the event that the seat is determined not to be operational by the Authority, the AOC holder will—

(1) Provide a seat in the cabin for the Authority, and

(2) Make the necessary repairs to the forward observer's position within three days.

12.110 CONDUCTING TESTS & INSPECTIONS

(a) The Authority will conduct on-going validation of the AOC holder's continued eligibility to hold its AOC and associated approvals.

(b) The AOC holder shall allow the Authority to conduct tests and inspections, at any time or place, to determine whether an AOC holder is complying with the applicable laws, regulations and AOC terms and conditions.

(c) The AOC holder shall make available at its principal base of operations—

(1) All portions of its current Air Operator Certificate;

(2) All portions of its Operations and Maintenance Manuals; and

(3) A current listing that includes the location and individual(s) responsible for each record, document and report required to be kept by the AOC holder under the applicable aviation law, regulations or standards.

(d) The Single Pilot AOC holder shall make its records available to the Authority upon request, either in at the offices of the Authority or another location stipulated by the Authority.

(e) Failure by any AOC holder to make available to the Authority upon request, all portions of the AOC, Operations and Maintenance Manuals and any required record, document or report is grounds for suspension of all or part of the AOC.

12.115 THROUGH 12.125 [RESERVED]

SUBPART E: AOC ADMINISTRATION

12.130 REQUIRED MANAGEMENT PERSONNEL

(a) The AOC holder shall have an accountable manager, acceptable to the Authority, who has corporate authority for ensuring that all flight operations and maintenance activities can be financed and carried out to the highest degree of safety standards required by the Authority.

(b) When conducting commercial air transport operations, the AOC holder shall have assigned senior management persons, acceptable to the Authority, who are responsible for management and supervision of the following areas—

(1) Flight operations;

(2) The maintenance system;

(3) Crew training,

(4) Ground operations; and

(5) Safety management,

(6) Quality Assurance;

(7) Cabin crew.

(c) These persons shall have proven competency in civil aviation and be available and serving in their positions during operations of the AOC holder.

Note: See Appendix 1 to 12.130 for additional management personnel requirements.

(d) A Single Pilot Air Taxi operator is only required to have an accountable manager acceptable to the Authority.

(e) The Authority may approve positions or numbers of positions, other than those listed, if the AOC holder is able to show that it can perform the operation with the highest degree of safety under the direction of fewer or different categories of management personnel due to the—

(1) The kind of operations involved;
(2) The number of aircraft used; and
(3) The area of operation.

(f) The individuals who serve in the positions required or approved under this Regulation and anyone in a position to exercise control over operations conducted under the AOC must—

(1) Be qualified through training, experience, and expertise;
(2) Discharge their duties to meet applicable legal requirements and to maintain safe operations; and
(3) To the extent of their responsibilities, have a full understanding of the following materials with respect of the operator's operation—
(i) Aviation safety standards and safe operating practices;
(ii) These Regulations;
(iii) The operator's operations specifications;
(iv) All appropriate maintenance and airworthiness requirements of this Part;
(v) The manuals requirements of this Part.

(g) Each operator shall—

(1) State in the general policy provisions of the operations manual the duties, responsibilities and authority of personnel required by this Regulation;
(2) List in the operations manual the names and business addresses of the individuals assigned to those positions; and
(3) Notify the Authority within 10 days of any change in personnel or any vacancy in any position listed.

1.135 BASE OF OPERATIONS

(a) The AOC holder that is not authorised to conduct maintenance under its AOC certificate shall maintain a principal base of operations

(b) The AOC holder that is authorised to conduct maintenance under its AOC certificate shall maintain a principal base of operations and maintenance.

(c) An AOC holder may establish a main operations base and a main maintenance base at the same location or at separate locations.

(d) The AOC holder shall provide written notification of intent to the Authority at least 30 days before it proposes to establish or change the location of either base.

(e) A Single Pilot Air Taxi operator is not required to have an operations or maintenance base, but must identify the location and person assigned to retain its required records, and provide free and interrupted access to those records.

12.140 FACILITIES

(a) Each operator shall maintain operational and airworthiness support facilities at the main operating base, appropriate for the area and type of operation.

(b) The AOC holder shall arrange appropriate ground handling facilities at each airport used to ensure the safe servicing and loading of its flights.

(c) The Single Pilot or Basic Air Taxi operator is not required to maintain support facilities or personnel, but must be present at the aircraft when support activities are being provided.

12.145 INTEGRATED FLIGHT SAFETY DOCUMENTS SYSTEM

(a) The AOC holder shall maintain a flight safety documents system that provides consistent policy and procedures to its personnel through an integrated manual system to ensure the highest degree of safety in the operations of the airline.

(b) Each manual required by this Part must—

(1) Include instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety;

(2) Be in a form that is easy to revise and contains a system which allows personnel to determine the current revision status of each manual;

(3) Have a date of the last revision on each page concerned;

(4) Not be contrary to any applicable regulation and the AOC holder's operations specifications; and

(5) Include specific regulatory references in the text to indicate where regulation text has been inserted or paraphrased to provide operator policy.

(c) No person may cause the use of any policy and procedure for flight operations or airworthiness function prior to coordination with the Authority.

(d) The AOC holder shall submit the proposed policy or procedure to the Authority at least 30 days prior to the date of intended implementation.

12.147 PERFORMANCE OF WORK BY THIRD PARTIES

(a) No AOC holder may have a third party perform work on their behalf unless that third party has been provided with the AOC holder's policies and procedures for the performance of that work.

(b) Third parties performing work on behalf of the AOC holder shall use the policies and procedures of the AOC holder to perform that work.

(c) The AOC holder shall include audits of the work performed by third parties in their quality assurance program to ensure that the work performed was accomplished in accordance with the AOC holder's policies and procedures.

12.150 OPERATIONS SCHEDULES

(a) In establishing flight operations schedules, The AOC holder conducting scheduled operations shall allow enough time for the proper servicing of aircraft at intermediate stops, and shall consider the prevailing winds en route and cruising speed for the type of aircraft. This cruising speed may not be more than that resulting from the specified cruising output of the engines.

12.153 SAFETY MANAGEMENT SYSTEM

(a) The AOC holder shall have a safety management system acceptable to the Authority which implements requirements and framework specified in Part 30.

(b) The AOC holder's safety management system shall clearly define lines of safety accountability throughout the operator's organisation, including a direct accountability for safety on the part of senior management.

(c) The AOC holder's safety management system shall include accident prevention responsibilities that include—

(1) Administration of a methodology for reporting, both anonymous or identifiable, and correction of possible safety issues and providing feedback to the operations personnel.

(2) Evaluation of adverse trends or patterns within the industry and the AOC holder;

(3) Conduct of safety briefings; and

(4) Issuance of Operations Bulletins regarding safety and standardisation matters.

(d) The AOC holder shall establish and maintain a flight data analysis program as a part of its safety management system if it operates aeroplanes with a certificated take-off mass in excess of 20,000 kg or helicopters in excess of 7000 kg and/or more than 9 passengers when fitted with a flight recorder.

(1) A flight data analysis program shall be non-punitive and contain adequate safeguards to protect the source(s) of the data

(2) An AOC holder may contract the operation of a flight analysis program to another party while retaining overall responsibility for the maintenance of such a program.

(3) The aircraft operator shall report to the Authority monthly on the fleet operation under issued AOC.

(4) The records generated by the flight data program shall be restricted to uses identified in Regulation 6.165(h) and Appendix 1 to 6.165(h).

(e) An AOC holder shall, as part of its safety management system—

(1) Establish a flight safety documents system, for the use and guidance of operational and maintenance personnel, as part of its safety management system.

(2) Assess the level of rescue and firefighting service (RFFS) protection available at any aerodrome intended to be specified in the operational flight plan in order to ensure that an acceptable level of protection is available for the aeroplane intended to be used.

12.155 QUALITY ASSURANCE PROGRAM

(a) The AOC holder shall establish a quality assurance programme as a part of its SMS programme and designate technically qualified auditor(s) who will monitor compliance with, and adequacy of, procedures required to ensure safe operational practices and airworthy aircraft. Compliance monitoring shall include a feedback system to the accountable manager to ensure corrective action as necessary.

(b) The AOC holder shall describe the quality assurance program in relevant documentation.

(c) The AOC holder shall ensure that the quality assurance program that contains procedures designed to verify that all operations are being conducted in accordance with all applicable requirements, standards and procedures.

(d) The quality assurance program, relevant documentation and quality assurance manager shall be acceptable to the Authority.

(e) Notwithstanding (a) above, the Authority may accept the nomination of two quality assurance audit persons, one for operations and one for maintenance.

(f) The Air Taxi AOC holder is not required to establish a quality assurance program, but must submit to inspections by authorised persons designated by the Authority.

12.159 GROUND HANDLING ARRANGEMENTS

(a) The AOC holder shall have an organizational structure acceptable to the Authority which includes the responsibilities and authority for the management of all ground handling functions, including—
   (1) Ramp operations;
   (2) Passenger services;
   (3) Baggage services;
   (4) Cabin services;
   (5) Weight and balance control;
   (6) Ground support equipment; and
   (7) Fuel services.

(b) In addition to the aircraft type-specific manuals, AOC holder shall have an Aircraft Handling manual acceptable to the Authority which includes, for all ground handling operations—
   (1) Handling processes, procedures and practices;
   (2) Training program requirements; and
   (3) Subcontracting policies.

(c) The AOC holder shall have processes acceptable to the Authority for continuously ensuring the proper and adequate ground handling for their aircraft when all or part of the functions and tasks related to ground handling services have been contracted to a service provider.

(d) The AOC holder shall provide to the Authority a current and acceptable list of the service providers and the functions they have been contracted to perform on behalf of the AOC holder sorted by airport location.

12.160 SECURITY PROGRAM

(a) The AOC holder shall have a security program to ensure that—
   (1) All appropriate personnel are familiar, and comply with, the relevant requirements of the national security programs of the State of the Operator.
   (2) These personnel are able to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimize the consequences of such events should they occur.
   (3) A report of unlawful inference with a crew member is made, without delay, to the designated local authority and the Authority.

Stowage of Weapons

(b) If any weapons are removed from the passengers or accepted for such carriage, there shall be a procedure in the Operations Manual regarding the proper method to stow such weapons in a place so that they are inaccessible to any person during flight time.

Security Training for Appropriate Employees

(c) The AOC holder 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.

Security Training for Crew Members

(d) The AOC holder 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.

Note: The minimum requirements for this security programme are specified in Part 14.

Aircraft Search Procedures Checklist

(e) The AOC holder shall ensure that there is on board a checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage and for inspecting aircraft for concealed weapons, explosives or other dangerous devices when a well-founded suspicion exists that the aircraft may be the object of an act of unlawful interference.

(f) The checklist shall be supported by guidance on the—

(1) Appropriate course of action to be taken should a bomb or suspicious object be found; and

(2) Information on the least-risk bomb location specific to the aircraft.

12.165 PREPAREDNESS FOR POSSIBLE COMMUNICATIVE DISEASES

(a) The AOC holder conducting international operations shall establish and maintain a program of preparedness for identification and processing passengers with possible communicative diseases that contain at least the elements specified in Appendix 1 to 12.165.

12.170 THROUGH 12.185 [RESERVED]

SUBPART F: AOC HOLDER RECORDS

12.190 APPLICABILITY

(a) This Subpart outlines the primary records requirements associated with AOC holders and the international standards. The records of this Subpart are not all-inclusive of the forms and records that are required by other applicable Regulations for the intended operations.

(b) All records in this Subpart should conform to any content and retention requirement prescribed by the Authority and must be acceptable to the Authority prior to use.

12.195 RECORD COMPLETION REQUIREMENTS

(a) The AOC holder shall ensure that all records required to be completed under this Subpart are completed—

(1) *For qualification or airworthiness*, prior to the use of the person, aircraft or component in commercial air transport operations.

(2) *For all other records*, as the necessary information is provided to the person designated to complete the record.

(b) The AOC holder shall ensure that its procedures for providing information to the persons designated to complete a specific record are provided in a timely way so that the record is continuously up-dated and available for consideration for the planning and conduct of commercial air transport operations.

(c) The person(s) designated to complete a specific record shall be given that designation in writing and provided training and written policy guidance for the completion of the document with respect to timing and accuracy.

(d) Each person designated to complete and/or sign a record required under this Subpart shall make the required entries accurately and in a timely manner so that the record used for planning and conduct of commercial air transport reflects the true situation at the time of use.

(e) Each record required for AOC holder operations and maintenance purposes shall be completed in ink or indelible pen, unless otherwise approved by the Authority.

12.200 RETENTION & MAINTENANCE OF RECORDS

(a) The AOC holder shall retain the records that are required for the minimum times specified in this Part and summarised in Appendix 1 to 12.200.

(b) The AOC holder shall maintain current records which detail the qualifications and training of all its employees, and contract employees, involved in the operational control, flight operations, ground operations and maintenance of the air operator.

(c) The AOC holder shall maintain records for those employees performing crew member or operational control duties in sufficient detail to determine whether the employee meets the experience and qualification for duties in commercial air transport operations.

(d) This record, its contents, layout and the procedures for its use shall be approved by the Authority prior to its use in commercial air transport.

(e) This record shall be identifiable to the AOC holder and the specific individual.

(f) This record shall be retained by the AOC holder in safe custody for at least six months after the individual no longer employed by the AOC holder.

(g) The Authority will also consider approval of a computer-based method for keeping any portion of this information. Without this approval, any such computer records used by the AOC holder shall be secondary to the approved method in priority of updating and usage at the operational level.

12.205 MAINTENANCE PERSONNEL QUALIFICATION & CURRENCY RECORDS

(a) The AOC holder authorised to conduct maintenance shall have a record of the maintenance person's qualification and currency that includes confirmation that these persons are current and qualified as required by relevant requirements of these Regulations.

12.210 LOAD CONTROLLER QUALIFICATION & CURRENCY RECORDS

(a) The AOC holder shall have a record of the load controller's qualification and currency that includes confirmation that these persons are current and qualified as required by relevant requirements of these Regulations.

12.215 FLIGHT CREW QUALIFICATION & CURRENCY RECORDS

(a) The AOC holder shall have a record of the flight crew member's qualification and currency that these persons are current and qualified as required by relevant requirements of these Regulations.

(b) Each flight crew member shall be provided a current summary record showing their completion of initial and recurrent qualification requirements.

12.220 CABIN CREW QUALIFICATION & CURRENCY RECORDS

(a) The AOC holder shall maintain a record of the cabin crew member's qualification and currency that includes confirmation that these persons are current and qualified as required by relevant requirements of these Regulations.

(b) Each cabin crew member shall be provided a current summary record showing their completion of initial and recurrent qualification requirements.

12.225 CREW DUTY & FLIGHT TIME RECORDS

(a) The AOC holder shall have a record of the flight and cabin crew members' assigned and actual duty and flight time and minimum rest periods with respect to all Part 15

requirements for these crew members.

12.227 COSMIC RADIATION DOSE RECORDS

(a) The AOC holder shall maintain records which would allow the total cosmic radiation dose received by their crew members over the previous 12 calendar months to be determined.

12.230 OPERATIONAL CONTROL PERSONNEL QUALIFICATION RECORDS

(a) The AOC holder shall have a record of the qualification of its operational control personnel with respect to Parts 14 and 16 requirements for these persons.

12.235 AIRCRAFT JOURNEY LOG

(a) The AOC holder shall maintain, on each aircraft, an aircraft journey log that contains the record of all flights made by that aircraft

(b) This log, its contents, layout and procedures for its use shall be approved by the Authority prior to its use in commercial air transport.

Note: Refer to Appendix 1 to 12.235 for the prescribed contents of the AOC Journey Logbook.

(c) Each page shall be identifiable to the AOC holder, separately numbered with a unique number and shall be arranged chronologically in a bound document.

(d) This uniquely numbered, bound document will be assigned to a specific aircraft operated by the AOC holder until all pages are used.

(e) This document shall be retained by the AOC in safe custody for at least six months after the last date of the records contained in it.

(f) If the AOC holder desires to use a different methodology, it must submit the forms and procedures to the Authority for technical evaluation and approval, prior to use of the different methodology in commercial air transport.

12.240 AIRCRAFT SERVICE & MAINTENANCE RECORDS

(a) The AOC holder shall maintain, on each aircraft, an aircraft technical log that contains the record of all servicing of fuel and oil, defects, trend monitoring and maintenance tasks and tests on that aircraft during the course of its operations.

(b) This log, its contents, layout and the procedures for its use shall be approved by the Authority prior to its use in commercial air transport.

Note: Refer to Appendix 1 to 12.240 for the prescribed contents of the Aircraft Technical Logbook.

(c) Each page shall be identifiable to the AOC holder, separately numbered with a unique number and shall be arranged chronologically in a bound document.

(d) Each numbered page shall be provided in triplicate; a white original page, a light pink, carbonless, detachable page and a light yellow, carbonless, detachable page.

(e) This uniquely numbered, bound document will be assigned to a specific aircraft operated by the AOC holder until all pages are used.

(f) This document shall be retained by the AOC holder in safe custody as long as the aircraft is operated, or for three months, whichever is longer.

(g) If the AOC holder desires to use a different methodology, it must submit the forms and procedures to the Authority for technical evaluation and approval, prior to use of the different methodology in commercial air transport.

12.241 FUEL & OIL RECORDS

(a) An AOC holder shall maintain fuel records to substantiate that, for each flight, the related requirements for fuel supply and adequate servicing have been met.

(b) If the AOC holder does not use the Aircraft Technical Log as the primarily record keeping method, the actual method to be used must be approved separately by the Authority.

(c) An AOC holder shall maintain oil records to substantiate that, for each flight, is continuously ascertaining that trends for oil consumption are such that an aeroplane has sufficient oil to complete each flight.

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

12.242 DEFERRED DEFECTS SUMMARY

(a) The AOC holder shall have on each aircraft, a log of the deferred defects for that aircraft that is attached to or aligned with the Aircraft Technical Log.

(b) This log may be included in the printed Aircraft Technical Log or attached in some manner to the cover of that log and will include the information prescribed by the Authority.

(c) This document shall be retained by the AOC holder in safe custody as long as the aircraft is operated.

12.245 AIRCRAFT INSPECTION & CONDITION SUMMARY RECORD

(a) The AOC holder shall cause to be carried on each aircraft operated, a summary record of that aircraft's airframe, engine, propellers, components and equipment current maintenance and condition with respect to—

(1) Required inspections;

(2) Required replacement times; and

(3) Airworthiness Directive compliance.

(b) This record will be in form and manner acceptable to the Authority.

12.250 LOAD & PERFORMANCE PLANNING R E C O R D S

(a) The AOC holder shall have an aircraft-specific load manifest to summarise the mass and balance and performance calculations for each flight in commercial air transport.

(b) This manifest, its contents, layout and the procedures for its use shall be approved by the Authority prior to its use in commercial air transport.

(c) Each page shall be identifiable to the AOC holder, separately numbered with a unique number and shall be arranged chronologically in a bound document.

(d) Each numbered page shall be provided in duplicate; a white original page and a light yellow, carbonless, detachable page.

(e) This uniquely numbered, bound document will be assigned to a specific aircraft operated by the AOC holder until all pages are used.

(f) This document, and the supporting passenger information and cargo waybills, shall be retained by the AOC holder in safe custody for at least three months

(g) If the AOC holder desires to use a different methodology, it must submit the forms and procedures to the Authority for technical evaluation and approval, prior to use of the different methodology in commercial air transport.

12.255 OPERATIONAL FLIGHT PLANNING RECORDS

(a) The AOC holder shall have an operational flight planning document to record the planned route information, minimum fuel calculations, applicable weather conditions and NOTAMS and alternate airport selections for each flight in commercial air transport.

(b) This operational flight planning document, its contents, layout and the procedures for its use shall be approved by the Authority prior to its use in commercial air transport.

(c) Each page shall be identifiable to the AOC holder, separately numbered with a unique number and shall be arranged chronologically in a bound document.

(d) Each numbered page shall be provided in duplicate; a white original page and a light green, carbonless, detachable page.

(e) This uniquely numbered, bound document will be assigned to a specific aircraft operated by the AOC holder until all pages are used.

(f) This document, and the supporting documents, shall be retained by the AOC holder in safe custody for at least three months.

(g) If the AOC holder desires to use a different methodology, it must submit the forms and procedures to the Authority for technical evaluation and approval, prior to use of the different methodology in commercial air transport.

12.260 AIRCRAFT-SPECIFIC EMERGENCY & SURVIVAL EQUIPMENT RECORDS

(a) The AOC holder shall at all times have available for immediate communication to rescue co-ordination centres, lists containing information on the emergency and survival equipment carried on board any of their aircraft engaged in commercial air transport.

(b) This information shall include, as applicable, the—

(1) Number, colour and type of life rafts and pyrotechnics,

(2) Details of emergency medical supplies,

(3) Water supplies and

(4) Type and frequencies of the emergency portable radio equipment.

12.265 FLIGHT DECK VOICE & FLIGHT DATA RECORDER RECORDS

(a) The AOC holder which operates aircraft required to have the flight voice and data recorders installed shall—

(1) Conduct operational checks and evaluations of flight recorder recordings to ensure the continued serviceability of the recorders;

(2) Retain the most recent flight data recorder calibration, including the recording medium from which this calibration is derived; and

(3) Retain the flight data recorder correlation for one aircraft of any group of aircraft operated by the AOC holder—

(i) That are of the same type;

(ii) On which the model flight recorder and its installation are the same; and

(iii) On which there is no difference in type design with respect to the original installation of instruments associated with the recorder.

(b) In the event that the aircraft becomes involved in an accident or occurrence requiring immediate notification of the Authority, the AOC holder shall remove and keep recorded information from the flight deck voice recorder and flight data recorder in safe custody pending their disposition as determined by the Authority.

12.270 THROUGH 12.290 [RESERVED]

SUBPART G: AIRCRAFT

12.295 APPLICABILITY

(a) This Subpart provides those certification requirements that apply to inclusion of aircraft type-specific fleets or individual aircraft in the AOC.

12.300 AUTHORISED AIRCRAFT

(a) No person may operate an aircraft in commercial air transport unless that aircraft has an appropriate current airworthiness certificate, is in an airworthy condition, and meets the applicable airworthiness requirements for these operations, including those related to identification and equipment.

(b) No person may operate any specific type of aircraft in commercial air transport until it has completed satisfactory initial certification, which includes the issuance of an AOC amendment listing that type of aircraft.

(c) No person may operate additional or replacement aircraft of a type for which it is currently authorised unless it can show that each aircraft has completed an evaluation process for inclusion in the AOC holder's fleet.

12.305 EMERGENCY EVACUATION DEMONSTRATION

(a) No person may use an aircraft type and model in commercial air transport passenger-carrying operations unless there is acceptable evidence that actual full capacity emergency evacuation was successfully demonstrated in 90 seconds or less.

(b) If a full capacity demonstration is not required, an operator may operate an aircraft type and model in commercial air transport passenger-carrying operations only after it has first demonstrated to the Authority that its available personnel, procedures and equipment could provide sufficient open exits for evacuation in 15 seconds or less.

(c) The emergency evacuation demonstration shall include an assessment of the adequacy of aircraft emergency procedures, crew member emergency evacuation training and emergency equipment.

(d) This demonstration is not required for aircraft configured for 19 or less passengers unless the Authority determines that there is an operational need for this evaluation.

12.310 DITCHING DEMONSTRATION

(a) No person may use a land plane in overwater operations unless they have—

(1) *For airplanes configured for 20 or more passengers,* first demonstrated to the Authority that person has the ability and equipment to enable the flight and cabin crews to efficiently carry out their ditching procedures.

(2) *For airplanes configured for 19 or less passengers,* provided ditching procedures and training approved by the Authority and the required serviceable equipment for such eventually is located in readily accessible locations.

12.313 DRY LEASING OF AIRCRAFT

(a) An AOC holder may be approved by the Authority to dry lease an aircraft for the purpose of commercial air transportation provided that the following conditions are met—

(1) The AOC holder provides the Authority with a copy of the dry lease agreement to be executed;

(2) The AOC holder has operational control of the aircraft during the period of the lease;
(3) Dispatch and/or flight watch functions are performed by the AOC holder;
(4) The flight and cabin crew members are trained, qualified and scheduled by the AOC holder; and
(5) The maintenance arrangements are acceptable to the Authority.

(b) The dry lease agreement shall be explicit concerning the—
(1) Entity that has operational control, with the authority for initiating and teminating flights;
(2) Responsibility for crew training, qualification and scheduling;
(3) Maintenance and servicing of aircraft, including the Maintenance program that will used;
(4) Minimum Equipment List that will be used;

12.315 DRY LEASING OF FOREIGN REGISTERED AIRCRAFT

(a) An AOC holder may be approved by the Authority to dry-lease a foreign-registered aircraft for commercial air transport in accordance with the requirements of this Regulation and Regulation 12.313.

(b) To be eligible for dry lease the foreign registered aircraft shall—
(1) Have an appropriate airworthiness certificate issued, in accordance with ICAO Annex 8, by the country of registration and meets the registration and identification requirements of that country.
(2) Be of a type design which complies with all of the requirements that would be applicable to that aircraft were it registered in Rwanda, including the requirements which shall be met for issuance of a Rwanda standard airworthiness certificate (including type design conformity, condition for safe operation, and the noise, fuel venting, and engine emission requirements).
(3) Be maintained according to a maintenance program approved by the State of Registry and acceptable to the Authority.
(4) Be operated by qualified crew members employed by the AOC holder.

(c) No AOC holder may be approved to operate a foreign registered aircraft unless—
(1) The Authority has determined the extent of the State of Registry's arrangements for continuing airworthiness and find that these arrangements are adequate for the type of operation;
(2) The Authority will have free and uninterrupted access, both in Rwanda and at any international location—
(i) To the aircraft on the ramp and during flight time,
(ii) The maintenance and operations facilities,
(iii) The maintenance and operations personnel,
(iv) The training facilities and simulators used
(v) The aircraft must be operated in accordance with the regulations applicable to Rwanda AOC holders, and
(vi) The maintenance arrangements must result in the aircraft always being in compliance with the State of Registry requirements and the maintenance requirements applicable to Rwanda AOC holders.

(d) The Authority will consider, upon request, a continuing airworthiness agreement between the Authority and the State of Registry under Article 83 *bis* of the Convention on International Civil Aviation if that State will agree to transfer the necessary powers so that the—
(1) Airworthiness regulations of Rwanda applicable to AOC holders are in force, and
(2) Agreement acknowledges that the Authority shall have free and uninterrupted access to the aircraft at any place and any time.

See Appendix 1 to 12.315 for additional requirements for dry leasing of foreign-registered aircraft.

12.320 AIRCRAFT INTERCHANGE

(a) No person may interchange aircraft with another AOC holder without the approval of the Authority.

See Appendix 1 to 12.320 for requirements pertaining to aircraft interchange agreements approved by the Authority.

12.325 WET-LEASING

(a) No person may conduct wet-lease operations on behalf of another air operator except in accordance with the applicable laws and regulations of the country in which the operation occurs and the restrictions imposed by the Authority.

(b) No person may allow another entity or air operator to conduct wet-lease operations on its behalf unless—

(1) That air operator holds an AOC or its equivalent from a Contracting State that authorises those operations; and

(2) The AOC holder advises the Authority of such operations and provides a copy of the AOC under which the operation was conducted.

(c) The AOC holder proposing to engage in a wet leasing arrangement shall provide the following information to the Authority—

(1) A copy of the wet lease to be executed;

(2) The names of the parties to the agreement and the duration of the agreement;

(3) The make, model, and series of each aircraft involved in the agreement;

(4) The kind of operation;

(5) The expiration date of the lease agreement;

(6) A statement specifying the party deemed to have operational control; and

(7) Any other item, condition, or limitation the Authority determines necessary.

(d) The wet lease agreement shall be explicit concerning the—

(1) Entity that has operational control, with the authority for initiating and terminating flights;

(2) Responsibility for crew training, qualification and scheduling;

(3) Maintenance and servicing of aircraft, including the Maintenance program that will used;

(4) Minimum Equipment List that will be used;

See Appendix 1 to 12.325 for additional requirements when wet leasing aircraft.

12.330 THROUGH 12.345 [RESERVED]

SUBPART H: AOC FLIGHT OPERATIONS MANAGEMENT

12.350 APPLICABILITY

(a) This Subpart provides those certification requirements that apply to management of flight operations personnel and their functions.

12.355 OPERATIONS MANUAL

(a) The AOC holder shall prepare and keep current for the operations personnel concerned, an Operations Manual acceptable to and approved by the Authority.

(b) This manual shall be amended or revised as is necessary to ensure that the information contained therein is kept up-to-date.

(c) The AOC holder shall issue the Operations Manual, or pertinent portions, together with all amendments and revisions to all personnel that are required to use it.

(d) The Operations Manual shall contain the overall (general) company policies and procedures regarding the operations conducted by the AOC holder.

(e) The AOC holder shall ensure that the contents of the Operations Manual include at least those subjects designated by the Authority that are applicable to the AOC holder's operations, including any additional materials made mandatory by the Authority.

(f) The AOC holder shall issue the Operations Manual, or pertinent portions, together with all amendments and revisions to all personnel that are required to use it.

(g) The operations manual may be published in parts, as a single document, or as a series of volumes.

(h) The AOC holder shall ensure that the contents of the Operations Manual include at least those subjects designated by the Authority that are applicable to the AOC holder's operations, including any additional materials made mandatory by the Authority. Expanded requirements for the contents of the Operations Manual(s) are prescribed in Appendix 1 to 12.355.

(i) The Single Pilot Air Taxi operator is not required to provide all contents of an Operations Manual, but must carry operations and maintenance information and completed forms prescribed by the Authority in the aircraft during commercial air transport flights.

12.360 MANDATORY MATERIAL

(a) Upon receipt of material the Authority prescribes as mandatory for inclusion in any portion of the Operations Manual, the AOC holder shall make the necessary amendments as soon as reasonably possible.

12.365 FATIGUE MANAGEMENT

(a) The prescriptive requirements for the purpose of managing fatigue are provided in Part 15. These requirements are based on historical principles and knowledge to ensure that flight and cabin crew members are performing at an adequate level of alertness.

(b) The operator must, for the purposes of managing its fatigue-related safety risks in its operation, have approved in its operations manual—

(1) Flight time, flight duty period, duty period and rest period limitations that are within the prescriptive fatigue management requirements detailed in Part 15; or

(2) A Fatigue Risk Management System (FRMS) in for all operations; or

(3) An FRMS in compliance with the requirements of paragraph (b)(1) for part of its operations and the requirements of paragraph (e) for the remainder of its operations.

(c) Where the operator adopts prescriptive fatigue management requirements for part or all of its operations, the Authority may approve, in exceptional circumstances, variations to these regulations on the basis of a risk assessment provided by the operator. To be eligible for that approval, the proposed variations shall provide a level of safety equivalent to, or better than, that achieved through the prescriptive fatigue management regulations.

(d) The Authority may approve an operator's FRMS to take the place of any or all of the prescriptive fatigue management regulations. To be eligible for that approval, a proposed FRMS shall provide a level of safety equivalent to, or better than, the prescriptive fatigue management regulations.

(e) The operator's FRMS shall establish a process to ensure that an FRMS provides a level of safety equivalent to, or better than, the prescriptive fatigue management regulations. As part of this process, the Authority shall—

(1) Require that the operator establish maximum values for flight times and/or flight duty

periods(s) and duty period(s), and minimum values for rest periods. These values shall be based upon scientific principles and knowledge, subject to safety assurance processes, and acceptable to the Authority;

(2) Mandate a decrease in maximum values and an increase in minimum values in the event that the operator's data indicates these values are too high or too low, respectively; and

(3) Approve any increase in maximum values or decrease in minimum values only after evaluating the operator's justification for such changes, based on accumulated FRMS experience and fatigue-related data.

(f) To be eligible for approval by the Authority, the operator's FRMS to manage fatigue-related safety risks shall, as a minimum—

(1) Incorporate scientific principles and knowledge within the FRMS;

(2) Identify fatigue-related safety hazards and the resulting risks on an ongoing basis;

(3) Ensure that remedial actions, necessary to effectively mitigate the risks associated with the hazards, are implemented promptly;

(4) Provide for continuous monitoring and regular assessment of the mitigation of fatigue risks achieved by such actions; and

(5) Provide for continuous improvement to the overall performance of the FRMS.

(g) An FRMS approved by the Authority must be integrated with the operator's SMS.

12.370 TRAINING PROGRAM

(a) The AOC holder shall ensure that all operations personnel are properly instructed in their duties and responsibilities and the relationship of such duties to the operation as a whole.

(b) The AOC holder shall establish and maintain a ground and flight training program, approved by the Authority, which ensures that all crew members and dispatchers are adequately trained to perform their assigned duties. The specific requirements of these programmes are contained in Part 14 and the program shall include upset prevention and recovery training.

(c) The AOC holder shall have a training program manual approved by the Authority containing the general training, checking, and record keeping policies.

(d) The AOC holder shall have approval of the Authority prior to using a training curriculum for the purpose of qualifying a crew member, or person performing operational control functions, for duties in commercial air transport, including—

(1) The contents and elements of the training that must be completed;

(2) The ground and flight training facilities where the training may be conducted;

(3) The proper qualification of instructors to conduct the training.

(e) The AOC holder shall submit to the Authority any revision to an approved training program, and shall receive written approval from the Authority before that revision can be used.

(f) The Air Taxi AOC holder is required to conform to the training program approved by the Authority and receive the proficiency and route checks from authorised persons designated by the Authority.

12.375 AIRCRAFT OPERATING MANUAL

(a) The AOC holder or applicant shall submit proposed aircraft operating manuals for each type and variant of aircraft operated, containing the normal, abnormal and emergency procedures relating to the operation of the aircraft for approval by the Authority.

(b) Each Aircraft Operating Manual shall be based upon the aircraft manufacturer's data for the specific aircraft type and variant operated by the AOC holder and shall include specific operating parameters, details of the aircraft systems, and of the check lists to be used applicable to the operations of the AOC that are approved by the Authority.

(c) The design of the manual shall observe human factors principles.

(d) The Aircraft Operating Manual shall be issued to the flight crew members and persons assigned operational control functions to each aircraft operated by the AOC.

(e) The Air Taxi AOC holder may use a current copy of the manufacturers pilot's operating handbook acceptable to the Authority that must be carried on the aircraft.

12.377 APPROVED FLIGHT MANUAL

(a) The AOC holder shall update the aircraft's AFM or RFM as necessary to implement changes made mandatory by the State of Registry.

(b) The AOC holder shall update their Aircraft Operating Manual (AOM) when any AFM or RFM revision affects information also contained in the AOM.

12.380 STANDARD OPERATING PROCEDURES

(a) The AOC holder shall establish, and keep current, standard operating procedures (SOPs) appropriate to the type and variant of aircraft provide guidance to flight operational personnel for the safe operation of the aircraft.

(b) The AOC holder shall establish, and keep current, as an integral part of its SOPs—

(1) Aircraft-specific expanded checklists;

(2) Aircraft-specific condensed checklists

(3) Aircraft-specific operational profiles for maneuvers;

(4) Standard crew briefings; and

(5) Standard call-outs and responses.

(c) The AOC holder shall not allow the use of SOPs and checklists described in paragraph (b) of this Regulation unless these documents have been approved by the Authority.

(d) The AOC holder shall ensure that approved SOPs and checklist procedures include each item necessary for flight crew members to check for safety before starting engines, taking off, or landing, and for engine and systems abnormalities and emergencies.

(e) The AOC holder shall ensure that the SOPs and checklist procedures are designed so that a flight crew member will not need to rely upon their memory for items to be checked.

(f) The design and utilisation of the SOPs and checklists shall observe relevant human factors principles.

(g) The AOC holder shall ensure that its flight crews complete training for the use of the SOPs and checklists, including—

(1) Initial aircraft-specific training;

(2) Recurrent aircraft-specific training; and

(3) Aircraft specific differences training for variants of aircraft types.

(h) The AOC holder shall ensure that the SOPs and checklists are readily usable in the cockpit of each aircraft in sufficient quantity for ground and flight operations

(i) The AOC holder shall require the flight crew shall be required to comply with the SOPs and checklists provided in accordance with paragraph (b) of this Regulation when operating the aircraft.

(j) The AOC holder shall establish and maintain a comprehensive flight crew standardisation program to ensure continuous conformance with the SOPs and

checklists.

12.385 MINIMUM EQUIPMENT LIST & CONFIGURATION DEVIATION LIST

(a) The AOC holder shall provide for the use of the flight crew members, maintenance personnel and persons assigned operational control function during the performance of their duties, an MEL approved by the Authority.

(b) The MEL shall be specific to the aircraft type and variant which contains the circumstances, limitations and procedures for release or continuance of flight of the aircraft with inoperative components, equipment or instruments.

(k) The AOC holder shall conform to the expanded requirements for MEL development prescribed in Appendix 1 to 12.385.

(l) Where the State of Registry is not Rwanda, the Authority shall ensure that the MEL does not affect the aeroplane's compliance with airworthiness requirements applicable in the State of Registry

(m) Each AOC holder may provide for the use of flight crew, maintenance personnel and persons assigned operational control functions during the performance of their duties a Configuration Deviation List (CDL)
specific to the aircraft type if one is provided and approved by the State of Design. An AOC Holder operations manual shall contain those procedures acceptable to the Authority for operations in accordance with the CDL requirements.

12.390 PERFORMANCE PLANNING MANUAL

(a) The AOC holder shall issue operating instructions and provide information on aeroplane climb performance with all engines operating and the loss of one engine to enable the PIC to determine the minimum runway length and climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off techniques.

(b) The AOC holder shall provide for the use of the flight crew members and persons assigned operational control functions during the performance of their duties, a performance planning manual acceptable to the Authority.

(c) The performance planning manual shall be specific to aircraft type and variant which contains adequate performance information to accurately calculate the performance in all normal, abnormal and emergency phases of flight operation. This information shall be based on the aircraft manufacturer's or other data, acceptable to the Authority, and should be included in the operations manual.

(d) The Air Taxi AOC holder may use the performance data provided in the current manufacturer's pilot operating handbook.

12.395 PERFORMANCE DATA CONTROL SYSTEM

(a) The AOC holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current performance data for each aircraft, route and airport that it uses.

(b) The system approved by the Authority shall provide current obstacle data, and take into account the charting accuracy of such obstacles, for departure and arrival performance calculations.

(c) The Air Taxi AOC holder is not required to have this system, but must make all calculations assuming there is a 50 feet obstacle at the end of the runway both departing and arriving.

12.400 AIRCRAFT HANDLING & LOADING MANUAL

(a) The AOC holder shall provide for the use of the flight crew members, ground handling personnel and persons assigned operational control functions during the performance of their duties, an aircraft handling and loading manual acceptable to the Authority.

(b) This manual shall be specific to the aircraft type and variant which contains the procedures and limitations for servicing and loading of the aircraft.

(c) The Air Taxi AOC holder is not required to provide this manual.

12.405 MASS & BALANCE DATA CONTROL SYSTEM

(a) The AOC holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current information regarding the mass and balance of each aircraft operated.

12.410 CABIN CREW MEMBER MANUAL

(a) The AOC holder shall issue to the cabin crew members and provide to passenger agents during the performance of their duties, a cabin crew member manual acceptable to the Authority.

(b) The cabin crew member manual shall contain those operational policies and procedures applicable to cabin crew members and the carriage of passengers.

(c) The AOC holder shall issue to the cabin crew members, a manual specific to the aircraft type and variant which contains the details of their normal, abnormal and emergency procedures and the location and operation of emergency equipment. This manual may be combined into the cabin crew manual for use by the cabin crew members.

(d) The Air Taxi AOC holder is not required to provide this manual.

12.415 PASSENGER BRIEFING CARDS

(a) The AOC holder shall carry on each passenger carrying aircraft, in convenient locations for the use of each passenger, printed cards supplementing the oral briefing and containing—

(1) Diagrams and methods of operating the emergency exits;

(2) Other instructions necessary for use of the emergency equipment, and

(3) Information regarding the restrictions and requirements associated with sitting in an exit seat row.

(b) The AOC holder shall ensure that each card contains information that is pertinent only to the type and variant of aircraft used for that flight.

(c) The AOC holder shall conform to the expanded requirements for the specific information to be included on passenger information cards prescribed in Appendix 1 to 12.415.

12.420 AERONAUTICAL DATA INFORMATION SYSTEM

(a) The AOC holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate flight crew and operational personnel, current aeronautical information for each route and aerodrome that it uses.

(b) The aeronautical data information system shall be capable of the provision of aeronautical information essential for the safety, regularity and efficiency of air navigation to the flight crew and operational personnel at any aerodrome authorised in the AOC and corresponding operations specifications.

(c) The aeronautical data information system shall include adequate procedures for preparation and dissemination to the flight crew and appropriate operations personnel, information contained in the—

(1) Aeronautical Information Publication (AIP);
(2) Aeronautical Information Regulation and Control (AIRAC);
(3) Aeronautical Information Circular (AIC)
(4) Current NOTAMs; and
(5) Other information sources prescribed by the Authority.

(d) The AOC holder shall conform to the expanded requirements for the specific information that must be included in the aeronautical data control system prescribed in Appendix 1 to 12.420.

(e) The Air Taxi AOC holder must comply with the requirements of Part 10 with regard to aeronautical data.

12.425 ROUTE GUIDE

(a) The AOC holder shall provide for the use of the flight crew members and persons assigned operational control functions during the performance of their duties, a route guide and aeronautical charts approved by the Authority.

(b) The route guide and aeronautical charts shall be current and appropriate for the proposed types and areas of operations to be conducted by the AOC holder.

12.427 ELECTRONIC NAVIGATION DATA MANAGEMENT

(a) An operator shall not employ electronic navigation data products that have been processed for application in the air and on the ground unless the—
(1) Authority has approved the operator's procedures for ensuring that the process applied and the products delivered have met acceptable standards of integrity and that the
(2) Products are compatible with the intended function of the equipment that will use them.

(b) The operator shall implement procedures to ensure proper monitoring of the process and products.

(c) An operator shall implement procedures that ensure the timely distribution and insertion of current and unaltered electronic navigation data to all aircraft that require it.

12.430 WEATHER REPORTING SOURCES

(a) The AOC holder shall use sources approved the Authority as prescribed in Appendix 1 of 12.430 for the weather reports and forecasts used for decisions regarding flight preparation, routing and terminal operations.

(b) For passenger carrying operations on a published schedule, the AOC holder shall have an approved system for obtaining forecasts and reports of adverse weather phenomena that may affect safety of flight on each route to be flown and airport to be used.

12.435 DEICING & ANTI-ICING PROGRAM

(a) The AOC holder planning to operate an aircraft in conditions where frost, ice, or snow may reasonably be expected to adhere to the aircraft shall—
(1) Use only aircraft adequately equipped for such conditions;
(2) Ensure flight crew is adequately trained for such conditions; and
(3) Have an approved ground deicing and anti-icing program.

(b) The AOC holder shall conform to the expanded requirements for the approval of de-icing program that are.prescribed in Appendix 1 to 12.435.

12.440 FLIGHT SUPERVISION & TRACKING SYSTEM

(a) For operations of turbojet aircraft with a gross weight of more than 5,700 kg. on a published schedule, The AOC holder shall have an adequate system approved by the Authority for proper supervision of the progress of the scheduled flights.

(b) The dispatch and monitoring system shall have enough dispatch centres, adequate for the operations to be conducted, located at points necessary to ensure adequate flight preparation, dispatch and in-flight contact with the scheduled flight operations.

(c) For scheduled operations, the AOC holder shall provide enough qualified personnel at each dispatch centre to ensure proper operational control of each flight.

(d) The operator shall establish an aircraft tracking capability to track aeroplanes throughout its area of operations.

(e) The operator shall track the position of an aeroplane at least every 15 minutes for the portion(s) of the in- flight operation(s) that is planned in an oceanic area(s) or a remote area(s) under the following conditions—

(1) the aeroplane has a maximum certificated take-off mass of over 27 000 kg and a seating capacity greater than 19; and

(2) where an ATS unit obtains aeroplane position information at greater than 15 minute intervals.

Note: Access to ATS aeroplane position data meets aeroplane tracking requirements.

(f) The operator shall establish procedures, approved by the Authority, for the retention of aircraft tracking data to determine to assist SAR in determining the last known position of the aircraft.

(g) Notwithstanding the provisions in paragraph (e), the Authority will consider approval, based on the results of an approved risk assessment process implemented by the operator, allow for variations to automated reporting intervals. The process shall demonstrate how risks to the operation resulting from such variations can be managed and shall include at least the following—

(1) capability of the operator's operational control systems and processes, including those for contacting ATS units;

(2) overall capability of the aeroplane and its systems;

(3) available means to determine the position of, and communicate with, the aeroplane;

(4) frequency and duration of gaps in automated reporting;

(5) human factors consequences resulting from changes to flight crew procedures; and

(6) specific mitigation measures and contingency procedures.

12.445 FLIGHT FOLLOWING OR FLIGHT LOCATING SYSTEMS

(a) For charter flight operations, The AOC holder shall have a system for providing flight preparation documents and determining the departure and arrival times of its flights at all airports approved by the Authority.

(b) The system described in paragraph (a) shall have a means of communication by private or available public facilities to monitor the departure and arrival at all airports, including flight diversions.

(c) The Single Pilot and Basic Air Taxi operator is not required to have a flight following system for each flight in which an ATC flight plan is filed and remains active until arrival at destination.

12.447 FUEL MANAGEMENT PROGRAM

(a) An operator shall establish a fuel management program including policies and procedures, approved by the Authority to ensure that in-flight fuel checks and fuel management are

performed.

(b) Operators should determine one final reserve fuel value for each airplane type and variant in their fleet rounded up to an easily recalled figure.

(c) Air taxi operators authorised for operations only within Rwanda are not subject to the requirement of paragraph (b).

12.449 OPERATIONAL VARIATIONS BASED ON SAFETY RISK ASSESSMENT

(a) **Alternate airport selection**. Notwithstanding the requirements of Part 10 regarding selection of alternate airports; the Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve operational variations to alternate airport selection criteria. The specific safety risk assessment shall include at least the—

(1) Capabilities of the operator;
(2) Overall capability of the airplane and its systems;
(3) Available airport technologies, capabilities and infrastructure ;
(4) Quality and reliability of meteorological information;
(5) Identified hazards and safety risks associated with each alternate airport variation; and
(6) Specific mitigation measures.

(b) **Minimum fuel requirements.** Notwithstanding the requirements of Part 10 regarding minimum fuel for a flight; the Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve variations to the pre-flight fuel calculation of taxi fuel, trip fuel, contingency fuel, destination alternate fuel, and additional fuel. The specific safety risk assessment shall include at least the—

(1) Flight fuel calculations;
(2) Capabilities of the operator to include—
    (i) A data-driven method that includes a fuel consumption monitoring program; and/or
    (ii) The advanced use of alternate airports; and
    (iii) Specific mitigation measures.

(c) **EDTO diversion requirements**. Notwithstanding the requirements of Part 10 regarding maximum diversion times; the Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve operations
beyond the time limits of the most time-limited system. The specific safety risk assessment shall include at least the—

(1) Capabilities of the operator;
(2) Overall reliability of the airplane;
(3) Reliability of each time limited system;
(4) Relevant information from the airplane manufacturer; and
(5) Specific mitigation measures.

12.450 COMMUNICATIONS FACILITIES

(a) The AOC holder's flights shall be able to have two-way radio communications with all ATC facilities along the routes and alternate routes to be used.

(b) For passenger carrying operations on a published schedule, the AOC holder shall be able to have rapid and reliable radio communications with all flights over the AOC holder's entire route structure under normal operating conditions.

(c) Any operations along routes and into airports without rapid and reliable radio

communications shall be approved by the Authority prior to commercial air transport operations in this areas.

12.455 ROUTES & AREAS OF OPERATION

(a) An AOC holder may conduct operations only along such routes and within such areas for which—
   (1) Ground facilities and services, including meteorological services, are provided which are adequate for the planned operation;
   (2) The performance of the aircraft intended to be used is adequate to comply with minimum flight altitude requirements;
   (3) The equipment of the aircraft intended to be used meets the minimum requirements for the planned operation;
   (4) Appropriate and current maps and charts are available;
   (5) If two-engine aircraft are used, adequate airports are available with the time/distance limitations; and
   (6) If single-engine aircraft are used, surfaces are available which permit a safe forced landing to be executed.

(b) No person may conduct commercial air transport operations on any route or area of operation unless those operations are in accordance with any restrictions imposed by the Authority.

12.460 NAVIGATIONAL ACCURACY

(a) The AOC holder shall have, for each proposed route or area, that the navigational systems and facilities it uses capable of navigating the aircraft—
   (1) Within the degree of accuracy required for ATC; and
   (2) To the airports in the operational flight plan within the degree of accuracy necessary for the operation involved.

(b) In situations without adequate navigation systems reference, the Authority may authorise day VFR operations that can be conducted safely by pilotage because of the characteristics of the terrain.

(c) Except for those navigational aids required for routes to alternate airports, the Authority will list in the AOC holder's operations specifications non-visual ground aids required for approval of routes outside of controlled airspace.

(d) Non-visual ground aids are not required for night VFR operations on routes that the certificate holder shows have reliably lighted landmarks adequate for safe operation.

(e) Operations on route segments where the use of celestial or other specialised means of navigation shall be approved by the Authority.

12.465 MINIMUM SAFE ALTITUDES

(a) The AOC holder shall specify in its Operations Manual the method which will be used to determine minimum flight altitudes for operations conducted over routes for which minimum flight altitudes have not been established by the responsible State. In no case, shall the minimum flight altitudes be less than those specified in Part 10 of these Regulations.

(b) The Authority will approve such method only after careful consideration of the probable effects of the following factors on the safety of the operation in question—
   (1) The accuracy and reliability with which the position of the aircraft can be determined;
   (2) The inaccuracies in the indications of the altimeters used;
   (3) The characteristics of the terrain (e.g. sudden changes in elevation);
   (4) The probability of encountering unfavourable meteorological conditions (e.g. severe

turbulence and descending air currents);
(5) Possible in accuracies in the aeronautical charts;
(6) Airspace restrictions; and
(7) ICAO Annex 2
(8) Any rules of the air applicable to the country being overflown.

12.470 ERODROME/HELIPORT OPERATING MINIMA

(a) The AOC holder shall establish the aerodrome operating minima for each aerodrome or heliport to be used for commercial air transport operations involving take-off, approach to landing and landing in accordance with a method of determination approved by the Authority.

(b) Such minima shall not be lower than any that may be established for such aerodromes by the State of the Aerodrome, except when specifically approved by that State.

(c) The Authority will approve the AOC holder's method for establishing the aerodrome/heliport operating minima which will apply to any particular operation provide that full account of the following factors is taken—
(1) Type, performance and handling characteristics of the aircraft;
(2) Composition of the flight crew, their competence and experience;
(3) Dimensions and characteristics of the runways which may be selected for use;
(4) Adequacy and performance of the available visual and non-visual ground aids
(5) the equipment available on the aircraft for the purpose of navigation, acquisition of visual references and/or control of the flight path during the approach, landing and the missed approach;
(6) Obstacles in the approach and missed approach areas and the obstacle clearance altitude/height for the instrument approach procedures;
(7) Means used to determine and report meteorological conditions; and
(8) Obstacles in the climb-out areas and necessary clearance margins.

(d) 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.

12.475 THROUGH 12.520 [RESERVED]

SUBPART I: AOC MAINTENANCE REQUIREMENTS

12.525 APPLICABILITY

(a) This Subpart provides those certification and maintenance requirements that apply to an AOC holder's application of maintenance control.

12.530 MAINTENANCE RESPONSIBILITY

(a) The AOC holder shall ensure that, in accordance with the procedures acceptable to the Authority and, if applicable the State of Registry—
(1) Each aircraft it is authorised to operate is maintained in an airworthy condition;
(2) The operational and emergency equipment necessary for an intended flight is serviceable; and
(3) The Certificate of Airworthiness of each aircraft remains valid.

(b) The AOC holder shall ensure the airworthiness of the aircraft and the serviceability of both

operational and emergency equipment by—

(1) Assuring the accomplishment of preflight inspections;
(2) Assuring the correction of any defect and/or damage affecting safe operation of an aircraft to an approved standard, taking into account the MEL and CDL if available for the aircraft type;
(3) Assuring that the operational and emergency equipment necessary for the intended flight is serviceable;
(4) Assuring the accomplishment of all maintenance in accordance with the approved operator's aircraft maintenance program;
(5) The analysis of the effectiveness of the AOC holder's approved aircraft maintenance program;
(6) Assuring the accomplishment of any operational directive, airworthiness directive and any other continued airworthiness requirement made mandatory by the Authority; and
(7) Assuring the accomplishment of modifications in accordance with an approved standard and, for non- mandatory modifications, the establishment of an embodiment policy.

(c) The AOC holder shall ensure that the Certificate of Airworthiness for each aircraft operated remains valid in respect to—
(1) The requirements in paragraphs (a) and (b);
(2) The expiration date of the Certificate; and
(3) Any other maintenance condition specified in the Certificate.

(d) The AOC holder shall ensure that the requirements specified in paragraph (a) are performed in accordance with procedures approved by or acceptable to the Authority.

(e) The AOC holder shall ensure that the maintenance, preventive maintenance, and modification of its aircraft/ aeronautical products are performed in accordance with its maintenance control manual and/or current instructions for continued airworthiness, and applicable Regulations.

(f) The AOC holder may make an arrangement with another person or entity for the performance of any maintenance, preventive maintenance, or modifications; but shall remain responsible of all work performed under such arrangement.

12.535 APPROVAL & ACCEPTANCE OF AOC MAINTENANCE SYSTEMS & PROGRAM

(a) An AOC holder shall not operate an aircraft, except for pre-flight inspections, unless it is maintained and released to service by an AMO or equivalent system of maintenance that is approved by the State of Registry and is acceptable to the Authority.

(b) For aircraft not registered in Rwanda, a system of maintenance will be approved by the State of Registry of the aircraft, and such approval must be acceptable to the Authority.

(c) When the Authority or the State of Registry accepts an equivalent system of maintenance, the persons designated to sign a release to service shall be licensed in accordance with Part 7 of these Regulations.

(d) Aircraft that are type certificated for a passenger seating configuration, excluding any pilot seat, of nine seats or less, shall be—
(1) Inspected and maintained in accordance with the provisions of Part 4 of these Regulations;
(2) In accordance with the manufacturer’s maintenance program approved by the Authority for each aircraft engine, propeller, propeller governor, rotor and each item of emergency equipment.

(e) For the purpose of this Regulation, a manufacturer’s maintenance program is one which is contained in the maintenance manual or maintenance instructions set forth by the manufacturer, as required by these Regulations for the aircraft, aircraft engine, propeller,

rotor or item of emergency equipment.

12.540 MAINTENANCE CONTROL MANUAL

(a) The AOC holder shall provide to the Authority, and to the State of Registry of the aircraft, if different from the Authority, an AOC holder's maintenance control manual and subsequent amendments, for the use and guidance of maintenance and operational personnel concerned, containing details of the organisation's structure including—
  (1) The accountable manager and designated person(s) responsible for the maintenance system.
  (2) Procedures to be followed to satisfy the maintenance responsibility of this Subpart, except where the AOC holder is an AMO, and also performs the quality system functions. Such procedures may be included in the AMO procedures manual.
  (3) Procedures for the reporting of failures, malfunctions, and defects in accordance with Part 4, to the Authority, State of Registry and the State of Design within 72 hours of discovery; in addition, items that warrant immediate notification to the Authority by telephone/telex/fax, with a written follow-on report as soon as possible but no later than within 72 hours of discovery, are—
    (i) Primary structural failure,
    (ii) Control system failure,
    (iii) Fire in the aircraft,
    (iv) Engine structure failure, or
    (v) Any other condition considered an imminent hazard to safety.

(b) The AOC holder shall ensure that the minimum contents of the Maintenance Control Manual conform to the expanded requirements prescribed in Appendix 1 to 12.540.

(c) The design of the manual shall observe Human Factors principles.

(d) The AOC holder shall provide the Authority, and the State of Registry, if not Rwanda, with a copy of the operator's maintenance control manual, together with all amendments and/or revisions to it prior to its use by the AOC holder's personnel.

(e) This manual shall be amended or revised as is necessary to ensure that the information contained therein is kept up-to-date.

(f) The AOC holder shall furnish this Manual, or pertinent portions, together with all amendments and revisions to all personnel and organisations that are required to use it.

(g) No person may provide for use of its personnel in commercial air transport any Maintenance Control Manual or portion of this manual which has not been reviewed and approved for the AOC holder by the Authority.

12.542 MANDATORY MATERIAL

(a) The AOC holder shall incorporate mandatory information as necessary amendments to the Maintenance Control Manual as required by the Authority or the State of Registry, if not Rwanda, as soon as reasonably possible after receipt and submit any amendments to their maintenance manuals for approval.

(b) The AOC holder shall provide timely notification to the Authority of the receipt of mandatory information from the State of Registry or the manufacturer and provide a copy of that documentation.

12.545 MAINTENANCE MANAGEMENT

(a) The AOC holder, approved as an AMO, may accomplish the maintenance required by Regulation 12.530.

(b) If the AOC holder is not an AMO, the AOC holder shall ensure the accomplishment of the maintenance required by Regulation 12.530 by using —
   (1) An equivalent system of maintenance approved or accepted by the Authority; or
   (2) Through an arrangement with an AMO with a written maintenance contract agreed between the AOC holder and the contracting AMO detailing the required maintenance functions and defining the support of the quality functions approved or accepted by the Authority.

(c) The AOC holder shall employ a person or group of persons, acceptable to the Authority, to ensure that all maintenance is carried out to an approved standard such that the maintenance requirements of 12.530 and requirements of the AOC holder's maintenance control manual are satisfied, and to ensure the functioning of the quality system.

(d) The AOC holder shall provide suitable office accommodation at appropriate locations for the personnel specified in paragraph (c).

(e) The Single Pilot and Basic Air Taxi operator are not required to employ maintenance personnel, but must contract to those personnel and facilities acceptable to the Authority.

12.550 MAINTENANCE QUALITY ASSURANCE PROGRAM

(a) For maintenance purposes, the AOC holder's quality assurance program shall include at least the following functions—
   (1) Monitoring the activities that are being performed in accordance with the accepted procedures;
   (2) Ensure that all contracted maintenance is carried out in accordance with the contract, if any;
   (3) Monitoring the continued compliance with the maintenance requirements; and
   (4) Monitoring compliance with, and adequacy of, procedures required ensuring safe maintenance practices, airworthy aircraft and aeronautical products.

(b) The compliance monitoring must include a feedback system to the accountable manager to ensure corrective action as necessary.

(c) Where the AOC holder is also an AMO, the AOC holder's quality assurance program may be combined with the requirements of an AMO and submitted for approval and acceptance to the Authority, and State of Registry for aircraft not registered in Rwanda.

(d) The Single Pilot and Basic Air Taxi operators are not required to have a maintenance quality assurance program, but must submit to quality inspections by persons authorised by the Authority.

See Appendix 1 to 12.550 for additional requirements on maintenance quality assurance program.

12.555 AIRCRAFT TECHNICAL LOG ENTRIES: AOC HOLDERS

(a) Each person who takes action in the case of a reported or observed failure or malfunction of an aircraft/ aeronautical product, that is critical to the safety of flight shall make, or have made, a record of that action in the maintenance Regulation of the aircraft technical log.

(b) The AOC holder shall have a procedure for keeping adequate copies of required records to be carried aboard, in a place readily accessible to each flight crew member and shall put that procedure in the AOC holder's operations manual.

12.560 MAINTENANCE RECORDS

(a) The AOC holder shall ensure that a system has been established to keep, in a form acceptable to the Authority, the following records—
   (1) The total time in service (hours, calendar time and cycles, as appropriate) of the

aircraft and all life- limited components;

(2) The current status of compliance with all mandatory continuing airworthiness information;

(3) Appropriate details of modifications and repairs to the aircraft and its major components;

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

(5) The current aircraft status of compliance with the maintenance program; and

(6) The detailed maintenance records to show that all requirements for signing of a maintenance release have been met.

(b) The AOC holder shall ensure that—

(1) The records of (a)(1-5) are retained for a minimum of 12 months after the unit to which they refer has been permanently withdrawn from service with this AOC holder, and

(2) The records of (a)(6) are retained for a minimum of 12 months after the signing of the maintenance release; or

(3) A different minimum time interval prescribed by the Authority, whichever is greater.

(c) The AOC holder shall ensure that in the event of temporary change of operator, the records specified in paragraph (a) shall be made available to the new operator.

(d) The AOC holder shall ensure that when an aircraft is permanently transferred from one operator to another operator, the records specified in paragraph (a) are also transferred.

(e) The aircraft technical log and any subsequent amendment shall be approved by the Authority.

12.565 RELEASE TO SERVICE OR MAINTENANCE SECTION RECORDS OF THE TECHNICAL LOG

(a) An AOC holder shall not operate an aircraft unless it is maintained and released to service by an organisation approved in accordance with Part 5, or under an equivalent system, either of which shall be acceptable to the State of Registry.

(b) An AOC holder using an equivalent system shall not operate an aircraft after release under paragraph (a) unless a release to service is prepared or caused to be prepared by an appropriately licensed and rated individual in accordance with these Parts, as appropriate. The maintenance release shall be made in accordance with the AOC maintenance control manual procedures.

(c) An AOC holder using an AMO shall not operate an aircraft after release to service under paragraph (a) unless an appropriate entry is made in accordance with the AOC maintenance control manual procedures acceptable to the Authority.

(d) The AOC holder shall give a copy of the release to service for the aircraft to the PIC, or ensure that an entry noting the release is made in the maintenance section of the aircraft technical log.

12.570 MODIFICATION & REPAIRS

(a) All modifications and repairs shall comply with airworthiness requirements acceptable to the State of Registry. Procedures shall be established to ensure that the substantiating data supporting compliance with the airworthiness requirements are retained. However, in the case of a major repair or major modification, the work must have been done in accordance with technical data approved by the Authority.

(b) An AOC holder which is authorised to perform maintenance, preventive maintenance, and modifications of any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof, in accordance with the approved AOC operations specifications that wishes to approve for return to service major repairs or major modifications to an aircraft registered in Rwanda shall use a current and valid licensed AME with an airframe and powerplant rating and shall be qualified in accordance with Part 4.

(c) The AOC holder shall, promptly upon its completion, prepare a report of each major modification or major repair of an airframe, aircraft engine, propeller, or appliance of an aircraft operated by it.

(d) The AOC holder shall submit a copy of each report of a major modification to the Authority, and shall keep a copy of each report of a major repair available for inspection.

12.575 AIRCRAFT MAINTENANCE PROGRAM

(a) The AOC holder shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance program approved by the State of Registry containing the information prescribed by the Authority.

(b) The maintenance program shall be based on maintenance program information made available by the State of Design or by the organisation responsible for the type design, and any additional applicable experience.

(c) The AOC holder's aircraft maintenance program and any subsequent amendment shall be submitted to the State of Registry for approval prior to use. Acceptance by the Authority will be conditioned upon prior approval by the State of Registry, or where appropriate, upon the AOC holder complying with recommendations provided by the State of Registry.

(d) Copies of the maintenance program and all amendments shall be furnished to the personnel and organisations who are to perform work on the AOC holder's aircraft.

(e) Copies of all amendments to the maintenance program shall be furnished promptly to all organisations or persons to whom the maintenance program has been issued.

(f) No person may provide for use of its personnel in commercial air transport a Maintenance Program or portion thereof which has not been reviewed and approved for the AOC holder by the Authority.

(g) The maintenance program should be based on maintenance program information made available by the State of Design or by the organisation responsible for the type design, and any additional applicable experience.

(h) The design and application of the maintenance program shall observe Human Factors principles.

(i) The Authority will require an operator to include a reliability program when the Authority determines that such a reliability program is necessary. When such a determination is made by the Authority the AOC holder shall provide such procedures and information in the AOC holder’s maintenance control manual

(j) The AOC holder shall ensure that each aircraft is maintained in accordance with the AOC holder's aircraft approved maintenance program which shall include—

  (1) Maintenance tasks and the intervals in which these are to be performed, taking into account the anticipated utilisation of the aircraft;

  (2) When applicable, a continuing structural integrity program;

  (3) Procedures for changing or deviating from paragraphs (j)(1) and (j)(2); and

  (4) When applicable, condition monitoring and reliability program, descriptions for aircraft systems, components, and powerplants.

(k) Maintenance tasks and intervals that have been specified as mandatory in approval of the type design shall be identified as such.

(l) Repetitive maintenance tasks that are specified in mandatory intervals as a condition of approval of the type design shall be identified as such.

(m) Approval by the Authority of an AOC holder's maintenance program and any subsequent amendments shall be included in its Operations Specifications.

(n) The AOC holder shall have an inspection program and a program covering other

maintenance, preventive maintenance, and modifications to ensure that—

(1) Maintenance, preventive maintenance, and modifications performed by it, or by other persons, are performed in accordance with the AOC holder's maintenance control manual;

(2) Each aircraft released to service is airworthy and has been properly maintained for operation.

(o) The Authority may amend any specifications issued to an AOC holder to permit deviation from those provisions of this Subpart that would prevent the return to service and use of airframe components, powerplants, appliances, and spare parts thereof because those items have been maintained, altered, or inspected by persons employed outside Rwanda who do not hold a Rwanda technician's license.

(p) The AOC holder who is granted authority under this deviation shall provide for surveillance of facilities and practices to assure that all work performed on these parts is accomplished in accordance with the AOC holder's maintenance control manual.

12.580 MANDATORY AIRWORTHINESS MATERIAL

(a) Upon receipt of material from the Authority prescribed as mandatory for inclusion in either the maintenance control manual or the maintenance program, the AOC holder will make these amendments as soon as reasonably possible and submit their amendment to the Authority.

12.583 CONTINUING AIRWORTHINESS INFORMATION

(a) The operator of an aeroplane over 5 700 kg or a helicopter over 3, 175 kg maximum certificated take-off mass shall—

(1) Monitor and assess maintenance and operational experience with respect to continuing airworthiness; and

(2) Provide the information as prescribed by the Authority and the State of Registry, if not Rwanda; and

(3) Report through the system specified in the maintenance control manual approved by the Authority.

(b) The operator of an aeroplane over 5 700 kg or a helicopter over 3.175 kg maximum certificated take-off mass shall—

(1) Obtain and assess continuing airworthiness information and recommendations available from the organisation responsible for the type design; and

(2) Implement resulting actions considered necessary in accordance with a procedure acceptable to the State of Registry.

12.585 AUTHORITY TO PERFORM AND APPROVE MAINTENANCE & MODIFICATIONS

(a) An AOC holder which is not approved as an AMO may perform and approve routine and non-routine maintenance, preventive maintenance, or inspections for return to service, if approved in the operations specifications, as provided in its maintenance program and maintenance control manual.

(b) An AOC holder may make arrangements with an AMO (appropriately rated) for the performance of maintenance, preventive maintenance, or modifications of any aircraft, airframe, aircraft engine, propeller, appliance, or component, or part thereof as provided in its maintenance program and maintenance control manual.

(c) An AOC holder which is not approved as an AMO shall use a appropriately licensed and rated individual in accordance with Part 4 and 7, as appropriate, to approve maintenance and preventive maintenance, for

return to service after performing or supervising in accordance with technical data approved by the Authority.

12.590 REQUIRED INSPECTION PERSONNEL

(a) No person may use any person to perform required inspections unless the person performing the inspection is appropriately certificated, properly trained, qualified and authorised to do so.

(b) No person may allow any person to perform a required inspection unless, at that time, the person performing that inspection is under the supervision and control of an inspections unit.

(c) No person may perform a required inspection if he performed the item of work required to be inspected.

(d) Each certificated holder shall maintain, or shall determine that each person with whom it arranges to perform its required inspections, maintains a current listing of persons who have been trained, qualified and authorised to conduct required inspections.

(1) The persons must be identified by name, occupational title, and the inspections they are authorised to perform.

(2) The AOC holder (or person with whom it arranges to perform its required inspections) shall give written authorisation to each person so authorised, describing the extent of his responsibilities, authorisations and inspection limitations.

(3) The list shall be made available for inspection by the Authority on request.

12.595 LICENSE REQUIREMENTS: AOC HOLDER USING EQUIVALENT SYSTEM

(a) Each person who is directly in charge of maintenance, preventive maintenance, or modification, of any aircraft, airframe, aircraft engine, propeller, appliance, or component, or part thereof and each person performing required inspections and approving for return to service the maintenance performed shall be a appropriately licensed and rated technician or repair specialists in accordance with Part 4 and 7, as appropriate, and acceptable to the Authority.

(b) A person who is directly in charge shall be on site but need not physically observe and direct each worker constantly, but shall be available for consultation and decision on matters requiring instruction or decision from higher authority than that of the persons performing the work.

(c) A person "directly in charge" is each person assigned to a position in which he is responsible for the work of a shop or station that performs maintenance, preventive maintenance, modifications, or other functions affecting aircraft airworthiness.

SUBPART J: OTHER OPERATOR PROGRAMMES

12.610 APPLICABILITY

(a) This Subpart contains the programmes that are not directly related to the flight safety and security of air operator operations.

12.615 FINANCIAL SUBSTANTIATION FOR OPERATIONS

(a) Each applicant shall provide the financial documentation required by Appendix 1 to 12.615 to the Authority to substantiates that they are capable of operating for 6 months without income.

(b) The AOC holder shall continue to provide the financial substantiation to the Authority that

is required by Appendix 2 to 12.615 on the periods specified.

12.620 PREPAREDNESS FOR POSSIBLE COMMUNICATIVE DISEASES

(a) The AOC holder conducting international operations shall establish and maintain a program of preparedness for identification and processing passengers with possible communicative diseases that contain at least the elements specified in Appendix 1 to 12.620.

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APPENDICES

APPENDIX 1 TO 12.031: AIRCRAFT DISPLAY AIR OPERATOR CERTIFICATE

(a) The certified true copy of the aircraft display air operator certificate and its associated operations specifications shall define the operations for which an operator is authorised.

(b) The certified true copy of the AOC shall be in a standardized format that—

(1) Closely approximates the format provided in ICAO Annex 6, Part I and Part III to enable a foreign CAA to easily determine that the air operator is in compliance; and.

(2) Contains the minimum information required in paragraphs (c) of this Appendix.

(c) The minimum contents of the aircraft display AOC shall be—

(1) A header with bold letters identifying that the State of the Operator is the "Commonwealth of Rwanda.".

(2) A sub-header with smaller bold letters identifying that the issuing authority of the State of the Operator is the "Rwanda Civil Aviation Authority."

(3) A unique AOC number, as issued by Authority.

(4) The expiration date after which the AOC ceases to be valid (dd-mm-yyyy).

(5) The air operator's registered name.

(6) The operator's trading name, if different than (5). Insert "dba" before the trading name (for "doing business as").

(7) The operator's principal place of business address.

(8) The operator's principal place of business telephone and fax details, including the country code. E- mail to be provided if available.

(9) The contact details include the telephone and fax numbers, including the country code, and the e-mail address (if available) at which operational management can be contacted without undue delay for issues related to flight operations, airworthiness, flight and cabin crew competency, dangerous goods and other matters, as appropriate.

(10) The controlled document (Operations Manual) which is carried on board on board the aircraft, in which the operator contact details are listed, with the appropriate paragraph or page reference.

(11) A specific reference to the appropriate civil aviation regulations.

(12) The Issuance date of the AOC (dd-mm-yyyy).

(13) The title, name and signature of the Authority representative. In addition, an official stamp may be applied on the AOC.

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APPENDIX 2 TO 12.031: AIRCRAFT DISPLAY OPERATIONS SPECIFICATIONS

(a) The operator shall have on board the aircraft, aircraft display operations specifications identified by aircraft make, model and series for each aircraft model in the operator's fleet approved by the Authority

Note: If authorisations and limitations are identical for two or more models, these models may be grouped in a single list.

(b) The certified true copy of the aircraft display operations specifications shall be in a standardized format that—

(1) Closely approximates the format provided in ICAO Annex 6, Part I or Part III to enable a foreign CAA to easily determine that the air operator is in compliance; and.

(2) Contains the minimum information required in paragraphs (c) of this Appendix.

(c) The minimum content of the general portion of the aircraft display operations specifications shall be—

(1) The header "Operations Specifications" with the text underneath to be "Subject to the approved conditions in the operations manual."

(2) The telephone and fax contact details for the Authority, including the country code and an appropriate e-mail contact.

(3) The AOC number associated with these operations specifications;

(4) The operator's registered name and the operator's trading name, if different. Insert "dba" before the trading name (for "doing business as").

(5) The issuance date of the operations specifications (dd-mm-yyyy) and signature of the Authority representative.

(6) The Commercial Aviation Safety Team (CAST)/ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. Boeing-737-3K2 or Boeing-777-232). The CAST/ICAO taxonomy is available at: http://www.intlaviationstandards.org/.

(7) Any other type of transportation to be specified (e.g. emergency medical service).

(8) List the geographical area(s) of authorised operation (by geographical coordinates or specific routes, flight information region or national or regional boundaries).

(9) List the applicable special limitations (e.g. VFR only, day only).

(d) The minimum content of the specific authorisations portion of the aircraft display operations specifications shall be entered under four columns—

(1) Special Authorisations;

(2) Yes, No or N/A;

(3) Special approvals; and

(4) Remarks.

(e) The minimum specific authorisations that must be addressed in these columns in the following specific order include—

(1) Dangerous goods;

(2) Low Visibility Operations: Approach and Landing;

(3) Low Visibility Operations: Take-off;

(4) RVSM;

(5) ETDO;

(6) Each Navigation Specification for PBN operations

(7) Continuing airworthiness

(8) Other.

(f) Where the special authorisation for RVSM (paragraphs (f)(4)) or EDTO (paragraph (f)(5)) is not applicable, the authorisation row must appear in the operations specifications even when

the authorisation has not been granted to the operator, but the authorisation should be shown as "not applicable" by the entry of "N/ A" in the appropriate column.

(g) Additionally, for the following authorisations the "Special Approvals" column shall contain—

(1) For Low Visibility Operations: Approach and Landing (paragraph (f)(2))—

(i) A separate line for each applicable precision approach category (CAT I, II, IIIA, IIIB, IIIC) and

(ii) The minimum RVR in metres and decision height in feet.

(2) For Low Visibility Operations: Take-off (paragraph (f)(3))—

(i) A separate line for each approval should be used if different approvals are granted; an

(ii) The approved minimum take-off RVR in metres.

(3) For EDTO operations (paragraph (f)(5))—

(i) A threshold time;

(ii) Maximum diversion time.

Note: The threshold time and maximum diversion time may also be listed in distance (NM), as well as the engine type.

(4) For PBN operations (paragraph (f)(6))—

(i) A separate line should be used for each PBN specification authorisation granted (e.g. RNAV 10, RNAV 1, RNP 4);

(ii) With appropriate limitations or conditions listed in the "Specific Approvals" and/or "Remarks" columns.

Note: Limitations, conditions and regulatory basis for operational approval associated with the performance-based navigation specifications (e.g. GNSS, DME/DME/IRU).

(5) For Continuing Airworthiness (paragraph (f)(7)—

(i) Insert the name of the person/organisation responsible for ensuring that the continuing airworthiness of the aircraft is maintained; and

(ii) The regulation that requires the work, i.e. within the AOC regulation or a specific approval.

(6) For other authorisations (paragraph (f)(8)—

(i) Additional authorisations or data can be entered here, using one line (or one multi-line block) per authorisation.

(ii) These authorisations could include special approach authorisation, MNPS, approved navigation performance).

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APPENDIX 1 TO 12.065: CERTIFICATION OF SINGLE-PILOT AIR TAXIS

(a) The full initial certification process shall be implemented by the Authority for single-pilot AOC applicants.

(b) The exceptions of Part 12 for single-pilot air taxis may be considered for those operators with fewer than 3 qualified PICs.

(c) The aircraft must be able to maintain performance requirements for such operations.

(d) No AOC holder may be authorised to operate an aircraft under the IFR or at night by a single pilot unless the—

(1) Flight manual does not require a flight crew of more than one;

(2) The aeroplane is propeller-driven;

(3) Maximum approved passenger seating configuration is not more than nine;

(4) Maximum certificated take-off mass does not exceed 5 700 kg;

(5) Aeroplane is equipped as described in Part 7 for single-pilot IFR and night operations; and

(6) PIC has satisfied requirements of experience, training, checking and recency of Part 14, including demonstration of briefing for emergency evacuation, use of autopilot during IFR operations, and used of condensed navigation documentation.

APPENDIX 2 TO 12.065: NIGHT & IMC OPS: SINGLE-ENGINE TURBINE-POWERED AIRCRAFT

(a) The following airworthiness and operational requirements are provided to ensure a valid certification of an applicant for an AOC to operate single-engine turbine-powered aircraft in commercial air transport at night and IMC—

1. Turbine engine reliability

(a) Turbine engine reliability shall be shown to have a power loss rate of less than 1 per 100 000 engine hours. Power loss in this context is defined as any loss of power, the cause of which may be traced to faulty engine or engine component design or installation, including design or installation of the fuel ancillary or engine control systems.

(b) The operator shall be responsible for engine trend monitoring.

(c) To minimize the probability of in-flight engine failure, the engine shall be equipped with—

(1) An ignition system that activates automatically, or is capable of being operated manually, for take-off and landing, and during flight, in visible moisture;

(2) A magnetic particle detection or equivalent system that monitors the engine, accessories gearbox, and reduction gearbox, and which includes a flight deck caution indication; and

(3) An emergency engine power control device that permits continuing operation of the engine through a sufficient power range to safely complete the flight in the event of any reasonably probable failure of the fuel control unit.

2. Systems and equipment

(a) Single-engine turbine-powered aeroplanes approved to operate at night and/or in IMC shall be equipped with the following systems and equipment intended to ensure continued safe flight and to assist in achieving a safe forced landing after an engine failure, under all allowable operating conditions—

(b) two separate electrical generating systems, each one shall satisfy the following: capable of supplying all probable combinations of continuous in-flight electrical loads for instruments, equipment and systems required at night and/or in IMC;

(1) a radio altimeter;

(2) an emergency electrical supply system of sufficient capacity and endurance, following loss of all generated power, to as a minimum

(i) maintain the operation of all essential flight instruments, communication and

navigation systems during a descent from the maximum certificated altitude in a glide configuration to the completion of **a** landing;

(ii) lower the flaps and landing gear, if applicable;

(iii) provide power to one pilot heater, which must serve an air speed indicator clearly visible to the pilot;

(iv) provide for operation of the landing light specified in 2 j);

(v) provide for one engine restart, if applicable; and

(vi) provide for the operation of the radio altimeter;

(3) two attitude indicators, powered from independent sources;

(4) a means to provide for at least one attempt at engine re-start;

(5) airborne weather radar;

(6) a certified area navigation system capable of being programed with the positions of aerodromes and safe forced landing areas, and providing instantly available track and distance information to those locations;

(7) for passenger operations, passenger seats and mounts which meet dynamically-tested performance standards and which are fitted with a shoulder harness or a safety belt with a diagonal shoulder strap for each passenger seat;

(8) for all occupants for descent following engine failure at the maximum glide performance from the maximum certificated altitude to an altitude at which supplemental oxygen is no longer required;

(9) a landing light that is independent of the landing gear and is capable of adequately illuminating the touchdown area in a night forced landing; and

(10) an engine fire warning system.

3. Minimum equipment list

(a) The Authority requires that the minimum equipment list of an operator approved to specify the operating equipment required for night and/or IMC operations, and for day/VMC operations.

4. Flight manual information

(a) The flight manual shall include limitations, procedures, approval status and other information relevant to operations by single-engine turbine-powered aeroplanes at night and/or in IMC.

5. Event reporting

(a) An operator approved for operations by single-engine turbine-powered aeroplanes at night and/or in IMC shall report all significant failures, **malfunctions** or defects to the Authority who in turn will notify the State of Design.

(b) The Authority shall review the safety data and monitor the reliability information so as to be able to take any actions necessary to ensure that the intended safety level is achieved.

(c) The Authority will notify major events or trends of particular concern to the appropriate Type Certificate Holder and the State of Design

6. Operator planning

(a) Operator route planning shall take account of all relevant information in the assessment of intended routes or areas of operations, including the following—

(1) the nature of the terrain to be overflown, including the potential for carrying out a safe forced landing in the event of an engine failure or major malfunction;

(2) weather information, **including** seasonal and other adverse meteorological influences that **may** affect the flight; and

(3) other criteria and limitations as specified by the Authority.

(b) An operator shall identify aerodromes or safe forced landing areas available for use in the event of engine failure, and the position of these shall be programmed into the area navigation system.

(1) A 'safe' forced landing in this context means a landing in an area at which it can reasonably be expected that it will not lead to serious injury or loss of life, even though the aeroplane may incur extensive damage.

(2) Operation over routes and in weather conditions that permit a safe forced landing in the event of an engine failure is not a criterion for this type of aircraft, the availability of forced landing areas at all points along a route is not specified for these aeroplanes because of the very high engine reliability, additional systems and operational equipment, procedures and training requirements specified in this Appendix.

7. Flight crew experience, training and checking

(a) The Authority shall prescribe the minimum flight crew experience required for night/I1VIC operations by single-engine turbine-powered aeroplanes.

(b) An operator's flight crew training and checking shall be appropriate to night and/or IMC operations by single-engine turbine-powered aeroplanes, covering normal, abnormal and emergency procedures and, in particular, engine failure, including descent to a forced landing in night and/or in IMC conditions

8. Route limitations over water

(a) The Authority shall evaluation and apply route limitation criteria for single-engine turbine-powered aeroplanes operating at night and/or in IMC on over water operations if beyond gliding distance from an area suitable for a safe forced landing/ditching having regard to the—

(1) characteristics of the aeroplane,

(2) seasonal weather influences, including likely sea state and temperature, and

(3) the availability of search and rescue services

9. Operator certification or validation

(a) The operator shall demonstrate the ability to conduct operations by single-engine turbine-powered aeroplanes at night and/or in IMC through a certification and approval process specified by the Authority.

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APPENDIX 3 TO 12.065 NIGHT & IMC OPS: HELICOPTERS IN PERFORMANCE CLASS 3

(a) The following airworthiness and operational requirements are provided to ensure a valid certification of an applicant for an AOC to operate a Performance Class 3 Helicopter in commercial air transport at night and IMC—

1. Engine reliability

(a) Attaining and maintaining approval for engines used by helicopters operating in performance Class 3 in IMC:

(b) In order to attain initial approval for existing in-service engine types, reliability shall be shown to have a nominal power loss rate of less than 1 per 100 000 engine hours based on a risk management process.

(c) In order to attain initial approval for new engine types, the State of Design shall assess engine models for acceptance for operations in performance Class 3 in IMC on a case-by-case basis.

(d) In order to maintain approval, the State of Design shall, through the continuing airworthiness process, ensure that engine reliability remains consistent with the intent of the reliability requirements.

(e) The operator shall be responsible for a program for ongoing engine trend monitoring.

(f) To minimize the probability of in-flight engine failure, the engine shall be equipped with—

(1) for turbine engines: a re-ignition system that activates automatically or a manually selectable continuous ignition system unless the engine certification has determined that such a system is not required, taking into consideration the likely environmental conditions in which the engine is to be operated;

(2) a magnetic particle detection, or equivalent, system that monitors the engine, accessories gearbox, and reduction gearbox, and which includes a flight deck caution indication; and

(3) a means that would permit continuing operation of the engine through a sufficient power range to safely complete the flight in the event of any reasonably probable failure of the fuel control unit.

2. Systems and equipment

(a) Helicopters operating in performance Class 3 in IMC shall be equipped with the following systems and equipment intended to ensure continued safe flight or to assist in achieving a safe forced landing after an engine failure, under all allowable operating conditions—

(1) either two separate electrical generating systems, each one capable of supplying all probable combinations of continuous in-flight electrical loads for instruments, equipment and systems required in IMC; or a primary electrical source and a standby battery or other alternate source of electric power that is capable of supplying 150 per cent of electrical loads of all required instruments and equipment necessary for safe emergency operations of the helicopter for at least one hour; and

(2) an emergency electrical supply system of sufficient capacity and endurance, following loss of all normally generated power to, as a minimum—

Note. — If a battery is used to satisfy the requirement for a second power source an additional electrical power supply may not be required.

(i) maintain the operation of all essential flight instruments, communication and navigation systems during a descent from the maximum certificated altitude in an autorotational configuration to the completion of a landing;

(ii) maintain the operation of the stabilisation system, if applicable;

(iii) lower the landing gear, if applicable;

(iv) where required, provide power to one pitot heater, which must serve an airspeed indicator clearly visible to the pilot;

(v) provide for the operation of the landing light;
(vi) provide for one engine restart, if applicable; and
(vii) provide for the operation of the radio altimeter;

(b) a radio altimeter;

(c) an autopilot if intended as a substitute for a second pilot. In these cases, the State of Operator shall ensure the operator's approval clearly states any conditions or limitations on its use;

(d) a means to provide for at least one attempt at engine re-start;

(e) an area navigation system approved for use in IFR, capable of being used to locate suitable landing areas in the event of an emergency;

(f) a landing light that is independent of retractable landing gear and is capable of adequately illuminating the touchdown area in a night forced landing; and

(g) an engine fire warning system.

3. Minimum serviceability requirements: operating equipment

(a) The minimum serviceability requirements for operating equipment in helicopters operating in performance Class 3 in IMC shall conform to the specifications of the Authority.

4. Operations manual information

(a) The operations manual shall include limitations, procedures, approval status and other information relevant to operations in performance Class 3 in IMC.

5. Event reporting

(a) An operator approved to conduct operations by helicopters in performance Class 3 in IMC shall report all significant failures, malfunctions or defects to the Authority who in turn shall notify the State of Design.

(b) The Authority shall monitor operations in performance Class 3 in IMC so as to be able to take any actions necessary to ensure that the intended safety level is maintained.

(c) The Authority shall notify major events or trends of particular concern to the appropriate type certificate holder and the State of Design.

6. Operator planning

(a) Operator route planning shall take account of all relevant information in the assessment of intended routes or areas of operations, including the following—

(1) the nature of the terrain to be overflown, including the potential for carrying out a safe forced landing in the event of an engine failure or major malfunction;
(2) weather information, including seasonal and other adverse meteorological influences that may affect the flight; and
(3) other criteria and limitations as specified by the Authority.

7. Flight crew experience, training and checking

(a) The Operator shall conform to the minimum flight crew experience for helicopters operating in performance Class 3 in IMC.

(b) An operator's flight crew training and checking program shall be appropriate to operations in performance Class 3 in IMC, covering—

(1) normal, abnormal and emergency procedures and,
(2) in particular, detection of engine failure including—
(i) descent to a forced landing in IMC and,
(ii) for single engine helicopters, entry into a stabilized autorotation.

8. Operator certification or validation

(a) The operator shall demonstrate the ability to conduct operations in performance Class 3 in IMC through a certification and approval process specified by the Authority.

APPENDIX 1 TO 12.085: ALTERNATE AIRPORT SELECTION

(a) Notwithstanding the requirements of Part 10 regarding selection of alternate airports; the Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve operational variations to alternate airport selection criteria. The specific safety risk assessment shall include at least the—

(1) Capabilities of the operator;
(2) Overall capability of the aircraft and its systems;
(3) Available airport technologies, capabilities and infrastructure ;
(4) Quality and reliability of meteorological information;
(5) Identified hazards and safety risks associated with each alternate airport variation; and
(6) Specific mitigation measures.

APPENDIX 2 TO 12.085: MINIMUM FUEL REQUIREMENTS

(a) Notwithstanding the requirements of Part 10 regarding minimum fuel for a flight; the Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve variations to the pre-flight fuel calculation of taxi fuel, trip fuel, contingency fuel, destination alternate fuel, and additional fuel. The specific safety risk assessment shall include at least the—

(1) Flight fuel calculations;
(2) Capabilities of the operator to include—
  (i) A data-driven method that includes a fuel consumption monitoring programme; and/or
  (ii) The advanced use of alternate airports; and
  (iii) Specific mitigation measures.

APPENDIX 3 TO 12.085: EDTO DIVERSION REQUIREMENTS

(a) Notwithstanding the requirements of Part 10 regarding maximum diversion times; the Authority may, based on the results of a specific safety risk assessment conducted by the operator which demonstrates how an equivalent level of safety will be maintained, approve operations beyond the time limits of the most time- limited system. The specific safety risk assessment shall include at least the—

(1) Capabilities of the operator;
(2) Overall reliability of the aeroplane;
(3) Reliability of each time limited system;
(4) Relevant information from the aeroplane manufacturer; and
(5) Specific mitigation measures.

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APPENDIX 1 TO 12.130: REQUIRED MANAGEMENT PERSONNEL

(a) The AOC holder shall make arrangements to ensure continuity of supervision if operations are conducted in the absence of any required management personnel.

(b) Required management personnel shall be contracted to work sufficient hours such that the management functions are fulfilled.

(c) A person serving in a required management position for an AOC holder may not serve in a similar position for any other AOC holder, unless a deviation is issued by the Authority.

(d) The minimum initial qualifications for the Flight Operations senior manager are—

(1) An ATP license; and

(2) 3 years' experience as PIC in commercial air transport operations of large aircraft.

(e) The minimum initial qualifications for the Crew Training senior manager are—

(1) An ATP license (or Commercial License) with the appropriate ratings for at least one of the aircraft used in the AOC holder's operations; and

(2) 3 years' experience as PIC in commercial air transport operations.

(f) The minimum initial qualifications for the senior manager of the maintenance system are—

(1) License and qualifications in accordance with Part 4 and 7; and

(2) 3 years' experience in maintaining the same category and class of aircraft used by the AOC holder including 1 year in the capacity of returning aircraft to service.

(g) The minimum initial qualifications for the senior managers of operations and maintenance quality assurance shall conform to those of the senior crew training manager and senior manager of the maintenance system respectively.

(h) An AOC holder may employ a person who does not meet the appropriate airman qualification or experience if the Authority issues a waiver finding that person has comparable experience and can effectively perform the required management functions.

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APPENDIX 1 TO 12.165: PREPAREDNESS PROGRAM: COMMUNICATIVE DISEASES

Communications

(a) The AOC holder shall establish—

(1) a contact point for policy formulation and operational organisation of preparedness; and

(2) a position with responsibility for the operational implementation of the airline preparedness plan, having reasonable autonomy/flexibility for rapid policy and decision making.

(b) The AOC holder shall establish communication links with the following aviation internal and local entities—

(1) airport authorities;
(2) handling agents;
(3) airport medical service providers;
(4) emergency medical services;
(5) maintenance service providers;
(6) cleaning service providers;
(7) baggage handling services;
(8) air traffic management;
(9) local public health authority;
(10) local hospital(s);
(11) police;
(12) immigration;
(13) customs;
(14) security service providers; and
(15) other stakeholders as necessary

(c) Communication links should be established, with the following external entities—

(1) travellers—
  (i) before reaching the airport
  (ii) when in the terminal building
(2) travel agents;
(3) international organisations involved with migration;
(4) media

At the Airport (Pre- and Post-Flight)

(d) The AOC holder shall—

(1) establish general guidelines for passenger agents who may be faced with a suspected case of communicable disease, relevant to airline operations, at the airport; and,

(2) cooperate with airport and public health authorities on logistics e.g. dealing with a sick traveller.

Note: It is not the role of airline staff or handling agents to have prime responsibility for screening and managing travellers who may have a communicable disease: this is usually a public health responsibility

In-Flight Illness

(e) The AOC holder shall establish—

(1) a system enabling cabin crew to identify travelers suspected of having a communicable disease;

(2) a system of managing travelers who are suspected of having a communicable disease, including—
  (i) advice from medical ground support (if available)

(ii) sick traveler relocation, away from other travelers, if possible
(iii) carriage of appropriate first-aid equipment and supplies, cabin crew training in its use (in accordance with ICAO, Annex 6, 6.2) and general sanitary precautions
(iv) clean-up of areas occupied by the affected traveler, when necessary
(v) reallocation of cabin crew duties
(vi) use of appropriate personal protective equipment by passenger and crew e.g. masks, gloves
(vii) disposal of contaminated supplies and equipment
(viii) personal hygiene measures to reduce risk

(3) procedures for informing air traffic control that a case of a communicable disease is on board, so that the public health authority at the destination can be advised appropriately in a timely manner.

Aircraft maintenance

(f) The AOC holder establish for the maintenance crew—

(1) a policy concerning the removal of re-circulated air filters including—
(i) use of personal protective equipment
(ii) precautions to be implemented when removing the filter
(iii) precautions to be implemented when disposing of filters
(iv) personal hygiene measures to reduce risk
(v) reference to the filter manufacturer's guidelines for frequency of filter replacement

(2) a policy concerning the venting of vacuum waste tanks; and,

(3) a policy for tasks that involve removing bird debris associated with a bird strike

Aircraft Cleaning

(j) For crew tasked with cleaning an aircraft having transported a traveller suspected of having a communicable disease that may pose a serious public health risk, the AOC holder shall establish a policy consistent with the national public health and aviation authorities that would include—

(4) use of appropriate personal protective equipment
(5) personal hygiene measures to reduce risk
(6) surfaces to be cleaned
(7) use of cleaning agents/disinfectants
(8) disposal of personal protective equipment and soiled material

Cargo and Baggage Handling

(g) The AOC holder shall encourage cargo and baggage handlers to frequently wash their hands and, if required, provide advice concerning any further precautions they may need.

(h) The AOC holder shall co-operate with the public health authority with respect to baggage and cargo inspections (IHR (2005) Article 23 (b)).

Miscellaneous

(i) The AOC shall establish methods to continue operating with greatly reduced staff numbers.

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APPENDIX 1 TO 12:200: SUMMARY OF RECORD RETENTION REQUIREMENTS

a) An operator shall ensure that the following information or documentation is retained for the periods shown in the tables below.

b) Flight crew records—

Flight, duty and rest time	2 years
License and medical certificate	Until 12 months after the flight crew member has left the employ of the operator
Ground and flight training (all types)	Until 12 months after the flight crew member has left the employ of the operator
Route and airport/heliport qualification training.	Until 12 months after the flight crew member has left the employ of the operator
Dangerous good training	Until 12 months after the flight crew member has left the employ of the operator
Security training	Until 12 months after the flight crew member has left the employ of the operator
Proficiency and qualification checks (all types)	Until 12 months after the flight crew member has left the employ of the operator

c) Cabin crew records—

Flight, duty and rest time	2 years
License and medical certificate	Until 12 months after the flight crew member has left the employ of the operator
Ground and flight training (all types) and qualification training	Until 12 months after the flight crew member has left the employ of the operator
Dangerous good training	Until 12 months after the flight crew member has left the employ of the operator
Security training	Until 12 months after the flight crew member has left the employ of the operator
Competency checks (all types)	Until 12 months after the flight crew member has left the employ of the operator

d) Records for other AOC Personnel

Training/qualification of other personnel for who an approved training program is required by these regulations.	Until 12 months after the flight crew member has left the employ of the operator
License (if required) and medical certificate (if required)	Until 12 months after the flight crew member has left the employ of the operator
Proficiency or competency checks, if required.	Until 12 months after the flight crew member has left the employ of the operator

e) Completed Forms Related to Flight Preparation

Load Manifest	3 months after the completion of the flight
Mass & Balance Report	3 months after the completion of the flight
Dispatch/Flight Releases	3 months after the completion of the flight

Flight Plan (ATS)	3 months after the completion of the flight
Operational Flight Plan	3 months after the completion of the flight
Passenger Manifest	3 months after the completion of the flight
Weather Reports & Forecasts	3 months after the completion of the flight

f) Flight Recorder Records—

Cockpit Voice Recordings	Preserved after an accident or incident for 60 days or longer if requested by the Authority
Flight Data Recordings	Preserved after an accident or incident for 60 days or longer if requested by the Authority

g) Aircraft Technical Logbook—

Journey Logbook Section	6 months after the last date of the records contained in the logbook
Maintenance Records Section	as long as the aircraft is operated of the operator, or for three months, whichever is longer

h) Maintenance Record of the Aircraft

Total time in service (hours, calendar time and cycles, as appropriate) of the aircraft and all life-limited component	3 months after the unit to which they refer has been permanently withdrawn from service
Current status of compliance with all mandatory continuing airworthiness information	3 months after the unit to which they refer has been permanently withdrawn from service
Appropriate details of modifications and repairs to the aircraft and its components	3 months after the unit to which they refer has been permanently withdrawn from service

Total time in service (hours, calendar time and cycles, as appropriate) since the last overhaul of the aircraft or its components subject to a mandatory overhaul life	3 months after the unit to which they refer has been permanently withdrawn from service
The detailed maintenance records to show all requirements for a maintenance release have been met.	I year after signing of the maintenance release

i) Other Records

Quality system records	5 years
Dangerous goods transport document	6 months after the completion of the flight
Dangerous goods acceptance checklist	6 months after the completion of the flight
Records on cosmic and solar radiation dosage, if AOC holder operates aircraft that fly above 15,000 m (49,000 ft)	Until 12 months after the crew member has left the employ of the AOC holder

APPENDIX 1 TO 12.235: CONTENTS OF AN AOC JOURNEY LOG

(a) Unless otherwise authorised by the Authority, the AOC shall use a journey log which includes the following information—
  (1) The operator's name (and logo, if desired);
  (2) Aircraft nationality and registration [I];
  (3) Names of crew members [III];
  (4) Duty assignments of crew members [IV];
  (5) Signature of pilot-in-command (or person in charge); [XII]
  (6) Nature of flight [X], (general aviation, aerial work, scheduled or unscheduled commercial air transport);
  (7) A date column [II], followed by columns for (8) through (12) in a row format;
  (8) A column for the departure point (place of departure) [V];
  (9) A column for the arrival point (place of arrival) [VI];
  (10) A column for the out-of-chocks time of departure [VII];
  (11) A column for the in-to-chocks time of arrival [VIII];
  (12) A column for the total hours of flight time [IX]; and
  (13) A section for trip events, incidents and observations [XI].

(b) The AOC holder should use the roman characters with the form labels to clarify the content of information provided.

(c) The Journey Log may be combined with the Aircraft Technical Log where approved by the Authority.

APPENDIX 2 TO 12.240: CONTENTS OF THE AIRCRAFT TECHNICAL LOG

(a) Unless otherwise authorised by the Authority, the AOC holder shall use an aircraft technical log which includes an aircraft maintenance record section containing the following information for each aircraft—
  (1) The AOC holder's company name;
  (2) A unique page numbering system;
  (3) Left margin date entry column; preceding items (4) through (6) in a row format;
  (4) Airport entry column including the departure and arrival airport on the same row;
  (5) An In-service time per leg column, including take-off and landing times on the same row,
  (6) Fuel and oil uplift columns, including, on the same row, the amounts for
    (i) uplift,
    (ii) take-off total and
    (iii) en-route usage.
  (7) Method for entering defects found during flight in a column and row format, including
    (i) A method for numbering each defect
    (ii) Identifying the airport where it was entered;
    (iii) A description of the defected noted;
    (iv) A description of the correction or deferment of the defect;
    (v) The certificate number of the person making the correction; and
    (vi) The signature or 3 letter initials of the person making the correction;
  (8) A method for collecting the critical summary information, such as airframe hours, landing gear cycles, etc.
  (9) A method for collecting any special inspection or maintenance status information that is applicable to the AOC holder's operations, such as VOR receiver checks, ETDO status, etc.
  (10) A separate provision for the current release to service, including

(11) The proper terminology for the release;
(12) The name and signature for the release.
(13) A separate provision for the pilot's flight preparation certification that the document illustrates that the aircraft is airworthy, has the required operational equipment and proper release to service.
(14) A provision for tracking the deferred defects, which may be included as a separate page or pages in the front or back of the technical log.

(b) The operator may combine the prescribed contents of the journey log and the aircraft technical log.

APPENDIX 1 TO 12.315: DRY LEASING OF FOREIGN REGISTERED AIRCRAFT

(a) An AOC holder may dry lease an aircraft for the purpose of commercial air transportation to any AOC holder of a State which is signatory to the Chicago Convention provided that the following conditions are met—
(1) The aircraft carries an appropriate airworthiness certificate issued, in accordance with ICAO Annex 8, by the country of registration and meets the registration and identification requirements of that country.
(2) The aircraft is of a type design which complies with all of the requirements that would be applicable to that aircraft were it registered in Rwanda, including the requirements which shall be met for issuance of a Rwanda standard airworthiness certificate (including type design conformity, condition for safe operation, and the noise, fuel venting, and engine emission requirements).
(3) The aircraft is maintained according to an approved maintenance program.
(4) The aircraft is operated by Rwanda-certified airmen employed by the AOC holder.

(b) The AOC holder shall provide the Authority with a copy of the dry lease to be executed.

(c) Operational control of any dry leased aircraft rests with the AOC holder operating that aircraft.

(d) The Authority will remove a dry leased aircraft from the lessors AOC holder's operations specifications and list it on the foreign AOC holder lessee's operations specifications.

(e) The AOC holder engaged in dry leasing aircraft shall make the dry lease agreement explicit concerning the maintenance program and MEL to be followed during the term of the dry lease.

APPENDIX 1 TO 12.320: AIRCRAFT INTERCHANGE

(a) Before operating under an interchange agreement, The AOC holder shall show that—
(1) The procedures for the interchange operation conform with safe operating practices;
(2) Required crew members and Operational Control Persons meet approved training requirements for the aircraft and equipment to be used and are familiar with the communications and dispatch procedures to be used;
(3) Maintenance personnel meet training requirements for the aircraft and equipment, and are familiar with the maintenance procedures to be used;
(4) Flight crew members and Operational Control Persons meet appropriate route and airport qualifications;
(5) The aircraft to be operated are essentially similar to the aircraft of the AOC holder with whom the interchange is effected; and
(6) The arrangement of flight instruments and controls that are critical to safety are essentially similar, unless the authority determines that the AOC holder has adequate training programs to insure that any potentially hazardous dissimilarities are safely overcome by flight crew familiarisation.

(b) The AOC holder conducting an interchange agreement shall include the pertinent

provisions and procedures of the agreement in its manuals.

(c) The AOC holder shall amend their operations specifications to reflect an interchange agreement.

(d) The AOC holder shall comply with the applicable regulations of the State of Registry of an aircraft involved in an interchange agreement while it has operational control of that aircraft.

APPENDIX 1 TO 12.325: WET LEASING

(a) The AOC holder shall provide the Authority with a copy of the wet lease to be executed.

(b) The Authority will determine which party to a wet lease agreement has operational control considering the extent and control of certain operational functions such as—

(1) Initiating and terminating flights.
(2) Maintenance and servicing of aircraft.
(3) Scheduling crew members.
(4) Paying crew members.
(5) Training crew members.

(c) The AOC holder engaged in a wet leasing arrangement shall amend its operations specifications to contain the following information—

(1) The names of the parties to the agreement and the duration of the agreement.
(2) The make, model, and series of each aircraft involved in the agreement.
(3) The kind of operation.
(4) The expiration date of the lease agreement.
(5) A statement specifying the party deemed to have operational control.
(6) Any other item, condition, or limitation the Authority determines necessary.

APPENDIX 1 TO 12.355: OPERATIONS MANUAL

(a) The AOC holder shall ensure that the contents and structure of the operations manual are in accordance with rules and regulations of the Authority, and is relevant to the area(s) and type(s) of operation.

(b) An AOC holder may design a manual to be more restrictive than the Authority's requirements.

(c) The AOC holder shall ensure that the operations manual presents the items of information listed below, to meet the prescribed requirements.

(1) The manual may consist of two or more parts containing together all such information in a format and manner based upon the outline presented in paragraph (d) below.
(2) Each part of the operations manual must contain all information required by each group of personnel addressed in that part.

(d) An operations manual may be issued in separate parts corresponding to specific aspects of operations and may, at a minimum, be organized with the following structure—

(1) General (such as Operations Manual-Part A);
(2) Aircraft operating information (such as Operations Manual-Part B);
(3) Routes and aerodromes (such as Operations Manual-Part C); and
(4) Training (such as Operations Manual-Part D).

A. General

(1) Instructions outlining the responsibilities of operations personnel pertaining to the conduct of flight operations.

(2) Information and policy relating to fatigue management including—

(i) Rules pertaining to flight time, flight duty period, duty period limitations and rest requirements for flight and cabin crew members; and
(ii) Policy and documentation pertaining to the operator's FRMS.

(3) A list of the navigational equipment to be carried including any requirements relating to operations where performance-based navigation is prescribed
(4) Where relevant to the operations, the long-range navigation procedures, engine failure procedure for ETDO and the nomination and utilisation of diversion aerodromes.
(5) The circumstances in which a radio listening watch is to be maintained.
(6) The method for determining minimum flight altitudes.
(7) The methods for determining aerodrome operating minima.
(8) Safety precautions during refueling with passengers on board.
(9) Ground handling arrangements and procedures.
(10) Procedures as prescribed in Part 19 for pilots-in-command observing an accident.
(11) The flight crew for each type of operation including the designation of the succession of command.
(12) Specific instructions for the computation of the quantities of fuel and oil to be carried, having regard to all circumstances of the operation including the possibility of the failure of one or more powerplants while en route.
(13) The conditions under which oxygen shall be used and the amount of oxygen determined to be carried. determined in accordance with Part 6.
(14) Instructions for mass and balance control.
(15) Instructions for the conduct and control of ground de-icing/anti-icing operations.
(16) The specifications for the operational flight plan.
(17) Standard operating procedures (SOP) for each phase of flight.
(18) Instructions on the use of normal checklists and the timing of their use.
(19) Departure contingency procedures.
(20) Instructions on the maintenance of altitude awareness and the use of automated or flight crew altitude call-out.
(21) Instructions on the use of auto pilots and auto-throttles in IMC.
(22) Instructions on the clarification and acceptance of ATC clearances, particularly where terrain clearance is involved.
(23) Departure and approach briefings
(24) Procedures for familiarisation with areas, routes and aerodromes
(25) Stabilized approach procedure.
(26) Limitation on high rates of descent near the surface
(27) Conditions required to commence or to continue an instrument approach
(28) Instructions for the conduct of precision and non-precision instrument approach procedures.
(29) Allocation of flight crew duties and procedures for the management of crew workload during night and IMC instrument approach and landing operations.
(30) Instructions and training requirements for the avoidance of controlled flight into terrain and policy for the use of the ground proximity warning system (GPWS).
(31) Policy, instructions, procedures and training requirements for the avoidance of collisions and the use of the airborne collision avoidance system (ACAS).
(32) Information and instructions relating to the interception of civil aircraft including—
    (i) Procedures, as prescribed in Part 10, for pilots-in-command of intercepted aircraft; and
    (ii) Visual signals for use by intercepting and intercepted aircraft, as contained in Part 10.
(33) For aeroplanes intended to be operated above 15 000 m (49 000 ft)—
    (i) Information which will enable the pilot to determine the best course of action to take in the event of exposure to solar cosmic radiation; and
    (ii) Procedures in the event that a decision to descend is taken, covering—

(A) The necessity of giving the appropriate ATS unit prior warning of the situation and of obtaining a provisional descent clearance; and
(B) The action to be taken in the event that communication with the ATS unit cannot be established or is interrupted.

(34) Details of the Safety Management System [SMS].
(35) Information and instructions on the carriage of dangerous goods, in accordance with this Part and Part 18, including action to be taken in the event of an emergency.
(36) Security instructions and guidance.
(37) The bomb search procedure checklist.
(38) Instructions and training requirements for the use of head-up displays (HUD) and enhanced vision systems (EVS)
(39) The acceptable level of aerodrome RFFS protection for each aircraft fleet and type of operation.
(40) Procedures, to avoid unnecessary airborne collision avoidance system (ACAS II) resolution advisories in aircraft at or approaching adjacent altitudes or flight levels, operators should specify procedures by which an aeroplane climbing or descending to an assigned altitude or flight level, especially with an autopilot engaged, may do so at a rate less than 8 m/sec or 1 500 ft/min (depending on the instrumentation available) throughout the last 300 m (1 000 ft) of climb or descent to the assigned level when the pilot is made aware of another aircraft at or approaching an adjacent altitude or flight level.
(41) Instructions and training requirements for the use of the EFB, as applicable.

B. Aircraft Operating Information

(1) Certification limitations and operating limitations.
(2) The normal, abnormal and emergency procedures to be used by the flight crew and the checklists relating thereto.
(3) Operating instructions and information on climb performance with all engines operating.
(4) Flight planning data for pre-flight and in-flight planning with different thrust/power and speed settings.
(5) Maximum crosswind and tailwind components for each aeroplane type operated and the reductions to be applied to these values having regard to gust, low visibility, runway surface conditions, crew experience, use of autopilot
(6) Instructions and data for mass and balance calculations.
(7) Instructions for aircraft loading and securing of load.
(8) Aircraft systems, associated controls and instructions for their use.
(9) The minimum equipment list and configuration deviation list for the aircraft types operated and specific operations authorised, including any requirements relating to operations in RVSM and RNP airspace.
(10) Checklist of emergency and safety equipment and instructions for its use.
(11) Emergency evacuation procedures, including type-specific procedures, crew coordination, assignment of crew's emergency positions and the emergency duties assigned to each crew member.
(12) The normal, abnormal and emergency procedures to be used by the cabin crew, the checklists relating thereto and aircraft systems information as required, including a statement related to the necessary procedures for the coordination between flight and cabin crew.
(13) Survival and emergency equipment for different routes and the necessary procedures to verify its normal functioning before take-off, including procedures to determine the required amount of oxygen and the quantity available.
(14) The ground-air visual signal code for use by survivors.

C. Routes and Aerodromes

(1) A route guide to ensure that the flight crew will have, for each flight, information relating to communication facilities, navigation aids, aerodromes, instrument approaches, instrument arrivals and instrument departures as applicable for the operation, and such other information as the operator may deem necessary for the proper conduct of flight operations.

(2) The minimum flight altitudes for each route to be flown.

(3) Aerodrome operating minima for each of the aerodromes that are likely to be used as aerodromes of intended landing or as alternate aerodromes.

(4) The increase of aerodrome operating minima in case of degradation of approach or aerodrome facilities.

(5) The necessary information for compliance with all flight profiles required by these Regulations, including but not limited to, the determination of—

(i) Take-off runway length requirements for dry, wet and contaminated conditions, including those dictated by system failures which affect the take-off distance;

(ii) Take-off climb limitations;

(iii) En-route climb limitations;

(iv) Approach climb limitations and landing climb limitations;

(v) Landing runway length requirements for dry, wet and contaminated conditions, including systems failures which affect the landing distance; and

(vi) Supplementary information, such as tire speed limitations

(6) The level of RFFS protection that is available at each aerodrome.

D. Training

(1) Details of the flight crew training program.

(2) Details of the cabin crew duties training program.

(3) Details of the flight operations officer/flight dispatcher training program when employed in conjunction with a method of flight supervision.

APPENDIX 1 TO 12.385: MINIMUM EQUIPMENT LISTS

(a) If deviations from the requirements of States in the certification of aircraft were not permitted an aircraft could not be flown unless all systems and equipment were operable. These requirements provide that some unserviceability can be accepted in the short term when the remaining operative systems and equipment provide for continued safe operations.

(b) The Authority will approve a minimum equipment list for an AOC holder indicating those systems and items of equipment that may be inoperative for certain flight conditions with the intent that no flight can be conducted with inoperative systems and equipment other than those specified.

(c) A minimum equipment list is based on the master minimum equipment list established for the aircraft type by the organisation responsible for the type design in conjunction with the State of Design.

(d) The AOC holder must, during certification, prepare a minimum equipment list designed to allow the operation of an aircraft with certain systems or equipment inoperative provided an acceptable level of safety is maintained.

(e) The minimum equipment list is not intended to provide for operation of the aircraft for an indefinite period with inoperative systems or equipment. The basic purpose of the minimum equipment list is to permit the safe operation of an aircraft with inoperative systems or equipment within the framework of a controlled and sound program of repairs and parts

replacement.

(f) The AOC holder must ensure that no flight is commenced with multiple minimum equipment list items inoperative without determining that any interrelationship between inoperative systems or components will not result in an unacceptable degradation in the level of safety and/or undue increase in the flight crew workload.

(g) The exposure to additional failures during continued operation with inoperative systems or equipment must also be considered in determining that an acceptable level of safety is being maintained. The minimum equipment list may not deviate from requirements of the flight manual limitations section, emergency procedures or other airworthiness requirements of the State of Registry or of the State of the Operator unless the appropriate airworthiness authority or the flight manual provides otherwise.

(h) Systems or equipment accepted as inoperative for a flight should be placarded where appropriate and all such items should be noted in the aircraft technical log to inform the flight crew and maintenance personnel of the inoperative system or equipment.

(i) Based on manufacturer's MMEL, for a particular system or item of equipment to be accepted as inoperative, it may be necessary to establish a maintenance procedure, for completion prior to flight, to de- activate or isolate the system or equipment. It may similarly be necessary to prepare an appropriate flight crew operating procedure.

APPENDIX 1 TO 12.415: PASSENGER BRIEFING CARDS

(a) The AOC holder shall, at each exit seat, provide passenger information cards that include the following information in the primary language in which emergency commands are given by the crew—

(1) Functions required of a passenger in the event of an emergency in which a crew member is not available to assist—

(i) Locate the emergency exit;

(ii) Recognize the emergency exit opening mechanism;

(iii) Comprehend the instructions for operating the emergency exit;

(iv) Operate the emergency exit;

(v) Assess whether opening the emergency exit will increase the hazards to which passengers may be exposed;

(vi) Follow oral directions and hand signals given by a crew member;

(vii) Stow or secure the emergency exit door so that it will not impede use of the exit;

(viii) Assess the condition of an escape slide, activate the slide, and stabilise the slide after deployment to assist others in getting off the slide;

(ix) Pass expeditiously through the emergency exit; and

(x) Assess, select, and follow a safe path away from the emergency exit

(2) A request that a passenger identify himself or herself to allow reseating if he or she—

(i) Cannot perform the emergency functions stated in the information card;

(ii) Has a nondiscernible condition that will prevent him or her from performing the functions;

(iii) May suffer bodily harm as the result of performing one or more of those functions; or

(iv) Does not wish to perform those functions;

(v) Lacks the ability to read, speak, or understand the language or the graphic form in which instructions are provided by the AOC holder.

APPENDIX 1 TO 12.420: AERONAUTICAL DATA CONTROL SYSTEM

(a) The AOC holder shall provide aeronautical data for each airport used by the AOC holder which includes the following—

(1) Airports—
- (i) Facilities.
- (ii) Navigational and communications aids.
- (iii) Construction affecting take-off, landing, or ground operations.
- (iv) Air traffic facilities.

(2) Runways, clearways, and stopways—
- (i) Dimensions.
- (ii) Surface.
- (iii) Marking and lighting systems.
- (iv) Elevation and gradient.

(3) Displaced thresholds—
- (i) Location.
- (ii) Dimensions.
- (iii) Take-off or landing or both.

(4) Obstacles—
- (i) Those affecting take-off and landing performance computations.
- (ii) Controlling obstacles.
- (iii) Instrument flight procedures.
- (iv) Departure procedure.
- (v) Approach procedure.
- (vi) Missed approach procedure.

(5) Special information—
- (i) Runway visual range measurement equipment.
- (ii) Prevailing winds under low visibility conditions.

APPENDIX 1 TO 12.430: WEATHER REPORTING SOURCES

(a) The Authority approves and considers the following sources of weather reports satisfactory for flight planning or controlling flight movement—

(1) Rwanda State Meteorological office.

(2) Rwanda-operated automated surface observation stations provided the station can report all required items for a complete aviation weather report.

(3) Rwanda-operated supplemental aviation weather reporting stations.

(4) Observations taken by airport traffic control towers.

(5) Rwanda-contracted or approved weather observatories.

(6) Any active meteorological office operated by a foreign state which subscribes to the standards and practices of ICAO conventions., provided the office is listed in the MET tables located in ICAO Regional Air Navigation Plans.

(7) Any military weather reporting sources approved by the Authority, provided that the use of military sources is limited to control of those flight operations which use military airports as departure, destination, alternate, or diversionary airports.

(8) Near real time reports such as pilot reports, radar reports, radar summary charts, and satellite imagery reports made by commercial weather sources or other sources specifically approved by the Authority.

(9) An AOC holder operated and maintained weather reporting system approved by the Authority.

APPENDIX 1 TO 12.435: DEICING & ANTI-ICING PROGRAM

(a) Contents of the AOC holder's ground de-icing and anti-icing program shall include a detailed description of—
  (1) How the AOC holder determines that conditions are such that frost, ice, or snow may reasonably be expected to adhere to the aircraft and that ground deicing and anti-icing operational procedures shall be in effect;
  (2) Who is responsible for deciding that ground deicing and anti-icing operational procedures shall be in effect;
  (3) The procedures for implementing ground deicing and anti-icing operational procedures; and

(b) The specific duties and responsibilities of each operational position or group responsible for getting the aircraft safely airborne while ground deicing and anti-icing operational procedures are in effect.

(c) The AOC holder's program shall include procedures for flight crew members to increase or decrease the determined holdover time in changing conditions.

(d) The holdover time shall be supported by data acceptable to the Authority.

(e) If the maximum holdover time is exceeded, take-off is prohibited unless at least one of the following conditions exists—
  (1) A pre-take-off contamination check is conducted outside the aircraft (within five minutes prior to beginning take off) to determine that the wings, control surfaces, and other critical surfaces, as defined in the certificate holder's program, are free of frost, ice, or snow;
  (2) It is otherwise determined by an alternate procedure, approved by the Authority and in accordance with the AOC holder's approved program, that the wings, control surfaces, and other critical surfaces are free of frost, ice, or snow; or
  (3) The wings, control surfaces, and other critical surfaces are de-iced again and a new holdover time is determined.

APPENDIX 1 TO 12.540: CONTENTS OF THE MAINTENANCE CONTROL MANUAL

(a) The AOC holder's maintenance control manual shall contain the following information which may be issued in separate parts.
  (1) A description of the required maintenance procedures, including where—
    (i) A description of the administrative arrangements between the AOC holder and the approved maintenance organisation;
    (ii) A description of the maintenance procedures and the procedures for completing and signing a maintenance release when maintenance is based on a system other than that of an approved maintenance organisation.
  (2) The names and duties of the person or persons required to ensure that all maintenance is carrier out in accordance with the maintenance control manual;
  (3) A reference to the required maintenance program(s)
  (4) A description of the methods for completion and retention of the required AOC holder's maintenance records;
  (5) A description of establishing and maintaining a system of analysis and continued monitoring or the performance and efficiency of the maintenance program, in order to correct any deficiency in that program.
  (6) A description of the procedures for obtaining and assessing continued airworthiness information and implementing any resulting actions for all aircraft over 5,700 kg and helicopters over 3,175 kg maximum certificated take-off mass, from the organisation responsible for the type design, and shall implement such actions considered necessary by the State of Registry;

(7) A description of procedures for assessing continuing airworthiness information and implementing any resulting actions.
(8) A description of the procedures for implementing action resulting from mandatory continuing airworthiness information.
(9) A description of the procedures for monitoring, assessing and reporting maintenance and operational experience for all aircraft over 5,700 kg and helicopters over 3,175 kg maximum certificated take-off mass;
(10) A description of aircraft types and models to which the manual applies.
(11) A description of procedures for ensuring that unserviceabilities affecting airworthiness are recorded and rectified; and
(12) A description of the procedures for advising the State of Registry of significant in-service occurrences, including failures, malfunctions and defects as required by Regulation 4.047;
(13) A description of the procedures to ensure each aeroplane they operate is in an airworthy condition;
(14) A description of the procedures to ensure the operational emergency equipment for each flight is serviceable;
(15) A description of the procedures for the introduction of new aircraft to the fleet;
(16) A description of the procedures for assessment of contractor capabilities, including deicing;
(17) A description of the procedures for control and approval of major repairs and alterations;
(18) The certificate holder's manual must contain the required programs that must be followed in performing maintenance, preventive maintenance, and alterations of the AOC holder's airplanes, including airframes, aircraft engines, propellers, appliances, emergency equipment and parts thereof, and must include at least the following—
    (i) The method of performing routine and nonroutine maintenance (other than required inspections, preventive maintenance, and alterations.
    (ii) A designation of the items of maintenance and alterations that must be inspected (required inspections), including at least those that could result in a failure, malfunction, or defect endangering the safe operations of the aircraft, if not performed properly or if improper parts or materials are used.
    (iii) The method of performing required inspections and a designation by occupational title or personnel authorised to perform each required inspection.
    (iv) Procedures for the reinspection of work performed pursuant to previous required inspections findings ("buy-back") procedures.
    (v) Procedures, standards and limits necessary for required inspections and acceptance or rejections of the items required to be inspected and for periodic inspection and calibration of precision tools, measuring devices and test equipment.
    (vi) Instruction to prevent any person who performs any itme of work from performing any required inspection of that work.
    (vii) Instructions and procedures to prevent any decision of an inspector, regarding any required inspection from being countermanded by persons other than supervisory personnel of the
    inspection unit, or a person at that level of administrative control that has overall responsibility for the management of both the required inspection functions and the other maintenance, preventive maintenance and alteration functions.
    (viii) Procedures to ensure that required inspection, other maintenance, preventive maintenance and alterations that are not completed as a result of shift changes or similar work interruptions are properly completed before the aircraft is released

to service.

(ix) A description of the procedures for preparing the release to service and the circumstances under which the release is to be signed.

(x) A list of personnel authorised to sign the release to service and the scope of their authorisation.

(b) This manual may be organized in any subject order and the subjects may be combined so long as all applicable subjects are included.

APPENDIX 1 TO 12.550: MAINTENANCE QUALITY ASSURANCE PROGRAM

(a) The quality assurance program for maintenance shall be developed to monitor compliance with the approved procedures specified in an operator's maintenance control manual to ensure compliance and thereby ensure the maintenance aspects of the operational safety of the aircraft.

(b) Each AOC holder shall establish a plan acceptable to the Authority to show when and how often the activities are required will be monitored.

(c) A reports shall be produced at the completion of each monitoring investigation and include details of discrepancies of non-compliance with procedures or requirements.

(d) The quality assurance system shall include a feedback system to ensure that corrective actions are identified and carried out in a timely manner.

(e) The feedback part of the system shall address who is required to rectify discrepancies and non-compliance in each particular case and the procedure to be followed if rectification is not completed within appropriate time scales. The procedure should lead to the Accountable Manager.

(f) To ensure effective compliance The AOC holder and AOC applicant should use the following elements—

(1) Product sampling - the part inspection of a representative sample of the aircraft fleet;

(2) Defect sampling - the monitoring of defect rectification performance;

(3) Concession sampling - the monitoring of any concession to not carry out maintenance on time;

(4) On time maintenance sampling - the monitoring of when (flying hours/calendar time/flight cycles, etc.) aircraft and their components are brought in for maintenance;

(5) Sample reports of unairworthy conditions and maintenance errors on aircraft and components.

APPENDIX 1 TO 12.615: INITIAL FINANCIAL SUBSTANTIATION

General

(a) Each financial statement containing financial information required under Regulation 12.615 must—

(1) Be based on accounts prepared and maintained on an accrual basis in accordance with generally accepted accounting principles applied on a consistent basis; and

(2) Contain the name and address of the applicant's public accounting firm, if any;

(3) Be signed by an officer, owner or partner of the applicant or certificate holder.

Financial information required for original issue or renewal of the AOC

(b) Each applicant for the original issue or renewal of a scheduled or non-scheduled international or domestic AOC must submit the following financial information—

(1) A balance sheet that shows assets, liabilities, and net worth, as of a date not more than 60 days before the date of application.

(2) In the case of an application for renewal, the most recent profit and loss statement required to be submitted under paragraph (c) below. Also, if the application for renewal

is filed more than 60 days after the date of the applicant's most recent profit and loss statement submitted under paragraph (c) below, the applicant must submit a supplementary profit and loss statement covering the period from the date of the most recent statement to a date not more than 60 days before the date of application for renewal. The applicant shall submit a list of each contract that gave rise to operating income on the supplementary profit and loss statement, including the names and addresses of the contracting parties and the nature, scope, date, and duration of each contract.

(3) An itemization of liabilities more than 60 days past due on the balance sheet date, if any, showing each creditor's name and address, a description of the liability, and the amount and due date of the liability.

(4) An itemization of claims in litigation, if any, against the applicant as of the date of application showing each claimant's name and address and a description and the amount of the claim.

(5) In the case of an application for original issue, a detailed projection of the proposed operation covering 6 complete months after the month in which the certificate is expected to be issued including—
   (i) Estimated amount and source of both operating and non-operating revenue, including identification of its existing and anticipated income producing contracts and estimated revenue per mile or hour of operation by aircraft type;
   (ii) Estimated amount of operating and non-operating expenses by expense objective classification; and
   (iii) Estimated net profit or loss for the period.

(6) An estimate of the cash that will be needed for the proposed operations during the first 6 months after the month in which the certificate is expected to be issued, including—
   (i) Acquisition of property and equipment (explain);
   (ii) Retirement of debt (explain);
   (iii) Additional working capital (explain);
   (iv) Operating losses other than depreciation and amortization (explain); and
   (v) Other (explain).

(7) An estimate of the cash that will be available during the first 6 months after the month in which the certificate is expected to be issued, from—
   (i) Sale of property or flight equipment (explain);
   (ii) New debt (explain);
   (iii) New equity (explain);
   (iv) Working capital reduction (explain);
   (v) Operations (profits)(explain);
   (vi) Depreciation and amortization (explain); and
   (vii) Other (explain).

(8) A schedule of insurance coverage in effect on the balance sheet date showing insurance companies; policy numbers; types, amounts, and periods of coverage; and special conditions, exclusions, and limitations.

(9) Any other financial information that the Authority requires to enable it to determine that the applicant has sufficient financial resources to conduct his operations with the degree of safety required in the public interest.

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APPENDIX 2 TO 12.615: PERIODIC FINANCIAL REPORTS

(a) Each AOC holder shall submit a financial report for the first 6 months of each fiscal year and another financial report for each complete fiscal year.

(b) If an AOC is suspended for more than 29 days, the AOC holder shall submit a financial report as of the last day of the month in which the suspension is terminated.

(c) The report required to be submitted by this Regulation shall be submitted within 60 days of the last day of the period covered by the report and must include—

(1) A balance sheet that shows assets, liabilities, and net worth on the last day of the reporting period;
(2) The information required by paragraphs (b) (3), (8), and (9) of Appendix 1 to 12.615;
(3) An itemization of claims in litigation against the applicant, if any, as of the last day of the period covered by the report;
(4) A profit and loss statement with separation of items relating to applicant's commercial operator activities from his other business activities, if any; and
(5) A list of each contract that gave rise to operating income on the profit and loss statement, including the names and addresses of the contracting parties and the nature, scope, date, and duration of each contract.

APPENDIX 1 TO 12.620: PREPAREDNESS PROGRAM FOR POSSIBLE COMMUNICATIVE DISEASES

Communications

(a) The AOC holder shall establish—

(1) a contact point for policy formulation and operational organization of preparedness; and
(2) a position with responsibility for the operational implementation of the airline preparedness plan, having reasonable autonomy/flexibility for rapid policy and decision making.

(b) The AOC holder shall establish communication links with the following aviation internal and local entities—

(1) airport authorities;
(2) handling agents;
(3) airport medical service providers;
(4) emergency medical services;
(5) maintenance service providers;
(6) cleaning service providers;
(7) baggage handling services;
(8) air traffic management;
(9) local public health authority;
(10) local hospital(s);
(11) police;
(12) immigration;
(13) customs;
(14) security service providers; and
(15) other stakeholders as necessary

(c) Communication links should be established, with the following external entities—

(1) travellers—
(i) before reaching the airport
(ii) when in the terminal building
(2) travel agents—

(3) international organizations involved with migration
(4) media

At the Airport (Pre- and Post-Flight)

(d) The AOC holder shall—

(1) establish general guidelines for passenger agents who may be faced with a suspected case of communicable disease, relevant to airline operations, at the airport; and,
(2) cooperate with airport and public health authorities on logistics e.g. dealing with a sick traveller.

Note: It is not the role of airline staff or handling agents to have prime responsibility for screening and managing travellers who may have a communicable disease: this is usually a public health responsibility

In-Flight Illness

(e) The AOC holder shall establish—

(1) a system enabling cabin crew to identify travelers suspected of having a communicable disease;
(2) a system of managing travelers who are suspected of having a communicable disease, including—
  (i) advice from medical ground support (if available)
  (ii) sick traveller relocation, away from other travelers, if possible
  (iii) carriage of appropriate first-aid equipment and supplies, cabin crew training in its use (in accordance with ICAO, Annex 6, 6.2) and general sanitary precautions
  (iv) clean-up of areas occupied by the affected traveler, when necessary
  (v) reallocation of cabin crew duties
  (vi) use of appropriate personal protective equipment by passenger and crew e.g. masks, gloves
  (vii) disposal of contaminated supplies and equipment
  (viii) personal hygiene measures to reduce risk
(3) procedures for informing air traffic control that a case of a communicable disease is on board, so that the public health authority at the destination can be advised appropriately in a timely manner.

Aircraft Maintenance

(f) The AOC holder establish for the maintenance crew—

(1) a policy concerning the removal of re-circulated air filters including—
  (i) use of personal protective equipment
  (ii) precautions to be implemented when removing the filter
  (iii) precautions to be implemented when disposing of filters
  (iv) personal hygiene measures to reduce risk
  (v) reference to the filter manufacturer's guidelines for frequency of filter replacement
(2) a policy concerning the venting of vacuum waste tanks; and,
(3) a policy for tasks that involve removing bird debris associated with a bird strike

Aircraft Cleaning

(k) For crew tasked with cleaning an aircraft having transported a traveller suspected of having a communicable disease that may pose a serious public health risk, the AOC holder shall establish a policy consistent with the national public health and aviation authorities that would include—

(4) use of appropriate personal protective equipment
(5) personal hygiene measures to reduce risk

(6) surfaces to be cleaned
(7) use of cleaning agents/disinfectants
(8) disposal of personal protective equipment and soiled material

Cargo and Baggage Handling

(g) The AOC holder shall encourage cargo and baggage handlers to frequently wash their hands and, if required, provide advice concerning any further precautions they may need.

(h) The AOC holder shall cooperate with the public health authority with respect to baggage and cargo inspections.

Miscellaneous

(i) The AOC shall establish methods to continue operating with greatly reduced staff numbers.

END OF RCAR PART 12

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XIII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XIII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XIII A L'ARRÊTÉ MINISTÉRIEL Nº 01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 13

Additional Passenger Carrying Requirements

SUBPART A: GENERAL 2
13.001 CITATION & APPLICABILITY 2
13.005 DEFINITIONS 2
13.010 ACRONYMS & ABBREVIATIONS 2
13.015 WHEN PASSENGER-CARRYING REQUIREMENTS NOT APPLICABLE 2
13.020 REPORTING OF POSSIBLE COMMUNICABLE DISEASE 2
SUBPART B: CABIN CREW MEMBERS 3
13.025 REQUIRED CABIN CREW MEMBERS 3
13.030 CABIN CREW MEMBER PRIVILEGES 3
13.035 CABIN CREW MEMBERS AT DUTY STATIONS 3
SUBPART C: PASSENGERS 4
13.040 DENIAL OF TRANSPORTATION 4
13.045 PROHIBITION AGAINST CARRIAGE OF WEAPONS 4
13.050 CARRIAGE OF SPECIAL SITUATION PASSENGERS 4
13.055 OXYGEN FOR MEDICAL USE BY PASSENGERS 5
13.060 CARRIAGE OF PERSONS WITH REDUCED MOBILITY 5
13.065 PASSENGER SEAT BELTS 5
13.070 EXIT ROW SEATING 5
13.075 PASSENGER INFORMATION SIGNS 5
13.080 PASSENGER COMPLIANCE WITH INSTRUCTIONS 5
13.085 REQUIRED PASSENGER BRIEFINGS 6
13.090 PASSENGER BRIEFING: EXTENDED OVERWATER OPERATIONS 6
13.095 PASSENGER BRIEFING CARDS 6
SUBPART D: SECURING ITEMS OF MASS 6
13.100 SECURING OF ITEMS OF MASS IN PASSENGER COMPARTMENT 6
13.105 CARRY-ON BAGGAGE 6
13.110 CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS 7
SUBPART E: EMERGENCY PREPAREDNESS 7
13.115 ACCESSIBILITY OF EMERGENCY EXITS & EQUIPMENT 7
13.120 EVACUATION CAPABILITY 7
13.125 ARMING OF AUTOMATIC EMERGENCY EXITS 7
13.130 STOPS WHERE PASSENGERS REMAIN ON BOARD 7
13.135 PASSENGER SEAT BACKS 7
13.140 STOWAGE OF FOOD, BEVERAGE AND PASSENGER SERVICE 8
APPENDICES 9
APPENDIX 1 TO 13.070: EXIT ROW SEATING 9
APPENDIX 1 TO 13.110: CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS 10

SUBPART A: GENERAL

13.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Additional Passenger Carrying Requirements) Regulations.

(b) This Part prescribes the passenger-carrying requirements, in addition to the requirements of Part 10, for—

(1) AOC holders,

(2) Corporate aviation operations

(3) Other operators of aeroplanes—

(i) That are turbojet-powered; or

(ii) With a maximum take-off gross weight of more than 5700 kg; and/or

(iii) Have a maximum passenger configuration of more than 9 passengers.

(4) Persons and entities that operate these aircraft and the persons performing duties on their behalf.

(c) Civil Aviation Technical Standards published by the Authority shall also be applicable to the passenger carrying requirements

.

13.005 DEFINITIONS

(a) The definitions applicable to this Part are consolidated in Part 1, Appendix 1 to 1.015.

13.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms are used in this Part—

AOC = Air Operator Certificate
CCM = Cabin Crew Member
PBE = Protective Breathing Equipment
PIC = Pilot In Command
SIC = Second In Command
SCCM Senior Cabin Crew Member

13.015 WHEN PASSENGER-CARRYING REQUIREMENTS NOT APPLICABLE

(a) The passenger-carrying requirements of this Part do not apply when carrying—

(1) A crew member not required for the flight;

(2) A representative of the Authority on official duty;

(3) A person necessary to the safety or security of cargo or animals; or

(4) Any person authorised by the operator's Operation Manual.

(b) No person may be carried without compliance to the passenger carrying requirements unless—

(1) There is an approved seat with an approved seat belt for that person;

(2) That seat is located so that the occupant is not in any position to interfere with the flight crew members performing their duties;

(3) There is unobstructed access from their seat to the flight deck or a regular or emergency exit;

(4) There is a means for notifying that person when smoking is prohibited and when seat belts shall be fastened; and

(5) That person has been orally briefed by a crew member on the use of emergency equipment and exits.

13.020 REPORTING OF POSSIBLE COMMUNICABLE DISEASE

(a) The CCM shall promptly report any indication of a person having a suspected communicable disease to the PIC and provide the following information:

(1) Number of suspected case(s) on board; and
(2) Nature of the public health risk, if known.

A communicable disease could be suspected if a person has a fever (temperature 38C (100F) or greater that is associated with signs or symptoms, such as appearing obviously unwell, persistent coughing, impaired breathing, persistent diarrhoea; persistent vomiting; skin rash, bruising or bleeding without previous injury, confusion of recent onset.

(b) The CCM shall comply with the operator's procedures for handling of persons with a suspected communicable disease.

SUBPART B: CABIN CREW MEMBERS

13.025 REQUIRED CABIN CREW MEMBERS

(a) The operator shall schedule, and the PIC shall ensure that the minimum number of required cabin crew members are on board passenger-carrying flights.

(b) The number of cabin crew members may not be less than minimum prescribed by the Authority in the AOC holder's operations specifications or the following, whichever is greater—

(1) For a seating capacity of 20 to 50 passengers, one cabin crew member; and
(2) One additional cabin crew member for each unit, or part of a unit, of 50 passenger seat capacity
(3) But, in no case, will the number of cabin crew members be less than the number of life rafts carried.

(c) When passengers are on board a parked aircraft, the minimum number of flight attendants shall be one-half that required for the flight operation, but never less than one cabin crew member (or another person qualified in the emergency evacuation procedures for the aircraft).

(d) Where one-half would result in a fractional number, it is permissible to round down to the next whole number.

13.030 CABIN CREW MEMBER PRIVILEGES

(a) A cabin crew member licenced under Part 7 may perform cabin safety services for hire on passenger carrying aircraft when cabin crew members are required by this Part—

(1) For commercial air transport operations, when also qualified under the requirements of Parts 8 and 14; or
(2) For general aviation operations, after completion of an initial and recurrent training program, including emergency training and drills for the specific aircraft and human factors training.

(b) A cabin crew member shall have in their personal possession during flight operations a current Class 2 medical certificate issued in the last 24 calendar months.

13.035 CABIN CREW MEMBERS AT DUTY STATIONS

(a) During taxi, cabin crew members shall remain at their duty stations with safety belts and shoulder harness fastened except to perform duties related to the safety of the aircraft and its occupants.

(b) During take-off and landing, cabin crew members shall remain at their duty stations with safety belts and shoulder harness fastened.

(c) During en-route phases of flight, the cabin crew member shall be seated at their duty station with safety belts and shoulder harness fastened whenever the PIC so directs.

(d) During take-off and landing, cabin crew members shall be assigned to duty stations as near as practicable to required floor level exits and shall be uniformly distributed throughout the aircraft to provide the most effective egress of passengers in event of an

emergency evacuation.

(e) When passengers are on board a parked aircraft, cabin crew members (or another person qualified in emergency evacuation procedures for the aircraft) will be placed in the following manner—

(1) If only one qualified person is required, that person shall be located in accordance with the operator's Operations Manual procedures.

(2) If more than one qualified person is required, those persons shall be spaced throughout the cabin to provide the most effective assistance for the evacuation in case of an emergency.

SUBPART C: PASSENGERS

13.040 DENIAL OF TRANSPORTATION

(a) An operator may deny transportation because a passenger—

(1) Refuses to comply with the instructions regarding exit seating restrictions prescribed by the Authority; or

(2) Has a handicap that can be physically accommodated only by an exit row seat.

(b) The following requirements also apply to the right to refuse the carriage of passenger who has got an air ticket and reserved a seat on the flight or in the course of the passenger's journey—

(1) From condition of the passenger's health the operator obviously realizes that the transport of the passenger or continuing transport of the passenger shall be dangerous or harmful to the passenger, other persons on the aircraft or the flight;

(2) For the prevention of infectious disease spread;

(3) The passenger does not observe regulations on aviation safety and security and air transportation;

(4) The passenger has an act affecting public order, jeopardizing the flight's safety or affecting others' life and health or properties;

(5) The passenger is under the influence of alcohol, beer and other stimulants that he/she does not control his/her behaviour;

(6) For the security reasons;

(7) At the request of competent governmental authority.

13.045 PROHIBITION AGAINST CARRIAGE OF WEAPONS

(a) No person may, while on board an aircraft being operated in commercial air transport, carry on or about their person a deadly or dangerous weapon, either concealed or unconcealed.

(b) Paragraph (a) does not apply to persons specifically authorised in writing by the operator to carry arms on board the flight, provided this authorisation is in accordance with the operator's operations manual procedures and applicable international security requirements.

13.050 CARRIAGE OF SPECIAL SITUATION PASSENGERS

(a) No operator may allow the transportation of special situation passengers except—

(1) As provided in the operator's Operations Manual procedures; and

(2) With the knowledge and concurrence of the PIC.

(b) The special situations passengers shall include—

(1) Blind persons;

(2) Paraplegic persons (non-ambulatory);

(3) Persons with reduced mobility;

(4) Persons requiring medical oxygen;

(5) Person unable to use seat belts; and.
(6) Prisoners under escort.

13.055 OXYGEN FOR MEDICAL USE BY PASSENGERS

(a) An operator may allow a passenger to carry and operate equipment for the storage, generation or dispensing of medical oxygen only as prescribed by the Authority.

(b) No person may smoke, and no crew member may allow any person to smoke within 10 feet of oxygen storage and dispensing equipment carried for the medical use of a passenger.

(c) No crew member may allow any person to connect or disconnect oxygen dispensing equipment to or from an oxygen cylinder while any other passenger is aboard the aircraft.

13.060 CARRIAGE OF PERSONS WITH REDUCED MOBILITY

(a) No person may allow a person of reduced mobility to occupy seats where their presence could—
  (1) Impede the crew in their duties;
  (2) Obstruct access to emergency equipment; or
  (3) Impede the emergency evacuation of the aircraft.

13.065 PASSENGER SEAT BELTS

(a) Each passenger occupying a seat or berth shall fasten his or her safety belt and keep it fastened while the "Fasten Seat Belt" sign is lighted or, in aircraft not equipped with such a sign, whenever instructed by the PIC.

(b) No passenger safety belt may be used by more than one occupant during take-off and landing.

(c) At each unoccupied seat, the safety belt and shoulder harness, if installed, shall be secured so as not to interfere with crew members in the performance of their duties or with the rapid egress of occupants in an emergency.

(d) A person who has not reached his or her second birthday may be held by an adult who is occupying a seat or berth.

(e) A berth, such as a multiple lounge or divan seat, may be occupied by two persons provided it is equipped with an approved safety belt for each person and is used during en route flight only.

13.070 EXIT ROW SEATING

(a) No PIC or SCCM may allow a passenger to sit in an emergency exit row if the PIC or SCCM determine that it is likely that the passenger would be unable to understand and perform the functions necessary to open an exit and to exit rapidly.

(b) Before each take-off, the PIC or SCCM shall ensure that all persons seated in an exit row are individually briefed regarding the responsibilities, acceptance of those responsibilities and instructions for operation of the specific exit.

13.075 PASSENGER INFORMATION SIGNS

(a) The PIC shall turn on required passenger information signs during any movement on the surface, for each take-off and each landing, and when otherwise considered to be necessary.

13.080 PASSENGER COMPLIANCE WITH INSTRUCTIONS

(a) Each passenger on a commercial air transport flight shall comply with instructions given by a crew member in compliance with this Section.

13.085 REQUIRED PASSENGER BRIEFINGS

(a) No person may commence a take-off unless the passengers are briefed prior to take-off in accordance with the operator's Operation Manual procedures on—
  (1) Smoking limitations and prohibitions;
  (2) Emergency exit location and use;
  (3) Use of safety belts;
  (4) Emergency flotation means location and use;
  (5) Placement of seat backs;
  (6) If flight is above 12,000 feet MSL, the normal and emergency use of oxygen;
  (7) Stowage of carry-on baggage; and
  (8) The passenger briefing card.

(b) Immediately before or immediately after turning the seat belt sign off, the PIC or SCCM shall ensure that the passengers are briefed to keep their seat belts fastened while seated, even when the seat belt sign is off.

(c) Before each take-off, the PIC or SCCM shall ensure that any persons of reduced mobility are personally briefed on—
  (1) The route to the most appropriate exit; and
  (2) The time to begin moving to the exit in event of an emergency.

13.090 PASSENGER BRIEFING: EXTENDED OVERWATER OPERATIONS

(a) No person may commence extended overwater operations unless all passengers have been orally briefed on the location and operations of life preservers, life rafts and other flotation means, including a demonstration of the method of donning and inflating a life preserver.

13.095 PASSENGER BRIEFING CARDS

(a) No person may commence a flight unless a passenger briefing card is available to each passenger prior to the take-off.

(b) The passenger briefing card will contain instructions and graphics for all briefing subjects listed in Sections—
  (1) 13.060;
  (2) 13.075; and
  (3) 13.080.

SUBPART D: SECURING ITEMS OF MASS

13.100 SECURING OF ITEMS OF MASS IN PASSENGER COMPARTMENT

(a) No person may allow the take-off or landing of an aircraft unless each item of mass in the passenger cabin is properly secured to prevent it from becoming a hazard during taxi, take-off and landing and during turbulent weather conditions.

(b) No person may allow an aircraft to move on the surface, take-off or land unless each passenger serving cart is secured in its stowed position.

(c) Expanded requirements for carriage of cargo in passenger compartments are prescribed in Appendix 1 to 13.060.

13.105 CARRY-ON BAGGAGE

(a) No person may allow the boarding of carry-on baggage unless it can be adequately and securely stowed in accordance with the operator's Operations Manual procedures.

(b) No person may allow aircraft passenger entry doors to be closed in preparation for taxi or push back unless at least one required crew member has verified that each article of baggage has been properly stowed in overhead racks with approved restraining devices or doors, or in

approved locations aft of the bulkhead

(c) No person may allow carry-on baggage to be stowed in a location that would cause that location to be loaded beyond its maximum placard weight limitation.

(d) The stowage locations shall be capable of restraining the articles in crash impacts severe enough to induce the ultimate inertia forces specified in the emergency landing conditions under which the aircraft was type- certified.

13.110 CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS

(a) No person may allow the carriage of cargo in the passenger compartment of an aeroplane except as prescribed by the Authority.

(b) Expanded requirements for carriage of cargo in passenger compartments are prescribed in Appendix 1 to 13.095.

SUBPART E: EMERGENCY PREPAREDNESS

13.115 ACCESSIBILITY OF EMERGENCY EXITS & EQUIPMENT

(a) No person may allow carry-on baggage or other items to block access to the emergency exits when the aircraft is moving on the surface, during take-off or landing, or while passengers remain on board.

13.120 EVACUATION CAPABILITY

(a) The PIC, SCCM and other person assigned by the operator shall ensure that, when passengers are on board the aircraft prior to movement on the surface, at least one floor-level exit provides for egress of passengers through normal or emergency means.

13.125 ARMING OF AUTOMATIC EMERGENCY EXITS

(a) No person may cause an aeroplane carrying passengers to be moved on the surface, take-off or land unless each automatically deployable emergency evacuation assisting means installed on the aircraft is ready for evacuation.

13.130 STOPS WHERE PASSENGERS REMAIN ON BOARD

(a) At stops where passengers remain on board the aircraft, the PIC, the SCCM, or both shall ensure that—

(1) All engines are shut down;

(2) At least one floor level exit remains open to provide for the deplaning of passengers; and

(3) There is at least one person immediately available who is qualified in the emergency evacuation of the aircraft and who has been identified to the passengers on board as responsible for the passenger safety.

(b) If refuelling with passengers on board, the PIC or a designated company representative shall ensure that the operator's Operations Manual procedures are followed.

13.135 PASSENGER SEAT BACKS

(a) No PIC or SCCM may allow the take-off or landing of an aircraft unless each passenger seat back is in the upright position.

(b) Exceptions to the requirement of paragraph (a) may only be made in accordance with procedures in the operator's Operations Manual provided the seat back does not obstruct any passenger's access to the aisle or to any emergency exit.

13.140 STOWAGE OF FOOD, BEVERAGE AND PASSENGER SERVICE

(a) No PIC or SCCM may allow the movement of an aircraft on the surface, take-off or land—

(1) When any food, beverage or tableware furnished by the operator is located at any passenger seat; and

(2) Unless each food and beverage tray and seat back tray table is in the stowed position.

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APPENDICES

APPENDIX 1 TO 13.070: EXIT ROW SEATING

(a) No cabin crew member may seat a person in a passenger exit seat if it is likely that the person would be unable to perform one or more of the applicable functions listed below—

(1) The person lacks sufficient mobility, strength, or dexterity in both arms and hands, and both legs—

(i) To reach upward, sideways, and downward to the location of emergency exit and exit-slide operating mechanisms;

(ii) To grasp and push, pull, turn, or otherwise manipulate those mechanisms;

(iii) To push, shove, pull, or otherwise open emergency exits;

(iv) To lift out, hold, deposit on nearby seats, or manoeuvre over the seatbacks to the next row objects the size and weight of over-wing window exit doors;

(v) To remove obstructions of size and weight similar over-wing exit doors;

(vi) To reach the emergency exit expeditiously;

(vii) To maintain balance while removing obstructions;

(viii) To exit expeditiously;

(ix) To stabilise an escape slide after deployment; or

(x) To assist others in getting off an escape slide;

(2) The person is less than 15 years of age or lacks the capacity to perform one or more of the applicable functions listed above without the assistance of an adult companion, parent, or other relative;

(3) The person lacks the ability to read and understand instructions required by this section and related to emergency evacuation provided by the operator in printed or graphic form or the ability to understand oral crew commands,

(4) The person lacks sufficient visual capacity to perform one or more of the above functions without the assistance of visual aids beyond contact lenses or eyeglasses;

(5) The person lacks sufficient aural capacity to hear and understand instructions shouted by flight attendants, without assistance beyond a hearing aid;

(6) The person lacks the ability adequately to impart information orally to other passengers; or

(7) The person has a condition or responsibilities, such as caring for small children, that might prevent the person from performing one or more of the functions listed above; or a condition that might cause the person harm if he or she performs one or more of the functions listed above.

(b) Determinations as to the suitability of each person permitted to occupy an exit seat shall be made by the cabin crew members or other persons designated in the operator's operations manual.

(c) In the event a cabin crew member determines that a passenger assigned to an exit seat would be unable to perform the emergency exit functions, or if a passenger requests a non-exit seat, the cabin crew member shall expeditiously relocate the passenger to a non-exit seat.

(d) In the event of full booking in the non-exit seats, and if necessary to accommodate a passenger being relocated from an exit seat, the cabin crew member shall move a passenger who is willing and able to assume the evacuation functions, to an exit seat.

(e) Each AOC ticket agent shall, prior to boarding, assign seats consistent with the passenger selection criteria and the emergency exit functions, to the maximum extent feasible.

(f) Each AOC ticket agent shall make available for inspection by the public at all passenger loading gates and ticket counters at each aerodrome where it conducts passenger operations, written procedures established for making determinations in regard to exit row seating,

(n) Each cabin crew member shall include in their passenger briefings a request that a passenger identify himself or herself to allow reseating if he or she—

(1) Cannot meet the selection criteria;
(2) Has a non-discernible condition that will prevent him or her from performing the evacuation functions;
(3) May suffer bodily harm as the result of performing one or more of those functions; or
(4) Does not wish to perform emergency exit functions.

(g) Each cabin crew member shall include in their passenger briefings a reference to the passenger information cards and the functions to be performed in an emergency exit.

(h) Each passenger shall comply with instructions given by a crew member or other authorised employee of the operator implementing exit seating restrictions

(i) No PIC may allow taxi or pushback unless at least one required crew member has verified that all exit rows and escape paths are unobstructed and that no exit seat is occupied by a person the crew member determines is likely to be unable to perform the applicable evacuation functions.

APPENDIX 1 TO 13.110: CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS

(a) Cargo may be carried anywhere in the passenger compartment if it is carried in an approved cargo bin that meets the following requirements—

(1) The bin must withstand the load factors and emergency landing conditions applicable to the passenger seats of the aeroplane in which the bin is installed, multiplied by a factor of 1.15, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;
(2) The maximum weight of cargo that the bin is approved to carry and any instructions necessary to insure proper weight distribution within the bin must be conspicuously marked on the bin;
(3) The bin may not impose any load on the floor or other structure of the aeroplane that exceeds the load limitations of that structure;
(4) The bin must be attached to the seat tracks or to the floor structure of the aeroplane, and its attachment must withstand the load factors and emergency landing conditions applicable to the passenger seats of the aeroplane in which the bin is installed, multiplied by either the factor 1.15 or the seat attachment factor specified for the aeroplane, whichever is greater, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;
(5) The bin may not be installed in a position that restricts access to or use of any required emergency exit, or of the aisle in the passenger compartment;
(6) The bin must be fully enclosed and made of material that is at least flame resistant;
(7) Suitable safeguards must be provided within the bin to prevent the cargo from shifting under emergency landing conditions; and
(8) The bin may not be installed in a position that obscures any passenger's view of the "seat belt" sign, "no smoking" sign, or any required exit sign, unless an auxiliary sign or other approved means for proper notification of the passenger is provided.

(b) Cargo, including carry-on baggage, may be carried anywhere in the passenger compartment of a small (Group B) aeroplane if it is carried in an approved cargo rack, bin, or compartment installed in or on the aeroplane, if it is secured by an approved means, or if it is carried in accordance with each of the following—

(1) For cargo, it is properly secured by a safety belt or other tie-down having enough strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions, or for carry-on baggage, it is restrained so as to prevent its movement during air turbulence;
(2) It is packaged or covered to avoid possible injury to occupants;

(3) It does not impose any load on seats or in the floor structure that exceeds the load limitation for those components;

(4) It is not located in a position that obstructs the access to, or use of, any required emergency or regular exit, or the use of the aisle between the crew and the passenger compartment, or is located in a position that obscures any passenger's view of the "seat belt" sign, "no smoking" sign or placard, or
any required exit sign, unless an auxiliary sign or other approved means for proper notification of the passengers is provided;

(5) It is not carried directly above seated occupants.

(6) It is stowed in compliance with these restrictions during take-off and landing.

(7) For cargo-only operations, if the cargo is loaded so that at least one emergency or regular exit is available to provide all occupants of the aeroplane a means of unobstructed exit from the aeroplane if an emergency occurs.

END OF RCAR PART 13

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº 04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XIV W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XIV TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XIV A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 14

AOC Personnel Qualification

SUBPART A: GENERAL 4
14.001 CITATION & APPLICABILITY 4
14.005 DEFINITIONS 4

SUBPART B: AVIATION PERSONNEL QUALIFICATIONS 5
14.020 AGE 65 RESTRICTION 5
14.025 PIC LICENSE REQUIREMENTS: TURBOJET OR LARGE AIRCRAFT 5
14.030 PIC LICENCE REQUIREMENTS: NON-TURBOJET SMALL AEROPLANES 5
14.035 PIC AERONAUTICAL EXPERIENCE: SMALL AEROPLANES 5
14.037 PIC AERONAUTICAL EXPERIENCE: SINGLE-ENGINE SMALL AIRCRAFT CLASS 5
14.040 CO-PILOT LICENCE REQUIREMENTS 6
14.045 FE LICENCE REQUIREMENTS 6
14.050 ONE PILOT QUALIFIED TO PERFORM FE FUNCTIONS 6
14.055 PERSONS QUALIFIED TO FLIGHT RELEASE 6
14.060 PAIRING OF LOW EXPERIENCE CREW MEMBERS 6
14.061 LANGUAGE PROFICIENCY 7
14.063 COMMON LANGUAGE 7

SUBPART C: GROUND TRAINING REQUIREMENTS 7
14.065 COMPANY PROCEDURES INDOCTRINATION 7
14.067 FATIGUE EDUCATION & AWARENESS TRAINING 8
14.070 INITIAL DANGEROUS GOODS TRAINING 8
14.075 INITIAL SECURITY TRAINING 8
14.080 INITIAL CREW RESOURCE MANAGEMENT & HUMAN PERFORMANCE 9
14.083 INITIAL THREAT & ERROR MANAGEMENT 9
14.085 INITIAL EMERGENCY DUTIES TRAINING 9
14.090 INITIAL AIRCRAFT GROUND TRAINING 9
14.093 TRANSITION OR UPGRADE AIRCRAFT GROUND TRAINING 10

SUBPART D: FLIGHT TRAINING REQUIREMENTS 10
14.095 INITIAL AIRCRAFT FLIGHT TRAINING 10
14.096 INITIAL SINGLE PILOT FLIGHT TRAINING 10
14.097 TRANSITION OR UPGRADE AIRCRAFT FLIGHT TRAINING 11
14.100 INITIAL SPECIALIZED OPERATIONS TRAINING 11
14.101. AIRCRAFT DIFFERENCES OR FAMILIARISATION TRAINING 11
14.105 USE OF SIMULATORS & TRAINING DEVICES 12
14.110 INTRODUCTION OF NEW EQUIPMENT OR PROCEDURES 12

SUBPART E: PROFICIENCY & COMPETENCY CHECKS 12
14.115 PILOT AIRCRAFT & INSTRUMENT PROFICIENCY CHECKS 12
14.120. [RESERVED] 13
14.125. FLIGHT ENGINEER PROFICIENCY CHECKS 13
14.130. COMPETENCE CHECKS: CABIN CREW MEMBERS 13
14.135. COMPETENCE CHECKS: OPERATIONAL CONTROL FUNCTIONS 13

SUBPART F: SUPERVISED LINE FLYING 14
14.140.SUPERVISED LINE FLYING: PILOTS 14
14.145. SUPERVISED LINE FLYING: FLIGHT ENGINEERS 14
14.150. SUPERVISED LINE EXPERIENCE: CABIN CREW MEMBERS 14
14.155. LINE OBSERVATIONS: FLIGHT DISPATCHERS 14

SUBPART G: CONTINUING QUALIFICATION 15
14.160. ROUTE & AIRPORT QUALIFICATION 15
14.165. ROUTE & AREA CHECKS: PILOT QUALIFICATION 15
14.170. PIC LOW MINIMUMS AUTHORISATION 16
14.171.DESIGNATED SPECIAL AERODROMES & HELIPORTS: PIC QUALIFICATION 16
14.173. RECENCY OF EXPERIENCE 16
14.175. RE-ESTABLISHING RECENCY OF EXPERIENCE: PILOT 17
14.177. RE-QUALIFICATION: PILOT 17
14.178. RE-QUALIFICATION: CABIN CREW MEMBER FUNCTIONS 17
14.179. RE-QUALIFICATION: OPERATIONAL CONTROL FUNCTIONS 17

SUBPART H: RECURRENT TRAINING 18
14.180. RECURRENT TRAINING: FLIGHT CREW MEMBERS 18
14.185. RECURRENT TRAINING: CABIN CREW MEMBERS 18
14.190. RECURRENT TRAINING: OPERATIONAL CONTROL FUNCTIONS 19

SUBPART I: INSTRUCTOR & CHECK AIRMAN QUALIFICATION 19
14.195. INSTRUCTOR TRAINING 19
14.200. INSTRUCTOR QUALIFICATION 19
14.205. PERSONS APPROVED TO CONDUCT CHECKS 20
14.207 [RESERVED] 20
14.209. CHECK PERSON TRAINING 21
14.210. CHECK PERSON QUALIFICATIONS 21
14.215. CHECK PERSON DESIGNATION 22
14.220. [RESERVED] 22

SUBPART J: ADMINISTRATIVE REQUIREMENTS 22
14.221. TRAINING FACILITIES 22
14.223. CONTRACT TRAINING & QUALIFICATION 22
14.225. SUBSTITUTION OF SIMULATOR EXPERIENCE 22
14.230. TERMINATION OF A PROFICIENCY, COMPETENCE OR LINE CHECK 22
14.235. RECORDING OF CREW MEMBER QUALIFICATIONS 22
14.240. MONITORING OF TRAINING & CHECKING ACTIVITIES 23
14.245. ELIGIBILITY PERIOD 23
14.250. REDUCTIONS IN REQUIREMENTS 23

APPENDICES 24
APPENDIX 1 TO 14.060: PAIRING OF LOW EXPERIENCE CREW MEMBERS 24
APPENDIX 1 TO 14.065: COMPANY PROCEDURES INDOCTRINATION 24
APPENDIX 1 TO 14.080: INITIAL CREW RESOURCE MANAGEMENT TRAINING 24
APPENDIX 1 TO 14.085: INITIAL EMERGENCY EQUIPMENT DRILLS 25
APPENDIX 1 TO 14.090: INITIAL AIRCRAFT GROUND TRAINING: FLIGHT CREW 28
APPENDIX 2 TO 14.090: INITIAL AIRCRAFT GROUND TRAINING: CABIN CREW MEMBERS 32
APPENDIX 3 TO 14.090: INITIAL TRAINING: OPERATIONAL CONTROL FUNCTIONS 34

APPENDIX 1 TO 14.095: INITIAL AIRCRAFT FLIGHT TRAINING 35
APPENDIX 1 TO 14.100: INITIAL SPECIALIZED OPERATIONS TRAINING 38
APPENDIX 1 TO 14.105: AIRCRAFT DIFFERENCES: OPERATIONAL CONTROL FUNCTIONS 38
APPENDIX 1 TO 14.115: AIRCRAFT AND INSTRUMENT PROFICIENCY CHECK: PILOT.....39
APPENDIX 1 TO 14.125: FLIGHT ENGINEER PROFICIENCY CHECKS 40
APPENDIX 1 TO 14.130: COMPETENCE CHECKS: CABIN CREW MEMBERS.....40
APPENDIX 1 TO 14.135: COMPETENCE CHECKS: OPERATIONAL CONTROL FUNCTIONS 41
APPENDIX 1 TO 14.180: RECURRENT TRAINING: FLIGHT CREW.....41
APPENDIX 1 TO 14.185: RECURRENT EMERGENCY TRAINING: CABIN CREW MEMBERS44
APPENDIX 1 TO 14.190: RECURRENT TRAINING: PERSONS ASSIGNED TO OPERATIONAL CONTROL FUNCTIONS 46
APPENDIX 1 TO 14.200: INSTRUCTOR PILOT TRAINING.....46
APPENDIX 1 TO 14.209: CHECK AIRMAN TRAINING 47

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SUBPART A: GENERAL

14.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (AOC Personnel Qualification) Regulations.

(b) This Part prescribes the minimum requirements for qualification and currency of operations personnel to be able to serve in commercial air transport or to be used by the holder of an Air Operator Certificate issued by Rwanda.

(c) This Part is applicable to the persons and entities engaged in commercial air transport operations and the persons performing duties on their behalf.

(d) Civil Aviation Technical Standards published by the Authority shall also be applicable to the qualification of an air operator operations personnel.

14.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part 1 (Appendix 1 to 1.015).

14.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

ACAS – Airborne Collision Alerting System
AFM – Aeroplane Flight Manual
AOC – Air Operator Certificate
CAT – Category
CRM – Crew Resource Management
EDTO – Extended Diversion Time Operations
FE – Flight Engineer
GPS – Global Positioning System
IFR – Instrument Flight Rules
IMC – Instrument Meteorological Conditions
INS – Inertial Navigation System
LDA – Localizer-type Directional Aid
LOC – Localizer
LVTO – Low Visibility Take Off
MDA – Minimum Decent Altitude
RVR – Runway Visibility Range
RVSM – Reduced Vertical Separation Minimum
PBE – Protective Breathing Equipment
PIC – Pilot In Command
SCCM – Senior Cabin Crew Member
sm – Statute Miles
VMC – Visual Meteorological Conditions

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SUBPART B: AVIATION PERSONNEL QUALIFICATIONS

14.020 AGE 65 RESTRICTION

(a) No person may serve or may any AOC holder use a person as a pilot of an aircraft engaged in international commercial air transport operations if the license holder has attained:
  (1) their 60th birthday; or
  (2) In the case of operations requiring more than one pilot, their 65th birthday.

(b) Check airman who have reached their 65th birthday or who do not hold an appropriate medical certificate may continue their check airman functions, but may not serve as or occupy the position of a required pilot flight crew member on an aeroplane with a gross take-off weight of more than 5700 kg engaged in international commercial air transport operations.

14.025 PIC LICENSE REQUIREMENTS: TURBOJET OR LARGE AIRCRAFT

(a) No pilot may act as PIC of a turbojet or large aircraft in commercial air transportation operations unless he or she holds an ATP licence and a type rating for that aircraft.

14.030 PIC LICENCE REQUIREMENTS: NON-TURBOJET SMALL AEROPLANES

(a) No pilot may act as a single-pilot PIC of a non-turbojet small aircraft in commercial air transport during—
  (1) IFR operations unless he or she holds a commercial pilot licence with appropriate category and class ratings for the aircraft operated, and an instrument rating, or
  (2) Day VFR operations unless he or she holds a commercial pilot licence with appropriate category and class ratings for the aircraft operated and an instrument rating.

14.035 PIC AERONAUTICAL EXPERIENCE: SMALL AEROPLANES

(a) No pilot may act as a single-pilot PIC of a small aeroplane in commercial air transport during—
  (1) IFR-IMC operations across international borders unless he or she meets the minimum aeronautical experience requirements necessary to qualify for the ATP licence.
  (2) IFR-IMC operations within Rwanda unless he or she has logged a minimum of 500 hours as a pilot, including at least 100 hours in IFR operations.
  (3) VMC operations across international borders unless he or she has logged a minimum of 500 hours of time as a pilot, including at least 100 hours of cross-country flight time including 25 hours of which were at night.
  (4) VMC day-only operations within Rwanda unless he or she has logged a minimum of 250 hours as a pilot, including at least 100 hours of cross-country flight time.

14.037 PIC AERONAUTICAL EXPERIENCE: SINGLE-ENGINE SMALL AIRCRAFT CLASS

(a) No pilot may act as PIC of a single-engine small helicopters and propeller-driven aeroplanes in commercial air transport unless he has accumulated 50 hours on the class of aircraft, and for—
  (1) For VMC night operations, 15 hours of flight time at night in the single pilot role in the aircraft class, including at least 3 take-off and landings in the preceding 90 days.
  (2) For IFR operations, 25 hours of IFR flight time in the single pilot role in the aircraft class, including, within the preceding 90 days:
    (i) At least 5 IFR flights and 3 instrument approaches, or
    (ii) An IFR instrument approach check carried out on such an aircraft.

14.040 CO-PILOT LICENCE REQUIREMENTS

(a) No pilot may act as co-pilot of an aircraft in commercial air transport operations unless he or she—

(1) Holds a commercial pilot licence with appropriate category and class ratings for the aircraft operated; and

(2) Holds an instrument rating.

14.045 FE LICENCE REQUIREMENTS

(a) No person may act as the flight engineer of an aircraft unless he or she holds a flight engineer licence with the appropriate class rating.

14.050 ONE PILOT QUALIFIED TO PERFORM FE FUNCTIONS

(a) The AOC holder shall ensure that, on all flights requiring a flight engineer, there is assigned at least one other flight crew member qualified to perform the FE duties in the event the FE becomes incapacitated.

14.055 PERSONS QUALIFIED TO FLIGHT RELEASE

(a) No person may issue a flight release for a scheduled passenger-carrying commercial air transport operation in aircraft of more than 20 passengers unless that person—

(1) Holds a flight dispatcher licence or an ATP rating; and

(2) Is currently qualified with the AOC holder in accordance with the training requirements of this Part performing operational control functions.

(b) No person, other than the PIC, may issue a flight release for any other commercial air transport operation unless that person—

(3) Holds an ATP rating; or

(4) Is currently qualified with the AOC holder in accordance with the training requirements of this Part for the performance of operational control functions.

14.060 PAIRING OF LOW EXPERIENCE CREW MEMBERS

(a) The PIC of an aircraft with passenger configuration for more than 9 passengers shall make all take-offs and landings in situations designated as critical by the Authority (in Appendix 1 to 14.060) if the co-pilot has fewer than 50 hours of flight time in the aircraft type, unless the PIC is also an appropriately qualified check airman.

(b) No person may serve and no person may use a pilot in commercial air transport operations in aircraft of over 9 passenger seats unless either the PIC or co-pilot has at least 75 hours of commercial air transport operations in that specific airplane type, either as PIC or co-pilot.

(c) The Authority may, upon application by the certificate holder, authorise deviations from the requirements of this paragraph (b) by an amendment to the operations specifications (with appropriate operating limitations to ensure equivalent level of safety) in any of the following circumstances—

(1) A newly certificated AOC holder does not employ any pilots who meet the minimum requirements of this paragraph.

(2) An existing AOC holder adds to its fleet a type airplane not before proven for use in its operations.

(3) An existing AOC holder establishes a new domicile to which it assigns pilots who will be required to become qualified on the airplanes operated from that domicile.

14.061 LANGUAGE PROFICIENCY

(a) No person may serve and no person may be assigned to a flight crew with duties that include the use of the aircraft communications radio unless the AOC holder has evaluated this person to determine that he is capable of communicating with air traffic services in English at the Extended Level (Level 4).

(b) All pilots required to use the radio telephone aboard an aircraft in flight operations shall be evaluated by the AOC holder for their ability to speak and understand the language used for radiotelephony communications.

(1) This evaluation will be accomplished before initial assignment to duty and at intervals specified in paragraph (c) and (d).

(2) The language proficiency requirements of Part 7 will be used to accomplish this evaluation.

(3) The language evaluated for international flight operations shall be English.

(4) The results of this evaluation will be recorded in the AOC holder's crew qualification records.

(c) Those persons demonstrating proficiency below the Expert Level (Level 6) shall be formally evaluated at least once every-

(1) 3 calendar years, for Operational Level (Level 4)

(2) 6 calendar years, for Extended Level (Level 5)

(d) Formal evaluation is not required on recurring intervals for persons who demonstrate expert language proficiency, such as native and very proficient non-native speakers with a dialect or accent intelligible to the international aeronautical community, during the initial evaluation

14.063 COMMON LANGUAGE

(a) No person may serve and no person may be assigned to a flight crew unless the AOC holder has determined that this person is capable of communicating with other crew members in English at the Extended Level (Level 4) for operation of the aircraft.

SUBPART C: GROUND TRAINING REQUIREMENTS

14.065 COMPANY PROCEDURES INDOCTRINATION

(a) No person may serve nor may any person use a person as a crew member or flight dispatcher unless that person has completed the operator-specific procedures indoctrination training approved by the Authority, which shall include a complete review of operations manual procedures pertinent to the crew member or flight dispatcher's duties.

(b) This training shall include:

(1) Ensuring that all employees when abroad know that they must comply with the laws, regulations and procedures of those States in which operations are conducted.

(2) Ensuring 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 aerodromes to be used and the air navigation facilities relating thereto.

(3) Ensuring that other members of the flight crew are familiar with such of these laws, regulations and procedures as are pertinent to the performance of their respective duties in the operation of the aircraft.

(c) The operator shall ensure that each crew member is required to demonstrate during training that he/she is aware the contents of the Operations Manual and the key policies and procedures appropriate to their technical speciality.

See Appendix 1 to 14.065 for recommended knowledge area and program hours.

14.067 FATIGUE EDUCATION & AWARENESS TRAINING

(a) No person may serve nor may any person use a person as a crew member or flight dispatcher or other employees responsible for administering crew scheduling, unless that person has completed the operator- specific fatigue education and awareness training approved by the Authority.

(b) This training program must provide annual fatigue education and awareness training to all crew members, dispatchers, individuals directly involved in the scheduling of flight crew members, individuals directly involved in operational control, and any employee providing direct management oversight of those areas.

(c) The fatigue education and awareness training program must be designed to increase awareness of—

(1) Fatigue;
(2) The effects of fatigue on crew members;
(3) Fatigue countermeasures
(4) The aviation regulations applicable to fatigue;
(5) The operator's policies and procedures relating to fatigue; and
(6) Fatigue reporting requirements.

14.070 INITIAL DANGEROUS GOODS TRAINING

(a) No person may serve nor may any person use a person as a crew member unless he or she has completed the appropriate initial dangerous goods training approved by the Authority.

(b) The dangerous goods training shall conform to that specified in the most current revision of the ICAO Technical Instructions for the assigned position and duties.

(c) The operator shall ensure that each crew member is required to demonstrate (appropriate to their technical speciality) during training that he/she is aware of the types of dangerous goods which may, and may not, be carried in the—

(1) Cargo compartments;
(2) Cockpit; and
(3) Passenger cabin.

14.075 INITIAL SECURITY TRAINING

(a) No person may serve nor may any person use a person as a crew member unless he or she has completed the initial security training approved by the Authority.

(b) The approved security program training shall ensure that the crew members act in the most appropriate manner to minimize the consequences of acts of unlawful inference and shall include the following elements—

(1) Determination of the seriousness of any occurrence;
(2) Crew communication and coordination;
(3) Appropriate self-defence responses;
(4) Use of non-lethal protective devices assigned to crew members whose use is authorised by the Authority;
(5) Understanding of behaviour of terrorists so as to facilitate the ability of crew members to cope with hijacker behaviour and passenger responses;
(6) Live situational training exercises regarding various threat conditions;
(7) Flight deck procedures to protect the aeroplane; and
(8) Aeroplane search procedures and guidance on least-risk bomb locations where practicable; and
(9) 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.

14.080 INITIAL CREW RESOURCE MANAGEMENT & HUMAN PERFORMANCE

(a) No person may serve nor may any person use a person as a crew member or person assigned to operational control functions unless that person has completed the initial CRM training approved by the Authority.

(b) The operator shall ensure that each crew member and dispatcher is required to demonstrate (appropriate to their technical speciality) during training that he/she is knowledgeable about human performance as related to their safety duties including coordination between crew members and dispatchers.

14.083 INITIAL THREAT & ERROR M A N A G E M E N T

(a) No person may serve nor may any person use a person as a crew member, flight dispatcher or for operational control functions unless that person has completed the initial threat and error management training approved by the Authority.

14.085 INITIAL EMERGENCY DUTIES TRAINING

(a) No person may serve nor may any AOC holder use a person as a crew member unless that person has completed the appropriate initial emergency equipment training and drills for the crew member position approved by the Authority for the emergency equipment available on the aircraft to be operated.

(b) The operator shall ensure that each crew member is required to demonstrate during training that he/she is—

(1) Capable of performing the emergency duties appropriate to their technical assignment,

(2) Aware of other crew members' assignments and functions in the event of an emergency so far as is necessary for the fulfilment of the crew member's own duties; and

(3) *For those crew members serving on aircraft operated above 3 000 m (10 000 ft),* knowledgeable as regards the effect of lack of oxygen and, in the case of pressurised aircraft, as regards physiological phenomena accompanying a loss of pressurisation.

(c) The operator shall ensure that each crew member is required during his/her emergency duties training to be drilled and demonstrate capability 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.

See Appendix 1 to 14.085 for sample course syllabus content.

14.090 INITIAL AIRCRAFT GROUND TRAINING

(a) No person may serve nor may any person use a person as a crew member, flight dispatcher or other person assigned operational control duties unless he or she has completed the initial ground training approved by the Authority for the aircraft type(s) on which they serve.

(b) Initial aircraft ground training for flight crew members shall include the pertinent portions of the operations manuals relating to aircraft-specific performance, mass and balance, operational policies, systems, limitations, normal, abnormal and emergency procedures on the aircraft type(s) to which they are assigned.

See Appendix 1 to 14.090 for sample course syllabus for flight crew members.

(c) The AOC holder may have separate initial aircraft ground training syllabi of varying lengths and subject emphasis which recognise the experience levels of flight crew members approved by the Authority.

(d) For cabin crew members, initial aircraft ground training shall include the pertinent portions of the operations manuals relating to aircraft-specific configuration, equipment, normal and emergency procedures for the aircraft type(s) to which they are assigned

See Appendix 2 to 14.090 for sample course syllabus for cabin crew members.

(e) For flight dispatchers and persons assigned operational control duties, aircraft initial ground training shall include the pertinent portions of the operations manuals relating to aircraft-specific flight preparation procedures, performance, mass and balance, systems, and limitations for the aircraft type(s) to which they are assigned.

See Appendix 3 to 14.090 for sample course syllabus for person assigned to operational control functions.

(f) The operator shall ensure that each crew member is required to demonstrate during training that he/she is aware the contents of the aircraft-specific limitations, systems and normal, abnormal and emergency procedures appropriate to their technical speciality.

14.093 TRANSITION OR UPGRADE AIRCRAFT GROUND TRAINING

(a) An AOC holder may request approval for separate initial aircraft ground training syllabi which recognise the experience levels of flight crew members for the purpose of—
  (1) Upgrading from one seat assignment and function to another seat position in the same aircraft; or
  (2) Transitioning in the same seat assignment in one type of aircraft to another type of aircraft.

SUBPART D: FLIGHT TRAINING REQUIREMENTS

14.095 INITIAL AIRCRAFT FLIGHT TRAINING

(a) No person may serve nor may any person use a person as a flight crew member unless he or she has completed the initial flight training approved by the Authority for the aircraft type.

(b) Initial flight training shall focus on the manoeuvring and safe operation of the aircraft in accordance with AOC holder's normal, abnormal and emergency procedures. This training shall include demonstration of—
  (1) Use of the installed equipment such as autopilot and data management devices;
  (2) Proper flight crew coordination and training in all types of emergency and abnormal situations or procedures caused by engine, airframe or systems malfunctions, fire or other abnormalities;
  (3) Knowledge and skills related to visual and instrument flight procedures for the intended area of operation;
  (4) Where applicable, procedures specific to the environment in which the aircraft is to be operated; and
  (5) Knowledge of 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.

See Appendix 1 to 14.095 for sample flight syllabus and the latest Civil Aviation Technical Standards 14.095.

14.096 INITIAL SINGLE PILOT FLIGHT TRAINING

(a) No person may serve nor may any person use a person in the role of a single pilot PIC unless he or she has completed the initial flight training approved by the Authority including the requirements of Section 14.095 and demonstration of—
  (1) Autopilot management;

(2) Simplified inflight documentation; and
(3) Passenger briefing for emergency evacuation.

14.097 TRANSITION OR UPGRADE AIRCRAFT FLIGHT TRAINING

(a) An AOC holder may request approval for separate initial flight training syllabi which recognise the experience levels of flight crew members for the purpose of—
(1) Upgrading from one seat position to another seat position in the same aircraft; or
(2) Transitioning in the same seat position in one type of aircraft to another type of aircraft.

14.100 INITIAL SPECIALIZED OPERATIONS TRAINING

(a) No person may serve nor may any person use a person as a flight crew member unless he or she has completed the appropriate initial specialized operations training approved by the Authority.

(b) Specialized operations for which initial training shall be developed include—
(1) Low minimums operations, including low visibility take-offs and Category II and III operations;
(2) PIC right seat qualification;
(3) ACAS qualification;
(4) Co-pilot left seat qualification;
(5) HUD, NVIS and/or EVS operations;
(6) ETDO operations;
(7) PBN operations, such as RNP-10 Operations;
(8) RNP-APRCH operations;
(9) CPDLC operations;
(10) ADS-B Out operations;
(11) NORPAC operations;
(12) MNPS operations;
(13) Polar operations;
(14) ACAS qualification;
(15) EFB usage; and
(16) Other specialized operations prescribed by the Authority.

See Appendix 1 to 14.100 for recommendations regarding initial specialized operations training syllabi.

14.101. AIRCRAFT DIFFERENCES OR FAMILIARISATION TRAINING

(a) No person may serve nor may any person use a person to perform operational control functions or crew member on an aircraft of a type for which a differences or familiarisation training is included in the AOC holder's approved training program, unless that person has satisfactorily completed that training, with respect to both the crew member position and the particular variant of that aircraft.

See Appendix 1 to 14.105 for recommended aircraft differences training pertaining to person assigned to operational control functions.

(b) For the purpose of aircraft differences training requirements, no person may combine variants of the same type of aircraft with similar characteristics in terms of operating procedures, systems and handling except under the conditions approved by the Authority.

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14.105 USE OF SIMULATORS & TRAINING DEVICES

(a) Each aeroplane simulator and other training device that is used for flight crew member qualification shall—
  (1) Be specifically approved by the Authority for—
    (i) The AOC holder;
    (ii) The type aeroplane, including type variations, for which the training or check is being conducted;
    (iii) The particular manoeuvre, procedure, or crew member function involved;
  (2) Maintain the performance, functional, and other characteristics that are required for approval;
  (3) Be modified to conform with any modification to the aeroplane being simulated that results in changes to performance, functional, or other characteristics required for approval;
  (4) Be given a daily functional pre-flight check before use; and
  (5) Have a daily discrepancy log kept by the appropriate instructor or check airman at the end of each training or check flight.

14.110 INTRODUCTION OF NEW EQUIPMENT OR PROCEDURES

(a) No person may serve nor may any person 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 syllabus is included in the AOC holder's approved training program, unless that person has satisfactorily completed that training, with respect to both the crew member position and the particular variant of that aircraft.

SUBPART E: PROFICIENCY & COMPETENCY CHECKS

14.115 PILOT AIRCRAFT & INSTRUMENT PROFICIENCY CHECKS

(a) No pilot may serve nor may any person use a pilot flight crew member unless, since the beginning of the 12th calendar month before that service, that person has demonstrated competency in pilot technique and ability to execute emergency procedures in a proficiency check prescribed by the Authority for the make and model and, if applicable, type aircraft on which their services are required.

(b) No pilot may serve nor may any person use a pilot in IFR operations unless, since the beginning of the 6th calendar month before that service, that pilot has demonstrated competency in instrument flight operations in a proficiency check prescribed by the Authority.

(c) If the pilot is to be authorised for use in—
  (1) Only VFR commercial air transport operations, the proficiency check of paragraph (a) is required for each make and model of aircraft;
  (2) IFR commercial air transport operations, the proficiency checks of both (a) and (b) are required for qualification and currency.
  (3) IFR single pilot role in the aircraft category and class, the proficiency check of paragraph (b) shall be conducted in an environment representative of the operation, including the use of the autopilot and simplified in-flight documentation.

(d) A pilot may complete the requirements of paragraphs (a) and (b) simultaneously in a specific aircraft type.

(e) No operator may schedule a flight crew on several variants of the same type of aircraft or different types of aircraft with similar characteristics in terms of operating procedures, systems and handling, unless the Authority has approved the conditions under which the requirements of paragraph (a) and/or (b) may be combined for—
  (1) Each variant; or

(2) Each type of aircraft.

(f) For airplanes of 5700 kg or less and requiring a crew composition of only a single pilot, the PIC shall complete the proficiency check specified in paragraph (b) in the single pilot role in the in the class of airplane representative of the operation.

(g) No person may use a flight simulation training device for the checks required by paragraphs (a), (b) and or
(f) of this Section unless the Authority has approved the device for the specific—
(1) Operator;
(2) Check or portion of the check; and
(3) Events and procedures to be checked.

(h) If a pilot receives an instrument or aircraft check for prior to the beginning of the next eligibility period, that check will establish a new base month for subsequent eligibility period.
(1) The accomplishment of the check after expiration of an eligibility period also establishes a new base month and eligibility period.
(2) Any 2 such checks which are similar and which occur in a period of 4 calendar months shall not satisfy the requirement of paragraph (b) of this Section.

See Appendix 1 to 14.120 for recommended operation and procedures pertaining to the proficiency checks.

14.120. [RESERVED]

14.125. FLIGHT ENGINEER PROFICIENCY CHECKS

(a) No person may serve nor may any person use a flight engineer on an aeroplane unless within the preceding 6 calendar months he or she has had a proficiency check in accordance with the requirements prescribed by the Authority.

See Appendix 1 to 14.125 for recommended procedures used in FE proficiency checks.

14.130. COMPETENCE CHECKS: CABIN CREW MEMBERS

(a) No person may serve nor may any person use a person as a cabin crew member unless, since the beginning of the 12th calendar month before that service, that person has passed the competency check prescribed by the Authority performing the emergency duties appropriate to that person's assignment.

See Appendix 1 to 14.130 for recommended content for an operational control competence checks.

(b) The operator shall ensure that this check is adequate to determine that the cabin crew member is competent to execute those safety duties and functions which he/she is assigned to perform in the event of an emergency or in a situation requiring emergency evacuation.

14.135. COMPETENCE CHECKS: OPERATIONAL CONTROL FUNCTIONS

(a) No person may serve nor may any person use a person as a flight dispatcher or other person performing operational control functions unless, since the beginning of the 12th calendar month before that service, that person has passed the competency check, prescribed by the Authority, performing the flight preparation and subsequent duties appropriate to that person's assignment.

See Appendix 1 to 14.135 for recommended content for an operational control competence checks.

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SUBPART F: SUPERVISED LINE FLYING

14.140.SUPERVISED LINE FLYING: PILOTS

(a) Each pilot qualifying as PIC or co-pilot in an aircraft type shall complete a consecutive series of flights performing their duties under the supervision of a check airman prior to unsupervised commercial air transport operations.

(b) The minimum supervised line flying requirements shall be—

(1) 15 flights for a PIC qualifying on a turbine-powered aircraft, of which 10 sectors must have been at least 50 nm in length;

(2) 10 flights for a PIC qualifying on a piston aircraft with a passenger capacity of more than 9 passengers;

(3) 10 flights for a co-pilot qualifying on an aircraft with a passenger capacity of more than 9 passengers;

(4) 10 sectors for a qualifying cruise relief pilot.

(c) For aircraft with a passenger capacity of 9 or less, the pilots are not required to complete the supervised line flying requirements of (a) and (b) if the original route check qualification in the type of aircraft was completed under the supervision of an authorised person of the Authority prior to the carriage of passengers in commercial air transport.

(d) During the time that a qualifying PIC is completing the supervised line flying requirements of (a) and (b), a check airman who is also serving as the PIC shall occupy a pilot station.

(e) In the case of a transitioning PIC, the check airman serving as PIC may occupy the observer's seat if—

(1) The transitioning pilot has made at least two take-offs and landings in the type aeroplane used, and

(2) Has satisfactorily demonstrated to the check airman that he is qualified to perform the duties of a PIC for that type of aeroplane.

14.145. SUPERVISED LINE FLYING: FLIGHT ENGINEERS

(a) Each person qualifying as a flight engineer for an aircraft type shall perform those functions for a minimum of five flights under the supervision of a check airman or a qualified flight engineer.

14.150. SUPERVISED LINE EXPERIENCE: CABIN CREW MEMBERS

(a) Each person qualifying as a cabin crew member shall perform those functions for a minimum of two flights under the supervision of a senior cabin crew member.

Note: While qualifying, this person may not be a required crew member.

14.155. LINE OBSERVATIONS: FLIGHT DISPATCHERS

(a) No person may serve nor may any person use a person as a flight dispatcher unless, since the beginning of the 12th calendar month before that service, that person has observed, on the flight deck, the conduct of—

(1) *For airplanes,* two complete flights over routes representative of those for which that person is assigned duties.

(2) *For helicopters*, at least a one-way qualification flight in a helicopter over any area for which that person is authorised to exercise flight supervision, including landings at as many heliports as practicable.

(b) The flight should include landings at as many aerodromes, heliports or landing sites as practicable;

(c) For the purpose of the qualification flight, the flight dispatcher shall be able to—

(1) Monitor the flight crew intercommunication system and radio communications, and
(2) be able to observe the actions of the flight crew.

SUBPART G: CONTINUING QUALIFICATION

14.160. ROUTE & AIRPORT QUALIFICATION

(a) No person may serve nor may any person use a pilot as the PIC of an aeroplane on a route or route segment for which that pilot is not currently qualified until such pilot has complied with the requirements of this Section;

(b) No person may serve nor may any person use a person as a PIC of a helicopter unless, that person has 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.

(c) Each such pilot shall demonstrate to the AOC holder an adequate knowledge of—
   (1) The route to be flown, and the aerodromes which are to be used. 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 navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place; and
   (2) 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 instruction approach procedures, and applicable operating minima.

14.165. ROUTE & AREA CHECKS: PILOT QUALIFICATION

(a) No person may serve nor may any person use a person as a pilot in command unless, within the preceding 12 calendar months, that person has passed a route check in which he or she satisfactorily performed their assigned duties in one of the types of aeroplanes they are to fly.

(b) No person may perform PIC duties over a route or within an area where the procedures associated with that route or within any aerodromes intended to be used for take-off or landing require the application of special skills and knowledge unless, within the preceding 12 calendar months that pilot has made at least one trip as—
   (1) A pilot member of the flight crew;
   (2) A check pilot; or
   (3) An observer in the flight crew compartment.

(c) For the purpose of subsequent requalification in the event that more than 12 calendar months elapse in which the pilot has not made such a trip, the pilot shall—
   (1) Complete the requirement of paragraph (b); or
   (2) In lieu of that course of action, complete procedures training in a training device approved by the Authority for this purpose.

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14.170. PIC LOW MINIMUMS AUTHORISATION

(a) After initial qualification for Category II approach minimums, a PIC may not plan for or initiate an instrument approach when the ceiling is less than 300 feet and the visibility less than 1 mile until he or she has 15 flights performing PIC duties in the aircraft type (which included 5 approaches to landing using Category II procedures).

(b) After initial qualification for Category III approach minimums, a PIC may not plan for or initiate an approach when the ceiling is less than 100 feet or the visibility is less than 1200 RVR until he or she has 20 flights performing PIC duties in the aircraft type (which included 5 approach and landing using Category III procedures).

14.171.DESIGNATED SPECIAL AERODROMES & HELIPORTS: PIC QUALIFICATION

(a) No person may serve nor may any person use a person as PIC for operations at designated special aerodromes and heliports unless within the preceding 12 calendar months—
   (1) The PIC has been qualified by the AOC holder through a pictorial means acceptable to the Authority for that aerodrome; or
   (2) The PIC or 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.

(b) If approved by the Authority, that portion of the demonstration including the arrival, holding, instrument approach and departure may be conducted in a simulator or training device adequate for those purposes.

(c) Designated special aerodrome and heliport limitations are not applicable if the operation will occur—
   (1) During daylight hours;
   (2) When the visibility is at least 3 miles; and
   (3) When the ceiling at that aerodrome is at least 1000 feet above the lowest initial approach altitude prescribed for an instrument approach procedure.

14.173. RECENCY OFEXPERIENCE

(a) No person may assign and no person may serve as a PIC or co-pilot to operate at the flight controls of a type or variant of a type of aircraft 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 calendar days on the same type of aircraft or a simulator approved for that purpose.

(b) No person may assign and no person may serve to act in the capacity of cruise relief pilot in a type or variant of a type aircraft unless, within the preceding 90 calendar days that pilot has operated as a pilot-in- command, co-pilot or cruise relief pilot on the same type of aircraft.

(c) For the purpose of recency of experience described in paragraphs (a) and (b), no person may combine variants of the same type of aircraft or different types of aircraft with similar characteristics in terms of operating procedures, systems and handling except under the conditions approved by the Authority.

(d) No person may assign and no person may serve as a PIC of a single-engine aircraft unless, within the preceding 90 calendar days—
   (1) *For night operations*, the pilot has made 3 take-offs and landings at night in the same class of aircraft; and/or
   (2) *For IFR operations*, the pilot has—
      (i) Made 3 instruments approaches in the class of aircraft in the single pilot role; or
      (ii) Completed an instrument approach check on such an aircraft.

14.175. RE-ESTABLISHING RECENCY OF EXPERIENCE: PILOT

(a) In addition to meeting all applicable training and checking requirements, a required pilot flight crew member who, in the preceding 90 days has not made at least three take-offs and landings in the type aeroplane in which that person is to serve, shall, under the supervision of a check airman, re-establish recency of experience as follows—
  (1) Make at least three take-offs and landings in the type aeroplane in which that person is to serve or in a qualified simulator.
  (2) Make at least one take-off with a simulated failure of the most critical powerplant, one landing from the lowest DH authorised for the AOC holder, and one landing to a full stop.

(b) A cruise relief pilot may re-establish currency by flying skill refresher training, including—
  (1) Normal, abnormal and emergency procedures specific to cruise flight in the aeroplane type, and
  (2) take-off and landing practice as the pilot not flying.

(c) When using a simulator to accomplish any of the take-off and landing training requirements necessary to re-establish recency of experience, each required flight crew member position shall be occupied by an appropriately qualified person and the simulator shall be operated as if in a normal in-flight environment without use of the repositioning features of the simulator.

(d) A check airman who observes the take-offs and landings of a pilot flight crew member shall certify that the person being observed is proficient and qualified to perform flight duty in operations and may require any additional manoeuvres that are determined necessary to make this certifying statement.

14.177. RE-QUALIFICATION: PILOT

(a) No person may assign and no person may serve as a PIC or co-pilot to operate at the flight controls of a type or variant of a type of aircraft during commercial air transport operations unless that person has remained in current and qualified status for that operation in accordance with this requirement of this Part.

(b) Before being returned to flight status, a person whose current and qualified status has lapsed shall complete all applicable recurrent and recency requirements of this Part.

(c) In addition to the requirements of paragraph (b), the person shall complete—
  (1) Initial aircraft type-specific flight training, if the period exceeded 3 months; and
  (2) Initial aircraft type-specific ground training, if the period exceeded 6 months; and
  (3) All other initial training requirements, if the period exceed 12 months.

14.178. RE-QUALIFICATION: CABIN CREW MEMBER FUNCTIONS

(a) No person may assign and no person may perform cabin crew member functions after 12 consecutive months of absence from such duty, unless this person successfully completes a new regime of all cabin crew member initial training and qualification requirements of this Part.

(b) In addition to the requirements of paragraph (a), the cabin crew member shall complete, if that the period of absence from duty exceeded—
  (1) 3 consecutive months, the initial aircraft-type specific emergency training and drills; and
  (2) 6 consecutive months, all other initial training and qualification requirements.

14.179. RE-QUALIFICATION: OPERATIONAL CONTROL FUNCTIONS

(a) No person may assign and no person may perform operational control functions after 12 consecutive months of absence from such duty, unless this person successfully completes

a new regime of all flight dispatcher initial training and qualification requirements of this Part.

(b) In addition to the requirements of paragraph (a), the flight dispatcher shall complete, if that the period of absence from duty exceeded—
   (1) 3 consecutive months, the initial aircraft-type specific ground training; and
   (2) 6 consecutive months, all other initial training and qualification requirements.

SUBPART H: RECURRENT TRAINING

14.180. RECURRENT TRAINING: FLIGHT CREW MEMBERS

(a) No person may serve nor may any person use a person as a flight crew member unless within the preceding 12 calendar months that person has completed the recurrent ground and flight training approved by the Authority.

(b) The recurrent ground training shall include training on—
   (1) Aircraft systems and limitations and normal, abnormal and emergency procedures;
   (2) Emergency duties and equipment and drills for performance of these duties and the use of this equipment;
   (3) Crew resource management, including human performance and threat and error management;
   (4) Recognition or transportation of dangerous goods;
   (5) Security training.; and
   (6) Other requirements as prescribed by the Authority.

(c) The recurrent flight training shall include—
   (1) Manoeuvring and safe operation of the aircraft in accordance with AOC holder's normal, abnormal and emergency procedures;
   (2) Manoeuvres and procedures necessary for avoidance of in-flight hazards;
   (3) For authorised pilots, at least one low visibility take-off to the lowest applicable minimum LVTO and two approaches to the lowest approved minimums for the AOC holder, one of which is to be a missed approach; and
   (4) Other requirements as prescribed by the Authority.

See Appendix 1 to 14.180 for recommended recurrent training content.

(d) If authorised by the Authority, the AOC holder may use satisfactory completion of a proficiency check with the AOC holder for the type aircraft and operation to be conducted in lieu of recurrent flight training.

14.185. RECURRENT TRAINING: CABIN CREW MEMBERS

(a) No person may serve nor may any person use a person as a cabin crew member unless within the preceding 12 calendar months that person has completed the recurrent ground training approved by the Authority.

(b) The recurrent ground training shall include training on—
   (1) Aircraft-specific configuration, equipment and procedures;
   (2) Emergency and first aid equipment and drills;
   (3) Crew resource management and human performance;
   (4) Recognition or transportation of dangerous goods; and
   (5) Security training.

See Appendix 1 to 14.185 for recommended emergency program training content for cabin crew members.

14.190. RECURRENT TRAINING: OPERATIONAL CONTROL FUNCTIONS

(a) No person may serve nor may any person use a person performing operational control functions unless within the preceding 12 calendar months that person has completed the recurrent ground training approved by the Authority.

(b) The recurrent ground training shall include training on—
  (1) Aircraft-specific flight preparation, including flight planning, loading, mass and balance, and performance.;
  (2) Weather, including season effects on flight and radio reception
  (3) Crew resource management; and
  (4) Recognition or transportation of dangerous goods.

See Appendix 1 to 14.190 for recommended recurrent training content for person assigned to operational control functions.

SUBPART I: INSTRUCTOR & CHECK AIRMAN QUALIFICATION

14.195. INSTRUCTOR TRAINING

(a) No person may use and no person may serve as an instructor for an AOC holder unless he or she has completed the initial and recurrent instructor curricula approved by the Authority for those functions for which they are to serve.

14.200. INSTRUCTOR QUALIFICATION

(a) *Flight Crew Training*. No AOC holder may use a person nor may any person serve as a flight instructor in an established flight training program unless, with respect to the aircraft type involved, that person—
  (1) Holds the personnel licences and ratings required to serve as a PIC or flight engineer, as applicable;
  (2) Has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training and differences training, that are required to serve as a PIC or flight engineer, as applicable;
  (3) 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;
  (4) Has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check; and
  (5) Holds the appropriate medical certificate for service as a required crew member.

(b) *Flight Instructor–Flight Simulation Training*. No person may serve nor may any AOC holder use a person as a flight instructor in a flight simulation training device, unless, since the beginning of the 12th calendar month before that service, that person has—
  (1) Flown at least 5 flights as a required crew member for the type of aircraft involved; or
  (2) Observed, on the flight deck, the conduct of 2 complete flights in the aircraft type to which the person is assigned.

(c) *Cabin Crew Training*. No AOC holder may use a person nor may any person serve as an instructor in an established cabin crew training program unless, with respect to the aircraft type or position involved, that person-
  (1) Holds the qualification required to serve as a cabin crew member;
  (2) Has satisfactorily completed the appropriate training phases for the aircraft and position involved, including recurrent training and differences training, that are required to serve as a cabin crew member;
  (3) Has satisfactorily completed the appropriate competency and recency of experience

checks that are required to service as a cabin crew member;

(4) Has satisfactorily completed the applicable initial or transitional training requirements and a competency check monitored by the Authority.

(d) *Flight Dispatcher Training*. No AOC holder may use a person nor may any person serve as an instructor in an established flight dispatcher training program unless, with respect to the aircraft type and position involved, that person--

(1) Holds the licence required to serve as a flight dispatcher;

(2) Has satisfactorily completed the appropriate training phases for the aircraft or position involved, including recurrent training and differences training, that are required to serve as a flight dispatcher;

(3) Has satisfactorily completed the appropriate competency and recency of experience checks that are required to serve as a flight dispatcher; and

(4) Has satisfactorily completed the applicable initial or transitional training requirements and a competency check monitored by the Authority.

See Appendix 1 to 14.200 for recommended training program content for instructor pilots.

14.205. PERSONS APPROVED TO CONDUCT CHECKS

(a) The Authority may approve the following AOC holder personnel to conduct checks when such personnel meet the requirements for the authorised responsibilities—

(1) Check pilot (or Designated Pilot Examiner)

(2) Check flight engineer (Designated Flight Engineer Examiner).

(3) Check cabin crew member; and.

(4) Check flight dispatcher (Designated Flight Dispatcher Examiner).

(b) The authorized duties of check personnel are, subject to the limitations specified in their designation authorization to—

(1) Conduct initial and recurrent proficiency checks for flight crew and competency checks for cabin crew and flight dispatchers,

(2) Certify as satisfactory, the knowledge and proficiency of the flight crew, and the knowledge and competency of the cabin crew and flight dispatchers; and

(3) For all check personnel, supervise line flying experience.

(c) No person may serve nor may any AOC holder use a person as check personnel under the AOC holder's crew member checking and standardisation program approved under Part12 unless that person has—

(1) Been identified by name and function and approved in writing by the Authority; and

(2) Successfully completed the AOC holders' curricula approved by the Authority for those functions for which he or she is to serve.

(3) Once approved, no person may serve nor may any AOC holder use a person as check personnel for any flight crew, cabin crew or flight dispatcher checks unless that person has demonstrated the ability to satisfactorily conduct the check for which he or she is approved initially and at least once every 24 calendar months thereafter.

14.207 [RESERVED]

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14.209. CHECK PERSON TRAINING

(a) No person may use and no person may serve as a check person for an AOC holder unless he or she has completed the initial and recurrent check person training curricula approved by the Authority for those functions for which they are to serve.

See Appendix 1 to 14.209 for recommended training program content for check airmen.

14.210. CHECK PERSON QUALIFICATIONS

(a) *Check person for flight crew.* No AOC holder may use a person, nor may any person serve as a check person in an established flight crew training program unless, with respect to the aircraft type involved, that person—

(1) Holds the personnel licences and ratings required to serve as a PIC, a flight engineer, or a flight navigator, as applicable;

(2) Has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training and differences training, that are required to serve as a PIC, flight engineer, or flight navigator, as applicable;

(3) Has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a PIC, flight engineer, or flight navigator, as applicable;

(4) Has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check for check personnel duties;

(5) Holds the appropriate medical certificate if serving as a required flight crew member; and

(6) Has been approved by the Authority for the check person duties involved.

(b) *Check Person–Simulator:* Additional requirements. No person may serve nor may any AOC holder use a person as check personnel in a flight simulation training device, unless, since the beginning of the 12th calendar month before that service, that person has-

(1) Flown at least 5 flights as a required crew member for the type of aircraft involved; or

(2) Observed, on the flight deck, the conduct of 2 complete flights in the aircraft type to which the person is assigned.

(c) *Check Person for Cabin Crew.* No AOC holder may use a person, nor may any person serve as a check cabin crew member in an established cabin crew training program unless, with respect to the aircraft type or position involved, that person-

(1) Holds the qualifications required to serve as a cabin crew member;

(2) Has satisfactorily completed the appropriate training phases for the aircraft and or position, including recurrent training and differences training, that are required to serve as a cabin crew member;

(3) Has satisfactorily completed the appropriate competency and recency of experience checks that are required to serve as a cabin crew member;

(4) Has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed competency check for the check personnel duties; and

(5) Has been approved by the Authority for the check cabin crew member duties involved.

(d) *Check Person for Flight Dispatchers*. No AOC holder may use a person, nor may any person serve as a check flight dispatcher in an established flight dispatcher training program unless, with respect to the aircraft type or position involved, that person—

(1) Holds the licence required to serve as a flight dispatcher;

(2) Has satisfactorily completed the appropriate training phases for the aircraft and or position, including recurrent training and differences training, that are required to serve as a flight dispatcher;

(3) Has satisfactorily completed the appropriate competency and recency of experience checks that are required to serve as a flight dispatcher;
(4) Has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed competency check for the check flight dispatcher duties involved.
(5) Has been approved by the Authority for the check flight dispatcher duties involved.

14.215. CHECK PERSON DESIGNATION

(a) No person may serve nor may any AOC holder use a person as a check person under this Part for any check unless that person has been designated by name and approved function by the Authority within the preceding 12 calendar months.

14.220. [RESERVED]

SUBPART J: ADMINISTRATIVE REQUIREMENTS

14.221. TRAINING FACILITIES

(a) The AOC holder shall include the specifics of the ground and. if applicable, flight training facilities in the training program.
(b) No AOC holder may use ground training facilities that are not acceptable to the Authority.

14.223. CONTRACT TRAINING & QUALIFICATION

(a) The AOC holder shall include the specifics of any contract training arrangements in the training program.
(b) The contract training arrangements shall include—
(1) The official company names;
(2) The specific training program or syllabi of the AOC holder that will be administered;
(3) Specific facilities, equipment and simulation that will be used during the training; and
(4) The requirement that the service provider will use the flight safety document system of the AOC holder for that training.
(c) No AOC holder may use contract training arrangements that are not acceptable to the Authority.

14.225. SUBSTITUTION OF SIMULATOR EXPERIENCE

(a) No AOC holder may use a simulator for training or checking unless that simulator has been specifically approved for the AOC holder in writing by the Authority.
(b) No AOC holder may use a simulator for any purpose other than that specified in the Authority's approval.

14.230. TERMINATION OF A PROFICIENCY, COMPETENCE OR LINE CHECK

(a) If it is necessary to terminate a check for any reason, the AOC holder may not use the crew member or flight dispatcher in commercial air transport operations until the completion of a satisfactory recheck.

14.235. RECORDING OF CREW MEMBER QUALIFICATIONS

(a) The AOC holder shall record in its records maintained for each crew member, flight dispatcher or other person assigned operational control functions, the completion of each of the qualifications required by this Part.
(b) The crew member may complete any syllabus required by this Part concurrently or intermixed with other required training, but completion of each of these syllabi shall be recorded separately.

14.240. MONITORING OF TRAINING & CHECKING ACTIVITIES

(a) To enable adequate supervision of its training and checking activities, the AOC holder shall forward to the Authority at least 48 hours prior to the scheduled activity the dates, report times and report location of all—
  (1) Training for which a syllabus is approved in the AOC holder's training program; and
  (2) Proficiency, competence and line checks.

(b) Failure to provide the information required by paragraph (a) may invalidate the training or check and the Authority may require that it be repeated for observation purposes.

(c) The Authority may approve a reduced prior notification requirement if it will not interfere with the proper surveillance of such activities.

14.245. ELIGIBILITY PERIOD

(a) Crew members who are required to take a proficiency check, a test or competency check, or recurrent training to maintain qualification for commercial air transport operations may complete those requirements at any time during the eligibility period.

(b) The eligibility period is defined as the 3 calendar month period including the month-prior, the base month- due, and the month-after any required due date.

(c) Completion of the requirement at any time during the period shall be considered as completed in the month-due for calculation of the next due date.

(d) Completion of the requirement before or after the current eligibility period will establish a new base month and eligibility period for the subsequent completion of the requirement.

14.250. REDUCTIONS IN REQUIREMENTS

(a) The Authority may authorise reductions in, or waive, certain portions of the training requirements of this Part, taking into account the previous experience of the crew members.

(b) An AOC holder's request for reduction or waiver shall be made in writing and outline the basis under which the request is made.

(c) If the request was for a specific crew member, the correspondence from the Authority authorising the reduction and the basis for it shall be filed in the record the AOC holder maintains for that crew member.

(d) With the approval of the Authority, correspondence courses or written examinations may be used to reduce the amount of classroom time for ground training subjects.

(e) A person who progresses successfully through flight training, is recommended by their instructor or a check airman, and successfully completes the appropriate flight check, or is permitted by the Authority, to complete a course in less than programmed time, need not complete the programmed hours of flight training for the particular aeroplane.

(f) Whenever the Authority finds that 20 percent of the flight checks given at a particular training base during the previous 6 months are unsuccessful, the provision of paragraph (e) shall not be used by the AOC holder at that base until the Authority finds that the effectiveness of the flight training there has improved.

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APPENDICES

APPENDIX 1 TO 14.060: PAIRING OF LOW EXPERIENCE CREW MEMBERS

(a) Situations designated as critical by the Authority are operations into designated special aerodromes and in other take-offs and landings when one of more of the following conditions exist—

(1) The prevailing visibility value in the latest weather report for the aerodrome is at or below 3/4 mile;
(2) The runway visual range for the runway to be used is at or below 4,000 feet;
(3) The runway to be used has water, snow, slush or similar conditions that may adversely affect aeroplane performance;
(4) The braking action on the runway to be used is reported to be less than "good";
(5) The crosswind component for the runway to be used is in excess of 15 knots;
(6) Windshear is reported in the vicinity of the aerodrome; or
(7) Any other condition in which the PIC determines it to be prudent to exercise the PIC's prerogative.

(b) Circumstances which would be routinely be considered for deviation from the required minimum line operating flight time include—

(1) A newly certified AOC holder does not employ any pilots who meet the minimum flight time requirements;
(2) An existing AOC holder adds to its fleet a type aeroplane not before proven for use in its operations; or
(3) An existing AOC holder establishes a new domicile to which it assigns pilots who will be required to become qualified on the aeroplanes operated from that domicile.

APPENDIX 1 TO 14.065: COMPANY PROCEDURES INDOCTRINATION

(a) Each AOC holder shall ensure that all operations personnel are provided company indoctrination training that covers the following areas—

(1) AOC holder's organisation, scope of operation, and administrative practices as applicable to their assignments and duties.
(2) Appropriate provisions of these Parts and other applicable Parts and guidance materials.
(3) AOC holder policies and procedures.
(4) Applicable crew member manuals.
(5) Appropriate portions of the AOC holder's operations manual.

(b) The AOC holder shall provide a minimum of 40 programmed hours of instruction for company procedures indoctrination training unless a reduction is determined appropriate by the Authority.

APPENDIX 1 TO 14.080: INITIAL CREW RESOURCE MANAGEMENT TRAINING

(a) Each AOC holder shall ensure that the person assigned to operational control functions and all aircraft crew members have CRM training as part of their initial and recurrent training requirements.

(b) A CRM training program shall include—

(1) An initial indoctrination/awareness segment;
(2) A method to provide recurrent practice and feedback; and
(3) A method of providing continuing reinforcement.

(c) Syllabus elements to be contained in an initial CRM training course include—

(1) Communications processes and decision behaviour;
(2) Internal and external influences on interpersonal communications;

(3) Barriers to communication;
(6) Listening skills;
(7) Decision making skills;
(8) Effective briefings;
(9) Developing open communications;
(10) Inquiry, advocacy, and assertion training;
(11) Crew self-critique;
(12) Conflict resolution;
(13) Team building and maintenance;
(14) Leadership and followship training;
(15) Interpersonal relationships;
(16) Workload management;
(17) Situational awareness;
(18) How to prepare, plan and monitor task completions;
(19) Workload distribution;
(20) Distraction avoidance;
(21) Individual factors; and
(22) Stress reduction.

APPENDIX 1 TO 14.085: INITIAL EMERGENCY EQUIPMENT DRILLS

(a) Each aircraft crew member shall accomplish emergency training during the specified training periods, using those items of installed emergency equipment for each type of aeroplane in which he or she is to serve—

(b) During initial training, each aircraft crew member shall perform the following one-time emergency drills—

(1) Protective Breathing Equipment/Fire Fighting Drill—
- (i) Locate source of fire or smoke (actual or simulated fire).
- (ii) Implement procedures for effective crew co-ordination and communication, including notification of flight crew members about fire situation.
- (iii) Don and activate installed PBE or approved PBE simulation device.
- (iv) Manoeuvre in limited space with reduced visibility.
- (v) Effectively use the aircraft's communication system.
- (vi) Identify class of fire.
- (vii) Select the appropriate extinguisher.
- (viii) Properly remove extinguisher from securing device.
- (ix) Prepare, operate and discharge extinguisher properly.
- (x) Utilise correct firefighting techniques for type of fire.

(2) First Aid
- (i) universal precaution kits, and automated
- (ii) external defibrillators

(3) Emergency Evacuation Drill—
- (i) Recognise and evaluate an emergency.
- (ii) Assume appropriate protective position.
- (iii) Command passengers to assume protective position.
- (iv) Implement crew co-ordination procedures.
- (v) Ensure activation of emergency lights.
- (vi) Assess aircraft conditions.
- (vii) Initiate evacuation (dependent on signal or decision).

(viii) Command passengers to release seatbelts and evacuate.
(ix) Assess exit and redirect, if necessary; to open exit, including deploying slides and commanding helpers to assist.
(xi) Command passengers to evacuate at exit and run away from aircraft.
(xii) Assist special need passengers, such as handicapped, elderly, and persons in a state of panic.
(xiii) Actually exit aircraft or training device using at least one of the installed emergency evacuation slides.

Note: The crew member may either observe the aeroplane exits being opened in the emergency mode and the associated exit slide/raft pack being deployed and inflated, or perform the tasks resulting in the accomplishment of these actions

(c) Each aircraft crew member shall accomplish additional emergency drills during initial and recurrent training, including performing the following emergency drills—

(1) Emergency Exit Drill—
(i) Correctly pre-flight each type of emergency exit and evacuation slide or slide/raft (if part of cabin crew member's assigned duties).
(ii) Disarm and open each type of door exit in normal mode.
(iii) Close each type of door exit in normal mode.
(iv) Arm of each type of door exit in emergency mode.
(v) Opening each type of door exit in emergency mode.
(vi) Use manual slide inflation system to accomplish or ensure slide or slide/raft inflation.
(vii) Open each type of window exit.
(viii) Remove escape rope and position for use.

(2) Hand Fire Extinguisher Drill—
(i) Pre-flight each type of hand fire extinguisher.
(ii) Locate source of fire or smoke and identify class of fire.
(iii) Select appropriate extinguisher and remove from securing device.
(iv) Prepare extinguisher for use.
(v) Actually operate and discharge each type of installed hand fire extinguisher.

Note: Fighting an actual or a simulated fire is not necessary during this drill.

(vi) Utilise correct firefighting techniques for type of fire.
(vii) Implement procedures for effective crew co-ordination and communication, including notification of crew members about the type of fire situation.

(3) Emergency Oxygen System Drill—
(i) Actually operate portable oxygen bottles, including masks and tubing.
(ii) Verbally demonstrate operation of chemical oxygen generators.
(iii) Prepare for use and operate oxygen device properly, 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 co-ordination and communication.
(vi) Activate PBE.
(vii) Manually open each type of oxygen mask compartment and deploy oxygen masks.
(viii) Identify compartments with extra oxygen masks.
(ix) Implement immediate action decompression procedures.
(x) Reset oxygen system, if applicable.

(4) Flotation Device Drill—

(i) Don and inflate life vests.
(ii) Remove and use flotation seat cushions.
(iii) Demonstrate swimming techniques using a seat cushion.

(5) Ditching Drill, if applicable—

Note: During a ditching drill students 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 co-ordination procedures, including briefing with captain to obtain pertinent ditching information and briefing flight attendants.
(ii) Co-ordinate time frame for cabin and passenger preparation.
(iii) Adequately brief passengers on ditching procedures.
(iv) Ensure cabin is prepared, including the securing of carry-on baggage, lavatories, and galleys.
(v) Demonstrate how to properly deploy and inflate slide/rafts.
(vi) Remove, position, attach slide/rafts to aircraft.
(vii) Inflate rafts.
(viii) Use escape ropes at overwing exits.
(ix) Command helpers to assist.
(x) Use slides and seat cushions as flotation devices.
(xi) Remove appropriate emergency equipment from aircraft.
(xii) Board rafts properly.
(xiii) Initiate raft management procedures (i.e., Disconnecting rafts from aircraft, applying immediate first aid, rescuing persons in water, salvaging floating rations and equipment, deploying sea anchor, tying rafts together, activating or ensuring operation of emergency locator transmitter).
(xiv) Initiate basic survival procedures (i.e., Removing and utilising survival kit items, repairing and maintaining raft, ensuring protection from exposure, erecting canopy, communicating location, providing continued first aid, providing sustenance).
(xv) Use heaving line to rescue persons in water.
(xvi) Tie slide/rafts or rafts together.
(xvii) Use life line on edge of slide/raft or raft as a handhold.
(xviii) Secure survival kit items.

(d) Each aircraft crew member shall accomplish additional emergency drill requirements during initial and recurrent training including observing the following emergency drills—

(1) Life Raft Removal and Inflation Drill, if applicable—
(i) Removal of a life raft from the aircraft or training device.
(ii) Inflation of a life raft.

(2) Slide/raft Transfer Drill—
(i) Transfer of each type of slide/raft pack from an unusable door to a usable door.
(ii) Disconnect slide/raft at unusable door.
(iii) Redirect passengers to usable slide/raft.
(iv) Installation and deployment of slide/raft at usable door.

(3) Slide and Slide/raft Deployment, Inflation, and Detachment Drill—
(i) Engage slide girt bar in floor brackets.
(ii) Inflate slides with and without quick-release handle (manually and automatically).
(iii) Disconnecting slide from aircraft for use as a flotation device.
(iv) Arm slide/rafts for automatic inflation.
(v) Disconnecting slide/raft from the aircraft.

(4) Emergency Evacuation Slide Drill—

(i) Open armed exit with slide or slide/raft deployment and inflation.
(ii) Egress from aircraft via the evacuation slide and run away to a safe distance.

APPENDIX 1 TO 14.090: INITIAL AIRCRAFT GROUND TRAINING: FLIGHT CREW

(a) Each AOC holder shall have an initial aircraft ground training for the flight crew applicable to their duties, the type of operations conducted and aircraft flown. Instructions shall include at least the following general subjects—
  (1) AOC holder's dispatch, flight release, or flight locating procedures;
  (2) Principles and methods for determining weight and balance, and runway limitations for take-off;
  (3) 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 windshear and microburst.
    (vii) Low visibility.
  (4) Normal and emergency communications procedures and navigation equipment including the AOC holder's communications procedures and ATC clearance requirements;
  (5) Navigation procedures used in area departure, en-route, area arrival, approach and landing phases;
  (6) Approved crew resource management training;
  (7) Air traffic control systems, procedures, and phraseology;
  (8) Aircraft 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/runway limits).
    (iv) Inoperative equipment performance limiting factors (such as MEL/CDL, inoperative antiskid).
    (v) Special operational conditions (such as unpaved runways, high altitude aerodromes and drift down requirements).

(b) Each AOC holder shall have an initial aircraft ground training syllabus for the flight crew applicable to their duties, the type of operations conducted and aircraft flown, including at least the following aircraft systems—
  (1) Aircraft—
    (i) Aircraft dimensions, turning radius, panel layouts, cockpit and cabin configurations.
    (ii) Other major systems and components or appliances of the aircraft.
  (2) Powerplants—
    (i) Basic engine description.
    (ii) Engine thrust ratings.
    (iii) Engine components such as accessory drives, ignition, oil, fuel control, hydraulic, and bleed air features.
  (3) Electrical.
    (i) Sources of aircraft electrical power (engine driven generators, APU generator,

and external power);
(ii) Electrical buses;
(iii) Circuit breakers;
(iv) Aircraft battery; and
(v) Standby power systems.

(4) Hydraulic.
(i) Hydraulic reservoirs, pumps, accumulators; filters, check valves, interconnects and actuators; and
(ii) Other hydraulically operated components.

(5) Fuel.
(i) Fuel tanks (location and quantities);
(ii) Engine driven pumps;
(iii) Boost pumps;
(iv) System valves and crossfeeds;
(v) Quantity indicators; and
(vi) Provisions for fuel jettisoning.

(6) Pneumatic.
(i) Bleed air sources (APU or external ground air); and
(ii) Means of routing, venting and controlling bleed air via valves, ducts, chambers, and temperature and pressure limiting devices

(7) Air conditioning and pressurisation.
(i) Heaters, air conditioning packs, fans, and other environmental control devices;
(ii) Pressurisation system components such as outflow and negative pressure relief valves; and
(iii) Automatic, standby, and manual pressurisation controls and annunciators.

(8) Flight controls.
(i) Primary controls (yaw, pitch, and roll devices);
(ii) Secondary controls (leading/trailing edge devices, flaps, trim, and damping mechanisms);
(iii) Means of actuation (direct/indirect or fly by wire); and
(iv) Redundancy devices.

(9) 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 (nose or body steering gear);
(iii) Bogie arrangements;
(iv) Air/ground sensor relays; and
(v) Visual downlock indicators.

(10) Ice and rain protection.
(i) Rain removal systems; and
(ii) Anti-icing and/or de-icing system(s) affecting flight controls, engines, pitot static probes, fluid outlets, cockpit windows, and aircraft structures.

(11) 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/or cargo configurations; and
(ix) Non-emergency equipment and furnishings.

(12) Navigation equipment.
(i) Flight directors;
(ii) Horizontal situation indicator;
(iii) Radio magnetic indicator;
(iv) Navigation receivers (GPS, ADF, VOR, RNAV, Marker Beacon, DME);
(v) Inertial systems (INS, IRS);
(vi) Functional displays;
(vii) Fault indications and comparator systems;
(viii) Aircraft transponders;
(ix) Radio altimeters;
(x) Weather radar; and
(xi) Cathode ray tube or computer generated displays of aircraft position and navigation information.

(13) Auto flight system.
(i) Autopilot;
(ii) Autothrottles;
(iii) Flight director and navigation systems;
(iv) Automatic approach tracking;
(v) Autoland; and
(vi) Automatic fuel and performance management systems.

(14) Flight instruments.
(i) Panel arrangement;
(ii) Flight instruments (attitude indicator, directional gyro, magnetic compass, airspeed indicator, vertical speed indicator, altimeters, standby instruments); and
(iii) Instrument power sources, and instrument sensory sources (e.g., Pitot static pressure).

(15) Display systems.
(i) Weather radar; and
(ii) Other CRT displays (e.g., checklist, vertical navigation or longitudinal navigation displays).

(16) Communication equipment.
(i) VHF/HF radios;
(ii) Audio panels;
(iii) Inflight interphone and passenger address systems;
(iv) Voice recorder; and
(v) Air/ground passive communications systems (ACARS).

(17) Warning systems (including ACAS, GPWS, Windshear).
(i) Aural, visual, and tactile warning systems (including the character and degree of urgency related to each signal); and
(ii) Warning and caution annunciator systems (including ground proximity and take-off warning systems).
(iii) Appropriate actions to be taken when the system sounds or illuminates a warning.

(18) Fire protection.
(i) Fire and overheat sensors, loops, modules, or other means of providing visual

and/or aural indications of fire or overheat detection;

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

(iii) Power sources necessary to provide protection for fire and overheat conditions in engines, APU, cargo bay/wheel well, cockpit, cabin and lavatories.

(19) Oxygen.

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

(ii) Sources of oxygen (gaseous or solid);

(iii) Flow and distribution networks;

(iv) Automatic deployment systems;

(v) Regulators, pressure levels and gauges; and

(vi) Servicing requirements.

(20) Lighting.

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

(ii) Power sources;

(iii) Switch positions; and

(iv) Spare light bulb locations.

(21) 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) Slides and slide/rafts;

(vii) Escape straps or handles; and

(viii) Hatches, ladders and movable stairs.

(22) Auxiliary Power Unit (APU).

(i) Electric and bleed air capabilities;

(ii) Interfaces with electrical and pneumatic systems;

(iii) Inlet doors and exhaust ducts;

(iv) Fuel supply.

(c) Each AOC holder shall have an initial aircraft ground training syllabus for the flight crew applicable to their duties, the type of operations conducted and aircraft flown, including at least the following *aircraft systems integration items*—

(1) Use of checklist.

(i) Safety chocks;

(ii) Cockpit preparation (switch position and checklist flows);

(iii) Checklist callouts and responses; and

(iv) Checklist sequence.

(2) Flight planning.

(i) Performance limitations (meteorological, weight, and MEL/CDL items);

(ii) Required fuel loads;

(iii) Weather planning (lower than standard take-off minimums or alternate requirements).

(3) Navigation systems.

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

(ii) Onboard navigation systems; and

(iii) Flight plan information input and retrieval.

(4) Autoflight.
  (i) Autopilot, autothrust, and flight director systems, including the appropriate procedures, normal and abnormal indications, and annunciators.
(5) Cockpit familiarisation
  (i) Activation of aircraft system controls and switches to include normal, abnormal and emergency switches; and
  (ii) Control positions and relevant annunciators, lights, or other caution and warning systems.

APPENDIX 2 TO 14.090: INITIAL AIRCRAFT GROUND TRAINING: CABIN CREW MEMBERS

(a) Each AOC holder shall have an initial ground training syllabus for cabin crew members applicable to the type of operations conducted and aircraft flown, including at least the following *general subjects*—
(1) Aircraft familiarisation.
  (i) Aircraft characteristics and description;
  (ii) Flight Deck configuration;
  (iii) Cabin configuration;
  (iv) Galleys;
  (v) Lavatories; and
  (vi) Stowage areas.
(2) Aircraft 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) Aircraft markings; and
  (vii) Aircraft placards.
(3) Aircraft systems.
  (i) Air conditioning and pressurisation system;
  (ii) Aircraft communication systems (call, interphone and passenger address);
  (iii) Lighting and electrical systems;
  (iv) Oxygen systems (flight crew, observer and passenger); and
  (v) Water system.
(4) Aircraft exits.
  (i) General information;
  (ii) Exits with slides or slide/rafts (pre-flight and normal operation);
  (iii) Exits without slides (pre-flight and normal operations); and
  (iv) Window exits.
(5) Crew member communication and co-ordination.
  (i) Authority of PIC;
  (ii) Routine communication signals and procedures; and
  (iii) Crew member briefing.
(6) Routine crew member duties and procedures.
  (i) Crew member general responsibilities;
  (ii) Reporting duties and procedures for specific aircraft;
  (iii) Predeparture 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 aircraft;
(vii) Inflight 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.

(7) 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; and
(vii) Smoking and no smoking requirements.

(8) Approved Crew Resource Management (CRM) training for cabin crew members, which includes flight crew-cabin crew coordination.

(9) Human performance training as related to passenger cabin safety duties.

(10) High Altitude Physiology regarding the effect of lack of oxygen and, in the case of pressurised aircraft, the physiological phenomena accompanying a loss of pressurisation.

(b) Each AOC holder shall have an initial ground training syllabus for cabin crew members applicable to the type of operations conducted and aircraft flown, including at least the following *aircraft specific emergency subjects*—

(1) Emergency equipment.
(i) Emergency communication and notification systems;
(ii) Aircraft exits;
(iii) Exits with slides or slide/rafts (emergency operation);
(iv) Slides and slide/rafts in a ditching;
(v) Exits without slides (emergency operation);
(vi) Window exits (emergency operation);
(vii) Exits with tailcones (emergency operation);
(viii) Cockpit exits (emergency operation);
(ix) Ground evacuation and ditching equipment;
(x) First aid equipment;
(xi) Portable oxygen systems (oxygen bottles, chemical oxygen generators, protective breathing equipment (PBE));
(xii) Fire Fighting equipment;
(xiii) Emergency lighting systems; and
(xiv) Additional emergency equipment.

(2) Emergency assignments and procedures.
(i) General types of emergencies specific to aircraft;
(ii) Emergency communication signals and procedures;
(iii) Awareness of the other crew members' assignments and functions in the event of an emergency so far as is necessary for the fulfillment of the cabin crew member's own duties.
(iv) Rapid decompression;
(v) Insidious decompression and cracked window and pressure seal leaks;
(vi) Fires;
(vii) Ditching;

(viii) Ground evacuation;
(ix) Unwarranted evacuation (i.e., passenger initiated);
(x) Illness or injury;
(xi) Abnormal situations involving passengers or crew members;
(xii) Hijacking;
(xiii) Bomb threat;
(xiv) Turbulence;
(xv) Other unusual situations; and
(xvi) Previous aircraft accidents and incidents.

(3) Aircraft 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) Slide/raft pack transfer drill, if applicable;
(viii) Slide or slide/raft deployment, inflation, and detachment drill, if applicable; and
(ix) Emergency evacuation slide drill, if applicable.

(c) Each AOC holder shall ensure that initial ground training for cabin crew members includes a competence check given by the appropriate supervisor or ground instructor to determine his or her ability to perform assigned duties and responsibilities.

(d) Each AOC holder shall ensure that initial ground training for cabin crew members consists of at least the following programmed hours of instruction—
(1) Multi-engine turbine: 16 hours; and
(2) Multi-engine piston: 8 hours.

APPENDIX 3 TO 14.090: INITIAL TRAINING: OPERATIONAL CONTROL FUNCTIONS

(a) Each AOC holder shall provide initial aircraft ground training for person assigned to operational control functions that include instruction in at least the following general dispatch subjects—
(1) Applicable contents of the Operations Manual
(2) Normal and emergency communications procedures
(3) Available sources of weather information
(4) Actual and prognostic weather charts
(5) Interpretation of weather information
(6) Seasonal meteorological conditions and the sources of meteorological information
(7) Adverse weather phenomena (e.g., clear air turbulence, windshear, and thunderstorms)
(8) Effects of meteorological conditions on radio reception in the aeroplanes used;
(9) Notice to Airmen (NOTAM) system
(10) Peculiarities and limitations of each navigation system which is used by the operation,
(11) Navigational charts and publications
(12) Air traffic control (ATC) and instrument procedures
(13) Familiarisation with operational area
(14) Characteristics of special aerodromes and other operationally significant aerodromes which the operator uses (i.e., terrain, approach aids, or prevailing weather phenomena)
(15) Joint operational control functions/pilot responsibilities
(16) Approved Crew Resource Management (CRM) training for person assigned to operational

control functions, to include the knowledge and skills related to human performance relevant to these duties.

(b) Each AOC holder shall provide initial aircraft ground training for person assigned to operational control functions that include instruction in at least the following aircraft characteristics—

(1) General operating characteristics of the AOC holder's aircraft
(2) Aircraft specific training with emphasis on the following topics:
(i) Aircraft loading instructions;
(ii) Aircraft operating and performance characteristics,
(iii) Radio communications and navigation equipment capability,
(iv) Instrument approach and communications equipment, and
(v) Emergency equipment.
(3) Flight manual training
(4) Equipment training

(c) Each AOC holder shall provide initial aircraft ground training for person assigned to operational control functions that include instruction in at least the following emergency procedures—

(1) Assisting the flight crew in an emergency
(2) Alerting of appropriate governmental, company and private agencies

(d) Each AOC holder shall ensure that initial ground training for person assigned to operational control functions includes a competence check given by an appropriate supervisor or ground instructor that demonstrates the required knowledge and abilities to accomplish the—

(1) Assistance of the PIC in the flight preparation and providing of relevant information;
(2) Assistance in the operational and ATC flight plan preparation;
(3) Furnish the PIC while in flight the information which may be necessary to safe conduct of the flight; and
(4) In the event of an emergency, initiate such procedures as may be outlined in the operations manual.

APPENDIX 1 TO 14.095: INITIAL AIRCRAFT FLIGHT TRAINING

(a) Each AOC holder shall ensure that pilot initial flight training includes at least the following—

Note: Flight training may be conducted in an appropriate aircraft or adequate training simulator (simulator shall have landing capability).

(1) Preparation
(i) Visual inspection (for aircraft with a flight engineer, use of pictorial display authorised)
(ii) Pre-taxi procedures
(iii) Performance limitations
(2) Surface operation
(i) Pushback
(ii) Powerback taxi, if applicable to type of operation to be conducted
(iii) Starting
(iv) Taxi
(v) Pre take-off checks
(3) take-off
(i) Normal
(ii) Crosswind
(iii) Rejected

(iv) Power failure after V_1
(v) Lower than standard minimum, if applicable to type of operation to be conducted

(4) Climb
(i) Normal
(ii) One-engine inoperative during climb to en-route altitude

(5) en-route
(i) Steep turns (PIC only)
(ii) Approaches to stalls (take-off, en-route, and landing configurations)
(iii) Inflight powerplant shutdown
(iv) Inflight powerplant restart
(v) High speed handling characteristics

(6) Descent
(i) Normal
(ii) Maximum rate

(7) Approaches
(i) VFR procedures
(ii) Visual approach with 50% loss of power on one-engine (2 engines inoperative on 3-engine aeroplanes) (PIC only)
(iii) Visual approach with slat/flap malfunction
(iv) IFR precision approaches (ILS normal and ILS with one-engine inoperative)
(v) IFR non-precision approaches (NDB normal and VOR normal)
(vi) Non-precision approach with one engine inoperative (LOC backcourse procedures, SDF/LDA, GPS, TACAN and circling approach procedures)

Note: Simulator shall be qualified for training/checking on the circling manoeuvre.

(vii) Missed approach from precision approach
(viii) Missed approach from non-precision approach
(ix) Missed approach with powerplant failure

(8) 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 (2 engines inoperative on 3-engine aeroplanes) (PIC only)
(v) Normal with flap/slat malfunction
(vi) Rejected landings
(vii) Crosswind
(viii) Manual reversion/degraded control augmentation
(ix) Short/soft field (small aircraft only)
(x) Glassy/rough water (seaplanes only)

(9) After landing
(i) Parking
(ii) Emergency evacuation
(iii) Docking, mooring, and ramping (seaplanes only)

(10) Other flight procedures during any airborne phase
(i) Holding
(ii) Ice accumulation on airframe
(iii) Air hazard avoidance
(iv) Windshear/microburst

(11) Normal, abnormal and alternate systems procedures during any phase
- (i) Pneumatic/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/or automatic or other approach and landing aids
- (x) Stall warning devices, stall avoidance devices, and stability augmentation systems
- (xi) Airborne weather radar
- (xii) Flight instrument system malfunction
- (xiii) Communications equipment
- (xiv) Navigation systems

(12) Emergency systems procedures during any phase
- (i) Aircraft fires
- (ii) Smoke control
- (iii) Powerplant malfunctions
- (iv) Fuel jettison
- (v) Electrical, hydraulic, pneumatic systems
- (vi) Flight control system malfunction
- (vii) Landing gear and flap system malfunction

(b) Each AOC Holder shall ensure that flight engineer flight training includes at least the following—

(1) Training and practice in procedures related to the carrying out of flight engineer duties and functions. This training and practice may be accomplished either in flight, in an aeroplane simulator or a training device.

(2) A proficiency check

(c) Each AOC holder shall ensure that flight training includes at least the following—

(1) Initial flight training for flight navigators must include flight training and a flight check that is adequate to ensure the crew member's proficiency in the performance of his/her assigned duties.

(2) The flight training and check specified in paragraph (1) must be performed-
- (i) In-flight or in an appropriate training device; or
- (ii) In commercial air transport operations, if performed under the supervision of a qualified flight navigator.

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APPENDIX 1 TO 14.100: INITIAL SPECIALIZED OPERATIONS TRAINING

(a) Each AOC holder shall provide initial specialized operations training to ensure that each pilot and person assigned to operational control functions is qualified in the type of operation in which he or she serves and in any specialized or new equipment, procedures, and techniques, such as—

(1) Class II navigation
- (i) Knowledge of specialized navigation procedures, such as MNPS
- (ii) Knowledge of specialized equipment, such as INS, LORAN, OMEGA

(2) CAT II and CAT III approaches
- (i) Special equipment, procedures and practice
- (ii) A demonstration of competency

(3) Lower than standard minimum take-offs
- (i) Runway and lighting requirements
- (ii) Rejected take-offs at, or near, V_1 with a failure of the most critical engine
- (iii) Taxi operations
- (iv) Procedures to prevent runway incursions under low visibility conditions

(4) Extended range operations with two engine aeroplanes

(5) Airborne radar approaches

(6) Autopilot instead of co-pilot

APPENDIX 1 TO 14.105: AIRCRAFT DIFFERENCES: OPERATIONAL CONTROL FUNCTIONS

(a) Each AOC holder shall provide aircraft differences training for person assigned to operational control functions when the operator has aircraft variances within the same type of aircraft, which includes at least the following—

(1) Operations procedures—
- (i) Operations under adverse weather phenomena conditions, including clear air turbulence, windshear, and thunderstorms;
- (ii) Weight and balance computations and load control procedures;
- (iii) Aircraft performance computations, to include take-off weight limitations based on departure runway, arrival runway, 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 person assigned to operational control functions can provide in each situation;
- (ix) MEL and CDL procedures;
- (x) Manual performance of an required procedures in case of the loss of automated capabilities;
- (xi) Training in appropriate geographic areas;
- (xii) ATC and instrument procedures, to include ground hold and central flow control procedures; and
- (xiii) Radio/telephone procedures.

(2) Emergency procedures—
- (i) Actions taken to aid the flight crew; and
- (ii) AOC holder and Authority notification.

APPENDIX 1 TO 14.115: AIRCRAFT AND INSTRUMENT PROFICIENCY CHECK: PILOT

(a) Satisfactory completion of a PIC proficiency check following completion of an approved air carrier training program for the particular type aircraft, satisfies the requirement for an aircraft type rating practical test if—

(1) That proficiency check includes all manoeuvres and procedures required for a type rating practical test.; and

(2) Proficiency checks are be conducted by an check airman approved by the Authority.

(b) Aircraft and instrument proficiency checks for PIC and co-pilot must include the following operations and procedures listed in Table A. As noted, examiners may waive certain events on the flight test based on an assessment of the pilot's demonstrated level of performance

TYPE OF OPERATION OR PROCEDURE	PIC or Co-pilot	Notes
Ground Operations		
Preflight inspection	PIC/Co-pilot	
Taxiing	PIC/Co-pilot	Both pilots may take simultaneous credit.
Powerplant checks	PIC/Co-pilot	Both pilots may take simultaneous credit.
take-offs		
Normal	PIC/Co-pilot	
Instrument	PIC/Co-pilot	
Crosswind	PIC/Co-pilot	
With powerplant failure	PIC/Co-pilot	
Rejected take-off	PIC/Co-pilot	Both pilots may take simultaneous credit. May be waived.
Instrument Procedures		
Area departure	PIC/Co-pilot	May be waived.
Area arrival	PIC/Co-pilot	May be waived.
Holding	PIC/Co-pilot	May be waived.
Normal ILS approach	PIC/Co-pilot	
Engine-out ILS	PIC/Co-pilot	
Coupled ILS approach	PIC/Co-pilot	Both pilots may take simultaneous credit
Nonprecision approach	PIC/Co-pilot	
Second nonprecision approach	PIC/Co-pilot	
Missed approach from an ILS	PIC/Co-pilot	
Second missed approach	PIC only	
Circling approach	PIC/Co-pilot	Only when authorised in the AOC holder's Operations Manual. May be waived.
Inflight Maneuvers		
Steep turns	PIC only	May be waived.
Specific flight characteristics	PIC/Co-pilot	
Approaches to stalls	PIC/Co-pilot	May be waived.
Powerplant failure	PIC/Co-pilot	
2 engine inoperative approach (3 and 4 engine aircraft)	PIC/Co-pilot	
Normal landing	PIC/Co-pilot	
Landing from an ILS	PIC/Co-pilot	
Crosswind landing	PIC/Co-pilot	
Landing with engine-out	PIC/Co-pilot	
Landing from circling approach	PIC/Co-pilot	Only if authorised in Operations Manual. May be waived.
Normal And Non-Normal Procedures	PIC/Co-pilot	
Rejected landing	PIC/Co-pilot	
2 engine inoperative landing (3 and 4 engine aircraft)	PIC only	
Other Events	PIC or Co-pilot	Examiner's discretion.

(c) The oral and flight test phases of a proficiency check should not be conducted simultaneously.

(d) When the examiner determines that an applicant's performance is unsatisfactory, the examiner may terminate the flight test immediately or, with the consent of the applicant, continue with the flight test until the remaining events are completed.

(e) If the check must be terminated (for mechanical or other reasons) and there are events which still need to be repeated, the examiner shall issue a letter of discontinuance, valid for 60 days, listing the specific areas of operation that have been successfully completed.

APPENDIX 1 TO 14.125: FLIGHT ENGINEER PROFICIENCY CHECKS

(a) Examiners shall include during proficiency checks for flight engineers an oral or written examination of the normal, abnormal, and emergency procedures listed below—

(1) Normal procedures—

(i) Interior pre-flight
(ii) Panel set-up
(iii) Fuel load
(iv) Engine start procedures
(v) Taxi and before take-off procedures
(vi) take-off and climb Pressurisation
(vii) Cruise and fuel management
(viii) Descent and approach
(ix) After landing and securing
(x) Crew co-ordination
(xi) Situational awareness, traffic scan, etc.
(xii) Performance computations
(xiii) Anti-ice, de-ice

(2) Abnormal and emergency procedures—

(i) Troubleshooting
(ii) Knowledge of checklist
(iii) Ability to perform procedures
(iv) Crew co-ordination
(v) Minimum equipment list (MEL) and configuration deviation list (CDL)
(vi) Emergency or alternate operation of aeroplane flight systems

APPENDIX 1 TO 14.130: COMPETENCE CHECKS: CABIN CREW MEMBERS

(a) The cabin crew member competency check shall include, for each cabin crew member, a live, timed one- on-one demonstration of the performance of assigned duties at a representative emergency exit during an emergency evacuation. The standard of performance shall be that, from the cockpit evacuation signal, the crew member shall be able to perform all required tasks, including actuation of the evacuation slide and all standardized passenger instructions (call-outs) within 7.5 seconds.

(b) The cabin crew member shall be required to demonstrate at least two other passenger emergency call-outs and associated actions selected by the person conducting the check. The standard of performance shall be that the crew member be able to enunciate the call-outs using the correct phraseology and perform the tasks associated with the particular call-outs.

(c) The cabin crew member shall be required to participate as an assigned crew member in a emergency ditching demonstration. All cabin crew members will be assigned specific positions in the aircraft for the start of the demonstration. The standard of performance shall be than, from the cockpit signal, the crew members shall be able to perform all required tasks within 6 minutes. Then, from the instructor signal that the aircraft is motionless in the water, the crew members shall be able to perform (or simulate the performance of) all tasks to deploy and board the rafts.

APPENDIX 1 TO 14.135: COMPETENCE CHECKS: OPERATIONAL CONTROL FUNCTIONS

(a) Flight dispatcher competency checks shall include demonstration to the operator a knowledge of:
  (1) The contents of the operations manual (and volumes);
  (2) The radio equipment in the aircraft used; and
  (3) The navigation equipment in the aircraft used;

(b) The flight dispatcher competency check shall also include demonstration to the operator a knowledge of the following details concerning operations for which the dispatcher is responsible and areas in which that individual is authorized to exercise flight supervision:
  (23) The seasonal meteorological conditions and the sources of meteorological information;
  (24) The effects of meteorological conditions on radio reception in the aeroplanes used;
  (25) The peculiarities and limitations of each navigation system which is used by the operation; and
  (26) The aeroplane loading instructions.

(c) The competency check shall also demonstrate to the operator
  (1) Knowledge and skills related to human performance relevant to dispatch duties; and
  (2) The ability to perform the duties specified in Part 16.

APPENDIX 1 TO 14.180: RECURRENT TRAINING: FLIGHT CREW

(a) Each AOC holder shall establish a recurrent training program for all flight crew members in the AOC holder's operations manual and shall have it approved by the Authority.

(b) Each flight crew member shall undergo recurrent training relevant to the type or variant of aeroplane on which he or she is certified to operate and for the crew member position involved.

(c) Each AOC holder shall have all recurrent training conducted by suitably qualified personnel.

(d) Each AOC holder shall ensure that flight crew member recurrent ground training includes at least the following—
  (1) General subjects
    (i) Flight locating procedures
    (ii) Principles and method for determining weight/balance and runway limitations
    (iii) Meteorology to ensure practical knowledge of weather phenomena including the principles of frontal system, icing, fog, thunderstorms, windshear, and high altitude weather situations
    (iv) ATC systems and phraseology
    (v) Navigation and use of navigational aids
    (vi) Normal and emergency communication procedures
    (vii) Visual cues before descent to MDA
    (viii) Accident/incident and occurrence review
    (ix) Other instructions necessary to ensure the pilot's competence
  (2) Aircraft systems and limitations
    (i) Normal, abnormal, and emergency procedures
    (ii) Aircraft performance characteristics
    (iii) Engines and or propellers
    (iv) Major aircraft components
    (v) Major aircraft systems (i.e., flight controls, electric, hydraulic and other systems as appropriate)
    (vi) Ground icing and de-icing procedures and requirements

(3) Emergency equipment and drills

(4) Every 12 months—

(i) Location and use of all emergency and safety equipment carried on the aeroplane;

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

(iii) Actual donning of a life jacket where fitted;

(iv) Actual donning of protective breathing equipment; and

(v) Actual handling of fire extinguishers.

(5) Every 3 years—

(i) Operation of all types of exits;

(ii) Demonstration of the method used to operate a slide, where fitted; and

(iii) Fire-fighting using equipment representative of that carried in the aeroplane on an actual or simulated fire;

Note: With halon extinguishers, an alternative method acceptable to the authority may be used.

(iv) Effects of smoke in an enclosed area and actual use of all relevant equipment in a simulated smoke-filled environment;

(v) Actual handling of pyrotechnics, real or simulated, where fitted;

(vi) Demonstration in the use of the life-raft(s), where fitted;

(vii) An emergency evacuation drill;

(viii) A ditching drill, if applicable; and

(ix) A rapid decompression drill, if applicable.

(6) Crew resource management—

(i) Decision making skills;

(ii) Briefings and developing open communication;

(iii) Inquiry, advocacy, and assertion training;

(iv) Workload management; and

(v) Situational awareness.

(7) 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.

(8) Security—

(i) Hijacking; and

(ii) Disruptive passengers.

(e) Each AOC holder shall verify knowledge of the recurrent ground training by an oral or written examination.

(f) Each AOC holder shall ensure that pilot recurrent flight training include at least the following—

(1) Preparation—

(i) Visual inspection (use of pictorial display authorised); and

(ii) Pre-taxi procedures.

(2) Surface operation—

(i) Performance limitations;

(ii) Cockpit management;

(iii) Securing cargo;

(iv) Pushback;

(v) Powerback taxi;

(vi) Starting;

(vii) Taxi; and

(viii) Pre take-off checks.

(3) take-off—
- (i) Normal;
- (ii) Crosswind;
- (iii) Rejected;
- (iv) Power failure after V_1;
- (v) Powerplant failure during second segment; and
- (vi) Lower than standard minimum.

(4) Climb—
- (i) Normal; and
- (ii) One-engine inoperative during climb to en-route altitude.

(5) en-route—
- (i) Steep turns;
- (ii) Approaches to stalls (take-off, en-route, and landing configurations);
- (iii) Inflight powerplant shutdown;
- (iv) Inflight powerplant restart; and
- (v) High speed handling characteristics.

(6) Descent—
- (i) Normal; and
- (ii) Maximum rate.

(7) Approaches—
- (i) VFR procedures;
- (ii) Visual approach with 50% loss of power on one-engine (2 engines inoperative on 3-engine aeroplanes) (PIC only);
- (iii) Visual approach with slat/flap malfunction;
- (iv) IFR precision approaches (ILS normal and ILS with one-engine inoperative);
- (v) IFR non-precision approaches (NDB normal and VOR normal);
- (vi) Non-precision approach with one engine inoperative (LOC backcourse, SDF/LDA, GPS, TACAN and circling approach procedures);

Note: Simulator shall be qualified for training/checking on the circling manoeuvre.

- (vii) Missed approach from precision approach;
- (viii) Missed approach from non-precision approach; and
- (ix) Missed approach with powerplant failure.

(8) Landings—
- (i) Normal with a pitch mistrim (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 (2 engines inoperative on 3-engine aeroplanes) (PIC only);
- (v) Normal with flap/slat malfunction;
- (vi) Rejected landings;
- (vii) Crosswind;
- (viii) Short/soft field (small aircraft only); and
- (ix) Glassy/rough water (seaplanes only).

(9) After landing—
- (i) Parking;
- (ii) Emergency evacuation; and
- (iii) Docking, mooring, and ramping (seaplanes only).

(10) Other flight procedures during any airborne phase—

(i) Holding;
(ii) Ice accumulation on airframe;
(iii) Air hazard avoidance; and
(iv) Windshear/microburst.

(11) Normal, abnormal and alternate systems procedures during any phase—
(i) Pneumatic/pressurisation;
(ii) Air conditioning;
(iii) Fuel and oil;
(iv) Electrical;
(v) Hydraulic;
(vi) Flight controls;
(vii) Anti-icing and de-icing systems;
(viii) Flight management guidance systems and/or automatic or other approach and landing aids;
(ix) Stall warning devices, stall avoidance devices, and stability augmentation systems;
(x) Airborne weather radar;
(xi) Flight instrument system malfunction;
(xii) Communications equipment;
(xiii) Navigation systems;
(xiv) Auto-pilot;
(xv) Approach and landing aids; and
(xvi) Flight instrument system malfunction.

(12) Emergency systems procedures during any phase—
(i) Aircraft fires;
(ii) Smoke control;
(iii) Powerplant malfunctions;
(iv) Fuel jettison;
(v) Electrical, hydraulic, pneumatic systems;
(vi) Flight control system malfunction; and
(vii) Landing gear and flap system malfunction.

(g) Each AOC holder shall ensure that flight engineer recurrent flight training includes at least the flight training specified herein.

(h) Each AOC holder shall ensure that flight navigator recurrent training includes enough training and an in- flight check to ensure competency with respect to operating procedures and navigation equipment to be used and familiarity with essential navigation information pertaining to the AOC holder's routes that require a flight navigator.

(i) The AOC holder may combine recurrent training with the AOC holder's proficiency check.

(j) Recurrent ground and flight training may be accomplished concurrently or intermixed, but completion of each of these curriculum segments shall be recorded separately.

APPENDIX 1 TO 14.185: RECURRENT EMERGENCY TRAINING: CABIN CREW MEMBERS

(a) Each AOC holder shall establish and have approved by the Authority a recurrent training program for all cabin crew members.

(b) Each cabin crew member shall undergo recurrent training in evacuation and other appropriate normal and emergency procedures and drills relevant to their assigned positions and the type(s) and/or variant(s) of aeroplane on which they operate.

(c) Each AOC holder shall have all recurrent training conducted by suitably qualified personnel.

(d) Each AOC holder shall ensure that, every 12 months, each cabin crew member receive recurrent training in at least the following—

(1) Emergency equipment—
- (i) Emergency communication and notification systems;
- (ii) Aircraft exits;
- (iii) Exits with slides or slide/rafts (emergency operation);
- (iv) Slides and slide/rafts in a ditching;
- (v) Exits without slides (emergency operation);
- (vi) Window exits (emergency operation);
- (vii) Exits with tailcones (emergency operation);
- (viii) Cockpit exits (emergency operation);
- (ix) Ground evacuation and ditching equipment;
- (x) First aid equipment;
- (xi) Portable oxygen systems (oxygen bottles, chemical oxygen generators, protective breathing equipment (PBE));
- (xii) Fire Fighting equipment;
- (xiii) Emergency lighting systems; and
- (xiv) Additional emergency equipment.

(2) Emergency procedures—
- (i) General types of emergencies specific to aircraft;
- (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 (i.e., passenger initiated);
- (ix) Illness or injury;
- (x) Abnormal situations involving passengers or crew members;
- (xi) Turbulence; and
- (xii) Other unusual situations.

(3) Emergency drills.

(4) Every 12 months—
- (i) Location and use of all emergency and safety equipment carried on the aeroplane;
- (ii) The location and use of all types of exits;
- (iii) Actual donning of a life jacket where fitted;
- (iv) Actual donning of protective breathing equipment; and
- (v) Actual handling of fire extinguishers.

(5) Every 3 years—
- (i) Operation of all types of exits;
- (ii) Demonstration of the method used to operate a slide, where fitted;
- (iii) Fire-fighting using equipment representative of that carried in the aeroplane on an actual or simulated fire;

Note: With Halon extinguishers, an alternative method acceptable to the Authority may be used.

- (iv) Effects of smoke in an enclosed area and actual use of all relevant equipment in a simulated smoke-filled environment;
- (v) Actual handling of pyrotechnics, real or simulated, where fitted;
- (vi) Demonstration in the use of the life-raft(s), where fitted;
- (vii) An emergency evacuation drill;
- (viii) A ditching drill, if applicable;

(ix) A rapid decompression drill, if applicable;

(6) Crew resource management—

(i) Decision making skills;

(ii) Briefings and developing open communication;

(iii) Inquiry, advocacy, and assertion training; and

(iv) Workload management.

(7) 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.

(8) Security—

(i) Hijacking; and

(ii) Disruptive passengers.

(e) An AOC holder may administer each of the recurrent training curriculum segments concurrently or intermixed, but shall record completion of each of these segments separately.

APPENDIX 1 TO 14.190: RECURRENT TRAINING: PERSONS ASSIGNED TO OPERATIONAL CONTROL FUNCTIONS

(a) Each AOC holder shall establish and maintain a recurrent training program, approved by the Authority and established in the AOC holder's operations manual, to be completed annually by each person assigned to operational control functions.

(b) Each person assigned to operational control functions shall undergo recurrent training relevant to the type(s) and/or variant(s) of aeroplane and operations conducted by the AOC holder.

(c) Each AOC holder shall conduct all recurrent training by suitably qualified personnel.

(d) An AOC holder shall ensure that, every 12 months, each person assigned to operational control functions receives recurrent training in at least the following—

(1) Aircraft-specific flight preparation;

(2) Emergency assistance to flight crews;

(3) Crew Resource Management; and

(4) Dangerous goods.

(e) An AOC holder may administer each of the recurrent ground and flight training curriculum segments concurrently or intermixed, but shall record completion of each of these sements separately.

APPENDIX 1 TO 14.200: INSTRUCTOR PILOT TRAINING

(a) No person may use a person, nor may any person serve as an instructor pilot instructor in a training program unless—

(1) That person has satisfactorily completed initial or transition flight instructor training; and

(2) Within the preceding 24 calendar months, that person satisfactorily conducts instruction under the observation of an inspector from the Authority, an AOC holder's check airman, or an examiner employed by the AOC holder.

(b) An AOC holder may accomplish the observation check for a instructor pilot, in part or in full, in an aeroplane, a flight simulator, or a flight training device.

(c) Each AOC holder shall ensure that initial ground training for instructor pilots includes the following—

(1) Flight instructor duties, functions, and responsibilities;

(2) Applicable Part and the AOC holder's policies and procedures;

(3) Appropriate methods, procedures, and techniques for conducting the required checks;
(4) Proper evaluation of student performance including the detection of—
(5) Improper and insufficient training, and
(6) Personal characteristics of an applicant that could adversely affect safety;
(7) Appropriate corrective action in the case of unsatisfactory checks;
(8) Approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aeroplane;
(9) Except for holders of a flight instructor licence—
(i) The fundamental principles of the teaching-learning process;
(ii) Teaching methods and procedures; and
(iii) The instructor-student relationship.

(d) Each AOC holder shall ensure that the transition ground training for instructor pilotss includes the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aeroplane to which the flight instructor is in transition.

(e) Each AOC holder shall ensure that the initial and transition flight training for instructor pilots (aeroplane), flight engineer instructors (aeroplane), and flight navigator instructors (aeroplane) includes the following—
(1) The safety measures for emergency situations that are likely to develop during instruction.
(2) The potential results of improper, untimely, or non-execution of safety measures during instruction.
(3) For instructor pilot (aeroplane)—
(i) Inflight 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.
(4) For flight engineer instructors (aeroplane) and flight navigator instructors (aeroplane), in-flight training to ensure competence to perform assigned duties.

(f) An AOC holder may accomplish the flight training requirements for inspector pilots in full or in part in flight, in a flight simulator, or in a flight training device, as appropriate.

(g) An AOC holder shall ensure that the initial and transition flight training for instructor pilots (simulator) includes the following—
(1) 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 simulator or in a flight training device.
(2) Training in the operation of flight simulators or flight training devices, or both, to ensure competence to conduct the flight instruction required by this Part.

APPENDIX 1 TO 14.209: CHECK AIRMAN TRAINING

(a) No person may use a person, nor may any person serve as a check airman (aeroplane) or check airman (simulator) in a training program unless, with respect to the aeroplane type involved, that person has satisfactorily completed the appropriate training phases for the aeroplane, including recurrent training, that are required to serve as PIC or flight engineer, as applicable.

(b) Each AOC holder shall ensure that initial ground training for check airman includes—
(1) Check airman duties, functions, and responsibilities;
(2) Applicable Parts and the AOC holder's policies and procedures;

(3) Appropriate methods, procedures, and techniques for conducting the required checks;
(4) Proper evaluation of student performance including the detection of—
(5) Improper and insufficient training, and
(6) Personal characteristics of an applicant that could adversely affect safety;
(7) Appropriate corrective action in the case of unsatisfactory checks; and
(8) Approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aeroplane.

(c) Transition ground training for all check airman shall include the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aeroplane to which the check airman is in transition.

(d) Each AOC holder shall ensure that the initial and transition flight training for check airman (aeroplane) includes—
(1) Training and practice in conducting flight evaluations (from the left and right pilot seats for pilot check airmen) in the required normal, abnormal, and emergency procedures to ensure competence to conduct the flight checks;
(2) The potential results of improper, untimely, or non-execution of safety measures during an evaluation; and
(3) The safety measures (to be taken from either pilot seat for check airman for emergency situations that are likely to develop during an evaluation.

(e) Each AOC holder shall ensure that the initial and transition flight training for check airman (simulator) includes—
(1) Training and practice in conducting flight checks in the required normal, abnormal, and emergency procedures to ensure competence to conduct the evaluations checks required by this Part (this training and practice shall be accomplished in a flight simulator or in a flight training device).
(2) Training in the operation of flight simulators or flight training devices, or both, to ensure competence to conduct the evaluations required by this Part.

(f) An AOC holder may accomplish flight training for check airman in full or in part in an aircraft, in a flight simulator, or in a flight training device, as appropriate.

END OF RCAR PART 14

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XV W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XV TO MINISTERIAL ORDER Nº01/CAB.M/019 OF06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XV A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 15

Fatigue Management

SUBPART A: GENERAL 2
15.001 CITATION & APPLICABILITY 2
15.005 DEFINITIONS 2
15.010 ACRONYMS & ABBREVIATIONS 2
15.011 KNOWLEDGE OR SUSPICION OF CREW FATIGUE 2
15.012 FITNESS FOR DUTY 2
15.015 PRESCRIPTIVE VS FATIGUE RISK MANAGEMENT 2
15.017 MIRRORING OF FLIGHT & CABIN CREW SCHEDULES 3
15.019 RECORD KEEPING RESPONSIBILITIES 3

SUBPART B: PRESCRIPTIVE FLIGHT TIME LIMITATIONS 3
15.020 MAXIMUM NUMBER OF FLIGHT TIME HOURS 3
15.025 EXCEEDING FLIGHT TIME IN UNFORESEEN CIRCUMSTANCES 3

SUBPART C: PRESCRIPTIVE DUTY PERIODS 4
15.030 DUTY PERIODS 4
15.033 CUMULATIVE DUTY HOURS 4
15.035 FLIGHT DUTY PERIOD 4
15.037 SPLIT-DUTY ASSIGNMENTS 5
15.040 AUGMENTED FLIGHT CREW ASSIGNMENTS 5
15.040 MIXED FLYING TYPES OF OPERATION 5
15.045 ON-CALL DUTY 6
15.047 TIME ZONE DIFFERENCE 6

SUBPART D: REST PERIODS 6
15.050 REST PERIOD 6
15.055 LOCAL & DEADHEAD TRANSPORTATION NOT REST 6
15.060 MINIMUM REST PERIOD 7
15.065 MINIMUM REST PERIOD EACH SEVEN OR TEN CONSECUTIVE DAY PERIOD 7

SUBPART E: FATIGUE RISK MANAGEMENT SYSTEMS 7
15.070 APPLICABILITY 7
15.075 APPROVAL OF FATIGUE RISK MANAGEMENT SYSTEM 7

APPENDICES 9
APPENDIX 1 TO 15.020: MAXIMUM UNINTERRUPTED FLIGHT TIME 9
APPENDIX 1 TO 15.035: ALLOWABLE FLIGHT DUTY PERIODS – MULTI-PILOT 9
APPENDIX 2 TO 15.035: ALLOWABLE FLIGHT DUTY PERIOD - SINGLE PILOT 9
APPENDIX 1 TO 15.037: ACCEPTABLE SPLIT-DUTY EXTENSION 10
APPENDIX 1 TO 15.045: ON-CALL DUTY LIMITATION 10
APPENDIX 1 TO 15.075: FRMS POLICY 10
APPENDIX 2 TO 15.075: FRMS DOCUMENTATION 10
APPENDIX 3 TO 15.075: FATIGUE RISK MANAGEMENT PROCESSES 11
APPENDIX 4 TO 15.075: FRMS SAFETY ASSURANCE PROCESSES 12
APPENDIX 5 TO 15.075: FRMS PROMOTION PROCESSES 12

SUBPART A: GENERAL

15.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Fatigue Management) Regulations,

(b) This Part prescribes the requirements of Rwanda regarding the maximum duty periods, maximum flight time and minimum rest periods and acceptable variations to these prescriptive requirements based on risk management to ensure that key crew and operations personnel do not experience fatigue during their assigned aviation duties.

(c) This Part is applicable to operators, flight and cabin crews in general aviation, aerial work and commercial air transport operations of Rwanda-registered aircraft or where Rwanda has authorised these operations.

(d) Civil Aviation Technical Standards published by the Authority shall also be applicable to the management of fatigue for an operator's operations personnel.

15.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part 1 (Appendix 1 to 1.015).

15.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

AOC = Air Operator Certificate
FDP = Flight Duty Period
FE = Flight Engineer
FRMS = Fatigue Risk Management System

15.011 KNOWLEDGE OR SUSPICION OF CREW FATIGUE

(a) No person may act as a crew member of an aircraft in commercial air transport if he knows or suspects that he is suffering from such fatigue as may endanger the safety of the flight.

(b) No person may cause or permit a crew member to fly in commercial air transport if that person knows or suspects that the crew member is suffering from such fatigue as may endanger the safety of the flight.

15.012 FITNESS FOR DUTY

(a) Each crew member must report for any flight duty period rested and prepared to perform his or her assigned duties.

(b) No operator may assign and no flight crew member may accept assignment to a flight duty period if the flight crew member has reported for a flight duty period too fatigued to safely perform his or her assigned duties.

(c) No operator may permit a crew member to continue a flight duty period if the crew member has reported him or herself too fatigued to continue the assigned flight duty period.

(d) As part of the dispatch or flight release, as applicable, each flight crew member must affirmatively state he or she is fit for duty prior to commencing flight.

15.015 PRESCRIPTIVE VS FATIGUE RISK MANAGEMENT

(a) Where the operator adopts prescriptive fatigue management regulations for part of all of its operations, the Authority may approve, in exceptional circumstances, variations to these regulations on the basis of a risk assessment provided by the operator. To be eligible for that

approval, the proposed variations shall provide a level of safety equivalent to, or better than that achieved through the prescriptive fatigue management regulations.

(b) No operator may exceed any prescriptive requirement of this Part unless an operator-specific FRMS has been approved by the Authority under Section 12.365 of these regulations and meets the requirements of Subpart E of this Part.

15.017 MIRRORING OF FLIGHT & CABIN CREW SCHEDULES

(a) An operator may elect to apply the flight crew member flight duty and rest requirements to the cabin crew members without seeking separate approval from the Authority.

15.019 RECORD KEEPING RESPONSIBILITIES

(a) The operator shall ensure that the required records for tracking flight and duty times and rest periods are maintained in a manner so that an updated record is available before a person begins their duty day or their first flight of the day.

(b) Every person for whom this Part establishes maximum flight and/or duty and minimum rest periods shall ensure that the required records have been updated to the day on which they begin duty.

SUBPART B: PRESCRIPTIVE FLIGHT TIME LIMITATIONS

15.020 MAXIMUM NUMBER OF FLIGHT TIME HOURS

(a) No person may schedule any flight crew member and no person may accept an assignment for flight time in commercial air transport, if that flight crew member's total flight time for any consecutive 24-hour period will exceed:

(1) 8 hours if the operation is conducted with a 2-pilot flight crew;
(2) 13 hours if the operation is conducted with a 3-pilot flight crew; or
(3) 17 hours if the operation is conducted with a 4-pilot flight crew.

(b) No person may schedule any flight crew member and no flight crew member may accept an assignment in commercial air transport as a required crew member for more than:

(1) 10 flights during a 10-hour consecutive duty period; or
(2) 7 flights during an 18-hour consecutive duty period.

(c) No person may schedule any flight crew member and no person may accept an assignment for flight time if that flight crew member's total flight time will exceed

(1) 34 hours in any consecutive 7-day period;
(2) 100 hours in any consecutive 28-day period; or
(3) 1000 hours in any consecutive 12 calendar months period.

(d) No person may schedule any flight crew member and no flight crew member may accept an assignment for flight time in commercial air transport, if that crew member's total flight time, total flights or duty aloft in commercial flying will exceed the limitations prescribed by the Authority.

15.025 EXCEEDING FLIGHT TIME IN UNFORESEEN CIRCUMSTANCES

(a) If unforeseen operational circumstances arise after takeoff that are beyond the operator's control, a flight crew member may exceed the maximum and cumulative flight time specified in Section 15.020 to the extent necessary to safely land the aircraft at the next destination airport or alternate, as appropriate.

(b) Each operator must report to the Authority within 10 days any flight time that exceeded the

maximum flight time limits permitted by this Subpart or Subpart C.

(c) The report must contain a description of the extended flight time limitation and the circumstances surrounding the need for the extension.

SUBPART C: PRESCRIPTIVE DUTY PERIODS

15.030 DUTY PERIODS

(a) A person is considered to be on duty if they are performing any tasks on behalf of the operator, whether scheduled, requested or self-initiated.

(b) The Authority will consider a person in compliance with prescribed duty limitations, if he or she exceeds those limitations during an emergency or adverse situations beyond the control of the operator.

15.033 CUMULATIVE DUTY HOURS

(a) With respect to duty periods, no person may schedule any crew member and no person may accept an assignment for duty which will exceed:
  (1) 1800 hours in any 12 consecutive months;
  (2) 190 hours in any 28 consecutive days; and
  (3) 55 hours in any 7 consecutive days.

(b) With regard to the cumulative duty hours, a break during a split-duty assignment will be calculated in the following manner:
  (1) If the break is less than 8 hours, the full period of the break is accountable.
  (2) 7If the break is 8 hours or more, 50% of the period of the break is accountable.

15.035 FLIGHT DUTY PERIOD

(a) No person may schedule any crew member and no person may accept an assignment for a FDP that will exceed the limitations approved by the Authority.

Note: See Appendix 1 to 15.035 for the allowable FDPs for multi-pilot operations.

Note: See Appendix 2 to 15.035 for the allowable FDPs for single-pilot operations.

(b) A person is considered to be on duty if they are performing any tasks on behalf of the operator, whether scheduled, requested or self-initiated.

(c) All time spent on an aircraft as an assigned or relief flight crew member, whether resting or performing tasks shall be included in the determination of the FDP.

(d) If a person requires a flight crew member to engage in deadhead transportation for more than 4 hours, one half of that time shall be included in the calculation of the FDP, unless they are given 10 hours of rest on the ground before being assigned to flight duty.
  (1) All time spent in deadhead transportation is duty and is not rest.
  (2) For purposes of determining the maximum flight duty period, deadhead transportation is not considered a flight segment.

(e) No person may schedule any crew member and no person may accept an assignment involving the extension of the FDP for cabin crew up to a maximum of 18 hours, unless:
  (1) No more than 2 landings are carried out within a FDP:
  (2) Rest facilities are available on board for resting cabin crew members; and
  (3) Each cabin crew member is relieved of all tasks during a part of the flight.

15.037 SPLIT-DUTY ASSIGNMENTS

(a) An operator may increase the allowable planned FDP through the application of the split-duty policies approved by the Authority subject to the following conditions—

Note: See Appendix 1 to 15.037 for the acceptable split-duty extensions.

(1) The FDP shall not consist of more than 2 periods of duty;
(2) There shall be a single break of sufficient length;
(3) The crew member is notified in advance. and
(4) Adequate facilities shall be provided; or
(5) Suitable accommodations shall be provided, if the break—
(i) If the break is 6 hours or more; or
(ii) Covers 3 hours or more of the period 2200- 0600 local time at the place where it occurs.

(b) Subject to the conditions of paragraph (a), no person may schedule any crew member and no person may accept an assignment involving a split-duty assignment, unless—
(1) Parts of the FDP before. and after the break do not exceed 10 hours, and
(2) The total FDP does not exceed 18 hours.

(c) If the total travelling time in both directions between the place of duty and the adequate facilities or suitable accommodation exceeds one hour, any travelling time in excess of 1-hour total is deducted from the break for the purpose of calculating the increased FDP.

(d) Split-duty shall not be combined with the provisions for an augmented flight crew or, for cabin crew, extension of the allowable FDP.

15.040 AUGMENTED FLIGHT CREW ASSIGNMENTS

(a) No person may schedule any crew member and no person may accept an assignment involving the use of an augmented flight crew to increase the length of a FDP for more than:
(1) 18 hours, where every flight crew member can leave his post for at least 50% of the total flight time of all flights within the FDP, or
(2) 16 hours, where every flight crew member can leave his post for at least 25% of the total flight time of all flights within the FDP

(b) No person may schedule any crew member and no person may accept an assignment involving the use of an augmented flight crew to increase the length of a FDP unless that crew scheduled to carry out no more than:
(1) 2 landings within an FDP; or
(2) 3 landings, if the following conditions are met:
(i) The flight time for one sector is 3 hours or less; and
(ii) The rest period immediately following the FDP is increased by 6 hours;

(c) No person may schedule any crew member and no person may accept an assignment involving the use of an augmented flight crew to increase the length of a FDP unless there are adequate rest facilities approved by the Authority available on board the aircraft for all resting flight crew members.

15.040 MIXED FLYING TYPES OF OPERATION

(a) No person may schedule any flight crew member and no person may accept an assignment for mixed flying types of operation, such as flight simulator and conversion/recurrent training flights prior to commercial air transport flights, except as prescribed by the Authority.

(b) Where a flight crew member carries out either flight simulator or training flights prior to a commercial air transport flight, the duration of flight simulator or training flights shall be

doubled for the purpose of calculating the limits of that FDP.

Note: The number of landings during flight simulator and training flights need not be taken into account.

15.045 ON-CALL DUTY

(a) When using the scheduled on-call duty crew members, operators must:
  (1) Apply the on-call duty period limitation for flight crew members in Appendix 1 to 15.045;
  (2) To ensure to provide suitable rest facilities if:
    (i) Member of the flight crew requested for call duty at a distance base.
    (ii) On-call duty to be carried out at the aerodrome.
  (3) Make sure the following items are included in the total duty time prescribed in this Part:
    (i) 50% of the on-call duty time (excluding the first 4 hours of on-call duty done at home);
    (ii) If being notified for the duty, 50% of the notification time is calculated if the notice period is less than 10 hours.
  (4) Ensure that a flight crew member has completed on-duty call time without doing the duty, this crew member will have rest period of at least 10 hours before commencing duty or the next on-call duty.

15.047 TIME ZONE DIFFERENCE

(a) The operator must ensure that, when there is a time zone difference between the start and end of a duty time period of 4 hours or more, the following conditions are applied if:
  (1) The time difference between the place at which the flight duty period begins and ends is 6 hours or less, the next rest period must be at least equal to the period of the previous duty or 14 hours, whichever is greater; or

(b) The time difference between the place at which the flight duty period begins and ends is more than six hours, the next rest period must be at least equal to the previous duty period or 16 hours, whichever is greater.

SUBPART D: REST PERIODS

15.050 REST PERIOD

(a) With respect to rest periods, no person may—
  (1) Perform duties for an aviation operator unless that person has had at least the minimum rest period applicable to those duties as prescribed by the Authority; or
  (2) Accept an assignment to any duty with the operator during any required rest period.

(b) The operator may exercise the option to reduce a crew member's rest period within the limitations prescribed by the Authority.

See Appendix 1 to 15.050 for the acceptable methods for reducing rest periods

15.055 LOCAL & DEADHEAD TRANSPORTATION NOT REST

(a) Time spent in local transportation in excess of 30 minutes will not be considered a part of a crew member's rest period.

(b) Time spent in transportation, not local in character, that is required by the operator to position crew members to or from flights is not considered part of a rest period.

(c) 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.

15.060 MINIMUM REST PERIOD

(a) No rest period will be less than:
  (1) 9 hours for flight crew members; or
  (2) 8 hours for cabin crew members.

(b) The operator shall ensure that, before the start of a FDP, a crew member has completed a rest period:
  (1) At least as long as the preceding duty period, or
  (2) 11 hours, whichever is the greater.

(c) The minimum rest period following a FDP in which split-duty credit has been used:
  (1) Shall be at least as long as the total FDP, including the break;
  (2) Except that, if suitable accommodations were provided, the duration of the break need not be included in the rest period calculation.

(d) The operator may reduce the rest period calculated in accordance with paragraph (a) by not more than 3 hours, but not less than 11 hours, subject to the following conditions:
  (1) The previous rest period must have been completed in accordance with paragraph (a);
  (2) The amount by which the rest period is reduced must be added to the next rest period, which cannot be reduced; and
  (3) The amount of time by which the rest period is reduced must be deducted from the subsequent allowable FDP.

15.065 MINIMUM REST PERIOD EACH SEVEN OR TEN CONSECUTIVE DAY PERIOD

(a) The operator shall relieve the flight crew member, flight dispatcher or cabin crew member from all duties for:
  (1) 36 consecutive hours during any 7 consecutive day period, and
  (2) 60 consecutive hours during any 10 consecutive day period.

SUBPART E: FATIGUE RISK MANAGEMENT SYSTEMS

15.070 APPLICABILITY

(a) This Subpart is applicable to those operators that have approved FRMS systems in lieu of, or in concert with, the prescriptive requirements of this Part.

15.075 APPROVAL OF FATIGUE RISK MANAGEMENT SYSTEM

(a) The Authority may approve an operator's FRMS to take the place of any or all of the prescriptive fatigue management regulations. To be eligible for that approval, the operator's proposed FRMS shall provide a level of safety equivalent to, or better than, the prescriptive fatigue management regulations.

(b) The operator's FRMS shall establish a process to ensure that an FRMS provides a level of safety equivalent to, or better than, the prescriptive fatigue management regulations. As part of this process, the Authority shall:
  (1) Require that the operator establish maximum values for flight times and/or flight duty period(s) and duty period(s), and minimum values for rest periods. These values shall be based upon scientific principles and knowledge, subject to safety assurance processes, and acceptable to the Authority;
  (2) Mandate a decrease in maximum values and an increase in minimum values in the event that the operator's data indicates these values are too high or too low, respectively; and
  (3) Approve any increase in maximum values or decrease in minimum values only after evaluating the operator's justification for such changes, based on accumulated FRMS

experience and fatigue-related data.

(c) To be eligible for approval by the Authority, the operator's FRMS to manage fatigue-related safety risks shall, as a minimum, meet the following general process requirements and the implementing requirements outlined in the Appendices 1 through 5 to 15.075:

(1) Incorporate scientific principles and knowledge within the FRMS;
(2) Identify fatigue-related safety hazards and the resulting risks on an ongoing basis;
(3) Ensure that remedial actions, necessary to effectively mitigate the risks associated with the hazards, are implemented promptly;
(4) Provide a system for continuous monitoring and regular assessment of the mitigation of fatigue risks achieved by such actions; and
(5) Provide for performance evaluation and continuous improvement to the overall performance of the FRMS.

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APPENDICES

Each operator, scheduling official, and crew member shall use the following tables to consolidate all scheduling and actual event requirements with respect to flight crew member flight time, duty and rest periods for commercial air transport operations.

APPENDIX 1 TO 15.020: MAXIMUM UNINTERRUPTED FLIGHT TIME

(a) The maximum uninterrupted flight time for a crew of 1 or 2 shall be:

Local Time of Start	Maximum Uninterrupted Flight Time
0700- 1359	11 hours
1400- 1759	10 hours
1800-0459	9 hours
0500-0659	10 hours

APPENDIX 1 TO 15.035: ALLOWABLE FLIGHT DUTY PERIODS – MULTI-PILOT

(a) The maximum allowable FDP may be extended during multi-pilot operations as provided in the following table:

Reporting time	Number of landings as operating crew member				
	1-2	3	4	5	>= 6
0700-1759	1300	1230	1200	1100	1030
1800-2159	1230	1200	1130	1030	1000
2200-0459	1200	1130	1100	0930	0900
0500-0659	1230	1200	1130	1030	1000

APPENDIX 2 TO 15.035: ALLOWABLE FLIGHT DUTY PERIOD - SINGLE PILOT

(a) The maximum allowable FDP may be extended for single-pilot operations as provided in the following table:

Reporting time	Number of landings as operating flight crew member		
	1 - 4	5	>=6
0700 - 1759	0930	0830	0800
1800- 2159	0830	0800	0800
2200 – 0459	0800	0800	0800
0500 – 0659	0830	0800	0800

(b) For flights operated by a single pilot and conducted wholly under VFR, allowable FDPs must be derived from first column (column addressing 1-4 landings).

(1) This, although, in this case, there is no limit to the number of landings.
(2) Where the number of landings exceeds an average of 4 per hour. a break of at least 30 minutes must be taken within any period of 3 consecutive hours.

APPENDIX 1 TO 15.037: ACCEPTABLE SPLIT-DUTY EXTENSION

(a) The following table outlines the acceptable use of a split-duty assignment to increase an FDP, subject to the conditions of §15.037:

Consecutive hours break	Increase in Flight Duty Period
0- 2hours 59 minutes	NIL
3 - 6 hours 59 minutes	1/2 length of break
7 - 10 hours 59 minutes	2/3 length of break or 1 1/2 length of break if at least 8 hours of the break fall between 2000-0800 local time where the break occurs

APPENDIX 1 TO 15.045: ON-CALL DUTY LIMITATION

Notification Time	Maximum On-Call Duty Period
0 - 5 hours 59 minutes	12 Hours
From 6 hours and more	18 Hours

APPENDIX 1 TO 15.075: FRMS POLICY

(a) A Fatigue Risk Management System (FRMS) established in accordance with this Part shall contain, at a minimum:

(1) The operator shall define its FRMS policy, with all elements of the FRMS clearly identified.
(2) The policy shall require that the scope of FRMS operations be clearly defined in the operations manual.

(b) The policy shall:

(1) Reflect the shared responsibility of management, flight and cabin crews, and other involved personnel;
(2) Clearly state the safety objectives of the FRMS;
(3) Be signed by the accountable executive of the organization;
(4) Be communicated, with visible endorsement, to all the relevant areas and levels of the organization;
(5) Declare management commitment to effective safety reporting;
(6) Declare management commitment to the provision of adequate resources for the FRMS;
(7) Declare management commitment to continuous improvement of the FRMS;
(8) Require that clear lines of accountability for management, flight and cabin crews, and all other involved personnel are identified; and
(9) Require periodic reviews to ensure it remains relevant and appropriate.

APPENDIX 2 TO 15.075: FRMS DOCUMENTATION

(a) An operator shall develop and keep current FRMS documentation that describes and records:

(1) FRMS policy and objectives;
(2) FRMS processes and procedures;
(3) Accountabilities, responsibilities and authorities for these processes and procedures;
(4) Mechanisms for ongoing involvement of management, flight and cabin crew members, and all other involved personnel;
(5) FRMS training programmes, training requirements and attendance records;

(6) Scheduled and actual flight times, duty periods and rest periods with significant deviations and reasons for deviations noted; and
(7) FRMS outputs including findings from collected data, recommendations, and actions taken.

APPENDIX 3 TO 15.075: FATIGUE RISK MANAGEMENT PROCESSES

Identification of Hazards

(a) An operator shall develop and maintain three fundamental and documented processes for fatigue hazard identification:

Predictive

(a) The predictive process shall identify fatigue hazards by examining crew scheduling and taking into account factors known to affect sleep and fatigue and their effects on performance. Methods of examination may include but are not limited to:
  (1) Operator or industry operational experience and data collected on similar types of operations;
  (2) Evidence-based scheduling practices; and
  (3) Bio-mathematical models.

Proactive

(a) The proactive process shall identify fatigue hazards within current flight operations. Methods of examination may include but are not limited to:
  (1) Self-reporting of fatigue risks;
  (2) Crew fatigue surveys;
  (3) Relevant flight and cabin crew performance data;
  (4) Available safety databases and scientific studies; and
  (5) Analysis of planned versus actual time worked.

Reactive

(a) The reactive process shall identify the contribution of fatigue hazards to reports and events associated with potential negative safety consequences in order to determine how the impact of fatigue could have been minimized. At a minimum, the process may be triggered by any of the following:
  (1) Fatigue reports;
  (2) Confidential reports;
  (3) Audit reports;
  (4) Incidents; and
  (5) Flight data analysis events.

Risk Assessment

(a) An operator shall develop and implement risk assessment procedures that determine the probability and potential severity of fatigue-related events and identify when the associated risks require mitigation.

(b) The risk assessment procedures shall review identified hazards and link them to:
  (1) Operational processes;
  (2) Their probability;
  (3) Possible consequences; and
  (4) The effectiveness of existing safety barriers and controls.

Risk Mitigation

(a) An operator shall develop and implement risk mitigation procedures that:
  (1) Select the appropriate mitigation strategies;

(2) Implement the mitigation strategies; and
(3) Monitor the strategies' implementation and effectiveness

APPENDIX 4 TO 15.075: FRMS SAFETY ASSURANCE PROCESSES

(a) The operator shall develop and maintain FRMS safety assurance processes to:
  (1) Provide for continuous FRMS performance monitoring, analysis of trends, and measurement to validate the effectiveness of the fatigue safety risk controls. The sources of data may include, but are not limited to:
    (i) 9Hazard reporting and investigations;
    (ii) Audits and surveys; and
    (iii) Reviews and fatigue studies;
  (2) Provide a formal process for the management of change which shall include but is not limited to:
    (i) Identification of changes in the operational environment that may affect FRMS;
    (ii) Identification of changes within the organisation that may affect FRMS; and
    (iii) Consideration of available tools which could be used to maintain or improve FRMS performance prior to implementing changes; and
  (3) Provide for the continuous improvement of the FRMS. This shall include but is not limited to:
    (i) The elimination and/or modification of risk controls that have had unintended consequences or that are no longer needed due to changes in the operational or organisational environment;
    (ii) Routine evaluations of facilities, equipment, documentation and procedures; and
    (iii) The determination of the need to introduce new processes and procedures to mitigate emerging fatigue-related risks.

APPENDIX 5 TO 15.075: FRMS PROMOTION PROCESSES

(a) FRMS promotion processes support the ongoing development of the FRMS, the continuous improvement of its overall performance, and attainment of optimum safety levels.
(b) The following shall be established and implemented by the operator as part of its FRMS:
  (1) Training programs to ensure competency commensurate with the roles and responsibilities of management, flight and cabin crew, and all other involved personnel under the planned FRMS; and
  (2) An effective FRMS communication plan that:
    (i) Explains FRMS policies, procedures and responsibilities to all relevant stakeholders; and
    (ii) Describes communication channels used to gather and disseminate FRMS-related information.

END OF RCAR PART 15

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XVI W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XVI TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XVI A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 16

Operational Control

SUBPART A: GENERAL 2
16.001 APPLICABILITY 2
16.005 DEFINITIONS 2
16.010 ACRONYMS & ABBREVIATIONS 2
SUBPART B: OPERATIONAL CONTROL 2
16.015 OPERATIONAL CONTROL 2
16.020 FUNCTIONS ASSOCIATED WITH OPERATIONAL CONTROL 2
16.025 QUALIFIED PERSONS REQUIRED FOR OPERATIONAL CONTROL FUNCTIONS 3
16.030 FLIGHT DISPATCHER PRIVILEGES & LIMITATIONS 3
16.035 PILOT-IN-COMMAND RESPONSIBILITIES 3
16.040 OPERATIONAL CONTROL DUTIES 3
16.045 METHODS OF FLIGHT SUPERVISION 4
16.050 OPERATIONAL INSTRUCTIONS 4
SUBPART C: FLIGHT RELEASE 5
16.055 FLIGHT RELEASE: DECISION-MAKING RECORDS 5
16.060 FLIGHT RELEASE: AIRCRAFT REQUIREMENTS 5
16.065 FLIGHT RELEASE: CREW REQUIREMENTS 5
16.070 FLIGHT RELEASE: FACILITIES & NOTAMS 5
16.075 FLIGHT RELEASE: WEATHER REPORTS & FORECASTS 5
16.080 FLIGHT RELEASE: IN ICING CONDITIONS 5
16.085 FLIGHT RELEASE: UNDER VFR OR IFR 6
16.090 FLIGHT RELEASE: MINIMUM FUEL SUPPLY 6
16.095 FLIGHT RELEASE: AIRCRAFT LOADING & PERFORMANCE 6
16.100.FLIGHT RELEASE: AMENDMENT OR RE-RELEASE EN ROUTE 6
16.105. FLIGHT RELEASE: WITH AIRBORNE WEATHER RADAR EQUIPMENT 6

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SUBPART A: GENERAL

16.001 APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Operational Control) Regulations.

(b) This Part prescribes the requirements of the Republic of Rwanda for the flight release of aircraft by operators required to exercise operational control of their aircraft.

(c) This Part is applicable to both the operator, the person designated by the operator to issue a flight release, and any other person that performs a function regarding the flight can be construed to fall under the definition of operational control.

(d) Civil Aviation Technical Standards published by the Authority shall also be applicable to the operational control of aircraft operations.

16.005 DEFINITIONS

(a) The definitions applicable to this Part are consolidated in Part 1, Appendix 1 to 1.015.

16.010 ACRONYMS & ABBREVIATIONS

The following acronyms and abbreviations are used in this Part—

(1) **AOC** = Air Operator Certificate
(2) **ATC** = Air Traffic Control
(3) **NOTAM** = Notice to Airmen
(4) **PIC** = Pilot In Command

SUBPART B: OPERATIONAL CONTROL

16.015 OPERATIONAL CONTROL

(a) Any operator that is required to exercise operational control of the aircraft it operates shall have qualified person(s) and equipment necessary to perform the functions and tasks related to that process.

(b) The primary task of operational control is the decision-making necessary to authorise, continue, divert, or terminate a flight.

(c) The responsibility for operational control shall be delegated only to the pilot-in-command and to a flight dispatcher, where the operator's approved method of control and supervision of flight operations requires the use of flight dispatcher personnel

(d) Any person who participates in the decision-making for any of the tasks and functions associated with operational control is considered to be a party to the flight release of the aircraft and subject to the requirements of this Part.

16.020 FUNCTIONS ASSOCIATED WITH OPERATIONAL CONTROL

(a) The person(s) exercising responsibility for operational control for an AOC holder shall—

(1) Authorise the specific flight operation;
(2) Ensure that an airworthy aircraft properly equipped for the flight is available;
(3) Ensure that qualified personnel and adequate facilities are available to support and conduct the flight;
(4) Ensure that proper flight planning and preparation is made;
(5) Ensure that flight locating and flight following procedures are followed; and
(6) For flights on a scheduled basis with 20 or more passenger seats, ensure the monitoring and aircraft tracking of the progress of the flight and the provision of information to the flight crew that may be necessary to safety.

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

16.025 QUALIFIED PERSONS REQUIRED FOR OPERATIONAL CONTROL FUNCTIONS

(a) A qualified person shall be designated by the AOC holder to exercise the functions and responsibilities for operational control of each flight in commercial air transport.

(b) No person may be assigned for duty as a flight dispatcher or other operational control functions unless that person has completed an operator-specific training curriculum that addresses all of the specific components of the approved method of control and supervision of flight operations.

(c) For passenger-carrying flights conducted on a scheduled basis, an operational control person or flight dispatcher shall be on-duty at an operations base to perform the operational control functions.

(d) The AOC holder shall use a flight dispatcher licenced in accordance with Part 7 and qualified in accordance with Part 14 to perform the operational control and dispatcher functions for flights of aircraft with 20 or more passenger seats.

(e) For all other flights, a person qualified in accordance with Part 14 may exercise operational control responsibilities and shall be available for consultation prior to, during and immediately following the flight operation.

(f) A single pilot air taxi operator is not required to have a qualified person other than the PIC.

16.030 FLIGHT DISPATCHER PRIVILEGES & LIMITATIONS

(a) Any flight dispatcher licenced under Part 7 may, when also qualified in accordance with Part 14, exercise the privileges of this licence as the on-duty supervisor or in the immediate dispatch of aircraft in the flight progress (flight watch) system of a scheduled air carrier.

(b) No person may assign a flight dispatcher for more than 10 consecutive hours of duty within a 24 consecutive hour period, unless he or she is given an intervening rest period of 8 hours.

(c) No person may assign a flight dispatcher to duty after 12 consecutive months of absence from such duty unless the dispatcher re-qualifies for that position in accordance with the requirements of Part 14.

16.035 PILOT-IN-COMMAND RESPONSIBILITIES

(a) For all flights, the PIC shares in the responsibility for operational control of the aircraft and has the situational authority to make decisions regarding operational control issues in-flight.

(b) Where a decision of the PIC differs from that recommended, the person making the recommendation shall make a record of the associated facts.

(c) The PIC may be designated as the sole person to exercise operational control when the operator is authorised to use flight-locating as the primary method of flight supervision.

16.040 OPERATIONAL CONTROL DUTIES

(a) For passenger-carrying flights conducted on a published schedule, the qualified person performing the duties—

(1) Assist the PIC in flight preparation and provide the relevant information required;

(2) Assist the PIC in preparing the operational and ATC flight plans;

(3) Sign the dispatch copy of the flight release;

(4) Furnish the PIC while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and

(5) notify the appropriate ATS unit when the position of the aeroplane cannot be determined by an aircraft tracking capability and attempts to establish communication are unsuccessful.

(b) In the event of an emergency, the qualified person performing operational control duties shall—

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

(ii) 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.

(c) A qualified person performing the operational control duties shall avoid taking any action that would conflict with the procedures established by—

(1) Air traffic control;

(2) The meteorological service;

(3) The communications service; or

(4) AOC holder.

(d) If an emergency situation which endangers the safety of the aeroplane or persons becomes known first to the flight dispatcher, action by that person shall include, where necessary, notification to the appropriate authorities of the nature of the situation without delay, and requests for assistance if required.

16.045 METHODS OF FLIGHT SUPERVISION

(a) The three methods of flight supervision that are to be practised by operators required to have a system of operational control are—

(1) Flight locating,

(2) Flight following, and

(3) Flight watch.

(b) Operators of non-turbojet aircraft with a gross takeoff weight of less than 5700 kg. and carrying less than 9 passengers in non-scheduled flights may be authorised by the Authority to use flight locating as the primary method of flight supervision.

(c) Flight locating shall be the minimum acceptable system of flight supervision for domestic operations.

(d) Operators of turbine aircraft weighing more than 5700 kg and/or with a passenger carrying capacity of 20 or more passengers shall use:

(1) flight watch, which includes aircraft tracking, or

(2) for domestic flights, a combination of flight watch and flight locating, if approved by the Authority.

16.050 OPERATIONAL INSTRUCTIONS

(a) Each person transmitting operational instructions to an aircraft involving a change to a flight plan should co- ordinate those changes with the appropriate ATS unit prior to transmission to the flight crew.

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SUBPART C: FLIGHT RELEASE

16.055 FLIGHT RELEASE: DECISION-MAKING RECORDS

(a) No person may issue a flight release unless the required flight preparation documents have been reviewed and determined to be complete and accurate.

(b) The decision to authorise the flight release of an aircraft in commercial air transport operations must be recorded using a method that can be verified at any time within 3 months after the flight.

(c) The signature of the PIC, and any other required person, on a filed operational flight plan will be the primary method of recording that decision.

(d) This flight release documentation must be retained at the point of departure by a designated representative of the operator unless the Authority has approved a different method.

16.060 FLIGHT RELEASE: AIRCRAFT REQUIREMENTS

(a) No person may issue a flight release unless the aircraft is airworthy and properly equipped for the intended flight operation.

(b) No person may issue a flight release for a commercial air transport operation using an aircraft with inoperative instruments and equipment installed, except as specified in the Minimum Equipment List approved for the operator for that type aircraft.

16.065 FLIGHT RELEASE: CREW REQUIREMENTS

(a) No person may issue a flight release unless the crew is qualified in accordance with the requirements of:

(1) for commercial air transport, Parts 14 and 15.

(2) for all other operators required to have an operational control system, the applicable regulations

16.070 FLIGHT RELEASE: FACILITIES & NOTAMS

(a) No person may release an aircraft over any route or route segment unless there are adequate communications and navigational facilities in satisfactory operating condition as necessary to conduct the flight safely.

(b) The Operational Control Person shall ensure that the PIC is provided all available current reports or information on aerodrome conditions and irregularities of navigation facilities that may affect the safety of the flight.

(c) For their review of the operational flight plan, the PIC shall be provided with all available NOTAMs with respect to the routing, facilities and aerodromes.

16.075 FLIGHT RELEASE: WEATHER REPORTS & FORECASTS

(a) No person may release a flight unless he or she is thoroughly familiar with reported and forecast weather conditions on the route to be flown.

(b) No person may release a flight unless he or she has communicated all information and reservations they may have regarding weather reports and forecasts to the PIC.

16.080 FLIGHT RELEASE: IN ICING CONDITIONS

(a) No person may release an aircraft, when in their opinion or that of the PIC, the icing conditions that may be expected or are met exceed that for which the aircraft is certified and has sufficient operational de-icing or anti-icing equipment.

(b) No person may release an aircraft any time conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless there is the available to the PIC

at the aerodrome of departure adequate facilities and equipment to accomplish the procedures approved for the AOC holder by the Authority for ground de-icing and anti-icing.

16.085 FLIGHT RELEASE: UNDER VFR OR IFR

(a) No person may release a flight under VFR or IFR unless the weather reports and forecasts indicated that the flight can reasonably be expected to be completed as specified in the release.

16.090 FLIGHT RELEASE: MINIMUM FUEL SUPPLY

(a) No person may issue a flight release unless the fuel supply specified in the release is equivalent to or greater than the minimum flight planning requirements of Parts 10 and 12, including anticipated contingencies.

16.095 FLIGHT RELEASE: AIRCRAFT LOADING & PERFORMANCE

(a) No person may issue a flight release unless he or she is familiar with the anticipated loading of the aircraft and is reasonably certain that the proposed operation will not exceed the—
   (1) Centre of gravity limits;
   (2) Aircraft operating limitations; and
   (3) Minimum performance requirements.

16.100.FLIGHT RELEASE: AMENDMENT OR RE-RELEASE EN ROUTE

(a) Each person who amends a flight release while the flight is en route shall record that amendment.

(b) No person may amend the original flight release to change the destination or alternate aerodrome while the aircraft is en route unless the flight preparation requirements for routing, aerodrome selection and minimum fuel supply are met at the time of amendment or re-release.

(c) No person may allow a flight to continue to an aerodrome to which it has been released if the weather reports and forecasts indicate changes which would render that aerodrome unsuitable for the original flight release.

16.105. FLIGHT RELEASE: WITH AIRBORNE WEATHER RADAR EQUIPMENT

(a) No person may release a large aeroplane carrying passengers under IFR or night VFR conditions when current weather reports indicate that thunderstorms, or other potentially hazardous weather conditions that can be detected with airborne weather radar, may reasonably be expected along the route to be flown, unless the airborne weather radar equipment is in satisfactory operating condition.

END OF RCAR PART 16

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XVII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XVII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XVII A L'ARRÊTÉ MINISTÉRIEL Nº 01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 17

Mass & Balance & Performance

SUBPART A: GENERAL 4
17.001 CITATION & APPLICABILITY 4
17.005. DEFINITIONS: GENERAL 4
17.010. ACRONYMS & ABBREVIATIONS 4
17.015 MINIMUM REQUIREMENTS 5

SUBPART B: APPLICABLE CODE OF PERFORMANCE 5
17.020 APPLICABILITY 5
17.025 APPROVAL OF CODE OF PERFORMANCE 5
17.030 ACCEPTABLE CODES OF PERFORMANCE 5
17.035 CONSIDERATION OF OTHER CODES OF PERFORMANCE 6
17.037 EXCEPTIONS TO ADOPTED INTERNATIONAL PERFORMANCE STANDARDS 6

SUBPART C: MASS & BALANCE 6
17.040 APPLICABILITY 6
17.045 SUPERVISION OF LOADING 6
17.050 APPROVED METHOD REQUIRED 6
17.055 SIGNATURE REQUIRED 7
17.060 LAST MINUTE CHANGES 7
17.065 DETERMINATION OF AIRCRAFT EMPTY OPERATING WEIGHT 7
17.070 DETERMINATION OF ACTUAL PASSENGER WEIGHTS 7
17.075 DETERMINATION OF AVERAGE PASSENGER WEIGHTS 7

SUBPART D: COMPUTATIONS OF APPLICABLE WEIGHTS & PERFORMANCE 7
17.080 APPLICABILITY 7
17.085 SOURCE OF PERFORMANCE DATA 7
17.090 OBSTACLE DATA 7
17.095 AIRCRAFT PERFORMANCE CALCULATIONS 8
17.100. MASS LIMITATIONS 9

SUBPART E: AEROPLANE PERFORMANCE & OPERATING LIMITATIONS 9
17.105 APPLICABILITY 9

Subdivision I: Restricted Performance Aero planes 9
17.110. SINGLE ENGINE AERO PLANES 9
17.115. RESTRICTED PERFORMANCE MULTI-ENGINE AERO PLANES 9

Subdivision II: Large or Turbine-Engined Aero planes 10
17.120. TAKEOFF & CLIMB PHASE 10
17.125. EN-ROUTE PHASE: ALL ENGINES OPERATING 10
17.130. EN-ROUTE PHASE: ONE ENGINE INOPERATIVE 11
17.135. EN-ROUTE PHASE: TWO ENGINES INOPERATIVE 11
17.140. APPROACH & LANDING PHASE 12

SUBPART F: HELICOPTER PERFORMANCE & OPERATING LIMITATIONS 13
17.145. APPLICABILITY 13

Subdivision I: Helicopter–General 13
17.150. PERFORMANCE REQUIREMENTS BASED ON PASSENGER CONFIGURATION 13
17.155. ACCOUNTABILITY FOR WIND 13
17.160. OBSTACLE ACCOUNTABILITY AREA 13
17.165. FATO OPERATING AREA CONSIDERATIONS 14

Subdivision II: Operations in Performance Class 1 14
17.170. DEFINITIONS 14
17.175. TAKEOFF & INITIAL CLIMB PHASE: PERFORMANCE CLASS 1 15
17.180. TAKEOFF FLIGHT PATH: PERFORMANCE CLASS 1 15
17.185. EN-ROUTE PHASE: PERFORMANCE CLASS 1: PERFORMANCE CLASS 1 16
117.190. EN-ROUTE PHASE: TWO ENGINES INOPERATIVE: PERFORMANCE CLASS 1 16
17.195. APPROACH & LANDING PHASE: PERFORMANCE CLASS 1 16

Subdivision III: Operations in Performance Class 2 17
17.200. TAKEOFF & CLIMB PHASE: PERFORMANCE CLASS 2 17
17.205. EN-ROUTE PHASE: PERFORMANCE CLASS 2 17
17.210. EN-ROUTE PHASE: TWO ENGINES INOPERATIVE: PERFORMANCE CLASS 2 17
17.215. APPROACH & LANDING PHASE: PERFORMANCE CLASS 2 17

Subdivision IV: Operations in Performance Class 3 18
17.220. GENERAL RESTRICTION: PERFORMANCE CLASS 3 18
17.225. TAKEOFF & CLIMB PHASE: OPERATIONS IN PERFORMANCE CLASS 3 18
17.230. EN-ROUTE PHASE: OPERATIONS IN PERFORMANCE CLASS 3 18
17.235. APPROACH & LANDING PHASE: OPERATIONS IN PERFORMANCE CLASS 3 18

APPENDICES 19
APPENDIX 1 TO 17.195: SURFACE LEVEL TAKEOFF: PERFORMANCE CLASS 1 19
APPENDIX 2 TO 17.195: ALTERNATIVE SURFACE TAKEOFF: PERFORMANCE CLASS 1 20
APPENDIX 3 TO 17.195: ELEVATED TAKEOFF 21

APPENDIX 1 TO 17.215: SURFACE LEVEL LANDING: PERFORMANCE CLASS 1 22
APPENDIX 2 TO 17.215: ELEVATED LANDING: PERFORMANCE CLASS 1 23
APPENDIX 1 TO 17.220: SURFACE LEVEL TAKEOFF: PERFORMANCE CLASS 2 24
APPENDIX 2 TO 17.220: ELEVATED TAKEOFF: PERFORMANCE CLASS 2 25
APPENDIX 1 TO 17.235: SURFACE LEVEL LANDING: PERFORMANCE CLASS 2 26
APPENDIX 2 TO 17.235: ELEVATED LANDING: PERFORMANCE CLASS 2 27

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SUBPART A: GENERAL

17.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Mass, Balance and Performance) Regulations.

(b) This Part prescribes mass and balance and aircraft performance and operating limitations in addition to those in Part 10.

(c) These requirements of this Part apply to aircraft used in—

(1) Commercial air transport operations; and

(2) General aviation operations, by—

(i) Turbojet airplanes; and

(ii) Large airplanes.

(d) This Part is applicable to the persons and entities that operate the aircraft and the persons performing duties on their behalf.

(e) Civil Aviation Technical Standards published by the Authority shall also be applicable to the mass, balance and performance of aircraft operations.

17.005. DEFINITIONS: GENERAL

(a) All definitions applicable to this Part are contained in Part1 (Appendix 1 to 1.015).

17.010. ACRONYMS & ABBREVIATIONS

(a) The following acronyms are used in this Part and shall apply to both aero planes and helicopters—

C.G. = Center of Gravity
ft = feet
m = meters
MEA = Minimum Enroute Altitude
MSL = Mean Sea Level
PIC = Pilot In Command
sm = Statute Miles
Vy = Best rate of climb speed.

(b) The following acronyms and abbreviations s apply to the airplanes performance requirements of this Part—

ASDA = Accelerate-stop distance available
AFM = Aeroplane Flight Manual.
LDA = Landing distance available
$\mathbf{V_1}$ = Takeoff decision speed
$\mathbf{V_{mo}}$. = Maximum operating speed
$\mathbf{V_{so}}$. = Stalling speed or the minimum steady flight speed in the landing configuration

(c) The following acronyms and abbreviations s apply to the helicopter performance requirements of this Part—

D = Maximum dimension of helicopter
DPBL = Defined point before landing
DPATO = Defined point after take-off
DR = Distance travelled (helicopter)
FATO = Final approach and take-off area
HFM = Helicopter flight manual

HOGE OEI = Hover Out of Ground Effect with One Engine Inoperative
LDP = Landing decision point
LDAH = Landing distance available (helicopter)
LDRH = Landing distance required (helicopter)
R = Rotor radius of helicopter
RFM = Rotorcraft Flight Manual
RTODR – Rejected take-off distance required (helicopter)
TDP = Take-off decision point
TLOF = Touchdown and lift-off area
TODAH = Take-off distance available (helicopter)
TODRH = Take-off distance required (helicopter)
$\mathbf{V_{TOSS}}$ = Take-off safety speed

17.015 MINIMUM REQUIREMENTS

(a) Each person operating an aircraft subject to the applicability of this Part shall comply with the minimum performance approved or accepted by the Authority under the provisions of this Part.

(b) The Authority may authorize deviations from the requirements of this Part if special circumstances make a literal observance of a requirement unnecessary for safety.

(c) Where full compliance with the requirements of the Part cannot be shown due to specific design characteristics (e.g., seaplanes, airships, or supersonic aircraft), the operator shall apply approved performance standards that ensure a level of safety not less restrictive than those of relevant requirements of this Part that are acceptable to the Authority.

SUBPART B: APPLICABLE CODE OF PERFORMANCE

17.020 APPLICABILITY

(a) This Subpart provides the requirements applicable to the code of performance that shall be used by those operators subject to this Part.

17.025 APPROVAL OF CODE OF PERFORMANCE

(b) For aircraft of Rwanda registry, the operators of such aircraft must comply with the comprehensive and detailed code of performance approved for their aircraft during the process of certification by the Authority.

(c) For aircraft of other States of Registry to be operated under a Rwanda registry, the operators of such aircraft must comply with the comprehensive and detailed code of performance accepted for their aircraft during the process of certification by the Authority, provided that such codes are found to meet the minimum requirements of this Part.

17.030 ACCEPTABLE CODES OF PERFORMANCE

(a) The following comprehensive and detailed codes of performance will be available to and may be required by the Authority for commercial air transport operations of the category and class of aircraft—

(1) United States Federal Aviation Administration,
(2) European Joint Aviation Authorities,
(3) Canadian Ministry of Transport;
(4) National Civil Aviation Agency of Brazil.; and
(5) Any other code of performance accepted by the Authority following the provisions of Regulation 17.035.

17.035 CONSIDERATION OF OTHER CODES OF PERFORMANCE

(a) To be eligible for approval or acceptance by the Authority, the comprehensive and detailed code of performance issued by an ICAO Contracting State for commercial air transport may be considered provided—

(1) The Code is in conformance with the applicable Standards of ICAO Annex 6 and 8;
(2) The use of this Code will result in performance that meets the minimum requirements contained in this Part;
(3) This Code is in English or certified translation to English;
(4) A copy of this Code is provided with the application for including the aircraft on Rwanda registry, and
(5) There is a satisfactory method of updating the Authority's copy of this Code throughout the period of time the aircraft is registered in Rwanda.

17.037 EXCEPTIONS TO ADOPTED INTERNATIONAL PERFORMANCE STANDARDS

(a) Where new or revised ICAO Annex 8 Standards for required performance affecting a specific aircraft type are adopted, the Authority may grant an exception to allow continued operations after the effective date while the aircraft is modified to meet the new Standard.
(b) The aircraft owner or operator must petition the Authority for this exception, citing the basis and propose the plan for modification to meet the new Standard as soon as practicable.

SUBPART C: MASS & BALANCE

17.040 APPLICABILITY

(a) This Subpart is applicable to the general requirements for the supervision and procedures that are applicable to mass and balance.

17.045 SUPERVISION OF LOADING

(a) Each AOC holder shall designate in writing the person(s) that is to—

(1) Supervise the proper loading of the aircraft,
(2) Make the computation of the load manifest for aircraft loading and centre of gravity, and
(3) Determine that the aircraft will be capable of meeting the applicable performance requirements.

(b) This person(s) will be trained to competence for these tasks on each aircraft type and variant before being allowed to sign the load manifest.
(c) The person(s) supervising the loading and computing the aircraft load, centre of gravity and performance shall be provided the relevant current weights and aircraft limitations that will effect the performance of the that aircraft.

17.050 APPROVED METHOD REQUIRED

(a) No person shall compute the load manifest using any method, policy or information other that specifically approved by the Authority for the—

(1) Aircraft type,
(2) Supplemental loading documents,
(3) Seasonal issues,
(4) Non-standard passengers, and
(5) Type of operation to be conducted.

17.055 SIGNATURE REQUIRED

(a) The person preparing the load manifest shall be named on the document.
(b) The person supervising the loading of the aircraft shall confirm by signature that the load and its distribution and in accordance with the load manifest.

17.060 LAST MINUTE CHANGES

(a) Last minute changes to aircraft loading will be provided to the PIC and the person(s) responsible for computation of the aircraft loading and C.G.
(b) Unless there is an approved methodology for considering last minute changes to passenger or cargo weights, the person responsible for the computation will recompute all factors.
(c) The effect of the last minute changes will be provided to the PIC and the person(s) responsible for the computation of the aircraft loading and C.G.
(d) This information shall be noted on the load manifest that is retained at the airport of departure.

17.065 DETERMINATION OF AIRCRAFT EMPTY OPERATING WEIGHT

(a) The aircraft's empty or dry operating weight must be determined through a weighing of the aircraft 2 years after the date of manufacture and thereafter at intervals not exceeding 5 years and at such times as the Authority may require.
(b) This information shall be provided to the person who is responsible for the computation of the mass and balance and centre of gravity.

17.070 DETERMINATION OF ACTUAL PASSENGER WEIGHTS

(a) When making the determination of actual weights, the passengers' personal belongings and carry on baggage must be included.
(b) The weighing of the passengers and their items shall be conducted immediately prior to boarding and at an adjacent location.

17.075 DETERMINATION OF AVERAGE PASSENGER WEIGHTS

(a) No person may use average passenger weights in the computation of aircraft loading and C.G., unless there has been a determination of the relationship between the actual weights being carried and the selected average weights to determine their validity.
(b) The method for the determination of the relationships shall be determined through the method prescribed by the Authority.

SUBPART D: COMPUTATIONS OF APPLICABLE WEIGHTS & PERFORMANCE

17.080 APPLICABILITY

(a) This Subpart is applicable to the general requirements applicable to computations of weight, balance and operating performance for specific flights.

17.085 SOURCE OF PERFORMANCE DATA

(a) An operator shall ensure that the approved performance data contained in the approved flight manual is used to determine compliance with the requirements of this Part supplemented as necessary with other data acceptable to the Authority.

17.090 OBSTACLE DATA

(a) The operator shall use available obstacle data applicable to the take-off, initial climb, approach and landing phases for the performance computations detailed in this Part.
(b) The operator shall use obstacle data from a source acceptable to the Authority for takeoff and landings and maneuvering for these procedures for operations of—
    (1) Large aero planes; and
    (2) Turbine-powered aero planes; and
    (3) Helicopters in congested hostile environments.

(c) The computations shall take into account the factors which may affect charting accuracy when using the obstacle data.

17.095 AIRCRAFT PERFORMANCE CALCULATIONS

(a) No person may commence a flight without ensuring that the applicable operating and performance limitations required for this Part can be accurately computed based on the AFM, RFM, or other data source approved by the Authority.

(b) Each person calculating performance and operating limitations for aircraft shall ensure that performance data used to determine compliance with this Part can, during any phase of flight, accurately account for—

(1) Any reasonably expected adverse operating conditions that may affect aircraft performance;

(2) One engine failure for aircraft having two engines, if applicable; and

(3) Two engine failure for aircraft having three or more engines, if applicable.

(c) When calculating the performance and limitation requirements, each person performing the calculation shall, for all engines operating and for inoperative engines, accurately account for—

(1) In all phases of flight—

(i) The mass of the aircraft;

(ii) Operating procedures;

(iii) The effect of fuel and oil consumption on aircraft weight;

(iv) The effect of fuel consumption on fuel reserves resulting from changes in flight paths, winds, and aircraft configuration;

(v) The effect of fuel jettisoning on aircraft weight and fuel reserves, if applicable and approved;

(vi) The effect of any ice protection system, if applicable and weather conditions require its use;

(vii) Ambient temperatures and winds along intended route and any planned diversion;

(viii) Flight paths and minimum altitudes required to remain clear of obstacles.

(2) During takeoff and landing—

(i) The condition of the takeoff surface or area to be used, including any contaminates (e.g., water, slush, snow, ice on runway for landplanes; water surface conditions for seaplanes);

(ii) The gradient (slope) of runway to be used;

(iii) The runway length including clearways and stop ways, if applicable;

(iv) Pressure altitudes appropriate to the elevation at takeoff and landing sites;

(v) Current ambient temperatures and winds at takeoff;

(vi) Forecast ambient temperatures and winds at each destination and planned alternate landing site;

(vii) The ground handling characteristics (e.g., braking action) of the type of aircraft; and

(viii) Landing aids and terrain that may affect the takeoff path, landing path, and landing roll.

(3) Such factors shall be taken into account directly as operational parameters or indirectly by means of allowances or margins, which may be provided in the scheduling of performance data.

(4) Where conditions are different from those on which the performance is based, compliance may be determined by interpolation or by computing the effects of changes in the specific variables, if the results of the interpolation or computations are substantially as accurate as the results of direct tests.

(d) To allow for wind effect, takeoff data based on still air may be corrected by taking into account not more than 50 percent of any reported headwind component and not less than 150 percent of any reported tailwind component.

(e) The operator of the aircraft shall take such precautions as are reasonably possible to ensure that the general level of safety and risk associated with the intent of this Regulation is maintained under all expected operating conditions, including those not covered specifically by the requirements of this Part.

17.100. MASS LIMITATIONS

(a) No person may operate an aircraft if at the mass of the aircraft at the start of takeoff would exceed the maximum mass:

(1) Specified as limitations for that aircraft in the approved flight manual;

(2) That ensures safe stopping prior to reaching the takeoff safety speed;

(3) That ensures safe lift-off and climb after takeoff;

(4) The clearing of all obstacles en-route by a safe margin, considering the expected reductions in mass including fuel jettisoning;

(5) Required for safe landing at the destination and alternate aerodromes (or, in the case of helicopters, heliport, helideck, elevated platforms and operational sites) at the expected time of arrival;

(6) Required for compliance with the applicable noise certification standards for that aircraft at all aerodromes and operational sites.

(b) All calculations relating in the determination of maximum mass shall include the pressure altitude appropriate to the elevation and, if used as a parameter to determine the maximum mass, any other local condition.

(c) The operator may exceed the requirement of paragraph (a)(6) in locations where the competent authority of that State of the Aerodrome has authorized an exception in exceptional circumstances where there is no noise disturbance problem.

SUBPART E: AEROPLANE PERFORMANCE & OPERATING LIMITATIONS

17.105 APPLICABILITY

(a) The Subpart is applicable to completing the performance computations for the operations of aero planes subject to this Part.

Subdivision I: Restricted Performance Aero planes

17.110. SINGLE ENGINE AERO PLANES

(a) No person may operate a single-engine aeroplane used for passenger carrying operations in commercial air transport unless that aircraft is continually operated—

(1) In daylight;

(2) VMC, excluding over the top of any cloud layer; and

(3) Over such routes and diversions therefrom that permit a safe forced landing to be executed in the event of engine failure.

(b) No person may operate a single-engine turbine-powered aircraft in passenger carrying operations in commercial air transport at night or IFR, unless has been demonstrated to the Authority that such operations will occur under a reliable level of safety and performance.

17.115. RESTRICTED PERFORMANCE MULTI-ENGINE AERO PLANES

(a) No person may operate a restricted performance multi-engine aeroplane with a passenger

capacity of 9 passengers or less in commercial air transport carrying passengers that will be unable to comply with the performance limitations of this Part, unless that aircraft is continually operated at a weight that will allow it to climb, with the critical engine inoperative—

(1) At least 200 feet per minute immediately after takeoff;
(2) At least 50 feet a minute when operating at the MEAs of the intended route or any planned diversion, or at 5,000 feet MSL, whichever is higher; and
(3) At least 200 feet per minute in the climb out following a balked landing

(b) If the performance capability of the aeroplane is computed to be less than specified in paragraph (a), the person(s) operating that aircraft shall comply with the performance restrictions applicable to single-engine aeroplane.

Subdivision II: Large or Turbine-Engined Aero planes

17.120. TAKEOFF & CLIMB PHASE

(a) No person may commence a takeoff in aircraft unless, in the event of a critical engine failing, or for other reasons, at any point in the takeoff, the performance calculations demonstrate that is possible to:

(1) Discontinue the take-off and stop within either the accelerate-stop distance available or the runway available; or
(2) To continue the take-off and clear all obstacles along the flight path by an adequate margin as specified in paragraph (c) until the aeroplane is in a position to comply with safe en-route flight.

(b) The determination of the length of the runway available shall take into account any loss of runway length due to alignment of the aeroplane prior to take-off.

(c) No person may takeoff an aeroplane unless the following requirements are met when determining the maximum permitted take-off mass—

(1) The takeoff run shall not be greater than the length of the runway.
(2) For turbine engine powered aero planes—
  (i) The takeoff distance shall not exceed the length of the runway plus the length of any clearway, except that the length of any clearway included in the calculation shall not be greater than 1/2 the length of the runway; and
  (ii) The accelerate-stop distance shall not exceed the length of the runway, plus the length of any stopway, at any time during takeoff until reaching V_1.
(3) *For piston engine powered aero planes*—
  (i) The accelerate-stop distance shall not exceed the length of the runway at any time during takeoff until reaching V_1.
(4) If the critical engine fails at any time after the aeroplane reaches V_1, to continue the takeoff flight path and clear all obstacles either—
  (i) By a height of at least 9.1 m (35 ft) vertically for turbine engine powered aero planes or 15.2 m (50 ft) for piston engine powered aero planes; and
  (ii) By at least 60 m (200 ft) horizontally within the aerodrome boundaries and by at least 90 meters (300 feet) horizontally after passing the boundaries, without banking more than 15 degrees at any point on the takeoff flight path.

17.125. EN-ROUTE PHASE: ALL ENGINES OPERATING

(a) No person may take off a piston engine powered aeroplane at a weight that does not allow a rate of climb of at least 6.9 Vso, (that is, the number of feet per minute obtained by multiplying the aircraft's minimum steady flight speed by 6.9) with all engines operating, at an altitude of at least 300 m (1,000 ft) above all terrain and obstructions

within ten miles of each side of the intended track.

17.130. EN-ROUTE PHASE: ONE ENGINE INOPERATIVE

(a) No person may commence a takeoff unless the performance calculations demonstrate that the aircraft can, in the event of the critical engine becoming inoperative at any point along the route or planned diversions therefrom, continue the flight to an aerodrome where a landing within the safety margins specified in Regulation 17.150 without flying below the minimum obstacle clearance altitude at any point.

(b) No person may take off an aeroplane having two engines unless that aeroplane can, in the event of a power failure at the most critical point en route, continue the flight to a suitable aerodrome where a landing can be made while allowing—

(1) *For piston engine powered aero planes—*

(i) At least a rate of climb of 0.079 - (0.106/number of engines installed) V_{so}^2 (when V_{so} is expressed in knots) at an altitude of 300 m (1,000 ft) above all terrain and obstructions within
9.3 km (5 sm), on each side of the intended track; and

(ii) A positive slope at an altitude of at least 450 m (1,500 ft) above the aerodrome where the aeroplane is assumed to land.

(2) *For turbine engine powered transport category aero planes—*

(i) A positive slope at an altitude of at least 300 m (1,000 ft) above all terrain and obstructions within 9.3 km (5 sm), on each side of the intended track;

(ii) A net flight path from cruising altitude to the intended landing aerodrome that allows at least 600 m (2,000 ft) clearance above all terrain and obstructions within 9.3 km (5 sm), on each side of the intended track; and

(iii) A positive slope at an altitude of at least 450 m (1,500 ft) above the aerodrome where the aeroplane is assumed to land;

(c) The climb rate specified in paragraph (b)(1)(i) may be amended to 0.026 V_{so}^2 for large transport category aircraft issued a type certificate prior to 1953.

(d) The 9.3 km (5 sm) clearance margin stated in paragraph (a) shall be increased to 18.5 km (10 sm) if navigational accuracy does not meet the 95% containment level.

17.135. EN-ROUTE PHASE: TWO ENGINES INOPERATIVE

(a) No person may takeoff an aeroplane having three or more engines at such a weight where there is no suitable landing aerodrome within 90 minutes at any point along the intended route (with all engines operating at cruising power), unless that aircraft can, in the event of simultaneous power failure of two critical engines at the most critical point along that route, continue to a suitable landing aerodrome while allowing—

(1) For turbine engine powered aero planes—

(i) A net flight path (considering the ambient temperatures anticipated along the track) clearing vertically by at least 2,000 feet all terrain and obstructions within five statute miles (4.34 nautical miles) on each side of the intended track;

(ii) A positive slope at 1,500 feet above the aerodrome of intended landing; and

(iii) Enough fuel to continue to the aerodrome of intended landing, to arrive at an altitude of at least 1,500 feet directly over the aerodrome, and thereafter to fly for 15 minutes at cruise power.

(2) For piston engine powered aero planes—

(i) A rate of climb at 0.013 V_{so}^2 feet per minute (that is, the number of feet per minute is obtained by multiplying the number of knots squared by 0.013) at an altitude of 1,000 feet above the highest ground or obstruction within 10 miles on

each side of the intended track, or at an altitude of 5,000 feet, whichever is higher; and

(ii) Enough fuel to continue to the aerodrome of intended landing and to arrive at an altitude of at least 300 m (1,000 ft) directly over that aerodrome.

(b) The performance calculation shall consider that the consumption of fuel and oil after the engine failure is the same as the consumption that is allowed for in the net flight path data in the AFM.

(c) When the two engines of the piston aeroplane are predicted to fail at an altitude above the prescribed minimum altitude, compliance with the prescribed rate of climb need not be shown during the descent from the cruising altitude to the prescribed minimum altitude, if those requirements can be met once the prescribed minimum altitude is reached, and assuming descent to be along a net flight path and the rate of descent to be 0.013 V_{so}^2 greater than the rate in the approved performance data.

(d) If fuel jettisoning is authorized (or planned), the aero plane's weight at the point where the two engines fail is considered to be not less than that which would include enough fuel to proceed to an aerodrome and to arrive at an altitude of at least 300 m (1,000 ft) directly over that aerodrome.

17.140. APPROACH & LANDING PHASE

(a) The operator shall assess the performance data to ensure that the aeroplane, at the aerodrome of intended landing and at any alternate aerodrome, after clearing all obstacles in the approach path by a safe margin, will be able to land, with assurance that it can come to a stop or, for a seaplane, to a satisfactorily low speed, within the landing distance available, in compliance with the requirements of this Regulation.

(b) The operator shall make allowance for expected variations in the approach and landing techniques, if such allowance has not been made in the scheduling of the manufacturer's performance data.

(c) No person may take off an aeroplane used in commercial operations unless its weight on arrival at either the intended destination aerodrome or any planned alternate aerodrome would allow a full stop landing from a point 50 feet above the intersection of the obstruction clearance plane and the runway, and within—

(1) For turbine engine powered aero planes, 60 percent of the effective length of each runway.

(2) For piston engine powered aero planes, 70 percent of the effective length of each runway.

(d) For the purpose of determining the allowable landing weight at the destination aerodrome, each person determining the landing limit shall ensure that—

(1) The aeroplane is landed on the most favorable runway and in the most favorable direction, in still air; or

(2) The aeroplane is landed on the most suitable runway considering the probable wind velocity and direction, runway conditions, the ground handling characteristics of the aeroplane, and considering other conditions such as landing aids and terrain.

(e) If the runway at the landing destination is reported or forecast to be wet or slippery, the landing distance available shall be at least 115 percent of the required landing distance unless, based on a showing of actual operating landing techniques on wet or slippery runways, a shorter landing distance (but not less than that required by paragraph (a)) has been approved for a specific type and model aeroplane and this information is included in the AFM.

(f) A turbine powered transport category aeroplane that would be prohibited from taking off because it could not meet the requirements of paragraph (c)(1), may take off if an alternate

aerodrome is specified that meets all the requirements of paragraph (a).

SUBPART F: HELICOPTER PERFORMANCE & OPERATING LIMITATIONS

17.145. APPLICABILITY

(a) The Subpart is applicable to completing the performance computations for the operations of helicopters subject to this Part.

Subdivision I: Helicopter–General

17.150. PERFORMANCE REQUIREMENTS BASED ON PASSENGER CONFIGURATION

(a) No person may operate a helicopter with a passenger seating configurations of more than 19, unless that helicopter is operated in accordance with the requirements for performance Class 1.

(b) No person may operate a helicopter with a passenger seating configuration of 19 or less but more than 9, unless that helicopter is operated in accordance with the requirements of performance Class 1 or 2.

(c) No person may operate a helicopter with a passenger seating configuration of 9 or less unless that helicopter is operated in accordance with the requirements of performance Class 1, 2 or 3

Note: Refer to Regulation 10.513 for the more restrictive requirements regarding operations of operating any Performance Class 2 or 3 helicopter i within a congested hostile environment.

(d) The Authority may issue a waiver to one or more of these requirements based on a risk assessment that considers the extenuating factors that provide an equivalent level of safety including—

(1) The type of operation and the circumstances of the flight;
(2) The area/terrain over which the flight is being conducted;
(3) The probability of a critical power-unit failure and the consequence of such an event;
(4) The procedures to maintain the reliability of the power-unit(s);
(5) The training and operational procedures to mitigate the consequences of the critical power-unit failure; and
(6) Installation and utilization of a usage monitoring system.

17.155. ACCOUNTABILITY FOR WIND

(a) In addition to the requirements of Subpart C and D, to determine the performance of the helicopter for take- off and landing, accountability for wind should be no more than 50 per cent of any reported steady headwind component of 5 knots or more—

(1) Where take-off and landing with a tailwind component is permitted in the flight manual, not less than 150 per cent of any reported tailwind component should be allowed.
(2) Where precise wind measuring equipment enables accurate measurement of wind velocity over the point of take-off and landing, these values may be varied.

17.160. OBSTACLE ACCOUNTABILITY AREA

(a) In addition to the requirements of Regulation17.090, for the purpose of the obstacle clearance requirements, an obstacle should be considered if its lateral distance from the nearest point on the surface below the intended flight path is not further than—

(1) For VFR operations: Half of the minimum width of the FATO (or the equivalent term used in the helicopter flight manual) defined in the helicopter flight manual (or when no width is defined, 0.75 D), plus 0.25 times D (or 3 m, whichever is greater), plus—

(i) 0.10 DR for VFR day operations
(ii) 0.15 DR for VFR night operations

(2) For IFR operations: 1.5 D (or 30 m, whichever is greater), plus:
(i) 0.10 DR for IFR operations with accurate course guidance
(ii) 0.15 DR for IFR operations with standard course guidance
(iii) 0.30 DR for IFR operations without course guidance

(b) For operations with initial take-off conducted visually and converted to IFR/IMC at a transition point—
(1) The criteria required in paragraph (a)(1) applies up to the transition point; then
(2) The criteria required in paragraph (a)(2) applies after the transition point.

(c) For a take-off using a backup take-off procedure (or with lateral transition), for the purpose of the obstacle clearance requirements in paragraph (d)(4) below, an obstacle located below the backup flight path (lateral flight path) should be considered if its lateral distance from the nearest point on the surface below the intended flight path is not further than half of the minimum width of the FATO (or the equivalent term used in the helicopter flight manual) defined in the helicopter flight manual (when no width is defined, 0.75 D plus 0.25 times D, or 3 m, whichever is greater) plus—
(i) 0.10 distance travelled from the back edge of the FATO for VFR day operations;
(ii) 0.15 distance travelled from the back edge of the FATO for VFR night operations.

(d) Obstacles may be disregarded if they are situated beyond—
(1) 7 R for day operations if it is assured that navigational accuracy can be achieved by reference to suitable visual cues during the climb;
(2) 10 R for night operations if it is assured that navigational accuracy can be achieved by reference to suitable visual cues during the climb;
(3) 300 m if navigational accuracy can be achieved by appropriate navigation aids; and
(4) 900 m in the other cases.

Note. — Standard course guidance includes ADF and VOR guidance. Accurate course guidance includes ILS, MLS, or other course guidance providing an equivalent navigational accuracy.

(e) The transition point should not be located before the end of TODRH for helicopters operating in performance Class 1 and before the DPATO for helicopters operating in performance Class 2.

(f) When considering the missed approach flight path, the divergence of the obstacle accountability area should only apply after the end of the take-off distance available.

17.165. FATO OPERATING AREA CONSIDERATIONS

(a) For operations in performance Class 1, the dimensions of the FATO should be at least equal to the dimensions specified in the helicopter flight manual.

(b) A FATO that is smaller than the dimensions specified in the helicopter flight manual may be accepted if the helicopter is capable of a hover out of ground effect with one engine inoperative (HOGE OEI).

Subdivision II: Operations in Performance Class 1

17.170. DEFINITIONS

(a) The following definition are applicable only to operations in Performance Class 1—
(1) ***Landing distance required (LDRH).*** The horizontal distance required to land and come to a full stop from a point 15 m (50 ft) above the landing surface.

(2) ***Rejected take-off distance required (RTODR).*** The horizontal distance required from the start of the take-off to the point where the helicopter comes to a full stop following a power-unit failure and rejection of the take-off at the take-off decision point.

(3) ***Take-off distance required (TODRH).*** The horizontal distance required from the start of the take-off to the point at which V_{TOSS}, a selected height and a positive climb gradient are achieved, following failure of the critical power-unit being recognized at TDP, the remaining power-units operating within approved operating limits. The selected height shall be determined with reference to either—

(i) The take-off surface; or

(ii) A level defined by the highest obstacle in the take-off distance required.

17.175. TAKEOFF & INITIAL CLIMB PHASE: PERFORMANCE CLASS 1

(a) The helicopter shall be able, in the event of the failure of the critical power-unit being recognized at or before the take-off decision point to—

(1) Discontinue the take-off and stop within the rejected take-off area available; or

(2) In the event of the failure of the critical power-unit 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 Regulation 17.215.

(b) To meet the requirement of paragraph (a)(1), the computed take-off mass shall indicate that the rejected take-off distance required will not exceed the rejected take-off distance available.

(c) To meet the requirement of paragraph (a)(2), the computed take-off mass shall indicate that the take-off distance required will not exceed the take-off distance available.

(d) The computed take-off mass shall indicate that the helicopter will not exceed the maximum take-off mass specified in the flight manual for the procedure to be used and to achieve a rate of climb of 100 ft/min at 60 m (200 ft) and 150 ft/min at 300 m (1 000 ft) above the level of the heliport with the critical engine inoperative and the remaining power-units operating at an appropriate power rating.

Refer to Appendix 1 to 17.195 for a graphic presentation of the requirement of this Regulation.

(e) As an alternative, the requirement above may be disregarded provided that the helicopter with the critical power-unit failure recognized at TDP can, when continuing the take-off, clear all obstacles from the end of the take-off distance available to the end of the take-off distance required by a vertical margin of not less than 10.7 m (35 ft)

Refer to Appendix 2 to 17.195 for a graphic presentation of the alternative requirement of this Regulation.

(f) For elevated heliports, the appropriate clearance from the elevated heliport edge shall be considered in the performance computation.

Refer to Appendix 3 to 17.195 for a graphic presentation of the requirement of this Regulation.

17.180. TAKEOFF FLIGHT PATH: PERFORMANCE CLASS 1

(a) From the end of the take-off distance required with the critical power-unit inoperative. the computed take-off mass shall indicate that the climb path provides a vertical clearance above all obstacles located in the climb path of not less than—

(1) 10.7 m (35 ft) for VFR operations; and

(2) 10.7 m (35 ft) plus 0.01 DR for IFR operations.

(b) Only obstacles as specified in 17.215 should be considered.

(c) Where a change of direction of more than 15 degrees is made, obstacle clearance requirements should be increased by 5 m (15 ft) from the point at which the turn is initiated.

(d) The turn in paragraph (c) should not be initiated before reaching a height of 60 m (200 ft) above the take-off surface, unless permitted as part of an approved procedure in the flight manual.

17.185. EN-ROUTE PHASE: PERFORMANCE CLASS 1: PERFORMANCE CLASS 1

(a) The helicopter shall be able, in the event of the failure of the critical power-unit at any point in the en-route phase—
   (1) To continue the flight to a site at which the performance requirements for Regulation 17.215 can be met;
   (2) Without flying below the appropriate minimum flight altitude at any point.

(b) The computed take-off mass shall indicate that it is possible, in case of the critical power-unit failure occurring at any point of the flight path, to continue the flight to an appropriate landing site and achieve the minimum flight altitudes for the route to be flown.

117.190. EN-ROUTE PHASE: TWO ENGINES INOPERATIVE: PERFORMANCE CLASS 1

(a) No person shall takeoff a Class 1 helicopter having three or more engines unless that helicopter can, in the event of two critical engines failing simultaneously at any point in the en-route phase, continue the flight to a suitable landing site.

17.195. APPROACH & LANDING PHASE: PERFORMANCE CLASS 1

(a) In the event of the failure of the critical power-unit being recognized at any point during the approach and landing phase, before the landing decision point, the helicopter shall be able—
   (1) At the destination and at any alternate;
   (2) After clearing all obstacles in the approach path;
   (3) Land and stop within the landing distance available; or
   (4) To perform a balked landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in Regulation 17.195.

(b) 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.

(c) No person may take-off a helicopter unless the computed landing mass at the destination or alternate indicates that—
   (1) The helicopter will not exceed the maximum landing mass specified in the flight manual for the procedure to be used and to achieve a rate of climb of 100 ft/min at 60 m (200 ft) and 150 ft/min at 300 m (1 000 ft) above the level of the heliport with the critical engine inoperative and the remaining power-units operating at an appropriate power rating;
   (2) The landing distance required does not exceed the landing distance available unless the helicopter, with the critical power-unit failure recognized at LDP can, when landing, clear all obstacles in the approach path;
   (3) In case of the critical power-unit failure occurring at any point after the LDP, it will be possible to land and stop within the FATO; and
   (4) In the event of the critical power-unit failure being recognized at the LDP or at any point before the LDP, it will be possible either to land and stop within the FATO or to overshoot, meeting the conditions of 17.195.

Refer to Appendices 1 and 2 to 17.215 for graphic presentation of these requirements for landings at both surface and elevated heliports.

Subdivision III: Operations in Performance Class 2

17.200. TAKEOFF & CLIMB PHASE: PERFORMANCE CLASS 2

(a) The helicopter shall be able, in the event of the failure of the critical power-unit 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 Regulation 17.225.

(b) Before the DPATO, failure of the critical power-unit may cause the helicopter to force-land; therefore, the helicopter operations shall be conducted in a manner that gives appropriate consideration for achieving a safe forced landing.

(c) The computed mass of the helicopter at take-off shall not exceed the maximum take-off mass specified in the flight manual for the procedures to be used and to achieve a rate of climb of 150 ft/min at 300 m (1 000 ft) above the level of the heliport with the critical power-unit inoperative and the remaining power-units operating at an appropriate power rating.

Refer to Appendices 1 and 2 to 17.220 for a graphic presentation of the requirements of this Regulation.

(d) From DPATO or, as an alternative, no later than 60 m (200 ft) above the take-off surface with the critical power-unit inoperative—

(1) Where a change of direction of more than 15 degrees is made, obstacle clearance requirements should be increased by 5 m (15 ft) from the point at which the turn is initiated.

(2) The turn in paragraph (d)(1) should not be initiated before reaching a height of 60 m (200 ft) above the take-off surface, unless permitted as part of an approved procedure in the flight manual.

17.205. EN-ROUTE PHASE: PERFORMANCE CLASS 2

(a) The helicopter shall be able, in the event of the failure of the critical power-unit at any point in the en-route phase—

(1) To continue the flight to a site at which the performance requirements for Regulation 17.235 can be met;

(2) Without flying below the appropriate minimum flight altitude at any point.

17.210. EN-ROUTE PHASE: TWO ENGINES INOPERATIVE: PERFORMANCE CLASS 2

(a) No person shall takeoff a Class 2 helicopter having three or more engines unless that helicopter can, in the event of two critical engines failing simultaneously at any point in the en route phase, continue the flight to a suitable landing site.

17.215. APPROACH & LANDING PHASE: PERFORMANCE CLASS 2

(a) In the event of the failure of the critical power-unit before the DPBL, the computations of mass shall indicate that the helicopter should be able—

(1) At the destination and at any alternate;

(2) After clearing all obstacles in the approach path;

(3) Either to land and stop within the landing distance available; or

(4) To perform a balked landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in Regulation 17.220.

Refer to Appendix 1 and 2 to 17.235 for graphic presentations of the requirements of this Regulation.

(b) After the DPBL, failure of a power-unit may cause the helicopter to force-land; therefore, the helicopter operations shall be conducted in a manner that gives appropriate consideration for achieving a safe forced landing.

Subdivision IV: Operations in Performance Class 3

17.220. GENERAL RESTRICTION: PERFORMANCE CLASS 3

(a) Unless otherwise authorized by the Authority, all operations of helicopters in Performance Class 3 shall be conducted in a non-hostile environment.

(b) Unless the Authority grants specific approval, no person may operate a helicopter in Performance Class 3 operations in commercial air transport—

(1) Out of the sight of the surface; or
(2) At night; or
(3) When the cloud ceiling is less than 180 m (600 ft); or
(4) When the takeoff and en-route visibility is less than 800m; or
(5) In instrument meteorological conditions.

17.225. TAKEOFF & CLIMB PHASE: OPERATIONS IN PERFORMANCE CLASS 3

(a) At any point of the takeoff and climb flight path, failure of a power-unit will cause the helicopter to force- land; therefore, the helicopter operations shall be conducted in a manner that gives appropriate consideration for achieving a safe forced landing.

(b) Except as provided in paragraph (c), the computed mass of the helicopter at take-off shall not exceed the maximum take-off mass specified in the flight manual for a hover in ground effect with all power-units operating at take-off power.

(c) If conditions are such that a hover in ground effect is not likely to be established, the take-off mass shall not exceed the computed maximum mass specified for a hover out of ground effect with all power-units operating at take-off power

(d) The computed take-off mass shall indicate that the climb path provides adequate vertical clearance above all obstacles located along the climb path, all engines operating.

17.230. EN-ROUTE PHASE: OPERATIONS IN PERFORMANCE CLASS 3

(a) The helicopter shall be able, with all power-units operating, to continue along its intended route or planned diversions without flying at any point below the appropriate minimum flight altitude.

(b) At any point of the en-route flight path, failure of a power-unit will cause the helicopter to force-land; therefore, the helicopter operations shall be conducted in a manner that gives appropriate consideration for achieving a safe forced landing.

(c) The computed take-off mass shall indicate that it is possible to achieve the minimum flight altitudes for the route to be flown, all engines operating.

17.235. APPROACH & LANDING PHASE: OPERATIONS IN PERFORMANCE CLASS 3

(a) At any point of the approach and landing flight path, failure of a power-unit will cause the helicopter to force- land; therefore, the helicopter operations shall be conducted in a manner that gives appropriate consideration for achieving a safe forced landing.

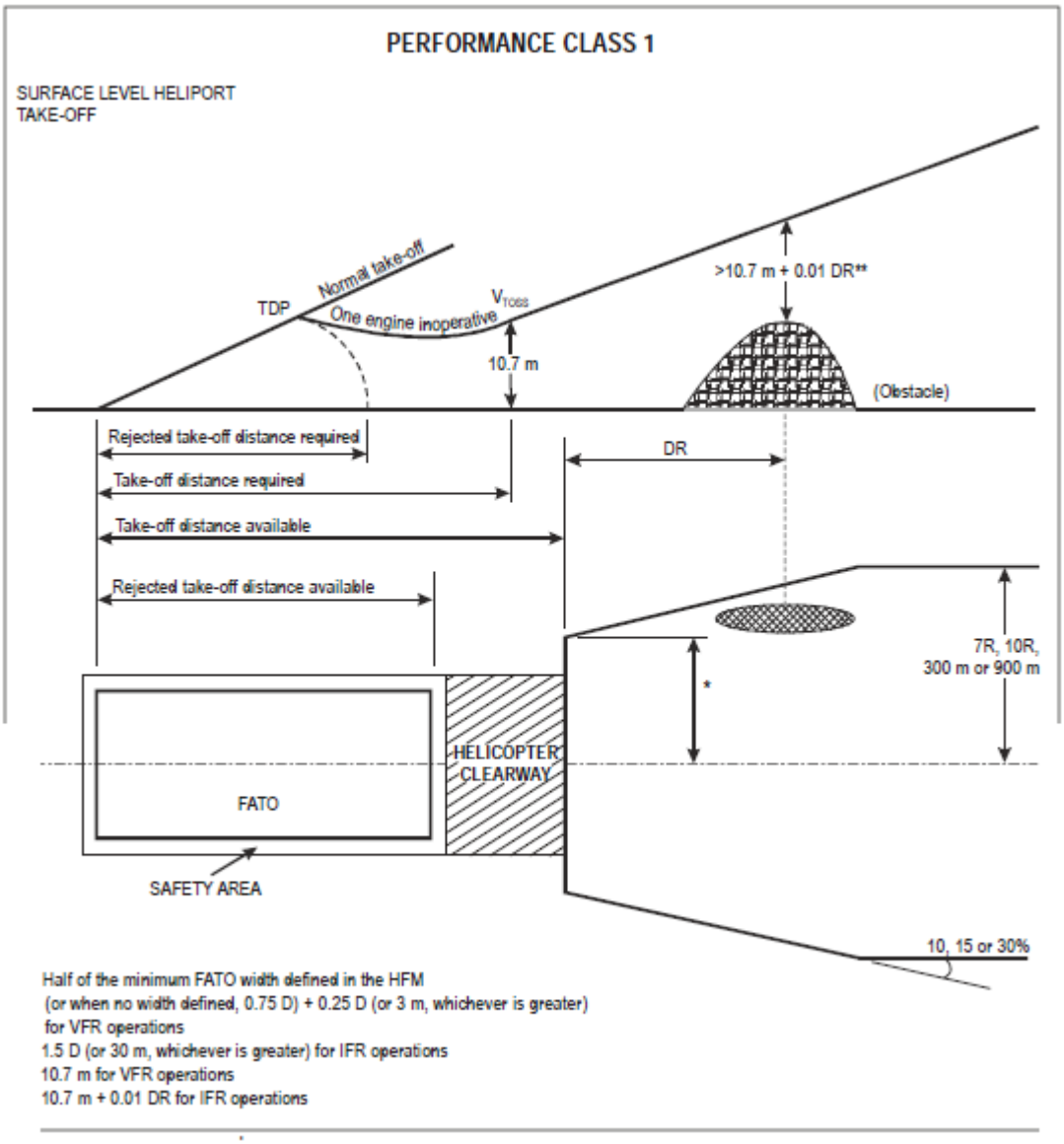
(b) The computed landing mass at the destination or alternate shall be such that—

(1) It does not exceed the maximum landing mass specified in the flight manual for a hover in ground effect with all power-units operating at take-off power;
(2) If conditions are such that a hover in ground effect is not likely to be established, the take-off mass should not exceed the maximum mass specified for a hover out of ground effect with all power-units operating at take-off power;
(3) It is possible to perform a balked landing, all engines operating, at any point of the flight path and clear all obstacles by an adequate vertical interval.

APPENDICES

APPENDIX 1 TO 17.195: SURFACE LEVEL TAKEOFF: PERFORMANCE CLASS 1

This graphic provides a visual diagram of the requirements of Regulation 17.195—



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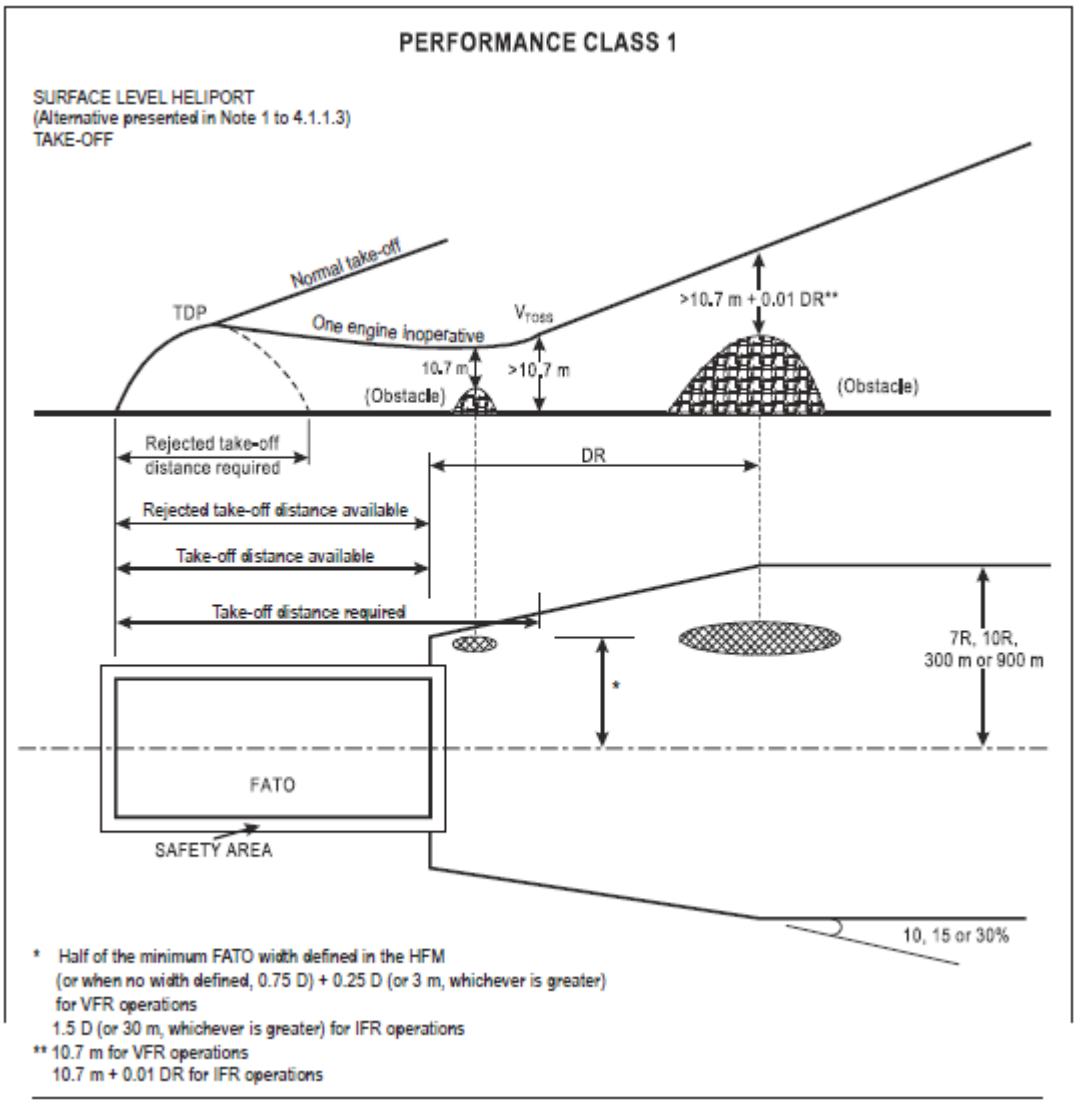
APPENDIX 2 TO 17.195: ALTERNATIVE SURFACE TAKEOFF: PERFORMANCE CLASS 1

This graphic provides a visual diagram of the alternative requirements of this Regulation 17.195—



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APPENDIX 3 TO 17.195: ELEVATED TAKEOFF

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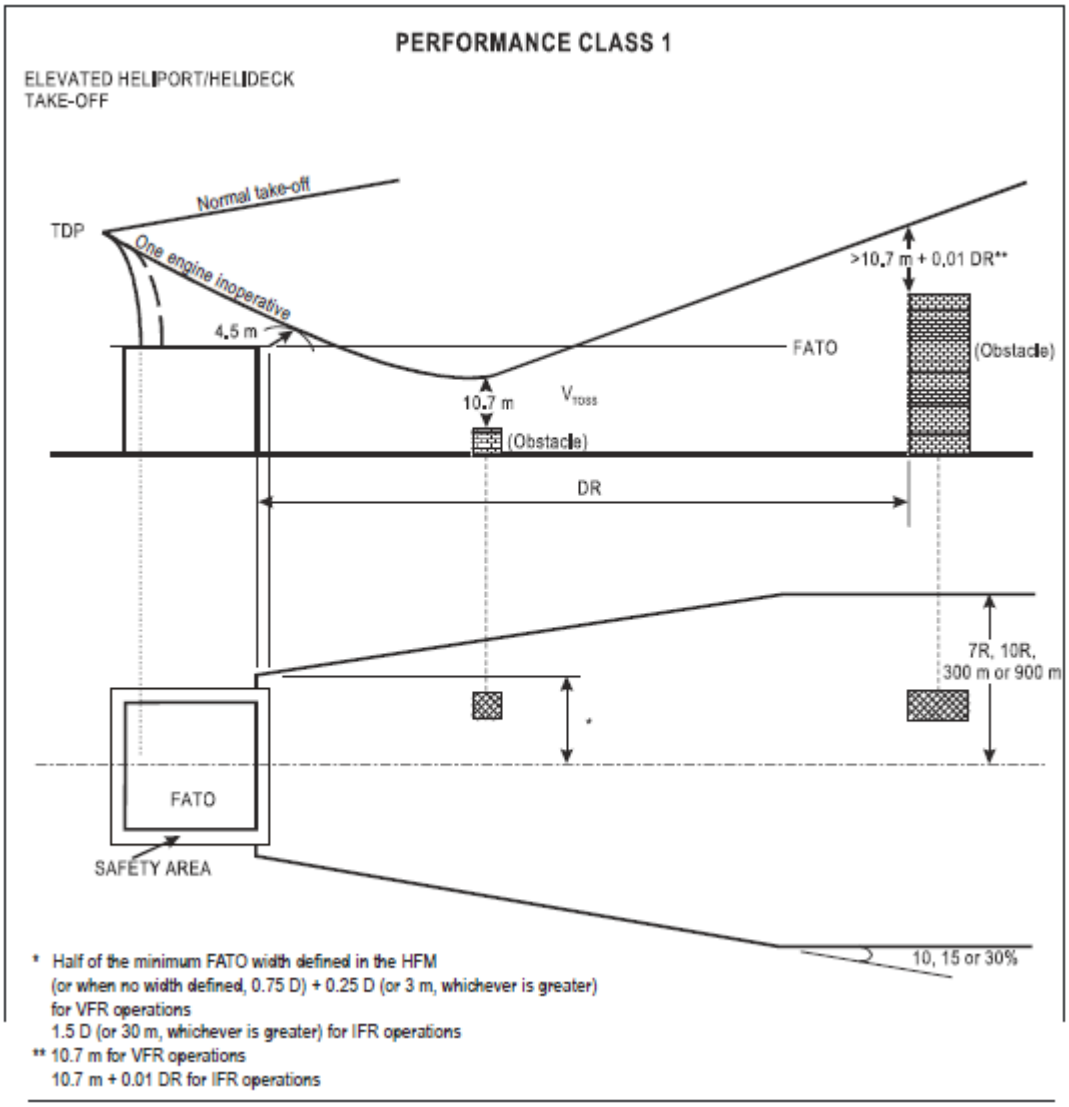

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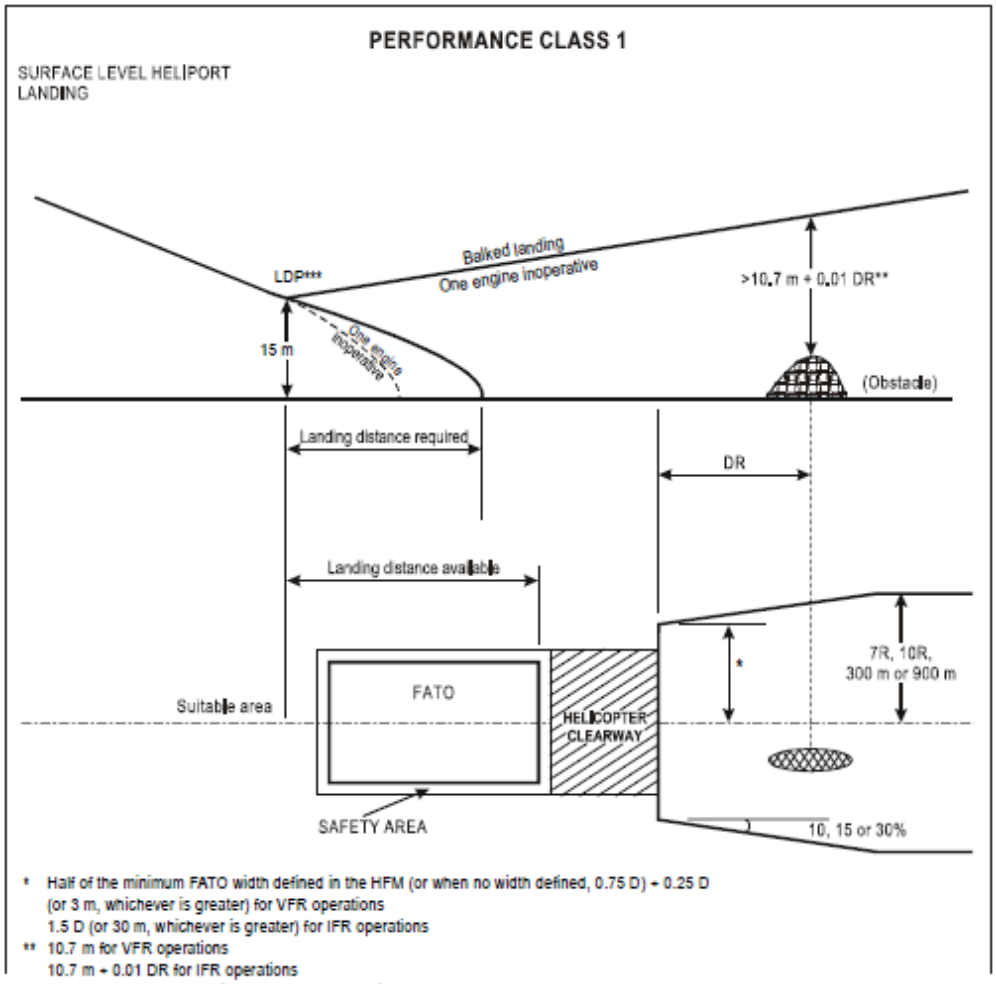
APPENDIX 1 TO 17.215: SURFACE LEVEL LANDING: PERFORMANCE CLASS 1

This graphic provides a visual diagram of the requirements of this Regulation 17.215—



* Half of the minimum FATO width defined in the HFM (or when no width defined, 0.75 D) + 0.25 D (or 3 m, whichever is greater) for VFR operations
1.5 D (or 30 m, whichever is greater) for IFR operations

** 10.7 m for VFR operations
10.7 m + 0.01 DR for IFR operations

*** For the purposes of the diagram, all paths and distances emanate from 50 ft (15 m).
The actual height of this point and position of the LDP should be obtained from the HFM.

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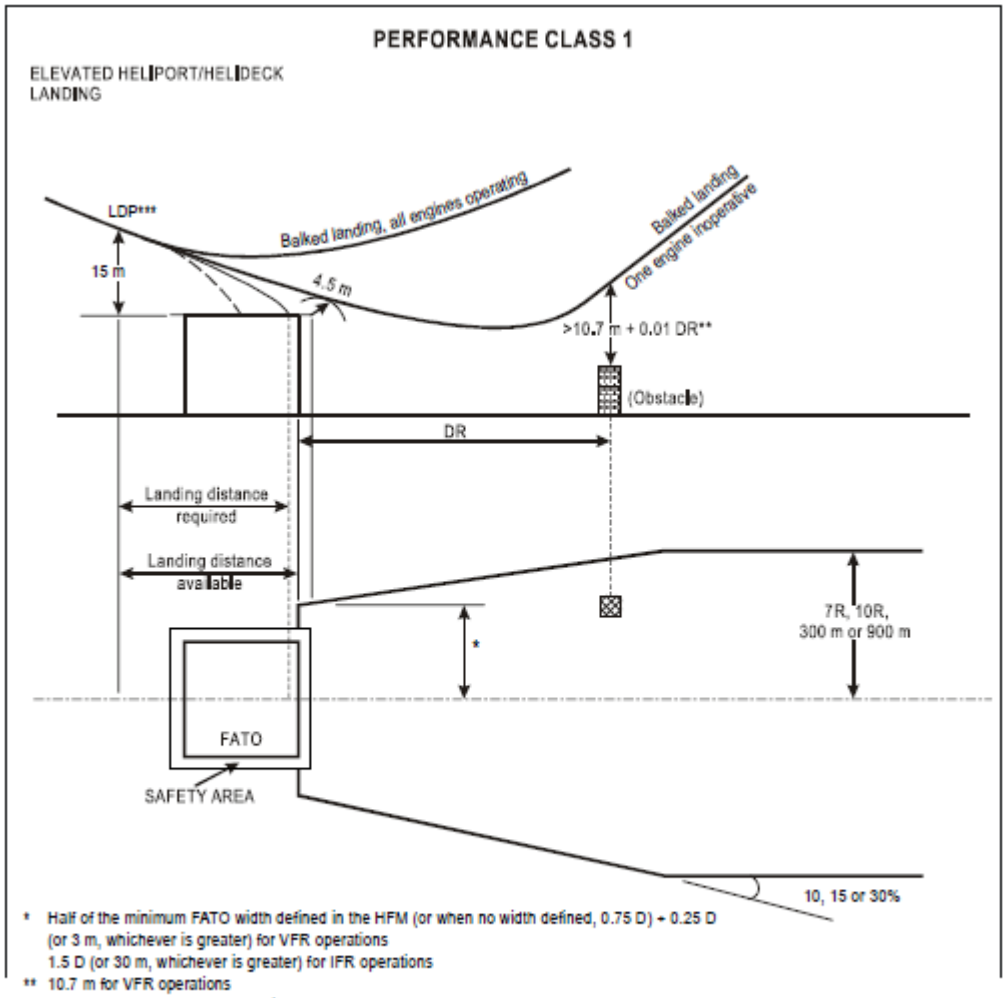
APPENDIX 2 TO 17.215: ELEVATED LANDING: PERFORMANCE CLASS 1

This graphic provides a visual diagram of the requirements of this Regulation 17.215—



* Half of the minimum FATO width defined in the HFM (or when no width defined, 0.75 D) + 0.25 D (or 3 m, whichever is greater) for VFR operations
1.5 D (or 30 m, whichever is greater) for IFR operations

** 10.7 m for VFR operations
10.7 m + 0.01 DR for IFR operations

*** For the purposes of the diagram, all paths and distances emanate from 50 ft (15 m).
The actual height of this point and position of the LDP should be obtained from the HFM.

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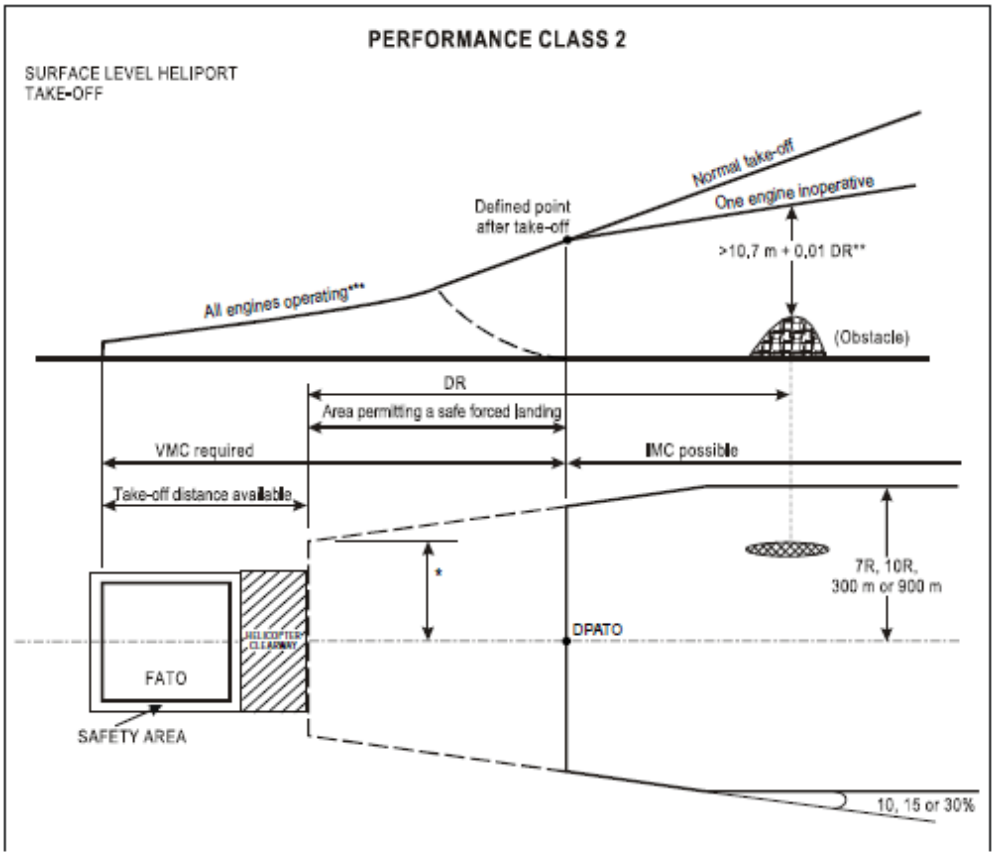
APPENDIX 1 TO 17.220: SURFACE LEVEL TAKEOFF: PERFORMANCE CLASS 2

This graphic provides a visual diagram of the requirements of Regulation 17.220—



* 0.75 D + [0.25 D (or 3 m, whichever is greater)] for VFR operations
1.5 D (or 30 m, whichever is greater) for IFR operations
** 10.7 m for VFR operations
10.7 m + 0.01 DR for IFR operations
*** Only the all-engines-operating flight path is shown.

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APPENDIX 2 TO 17.220: ELEVATED TAKEOFF: PERFORMANCE CLASS 2

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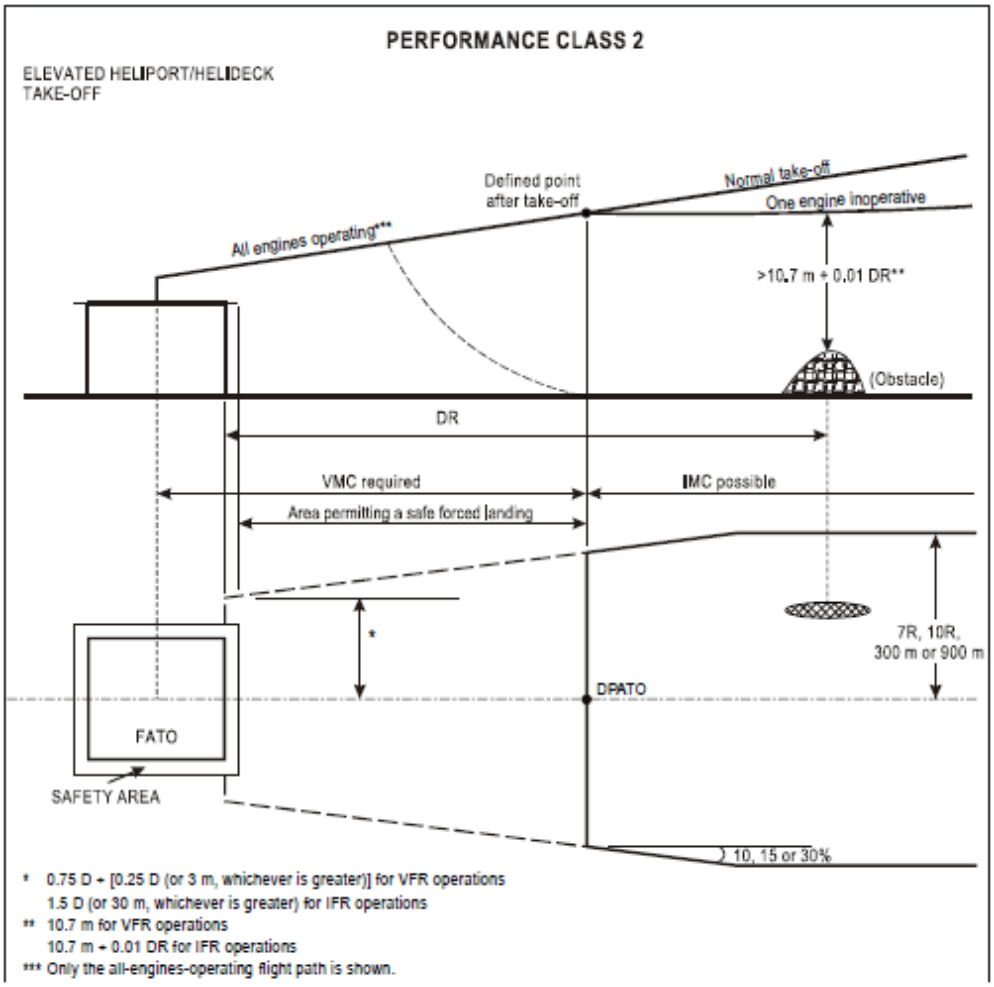

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APPENDIX 1 TO 17.235: SURFACE LEVEL LANDING: PERFORMANCE CLASS 2

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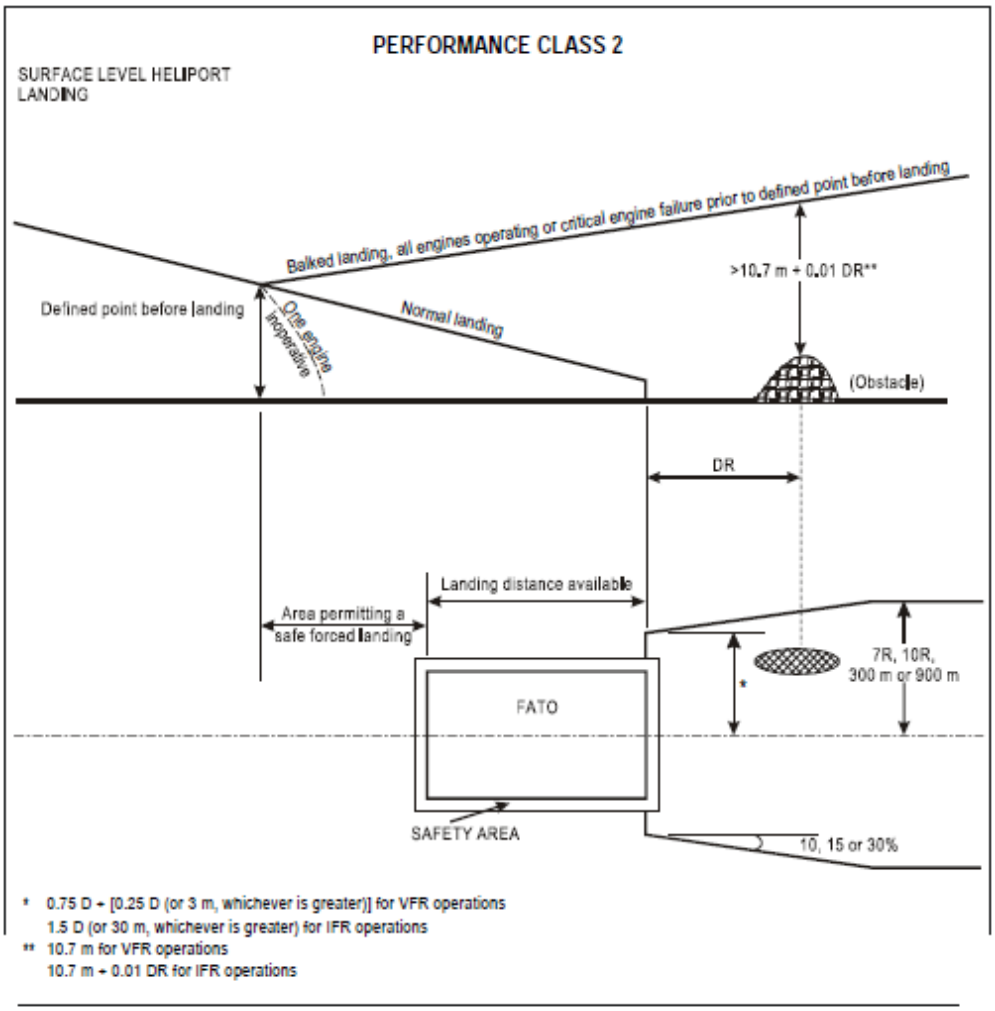

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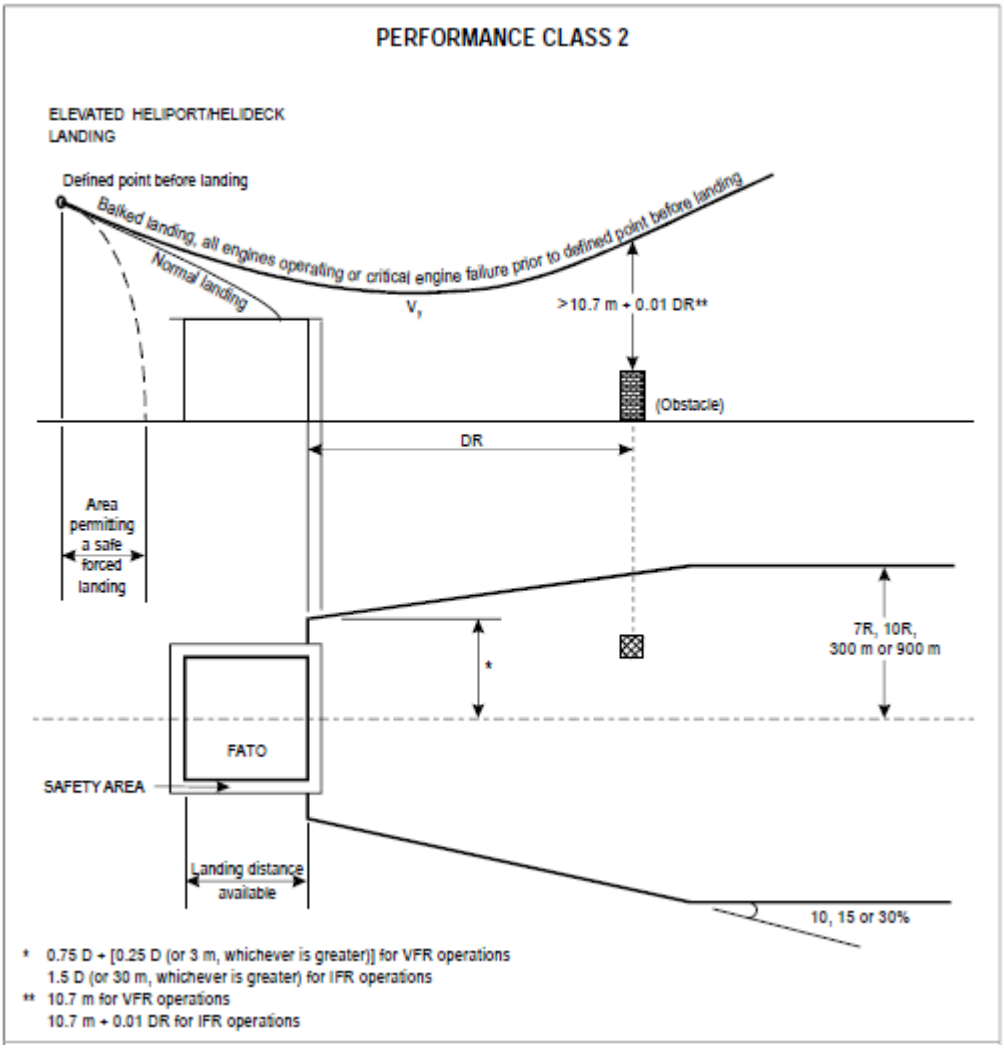
APPENDIX 2 TO 17.235: ELEVATED LANDING: PERFORMANCE CLASS 2

This graphic provides a visual diagram of the requirements of Regulation 17.235—



End of RCAR Part 17

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XVIII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XVIII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XVIII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 18

Transportation of Dangerous Goods by Air

SUBPART A: GENERAL....3
18.001 CITATION & APPLICABILITY....3
18.005 DEFINITIONS....3
18.010 ACRONYMS & ABBREVIATIONS....3
18.015 GENERAL PROHIBITIONS....3
18.020 APPROVAL REQUIRED....4
18.025 INITIAL CERTIFICATION & APPROVAL....4
18.030 SURVEILLANCE....4
18.035 FULL COMPLIANCE REQUIRED....4

SUBPART B: EXCEPTIONS & EXEMPTIONS....5
18.040 APPLICABILITY....5
18.045 GENERAL EXCEPTIONS....5
18.050 PASSENGER OR CREW MEMBER PERSONAL ITEMS....5
18.055 REQUIRED FOR AIRCRAFT OPERATIONS....5
18.060 DANGEROUS GOODS FORBIDDEN FOR TRANSPORT BY AIR UNLESS EXEMPTED....5
18.065 EXEMPTIONS....6
18.070 SURFACE TRANSPORT EXEMPTION....6

SUBPART C: RESPONSIBILITIES....6
18.075 APPLICABILITY....6
18.080 SHIPPER'S RESPONSIBILITIES....6
18.085 OPERATOR'S RESPONSIBILITIES....7
18.090 SERVICE PROVIDER'S RESPONSIBILITIES....9
18.095 RESPONSIBILITIES OF PERSONS PREPARING SHIPMENT....9
18.100 RESPONSIBILITIES OF PERSONS ACCEPTING SHIPMENT....10
18.105 RESPONSIBILITIES OF PERSON HANDLING & LOADING SHIPMENT....10
18.110 PILOT-IN-COMMAND RESPONSIBILITIES....10
18.115 OTHER CREW MEMBERS' RESPONSIBILITIES....10
18.120 DESIGNATED POSTAL OPERATORS RESPONSIBILITIES....10

SUBPART D: PREPARATION FOR TRANSPORT BY AIR....11
18.125 APPLICABILITY....11
18.130 PREPARATION FOR TRANSPORT: GENERAL....11
18.135 LANGUAGES TO BE USED FOR MARKINGS & DOCUMENTATION....11
18.140 CLASSIFICATION....11
18.145 GENERAL PACKAGING REQUIREMENTS....11
18.150 PREVENTION OF LEAKAGE....11
18.155 INSPECTION & TESTING OF PACKAGING....12
18.160 RE-USE OF PACKAGING....12
18.165 PREVENTION OF HAZARDS....12
18.170 LABELS....12
18.175 MARKINGS....12
18.180 SPECIFICATION MARKINGS ON PACKAGING....12
18.185 DANGEROUS GOODS TRANSPORT DOCUMENT....12

SUBPART E: ACCEPTANCE, HANDLING, LOADING & STOWAGE....13

18.190 APPLICABILITY 13
18.195 ACCEPTANCE PROCEDURES 13
18.200 RETENTION OF DOCUMENTS 13
18.205 LOADING RESTRICTIONS IN PASSENGER CABIN OR ON FLIGHT DECK 13
18.210 SEPARATION, SEGREGATION & SECURING: GENERAL REQUIREMENTS 14
18.215 STOWAGE OF TOXIC & INFECTIOUS SUBSTANCES 14
18.220 STOWAGE & SECURING OF RADIOACTIVE MATERIALS 14
18.225 PACKAGES RESTRICTED TO CARGO AIRCRAFT ONLY 14
18.230 LEAKAGE OR DAMAGE 14
18.235 INSPECTION REQUIREMENTS: GENERAL 15
18.240 ACTIONS WHEN POSSIBLE LEAKAGE OR DAMAGE IS FOUND 15
18.245 REMOVAL OF CONTAMINATION 15

SUBPART F: PROVISION OF DANGEROUS GOODS INFORMATION 16
18.250 APPLICABILITY 16
18.255 INFORMATION TO GROUND STAFF & OTHER PERSONS 16
18.260 INFORMATION TO PASSENGERS 16
18.265 INFORMATION TO ACCEPTANCE POINTS PERSONNEL 16
18.270 INFORMATION TO CREW MEMBERS 16
18.275 INFORMATION TO THE PILOT-IN-COMMAND 16
18.280 INFORMATION FROM PILOT-IN-COMMAND TO AERODROME AUTHORITIES 16
18.285 INFORMATION IN THE EVENT OF AN AIRCRAFT INCIDENT OR ACCIDENT 17

SUBPART G: SPECIAL REQUIREMENTS 17
18.290 APPLICABILITY 17
18.295 GENERAL AVIATION 17
18.305 AERIAL WORK 17
18.310 AIR AMBULANCE 18

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SUBPART A: GENERAL

18.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Safe Transport of Dangerous Goods by Air) Regulations,

(b) The requirements of this Part shall apply to the carriage of dangerous goods by air as specified in—

(1) The International Civil Aviation Organization Document, *Technical Instructions for the Safe Transport of Dangerous Goods by Air.* and all applicable amendments; and

(2) As amplified by, the *Dangerous Goods Regulations* of the International Air Transport Association.

(c) This Part is applicable to operators of aircraftin—

(1) Aerial work;

(2) Commercial air transport; and

(3) General aviation.

(d) This Part is applicable to pilots and other persons performing duties required by these regulations.

(e) Any instructions or limitations contained in the *Technical Instructions* for the carriage of dangerous goods on passenger or cargo aircraft, as therein defined shall for the purpose of this Part be interpreted as applying also to the carriage of such goods beneath passenger or cargo aircraft.

(f) Civil Aviation Technical Standards published by the Authority shall also be applicable to the safe transport of dangerous goods by air.

18.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part 1 (Appendix 1 to 1.015) of these regulations.

18.010 ACRONYMS & ABBREVIATIONS

(a) As used in this Part, the acronyms and abbreviations as follows—

IATA – International Air Transport Association

IATA-DGR – IATA Dangerous Goods Regulations

ICAO – International Civil Aviation Organisation

UN – United Nations

18.015 GENERAL PROHIBITIONS

(a) No person may carry on any aircraft articles and substances that are specifically identified by name or by generic description in the *Technical Instructions* as being forbidden for transport by air under any circumstances.

(b) No person may carry infected live animals on any aircraft

(c) No person may carry on any aircraft articles or substances classified as dangerous goods except as established in this Part and the detailed specifications and procedures provided in—

(1) The *Technical Instructions*; and

(2) As amplified by, the IATA-DGR.

(d) With respect to any goods which a person knows or ought to know or suspect to be dangerous goods, that person shall not, without determining and complying with the restrictions regarding carriage by air—

(1) Take or cause it to be taken on board;

(2) Suspend or cause it to be suspended beneath, or
(3) Deliver or cause it to be delivered for load or suspend beneath an aircraft.

18.020 APPROVAL REQUIRED

(a) Where specifically provided for in the Technical Instructions, the Authority may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the Technical Instructions is achieved.

(b) No person may operate an aircraft with any dangerous goods therein or suspended thereunder, unless such goods are carried, loaded or suspended—
   (1) With the written authorisation of the Authority and in accordance with any conditions to which such approvals may be subject, and
   (2) In accordance with the Technical Instructions and any conditions specified therein.

(c) For the purpose of approvals, "States concerned" are the States of Origin and the Operator, unless otherwise specified in the *Technical Instructions*.

18.025 INITIAL CERTIFICATION & APPROVAL

(a) No operator, shipper or other organisation may perform functions involving the safe transportation of dangerous goods by air unless they have demonstrated the capability to perform that function to the satisfaction of the Authority and have been issued the required approval(s) authorizing those functions.

(b) Each operator, shipper or other organisation shall demonstrate full compliance with the applicable requirements of this Part prior to certification and approval to perform functions involving the transportation of dangerous goods by air.

18.030 SURVEILLANCE

(a) Each person, operator, shipper or other organisation performing functions involving the safe transportation of dangerous goods by air is subject to the on-going safety oversight inspection program of the Authority during the performance of those functions.

(b) As provided in Part 1 of these regulations, each person, operator, shipper or other organisation performing functions involving the safe transportation of dangerous goods by air shall grant the Authority free and uninterrupted access to the facilities, aircraft and other areas where these functions are being performed for the purpose of:
   (1) Inspecting dangerous goods consignments prepared, offered, accepted or transported by these entities;
   (2) Inspecting the procedures and practices of these entities;
   (3) Inspecting the required records that must be maintained;
   (4) Investigating incidents and alleged violations; and
   (5) Other safety oversight functions relating to transportation of dangerous goods.

18.035 FULL COMPLIANCE REQUIRED

(a) Each person, operator, shipper or other organisation performing functions involving the safe transportation of dangerous good by air shall be in full compliance with the applicable requirements of this Part and the ICAO *Technical Instructions* during the performance of those functions.

(b) Each person, operator, shipper or other organisation performing functions involving the safe transportation of dangerous goods by air is subject to the administrative and enforcement penalties specified in Part 1 of these regulations for failure to comply with the regulations of this Part and the ICAO *Technical Instructions*.

(c) Each Rwanda person, operator, shipper or other organisation having been identified as failing to comply with the ICAO *Technical Instructions* or applicable portions of ICAO Annex 18 by the civil aviation authorities of another State shall be subject to administrative and

enforcement penalties of Rwanda regardless of the action taken by the other State.

SUBPART B: EXCEPTIONS & EXEMPTIONS

18.040 APPLICABILITY

(a) This Subpart provides the basis for exceptions and exemptions to the requirements of the—
  (1) ICAO *Technical Instructions*; and
  (2) IATA *Dangerous Goods Regulations*.

18.045 GENERAL EXCEPTIONS

(a) These requirements shall not apply to dangerous goods of the classifications specified in Part I of the
Technical Instructions provided that—
  (1) The dangerous goods do not exceed the appropriate quantity limitations specified therein; and
  (2) Such other conditions as are specified therein are complied with.

18.050 PASSENGER OR CREW MEMBER PERSONAL ITEMS

(a) Specific articles and substances carried by passengers or crew members shall be excepted from the provisions of this Part to the extent specified in the *Technical Instructions*.

18.055 REQUIRED FOR AIRCRAFT OPERATIONS

(a) Articles and substances which would otherwise be classed as dangerous goods shall be excepted from the provisions of this Part if they are required to be aboard the aircraft—
  (1) In accordance with the pertinent airworthiness requirements and operating regulations; or
  (2) For those specialized purposes identified in the *Technical Instructions*.

(b) Additional articles and substances which would otherwise be classed as dangerous goods are excluded from the provisions of this Part to the extent specified in the *Technical Instructions*, provided they are—
  (1) Carried as catering or cabin service supplies;
  (2) Carried for use in flight as veterinary aid or as a humane killer for an animal; or
  (3) Carried for use in flight for medical aid for a patient, provided that—
    (i) Gas cylinders have been manufactured specifically for the purpose of containing and transporting that particular gas;
    (ii) Drugs, medicines and other medical matter are under the control of trained personnel during the time when they are in use in the aircraft;
    (iii) Equipment containing wet cell batteries is kept and, when necessary secured, in an upright position to prevent spillage of the electrolyte; and
    (iv) Proper provision is made to stow and secure all the equipment during take-off and landing and at all other times when deemed necessary by the PIC in the interests of safety; or

(c) Where articles and substances intended as replacements for those described in paragraphs (a) and (b) of this Part or which have been removed or the replacement are carried on an aircraft, they shall be transported in accordance with the provisions of this Part and as permitted in the *Technical Instructions*.

18.060 DANGEROUS GOODS FORBIDDEN FOR TRANSPORT BY AIR UNLESS EXEMPTED

(a) No person may offer for transport on an aircraft or carry on an aircraft the dangerous goods listed in paragraphs (a) and (b) of Part 18.015 unless—
  (1) Exempted by the States concerned under the provisions of Part 18.050 of this Part, or

(2) The provisions of the *Technical Instructions* indicate they may be transported under an approval issued by the State of Origin

18.065 EXEMPTIONS

(a) In cases of extreme urgency or when other forms of transport are inappropriate or full compliance with the prescribed requirements is contrary to the public interest, the Authority and other States concerned may grant exemptions from the provisions of ICAO Annex 18 provided that in such cases every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided by the requirements of this Part and ICAO Annex 18.

(b) For the purpose of exemptions, "States concerned" shall be the States of Origin, Operator, Transit, Overflight and Destination.

(c) Where Rwanda is the State of Overflight, if none of the criteria for granting an exemption are relevant, an exemption with specific routing and other restrictions may be granted by the Authority based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

18.070 SURFACE TRANSPORT EXEMPTION

(a) Dangerous goods that are correctly classified, packaged and labelled for transportation by air may be transported from the shipper to the aerodrome under the applicability of this Part provided the:

(1) Transporting vehicle has the proper external notification signage prominently displayed;

(2) Transporting person is aware of and trained on the hazards associated with the articles and has the necessary capability to mitigate those hazards in event of an accident during transport; and

(3) Quantify of articles and goods with each vehicle does not constitute a public hazard or the proposed route and method has been coordinated with the authorities responsible for the surface routes.

SUBPART C: RESPONSIBILITIES

18.075 APPLICABILITY

(a) This Subpart consolidates the primary organisation and individual responsibilities that are applicable to the preparation and transport of dangerous goods by air.

18.080 SHIPPER'S RESPONSIBILITIES

Shipper Personnel Conformance

(a) The shipper shall ensure that its personnel conform to the requirements of this Part and the *Technical Instructions* in the performance of their duties and responsibilities.

Employee Training Records Updated

(b) The shipper shall ensure that each employee completes all dangerous goods training requirements and their training records are updated prior to their performance of tasks associated with transport of dangerous goods by air.

Documents & Supplies

(c) To ensure proper completion of their assigned tasks, the shipper shall provide employees with all necessary:

(1) Shipping instructions and guidance;

(2) Reference documents;

(3) Shipping documents; and

(4) Packaging, labelling, and marking supplies.

Before Consignment

(d) Before consigning any package or overpack containing dangerous goods for transport by air, the shipper shall ensure that:
   (1) The goods are not of a category whose carriage by air is prohibited by the provisions of the *Technical Instructions*;
   (2) The goods are classified and packed and the packaging used are in accordance with such provisions of the *Technical Instructions* as apply to the goods;
   (3) The package is marked and labelled in accordance with such provisions of as related to marking and labelling and in accordance with the *Technical Instructions*;
   (4) The package is in a fit condition for carriage by air; and
   (5) The dangerous goods transport document has been completed and that the declaration therein has been made.

Training Program

(e) The shipper shall establish, implement and update dangerous goods training programs for its personnel as prescribed by the *Technical Instructions* and the Authority.

Required Reports

(f) The shipper shall report to the Authority, in the prescribed form and manner and in accordance with the
Technical Instructions, the following occurrences relating to dangerous goods intended for transport by air:
   (1) Undeclared dangerous goods;
   (2) Mis-declared dangerous goods;
   (3) Mistakes of classification, labelling, packaging or storage;
   (4) Damage or leakage which caused contamination; and
   (5) Actions taken to rectify the occurrences.

Security

(g) The shipper shall comply with dangerous goods security measures to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment and ensure that its employees comply with those measures.

18.085 OPERATOR'S RESPONSIBILITIES

Authority Approval Required

(a) No operator may transport dangerous goods subject to the applicability of this Part unless approved to do so by the Authority.

Operator Personnel Conformance

(b) The operator shall ensure that its personnel conform to the requirements of this Part and the *Technical Instructions* in the performance of their duties and responsibilities on all occasions when dangerous goods are carried, irrespective of whether the flight is wholly or partly within or wholly outside the territory of Rwanda.

Compliance with Foreign Variations

(c) Where dangerous goods are to be transported outside the territory of Rwanda, the operator shall ensure that its personnel have reviewed and are in compliance with the appropriate variations noted by ICAO Contracting states contained in the *Technical Instructions*.

Training of Personnel Recorded

(d) The operator shall ensure that each employee completes all applicable dangerous goods training requirements and their training records are updated prior to their performance of tasks associated with transport of dangerous goods by air.

Provision of Documents & Supplies

(e) To ensure proper completion of their assigned tasks, the operator shall provide employees with all necessary:

(1) Operator manuals;
(2) Reference documents;
(3) Shipping documents; and
(4) Packaging, labelling, and marking supplies.

DG Transport Document Required

(f) An operator shall not accept dangerous goods for transport by air unless the dangerous goods are accompanied by a completed dangerous goods transport document, except where the *Technical Instructions* indicate that such a document is not required.

Inspection of Packages Required

(g) An operator shall not accept dangerous goods for transport by air until the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures contained in the *Technical Instructions.*

Acceptance Checklist Required

(h) An operator shall develop and ensure the use of an acceptance checklist as an aid to compliance with the requirements of this Part and the *Technical Instructions*. This checklist must specifically identify any requirement that is more restrictive than those specified in the *Technical Instructions*.

Loading, Storage, Segregating & Securing

(i) The operator shall not allow the loading, stowage and securing of dangerous goods subject to this Part and the *Technical Instructions* on the aircraft except in accordance with the dangerous goods manual acceptable to the Authority.

(j) The operator shall ensure that dangerous goods are loaded, segregated, stowed and secured on an aircraft as specified in the *Technical Instructions*.

Flight deck & Aircraft Cabin

(k) The operator shall ensure that dangerous goods are not carried in an aircraft cabin occupied by passengers or on the flight deck, unless otherwise specified in the *Technical Instructions*.

Cargo-Only

(l) The operator shall ensure that packages of dangerous goods bearing the "Cargo Aircraft Only" label are carried on a cargo aircraft and loaded as specified in the *Technical Instructions*.

Provision of Qualified Employee

(m) The operator shall provide an qualified employee to directly supervise the loading, segregation and securing of the dangerous goods.

Employee Training Programs

(n) The operator shall establish, implement and update dangerous goods training programs for its personnel as prescribed by the Technical Instructions and the Authority.

SMS & Quality Assurance

(o) The carriage of dangerous goods shall be included in the operator's safety managements system.

(p) The operator shall have a quality assurance program acceptable to the Authority that includes audits of the conformance of the operator's and service provider's organisation and employees to the requirements applicable to the transport of dangerous goods by air.

Required Reports

(q) The operator shall report to the Authority, in the prescribed form and manner and in accordance with the
Technical Instructions, the following occurrences relating to dangerous goods intended for transport by air:

(1) Undeclared dangerous goods;

(2) Mis-declared dangerous goods;
(3) Mistakes of classification, labelling, packaging, storage or loading;
(4) Mistakes of aircraft loading and segregation;
(5) Damage or leakage which caused contamination;
(6) Any in-flight incident related to dangerous goods; and
(7) Actions taken to rectify the occurrences.

Security Measures

(r) The operator shall comply with dangerous goods security measures to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment and ensure that its employees comply with those measures.

Personnel Informed of Limitations

(s) 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 operational approval and limitations with regard to the transport of dangerous goods.

18.090 SERVICE PROVIDER'S RESPONSIBILITIES

(a) No organisation may perform duties and responsibilities on behalf of the operators that are associated with the transport of dangerous goods by air unless they comply with the requirements of—
(1) The operator's Operation Manual;
(2) This Part;
(3) The Technical Instructions, as amplified by
(4) The IATA-DGR.

(b) No person may accomplish functions for the operator involving preparation of the dangerous goods for transport by air unless they have completed the applicable initial and continuation dangerous goods training program.

(c) The service provider shall establish, implement and update dangerous goods training programs for its personnel as prescribed by the Technical Instructions and the Authority.

(d) The service provider shall establish procedures for and report to the Authority, in the prescribed form and manner and in accordance with the *Technical Instructions*, the following occurrences relating to dangerous goods intended for transport by air:
(1) Undeclared dangerous goods;
(2) Mis-declared dangerous goods;
(3) Mistakes of classification, labelling, packaging or storage;
(4) Damage or leakage which caused contamination; and
(5) Actions taken to rectify the occurrences.

(e) The service provider shall establish dangerous goods security measures to minimize theft or misuse of dangerous goods that may endanger persons, property or the environment and ensure that its employees comply with those measures.

18.095 RESPONSIBILITIES OF PERSONS PREPARING SHIPMENT

(a) No person may prepare dangerous goods for transport by air unless they comply with the requirements of—
(1) The shipper's guidance instructions;
(2) This Part; and
(3) The Technical Instructions, as amplified by
(4) The IATA-DGR.

(b) No person may accomplish functions for the shipper involving preparation of the dangerous goods for transport by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.100 RESPONSIBILITIES OF PERSONS ACCEPTING SHIPMENT

(a) No person may accept dangerous goods for transport by air unless they use and complete the operator's acceptance checklist in accordance with the procedures provided by the operator and the Technical Instructions.

(b) No person may prepare dangerous goods for transport by air unless they comply with the requirements of—

(1) The operator's Operations Manual;
(2) This Part; and
(3) The Technical Instructions, as amplified by
(4) The IATA-DGR.

(c) No person may accomplish functions for the operator involving the acceptance of dangerous goods for transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.105 RESPONSIBILITIES OF PERSON HANDLING & LOADING SHIPMENT

(a) No person may handle, load, stow, segregate or secure dangerous goods for transport by air unless they comply with the requirements of—

(1) The operator's Operations Manual;
(2) This Part; and
(3) The Technical Instructions.

(b) No person may accomplish functions for the operator involving handling, loading, stowage, segregation or securing or dangerous goods for transport by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.110 PILOT-IN-COMMAND RESPONSIBILITIES

(a) No person may accomplish the pilot-in-command responsibilities associated with dangerous goods for transport by air unless they comply with the requirements of—

(1) The operator's Operations Manual;
(2) This Part; and
(3) The Technical Instructions.

(b) No person may accomplish functions for the operator involving the pilot-in-command responsibilities associated with the transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.115 OTHER CREW MEMBERS' RESPONSIBILITIES

(a) No person may accomplish the crew member responsibilities associated with dangerous goods for transport by air unless they comply with the requirements of—

(1) The operator's Operations Manual;
(2) This Part; and
(3) The Technical Instructions.

(b) No person may accomplish functions for the operator involving their crew member responsibilities associated with the transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

18.120 DESIGNATED POSTAL OPERATORS RESPONSIBILITIES

(a) The designated postal operators shall adapt the Universal Postal Union procedures to control the introduction of dangerous goods into air transport through postal services.

(b) The procedures to be used by designated postal operators for controlling the introduction

of dangerous goods in mail into air transport shall be approved by the Authority prior to their use.

(c) No person may accomplish functions for the designated postal operators' responsibilities associated with the transport of dangerous goods by air unless they have completed the applicable initial and continuation dangerous goods training program.

SUBPART D: PREPARATION FOR TRANSPORT BY AIR

18.125 APPLICABILITY

(a) This Subpart provides the basis for application of the requirements contained in the Technical Instructions regarding the preparation of dangerous goods for transport by air.

18.130 PREPARATION FOR TRANSPORT: GENERAL

(a) No person shall offer any package or overpack of dangerous goods for transport by air, unless that person has ensured, as specified in this Part and the Technical Instructions, that the dangerous goods are—

(1) Not forbidden for transport by air and

(2) Properly classified, packed, marked, and labelled; and

(3) Accompanied by a properly executed dangerous goods transport document.

(b) Each package of dangerous goods that have been received through the postal services for transport by air shall be re-packed before acceptance by the operator.

18.135 LANGUAGES TO BE USED FOR MARKINGS & DOCUMENTATION

(a) The markings and documentation related to the transportation of dangerous goods by air shall be provided in English.

(b) The markings may, in addition to the requirement of paragraph (a) of this Part, be provided in—

(1) The language required by the State of Origin; and/or

(2) Any other form of expression for universal use as outlined in the Technical Instructions.

18.140 CLASSIFICATION

(a) The classification of an article or substance of dangerous goods shall be in accordance with the provisions of the Technical Instructions.

18.145 GENERAL PACKAGING REQUIREMENTS

(a) No person may package dangerous goods for transport by air unless packaging is in accordance with the provisions of IATA-DGR and as provided for in the Technical Instructions.

(b) No person may prepare dangerous goods that have been received through the postal services for transport by air.

(c) packaging shall—

(1) Meet the material and construction specifications in the Technical Instructions; and

(2) Be suitable for the contents.

(d) packaging in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods.

18.150 PREVENTION OF LEAKAGE

(a) Packaging used for the transport of dangerous goods by air shall be of good quality and shall be constructed and securely closed so as to prevent leakage which might be caused in normal conditions of transport, by changes in temperature, humidity or pressure, or by vibration.

(b) Packaging for which retention of a liquid is a basic function, shall be capable of withstanding, without leaking, the pressure stated in the Technical Instructions

(c) Inner packaging shall be so packed, secured or cushioned as to prevent their breakage or leakage and to control their movement within the outer packaging(s) during normal conditions of air transport.

(d) The cushioning and absorbent materials shall not react dangerously with the contents of the packaging.

18.155 INSPECTION & TESTING OF PACKAGING

(a) Packaging's shall be tested in accordance with the provisions of the Technical Instructions.

18.160 RE-USE OF PACKAGING

(a) No person may re-use packaging unless it has been inspected and found free from corrosion or other damage.

(b) Where a packaging is re-used, the persons re-using the packaging shall take all necessary measures to prevent contamination of subsequent contents.

18.165 PREVENTION OF HAZARDS

(a) If, because of the nature of their former contents, uncleaned empty packaging may present a hazard, they shall be tightly closed and treated according to the hazard they constitute.

(b) No packaging shall be used if a harmful quantity of a dangerous substance is adhering to the outside of packages.

18.170 LABELS

(a) Unless otherwise provided for in the Technical Instructions, each package, overpack and freight container of dangerous goods shall be labelled with the appropriate labels and in accordance with the provisions set forth in those Instructions.

18.175 MARKINGS

(a) Unless otherwise provided for in the Technical Instructions, each package of dangerous goods shall be—

(1) Marked with the proper shipping name of its contents; and

(2) When assigned, the UN number and such other markings as may be specified in those Instructions.

18.180 SPECIFICATION MARKINGS ON PACKAGING

(a) Unless otherwise provided for in the Technical Instructions, each packaging manufactured to a specification contained in those Instructions shall be so marked in accordance with the appropriate provisions of those Instructions.

(b) No packaging shall be marked with a packaging specification marking unless it meets the appropriate packaging specification contained in the Technical Instructions.

18.185 DANGEROUS GOODS TRANSPORT DOCUMENT

(a) Unless otherwise provided for in the Technical Instructions, no person may offer dangerous goods for transport by air unless they have completed, signed and provided to the operator a dangerous goods transport document, which shall contain the information required by those Instructions.

(b) The transport document shall bear a declaration signed by the person who offers dangerous goods for transport indicating that the dangerous goods are—

(1) Fully and accurately described by their proper shipping names; and

(2) Classified, packed, marked, and labelled, and

(3) In proper condition or transport by air in accordance with the relevant regulations

(c) The dangerous goods transport document shall be completed in duplicate.

SUBPART E: ACCEPTANCE, HANDLING, LOADING & STOWAGE

18.190 APPLICABILITY

(a) This Subpart provides the basis for application of the requirements contained in the Technical Instructions regarding the acceptance, handling, loading and stowage of dangerous goods for transport by air.

18.195 ACCEPTANCE PROCEDURES

(a) The operator of the aircraft, upon acceptance of dangerous goods shall conduct an inspection of the consignment of dangerous goods intended for transportation by air.

(b) No person shall accept dangerous goods except in accordance with the—

(1) Operator's acceptance checklist,

(2) Technical Instructions; and

(3) IATA Dangerous Goods Regulations.

(c) The person conducting the inspection on behalf of the operator shall complete a checklist specifically designed for this purpose.

(d) No person may accept dangerous goods for transport by air that have been received through the postal services.

18.200 RETENTION OF DOCUMENTS

(a) The operator of an aircraft shall retain for not less than 6 months after the date of transport—

(1) A dangerous goods transport document which has been furnished to him in accordance with these requirements, and

(2) Checklist used in the acceptance of the dangerous goods consignment.

(b) The AOC holder shall retain the following information for 12 months after the date of transport—

(1) The name and address of each shipper of dangerous goods, and

(2) The name and address of the person who—

(i) Accepts each shipment of dangerous goods or directly supervises the acceptance of the dangerous goods, or

(ii) Loads and secures the dangerous goods or directly supervises the loading and securing of the dangerous goods;

(iii) The approximate date of transport,

(iv) The locations to and from which the dangerous goods are to be transported,

(v) The shipping name, the UN number, the class and the quantity of dangerous goods to be transported, and

(vi) The name of the employee who prepares the information.

(c) An AOC holder shall produce a record, notice or report required by this Part within 15 days after the day on which a written request is received from an inspector.

18.205 LOADING RESTRICTIONS IN PASSENGER CABIN OR ON FLIGHT DECK

(a) Dangerous goods shall not be carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except in circumstances permitted by the provisions

of the Technical Instructions.

18.210 SEPARATION, SEGREGATION & SECURING: GENERAL REQUIREMENTS

(a) Packages and overpacks containing dangerous goods shall be loaded and stowed on an aircraft in accordance with the provisions of the *Technical Instructions*.

(b) Packages containing dangerous goods which might react dangerously one with another shall not be stowed—

(1) On an aircraft next to each other; or

(2) In a position that would allow interaction between them in the event of leakage.

(c) When dangerous goods subject to the requirements of this Part and the Technical Instructions are loaded in an aircraft, the operator shall—

(1) Protect the dangerous goods from being damaged; and

(2) Secure such goods in the aircraft in such a manner that will prevent any movement in flight which would change the orientation of the packages

18.215 STOWAGE OF TOXIC & INFECTIOUS SUBSTANCES

(a) Packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the approved operator procedures.

18.220 STOWAGE & SECURING OF RADIOACTIVE MATERIALS

(a) Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be loaded and stowed on an aircraft in accordance with the provisions of the Technical Instructions.

(b) Packages of radioactive materials shall be stowed on an aircraft so that they are separated from persons, live animals and undeveloped film, in accordance with the requirements in the Technical Instructions.

(c) The securing of packages of radioactive materials shall be adequate to ensure that the separation requirements are met at all times

18.225 PACKAGES RESTRICTED TO CARGO AIRCRAFT ONLY

(a) Except as otherwise provided in the Technical Instructions, no person may load packages of dangerous goods bearing the “Cargo aircraft only” label on an aircraft unless they are loaded in such a manner that a crew member or other authorised person can—

(1) See;

(2) Handle; and

(3) Where size and weight permit, separate such packages from other cargo in-flight

18.230 LEAKAGE OR DAMAGE

(a) No person may load leaking or damaged packages, overpacks or freight containers on an aircraft.

18.235 INSPECTION REQUIREMENTS: GENERAL

(a) No person may load packages and overpacks containing dangerous goods and freight containers containing radioactive materials or other dangerous goods unless they have been inspected for evidence of leakage or damage before—
   (1) Loading on an aircraft; or
   (2) Into a unit load device.

(b) No person may load a unit load device aboard an aircraft unless the device has been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.

(c) No person shall allow the surface transportation or re-loading of packages or overpacks containing dangerous goods and freight containers containing radioactive materials unless they have been inspected for signs of damage or leakage upon unloading from the—
   (1) Aircraft; or
   (2) Unit load device

18.240 ACTIONS WHEN POSSIBLE LEAKAGE OR DAMAGE IS FOUND

(a) Where any package of dangerous goods loaded on an aircraft appears to be damaged or leaking, the person making this determination shall follow the operator's corrective procedures for such an occurrence.

(b) Upon identification of a damaged or leaking package, the operator shall—
   (1) Remove such package from the aircraft; or
   (2) Arrange for its removal by an appropriate authority or organisation.

(c) Following the action specified in paragraph (a) of this Part, the operator shall ensure that—
   (1) The remainder of the consignment is in a proper condition for transport by air; and
   (2) No other package has been contaminated.

(d) If evidence of damage or leakage is found, the operator shall inspect the area where the dangerous goods or unit load device were stowed on the aircraft for damage or contamination before loading other cargo in that location.
   (1) If damage is found, the operator shall repair the damage in accordance with the manufacturer's approved data.
   (2) If contamination is found, the operator and assigned personnel shall comply with the requirements of Part 18.230 of this Part.

18.245 REMOVAL OF CONTAMINATION

(a) The pilot-in-command and the operator shall ensure that any hazardous contamination found on an aircraft as a result of leakage or damage to dangerous goods is removed without delay

(b) The pilot-in-command and the operator shall ensure that an aircraft which has been contaminated by radioactive materials is immediately be taken out of service

(c) No person may allow an aircraft that has been contaminated by radioactive materials to be returned to service until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

SUBPART F: PROVISION OF DANGEROUS GOODS INFORMATION

18.250 APPLICABILITY

(a) This Subpart provides the consolidation of the requirements for provision of information relating to the transport of dangerous goods by air.

18.255 INFORMATION TO GROUND STAFF & OTHER PERSONS

(a) Operators, shippers or other organisations involved in the transport of dangerous goods by air shall provide adequate manuals, documents and instructions to their personnel as will enable them to carry out their responsibilities with regard to the transport of dangerous goods.

(b) The documentation and instructions required by paragraph (a) of this Part shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods

(c) Where applicable, this documentation and instructions shall also be provided to the handling agents.

18.260 INFORMATION TO PASSENGERS

(a) Each operator shall ensure that information is promulgated as required by the Technical Instructions so that passengers are warned as to the types of goods which they are forbidden from transporting aboard an aircraft.

18.265 INFORMATION TO ACCEPTANCE POINTS PERSONNEL

(a) Each operator and, where applicable, the handling agent shall ensure that notices are provided at acceptance points for cargo giving information about the transport of dangerous goods.

18.270 INFORMATION TO CREW MEMBERS

(a) Each operator shall ensure that information is provided in the Operations Manual to enable crew members to carry out their responsibilities in regard to the transport of dangerous goods.

(b) The documentation and instructions required by paragraph (a) of this Part shall provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.

18.275 INFORMATION TO THE PILOT-IN-COMMAND

(a) The operator of an aircraft in which dangerous goods are to be carried shall provide the pilot-in-command as early as practicable before departure of the aircraft with written information as specified in the Technical Instructions

18.280 INFORMATION FROM PILOT-IN-COMMAND TO AERODROME AUTHORITIES

(a) If an in-flight emergency occurs, the pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided for in the Technical Instructions.

18.285 INFORMATION IN THE EVENT OF AN AIRCRAFT INCIDENT OR ACCIDENT

(a) The pilot-in-command and the operator of an aircraft carrying dangerous goods which is involved in an accident or incident shall as soon as possible and without delay and in compliance with the Technical Instructions reporting requirements:
   (1) Inform the appropriate authorities of the State in which this event occurred of any dangerous goods carried as shown on the written information to the pilot in command; and
   (2) Provide any information required to minimize the hazards created by any dangerous goods carried to the emergency services responding to the event; and
   (3) Inform the Authority of the event.

(b) Where dangerous goods are suspected or known to have been a cause or contributing factor to an aircraft accident or serious incident, the pilot-in-command and the operator of the aircraft shall report to the Authority within 10 working days in the prescribed form and manner, the details, facts and preliminary analysis of what could be done to prevent the event.
   (1) This report is required for all Rwanda operators or Rwanda-registered aircraft whether the event occurred within the territory of Rwanda or another country.
   (2) This report is in addition to other reports required for accident and incident occurrences.

SUBPART G: SPECIAL REQUIREMENTS

18.290 APPLICABILITY

(a) This Subpart provides the requirements relating to specific types of operations that involve the transport of dangerous goods by air.

18.295 GENERAL AVIATION

(a) A person may handle or transport dangerous goods within Rwanda by small aircraft or helicopter involved in general aviation operations that—
   (1) Are intended for non-commercial recreational use; and
   (2) Are not forbidden for transport by the Technical Instructions.

18.305 AERIAL WORK

(a) A person may handle, offer for transport or transport dangerous goods by aircraft within Rwanda if the dangerous goods are being used at the location where the following aerial work takes place—
   (1) Active fire suppression;
   (2) Aerial cloud seeding;
   (3) Aerial drip torching;
   (4) Agriculture;
   (5) Forestry;
   (6) Horticulture;
   (7) Hydrographic or seismographic work; or
   (8) Pollution control.

(b) The dangerous goods shall be contained in a means of containment that is—

(1) A tank, a container or an apparatus that is an integral part of the aircraft or that is attached to the aircraft in accordance with the certificate of airworthiness;

(2) A cylindrical collapsible rubber drum that is transported in or suspended from an aircraft and that is constructed, tested, inspected and used in accordance with data acceptable to the Authority;

(3) A collapsible fabric tank that is transported suspended from a helicopter and that is constructed of material and seamed in accordance with technical data acceptable to the Authority; or

(4) A small means of containment designed, constructed, filled, closed, secured and maintained so that under normal conditions of transport, including handling, there will be no accidental release of dangerous goods that could endanger public safety.

18.310 AIR AMBULANCE

(a) A person may handle or transport dangerous goods within Rwanda by an air ambulance dedicated to and configured for the transport of patients, of persons who are accompanying or who have accompanied a patient or of medical personnel if—

(1) The transport of the dangerous goods is not forbidden by Technical Instructions;

(2) The dangerous goods are contained in a means of containment that—

(i) Has displayed on it the package markings and labels required by the ICAOTechnical Instructions;

(ii) For a cylinder, is in compliance with containment requirements; and

(iii) Is secured to prevent movement during transport.

END OF RCAR PART 18

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XIX W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XIX TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XIX A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 19

Accident & Incident Reporting & Investigation

SUBPART A: GENERAL 4
19.001 CITATION & APPLICABILITY 4
19.005 DEFINITIONS 4
19.010 ACRONYMS & ABBREVIATIONS 6
19.015 OBJECTIVE OF INVESTIGATIONS 7
SUBPART B: PERSONAL RESPONSIBILITY: ACCIDENT REPORTING 7
19.020 APPLICABILITY 7
19.025 IMMEDIATE NOTIFICATION 7
19.030 INFORMATION TO BE GIVEN IN THE NOTIFICATION 8
19.035 PRESERVATION & PROTECTION OF WRECKAGE & ACCIDENT SITE 8
19.040 FORWARDING OF AN OPERATOR ACCIDENT OR INCIDENT REPORT 8
19.045 CREW MEMBER STATEMENT 8
19.050 WHERE TO FILE THE REPORTS 8
SUBPART C: MANDATORY & VOLUNTARY OCCURRENCE REPORTING 9
19.055 GENERAL APPLICABILITY 9
19.060 APPLICABILITY TO PERSONS & ORGANISATIONS INVOLVED 9
19.065 OBJECTIVE OF THE REPORTING REQUIREMENTS 10
19.070 ITEMS TO BE REPORTED 10
19.075 VOLUNTARY REPORTING 10
19.080 SELF-DISCLOSURE OF NON-COMPLIANCE 11
19.085 CONFIDENTIALITY OF REPORTS 11
19.090 ASSURANCE REGARDING PROSECUTION 11
19.095 ACTION IN RESPECT OF LICENCES & CERTIFICATES 11
19.100 POSSIBLE ACTION BY EMPLOYERS 12
SUBPART D: PRESERVATION OF WRECKAGE & RECORDS 12
19.105 APPLICABILITY 12
19.110 PRESERVATION & PROTECTION OF WRECKAGE 12
19.115 MOVING THE WRECKAGE 12
19.120 RELEASE FROM CUSTODY 13
SUBPART E: ACCIDENT & INCIDENT INVESTIGATION 13
19.125 APPLICABILITY 13
19.130 RESPONSIBILITY FOR INVESTIGATION 13
19.135 NATURE OF THE INVESTIGATION 14
19.140 RIGHT TO REPRESENTATION 14
19.145 INVESTIGATOR-IN-CHARGE: DESIGNATION 14
19.150 INVESTIGATOR-IN-CHARGE: ACCESS & CONTROL 15
19.155 INVESTIGATOR-IN-CHARGE: DUTIES 15
19.160 AUTHORITY OF ACCIDENT INVESTIGATORS 15
19.165 AUTOPSY & MEDICAL EXAMINATIONS 16
19.170 PARTIES TO THE INVESTIGATION 16
19.175 ACCESS TO & RELEASE OF WRECKAGE, RECORDS, MAIL & CARGO 16
19.180 NOTIFICATION OF AFFECTED STATES 16
19.185 FLIGHT RECORDERS: ACCIDENTS & INCIDENTS 17
19.190 COORDINATION AND COOPERATION WITH JUDICIAL AUTHORITIES 17
19.195 INFORMING AVIATION SECURITY AUTHORITIES 17
19.200 FLOW & DISSEMINATION OF ACCIDENT OR INCIDENT INFORMATION 17
19.205 PROPOSED FINDINGS 18
19.210 NON-DISCLOSURE OF RECORDS 18
19.215 RE-OPENING OF THE INVESTIGATION 18
SUBPART F: RESPONSIBILITY OF RWANDA AS THE STATE OF OCCURRENCE 19

19.220 APPLICABILITY 19
19.225 NOTIFICATION OF OTHER STATES 19
19.230 FORMAT & CONTENT OF NOTIFICATION 19
19.235 LANGUAGE TO BE USED IN THE NOTIFICATION 20
19.240 ADDITIONAL RELEVANT INFORMATION 20
19.245 EXPECTATIONS OF PARTICIPATION OF STATES 20
19.250 EXPECTATIONS FOR INFORMATION FROM OTHER STATES 20
19.255 CONDUCT OF THE INVESTIGATION 20
19.260 COORDINATION OF PARTICIPATION OF OTHER STATES 20
19.265 TIMELY COMPLETION OF PERTINENT REPORTS 20
SUBPART G: RWANDA NOT BEING THE STATE OF OCCURRENCE 21
19.270 APPLICABILITY 21
19.275 ACTIONS FOLLOWING RECEIPT OF NOTIFICATION 21
19.280 TIMELY PROVISION OF RELEVANT INFORMATION 21
19.285 PROVISION OF ADDITIONAL INFORMATION 21
19.290 PROTECTION & PROVISION OF FLIGHT RECORDER RECORDS 21
19.295 PROVISION OF RELATED ORGANISATION INFORMATION 21
19.300 REQUIRED APPOINTMENT OF AN ACCREDITED REPRESENTATIVE 22
19.305 ACTION ON SAFETY RECOMMENDATIONS 22
SUBPART H: RIGHT OF PARTICIPATION IN INVESTIGATION 22
19.310 APPLICABILITY 22
19.315 STATES ENTITLED TO APPOINT AN ACCREDITED REPRESENTATIVE 22
19.320 ADDITIONAL INVITED PARTICIPANTS 22
19.325 APPOINTMENT OF ADVISORS TO THE ACCREDITED REPRESENTATIVES 23
19.330 STATES WITH FATALITIES OR SERIOUS INJURIES TO ITS CITIZENS 23
SUBPART I: ENTITLEMENT OF ACCREDITED REPRESENTATIVES 23
19.335 APPLICABILITY 23
19.340 ACCREDITED REPRESENTATIVES & THEIR ADVISORS 23
19.345 PARTICIPATION 23
19.350 PROCEDURES 24
19.355 LIMITS TO ENTITLEMENT 24
19.360 OBLIGATIONS 24
SUBPART J: ACCIDENT REPORTS 24
19.365 APPLICABILITY 24
Subdivision I: General 24
19.370 SAFETY OF FLIGHT 24
19.375 LANGUAGE 24
19.380 RELEASE OF INFORMATION: CONSENT 24
Subdivision II: Preliminary Report 25
19.385 REQUIRED REPORT 25
19.390 ACCIDENTS TO AIRCRAFT OVER 2,250 KG 25
19.395 ACCIDENTS TO AIRCRAFT OF 2,250 KG OR LESS 25
19.400 TIMELY SUBMISSION OF THE PRELIMINARY REPORT 25
Subdivision III: Accident or Incident Data Report 25
19.405 REQUIRED REPORT 25
19.410 ACCIDENTS TO AIRCRAFT OVER 2,250 KG 25
19.415 ADDITIONAL INFORMATION 25
19.420 INCIDENTS TO AIRCRAFT OVER 5,700 KG 25
Subdivision IV: Final Report 26
19.425 REQUIRED REPORT 26
19.430 CONSULTATION WITH OTHER STATES 26
19.435 INVITING COMMENTS FROM OTHER INTERESTED PARTIES 26
19.440 PROCESSING OF TIMELY COMMENTS 26
19.445 RECIPIENT STATES 26
19.450 RELEASE OF THE FINAL REPORT 27

19.455 SAFETY RECOMMENDATIONS 27
19.460 WHEN ICAO DOCUMENTS ARE INVOLVED 27
SUBPART K: MILITARY AIRCRAFT 28
19.465 INVESTIGATIONS INVOLVING MILITARY AIRCRAFT OPERATING ON CIVIL AERODROME 28
SUBPART L: ACCIDENT PREVENTION MEASURES 28
19.470 Database and preventive actions 28
APPENDICES 29
APPENDIX 1 TO 19.070: MANDATORY REPORTS: AIRCRAFT FLIGHT OPERATIONS 29
APPENDIX 2 TO 19.070: MANDATORY REPORTS: AIRCRAFT TECHNICAL 31
APPENDIX 3 TO 19.070: MANDATORY REPORTS: AIR NAVIGATION OCCURRENCES 33

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SUBPART A: GENERAL

19.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Accident Investigation) Regulations.

(b) This Part contains requirements pertaining to—

(1) Notification, investigation, analysis and reporting of aircraft incidents and accidents and certain other occurrences in the operation of aircraft—

(i) When they involve Rwanda-registered aircraft, wherever they occur; and

(ii) When they involve foreign-registered civil aircraft, where the events occur in Rwanda;

(2) Preservation of aircraft wreckage, mail, cargo, and records involving all civil and state aircraft accidents in Rwanda;

(3) Conformance to the International Standards for accident and incident reporting.

(c) This Part is applicable to the—

(1) Organisations and operators that operate aircraft or provide services associated with the safe operation of aircraft; and

(2) All Government agencies necessary to the ensure the timely and correct investigation and reporting of accidents.

(d) This Part is also applicable to—

(1) All persons associated with the safe operations of aircraft;

(2) The general public where they have information pertinent to an accident or incident investigation; and

(3) The technical persons that participate in the investigations.

Note: — This regulation, accident and incident investigation reports, applicable law, other relevant documents and the list of mandatory reporting incidents are documented on website www.mininfra.gov.rw under the 'Transport' section.

19.005 DEFINITIONS

(a) When the following terms are used in this Part for Aircraft Accident and Incident Investigation, they have the following meanings—

Accident. An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which—

(i) a person is fatally or seriously injured as a result of—

(A) being in the aircraft, or

(B) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or

(C) direct exposure to jet blast,

except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

(ii) the aircraft sustains damage or structural failure which—

(A) adversely affects the structural strength, performance or flight characteristics of the aircraft, and

(B) would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

(iii) the aircraft is missing or is completely inaccessible.

Note 1. — For statistical uniformity only, an injury resulting in death within thirty days of the date of the accident is classified, by ICAO, as a fatal injury.

Note 2. — An aircraft is considered to be missing when the official search has been terminated and the wreckage has not been located.

Note 3. — In the case of investigation of an unmanned aircraft system, only aircraft with a design and/or operational approval are to be considered as documented in Part 27.

Accident investigation authority. The authority designated by a State as responsible for aircraft accident and incident investigations within the context of ICAO Annex 13 to the Convention on International Civil Aviation. *In Rwanda, the accident investigating authority is the Aviation Accident and Incident Investigation Division (AAID)*.

Accredited representative. A person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State. Where the State has established an accident investigation authority, the designated accredited representative would normally be from that authority.

Adviser. A person appointed by a State, on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation.

Aircraft. 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.

Authority. The Rwanda Civil Aviation Authority.

Causes. Actions, omissions, events, conditions, or a combination thereof, which led to the accident or incident. The identification of causes does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

Contributing factors. Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

Flight recorder. Any type of recorder installed in the aircraft for the purpose of complementing accident/ incident investigation.

Automatic deployable flight recorder (ADFR). A combination flight recorder installed on the aircraft which is capable of automatically deploying from the aircraft.

Incident. An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Note. — The types of incidents which are of main interest to the International Civil Aviation Organization for accident prevention studies are listed in the Enhanced Aviation Mandatory Reporting Standards.

Investigation. A process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and/ or contributing factors and, when appropriate, the making of safety recommendations.

Investigator-in-charge. A person charged, on the basis of his or her qualifications, with the responsibility for the organization, conduct and control of an investigation.

Maximum mass. Maximum certificated take-off mass.**Operator.** The person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Preliminary Report. The communication used for the prompt dissemination of data obtained

during the early stages of the investigation.

Safety recommendation. A proposal of an accident investigation authority based on information derived from an investigation, made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident. In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.

Serious incident. An incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down.

Note 1. — The difference between an accident and a serious incident lies only in the result.

Note 2.— Examples of serious incidents can be found in the Enhanced Aviation Mandatory Reporting Standard,

Serious injury. An injury which is sustained by a person in an accident and which—

(i) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or

(ii) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or

(iii) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or

(iv) involves injury to any internal organ; or

(v) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or

(vi) involves verified exposure to infectious substances or injurious radiation.

State of Design. The State having jurisdiction over the organization responsible for the type design.

State of Manufacture. The State having jurisdiction over the organization responsible for the final assembly of the aircraft, engine or propeller.

State of Occurrence. The State in the territory of which an accident or incident occurs.

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

Note: — When an aircraft is leased, chartered or interchanged, the specifications in this Part concerning the State of the Operator apply only when that State is not the State of Registry and if it discharges, in whole or in part, the functions and obligations of the State of Registry.

State of Registry. The State on whose register the aircraft is entered.

State safety programme (SSP). An integrated set of regulations and activities aimed at improving safety.

19.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

AAID = Aviation Accident Investigation Division
ACCID = Accident
AIP = Aeronautical Information Publication
AOC = Air Operator Certificate
ICAO = International Civil Aviation Organisation
INCID = Incident
IIC = Investigator-in-Charge

PSE = Principal Structural Element
UTC = Universal Coordinated Time

19.015 OBJECTIVE OF INVESTIGATIONS

(a) The sole objective of the investigation of an accident or incident shall be the prevention of accidents and incidents.

(b) It is not the purpose of the activities subject to this Part to apportion blame or liability.

SUBPART B: PERSONAL RESPONSIBILITY: ACCIDENT REPORTING

19.020 APPLICABILITY

(a) This Subpart is applicable to operators and individuals who are involved in or have knowledge of an aircraft accident or serious incident—
  (1) Occurring within Rwanda airspace; or
  (2) With a Rwanda-registered aircraft; or
  (3) With a Rwanda AOC holder.

19.025 IMMEDIATE NOTIFICATION

(a) The owner, operator, PIC, a crew member of any Rwanda-registered civil aircraft, any State aircraft not operated by the military, any foreign aircraft or any person who provides air traffic services who has direct knowledge of aircraft accident or incident must, with details on the nature of the accident or incident and without delay, notify the accident or incident to the Aviation Accident Investigation Division (AAID) when an aircraft accident or any of the following listed incidents occur—
  (1) Flight control system malfunction or failure;
  (2) Inability of any required flight crew member to perform normal flight duties as a result of injury or illness;
  (3) Failure of structural components of a turbine engine excluding compressor and turbine blades and vanes;
  (4) In-flight fire; or
  (5) Aircraft collide in flight;
  (6) Damage to property, other than the aircraft, estimated to exceed $25,000 for repair (including materials and labor) or fair market value in the event of total loss, whichever is less;
  (7) For large multiengine aircraft (more than 12,500 pounds maximum takeoff weight);
    (i) In-flight failure of electrical systems which requires the sustained use of an emergency bus powered by a backup source such as a battery, auxiliary power unit, or air driven generator to retain flight control or essential instruments;
    (ii) In-flight failure of hydraulic systems that results in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces;
    (iii) Sustained loss of the power or thrust produced by two or more engines; and
    (iv) An evacuation of an aircraft in which an emergency egress system is utilized.
  (8) Any other occurrence required to be reported as published by AAID.

(b) This initial notification requirement also applies when an aircraft is overdue and is believed to have been involved in an accident.

Note: The initial report may be made to the nearest air traffic service unit or flight information unit or directly to the AAID as prescribed in the Aeronautical Information Publication.

19.030 INFORMATION TO BE GIVEN IN THE NOTIFICATION

(a) The required notification shall contain the following information, if available—
  (1) Type, nationality, and registration marks of the aircraft;
  (2) Name of owner, and operator of the aircraft;
  (3) Name of the pilot in command;
  (4) Date and time of the accident;
  (5) Last point of departure and point of intended landing of the aircraft;
  (6) Position of the aircraft with reference to some easily defined geographical point;
  (7) Number of persons aboard, number killed, and number seriously injured;
  (8) Nature of the accident, the weather and the extent of damage to the aircraft, so far as is known; and
  (9) A description of any explosives, radioactive materials, or other dangerous articles carried.

19.035 PRESERVATION & PROTECTION OF WRECKAGE & ACCIDENT SITE

(a) The Rwanda National Police shall ensure as much as is practical that the wreckage and accident site is protected and preserved in accordance with the requirements of Subpart D of this Part.

(b) In the absence of Rwanda National Police, the operator or any surviving crew member shall ensure as much as is practical that the wreckage and accident site is protected and preserved in accordance with the requirements of Subpart D of this Part.

Note: Any Rwandan government institution having a Memorandum of understanding with the Minister shall ensure as much as is practical that the wreckage and accident site is protected and preserved in accordance with the requirements of Subpart D of this Part while waiting for the mentioned people in (a) or (b) to reach at the site or when (a) and (b) are not applicable.

(c) An operator shall ensure, to the extent possible, in the event the aircraft 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 this Part.

19.040 FORWARDING OF AN OPERATOR ACCIDENT OR INCIDENT REPORT

(a) The operator of a civil, state or foreign aircraft shall file a report in the form and manner prescribed by the AAID—
  (1) Within 48 hours after an accident; or
  (2) After 48 hours if an overdue aircraft is still missing.

(b) An Operator Incident Report on an incident for which immediate notification is required shall be filed only as requested by an authorised representative of the AAID.

19.045 CREW MEMBER STATEMENT

(a) Each crew member, if physically able at the time the formal report is submitted, shall attach a statement setting forth the facts, conditions, and circumstances relating to the accident or incident as they appear to him.

(b) If the crew member is incapacitated, he shall submit the statement as soon as he is physically able.

19.050 WHERE TO FILE THE REPORTS

(a) The operator of an aircraft shall file any initial notification or operator accident or incident report with the AAID as specified in the Aeronautical Information Publication.

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SUBPART C: MANDATORY & VOLUNTARY OCCURRENCE REPORTING

19.055 GENERAL APPLICABILITY

(a) This Subpart prescribes the general requirements and administrative rules for implementation and on-going administration of processes for mandatory and voluntary reporting of occurrences where such reports are required by the Civil Aviation Regulations and the Civil Aviation Technical Standards.

(b) The general requirements of this Subpart apply to all occurrence reports required by any Section of Civil Aviation Regulations and the supporting Civil Aviation Technical Standards.

(c) The reporting requirements of this Subpart are mandatory for the persons and organisations involved when the occurrence is related to—

(1) Any aircraft operated under an AOC granted by the Authority;

(2) Any turbine-powered aircraft which has a certificate of airworthiness issued by the Authority.

(d) In the case of organisations providing a service or facility for aircraft operating over or in Rwanda, any occurrence meeting the required criteria should be reported regardless of the nationality of the aircraft involved.

19.060 APPLICABILITY TO PERSONS & ORGANISATIONS INVOLVED

(a) The mandatory reporting requirements of this Subpart are applicable to persons and organisations involved in the—

(1) Operations, maintenance and support of Rwanda-registered aircraft worldwide;

(2) Operations, maintenance and support of aircraft operating in Rwanda; and

(3) The provision of services to aircraft and crews in the operational airspace controlled by Rwanda and the aerodromes located in Rwanda.

(b) Persons and organisations included in this applicability are—

(1) The operator and the flight crew of a turbine-powered aircraft which has a certificate of airworthiness issued by the Authority;

(2) The operator and the flight crew of an aircraft operated under an AOC granted by the Authority;

(3) A person who carries on the business of manufacturing a turbine-powered or aircraft that is to be operated in commercial air transport, or any equipment or part thereof, in Rwanda;

(4) A person who carries on the business of maintaining or modifying a turbine-powered aircraft, which has a certificate of airworthiness issued by the Authority, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;

(5) A person who carries on the business of maintaining or modifying an aircraft, operated under an AOC granted by the Authority, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;

(6) A person who signs an airworthiness review certificate, or a certificate of release to service in respect of a turbine-powered aircraft, which has a certificate of airworthiness issued by the Authority, and a person who signs an airworthiness review certificate or a certificate of release to service in respect of any equipment or part of such an aircraft;

(7) A person who signs an airworthiness review certificate, or a certificate of release to service in respect of an aircraft, operated under an AOC granted by the Authority, and a person who signs an airworthiness review certificate or a certificate of release to service in respect of any equipment or part of such an aircraft;

(8) A person who performs a function which requires him to be authorised by the Authority as an air traffic controller or as a flight information service officer;

(9) A licensee and a manager of a licensed aerodrome or a manager of an airport;

(10) A person who performs a function in respect of the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities which are utilised by a person who provides an air traffic control service under an approval issued by the Authority;

(11) A person who performs a function in respect of the ground-handling of aircraft, including fuelling, servicing, load sheet preparation, loading, de-icing and towing at an airport.

(c) This list of persons and organisations defines those who have to report, but any person or organisation may file a report should they consider it necessary or pertinent to aviation safety.

19.065 OBJECTIVE OF THE REPORTING REQUIREMENTS

(a) The sole objective of occurrence reporting is the prevention of accidents and incidents through the collection and dissemination of relevant safety information and not to attribute blame or liability.

(b) The mandatory reporting requirements contribute to the improvement of air safety by ensuring free and full reporting of relevant information on safety is collected, stored, protected and disseminated.

(c) The voluntary reporting of persons contributes to the improvement of air safety in the interest of flight safety through the same processes and policies applicable to the mandatory reporting requirements.

19.070 ITEMS TO BE REPORTED

(a) The AAID shall prescribe the mandatory occurrences that shall be reported under the provisions of this Subpart.

(b) These reportable occurrences shall be categorised for purposes of assessing trends as—

(1) Aircraft flight operations (Appendix 1 to 19.070);

(2) Aircraft technical (Appendix 2 to 19.070); and

(3) Air navigation (Appendix 3 to 19.070).

(c) A reportable occurrence in relation to an aircraft means any incident which endangers or which, if not corrected, would endanger an aircraft, its occupants or any other person.

(d) A person required to make a mandatory report of an occurrence shall report any occurrence of which he has positive knowledge, even though this may not be first hand, unless he has good reason to believe that appropriate details of the occurrence have already been, or will be, reported by someone else.

(e) A report should also be submitted on any occurrence which involves a defective condition or unsatisfactory behaviour or procedure which did not immediately endanger the aircraft but which, if allowed to continue uncorrected, or if repeated in different, but likely, circumstances, would create a hazard to aircraft safety.

19.075 VOLUNTARY REPORTING

(a) The AAID shall encourage and facilitate voluntary reporting to the same criteria across the whole spectrum of civil aviation operations.

(b) The AAID's organisation and procedures for processing and recording reports shall not substantially differentiate between voluntary and mandatory reports.

(c) A voluntary occurrence report is that report made by a person or organisation who are not required to report in accordance with the requirements of this Subpart.

(d) The occurrences reported and trends developed shall be retained in a limited format

which removes information and data which is likely to identify the person reporting.

(e) The confidentiality of these voluntary reports shall be protected by the AAID and information disclosed in these reports shall inadmissible for any future proceedings relating to the person reporting.

19.080 SELF-DISCLOSURE OF NON-COMPLIANCE

(a) The AAID shall encourage self-disclosure of non-compliance with regulations whether associated with mandatory or voluntary reporting processes of this Subpart and shall not take legal enforcement action if the reporter is found to be in compliance with the conditions of paragraph (b).

(b) In evaluating whether an apparent non-compliance is covered by this Regulation, the Authority shall ensure that the following conditions are met—

(1) The regulated entity has notified the Authority of the apparent non-compliance immediately after detecting it and before the Authority has learned of it by other means.

(2) The notification did not occur during, or in anticipation of, an investigation or inspection by the Authority or in association with an accident or incident.

(3) The apparent non-compliance with the regulations was inadvertent.

(4) The apparent non-compliance with regulations does not indicate a lack, or reasonable question, of qualification of the regulated entities.

(5) Immediate action, satisfactory to the Authority was taken upon discovery to terminate the conduct that resulted in the apparent non-compliance.

(6) The regulated entity has developed or is developing a comprehensive fix and schedule of implementation satisfactory to the Authority.

(7) The comprehensive fix includes a follow-up self-audit to ensure that the action taken corrects the noncompliance.

(8) This self-audit is in addition to any audits conducted by the Authority.

19.085 CONFIDENTIALITY OF REPORTS

(a) Without prejudice to the proper discharge of its responsibilities in this regard, the AAID shall not disclose the name of the person submitting the report or of a person to whom it relates unless required to do so by law or unless, in either case, the person concerned authorises disclosure.

(b) Should any flight safety follow-up action arising from a report be necessary, the AAID shall take all reasonable steps to avoid disclosing the identity of the reporter or of those individuals involved in the reportable occurrence.

19.090 ASSURANCE REGARDING PROSECUTION

(a) The Authority shall not institute proceedings in respect of unpremeditated or inadvertent breaches of the law which come to its attention only because they have been reported under the mandatory or voluntary provisions of this Subpart, except in cases involving dereliction of duty amounting to
gross negligence.

19.095 ACTION IN RESPECT OF LICENCES & CERTIFICATES

(a) The Authority has a duty under international treaties and conventions to vary, revoke or suspend a licence or certificate as appropriate if it ceases to be satisfied that the holder of the licence or certificate is
competent, medically fit and a fit person to exercise the privileges of the licence.

(b) If an occurrence report suggests that the licence or certification holder does not continue to meet the standards for issuance of the license or certificate, the Authority must take

appropriate action to re- examine the holder. The purpose of this review is solely to ensure safety and shall not be conducted to penalize the holder.

19.100 POSSIBLE ACTION BY EMPLOYERS

(a) Where a reported occurrence indicated an unpremeditated or inadvertent lapse by an employee, the
employer shall act responsibly and to share its view that free and full reporting is the primary aim, and that every effort should be made to avoid action that may inhibit reporting.

(b) Employers shall refrain from disciplinary or punitive action which might inhibit their staff from duly reporting incidents of which they may have knowledge, that, except to the extent that action is needed in order to ensure safety, and except in such flagrant circumstances.

SUBPART D: PRESERVATION OF WRECKAGE & RECORDS

19.105 APPLICABILITY

(a) This Subpart is applicable to all persons and organisations that have access to the wreckage and records that are critical to the investigation of the accident or serious incident.

19.110 PRESERVATION & PROTECTION OF WRECKAGE

(a) All persons involved in the rescue, search and investigation of an accident shall take all reasonable measures to protect the evidence and to maintain safe custody of the aircraft and its contents for such a period as may be necessary for the purposes of an investigation.

(1) Protection of evidence shall include the preservation, by photographic or other means of any evidence which might be removed, effaced, lost or destroyed.

(2) Safe custody shall include protection against further damage, access by unauthorised persons, pilfering and deterioration.

(b) The operator of an aircraft involved in an accident or incident for which notification must be given is responsible for preserving to the extent possible any aircraft wreckage, cargo, and mail aboard the aircraft, and all records, including all recording mediums of flight, maintenance, and voice recorders, pertaining to the operation and maintenance of the aircraft and to the airmen until the AAID takes custody thereof or a release is granted.

(c) The operator of an aircraft involved in an accident or incident shall retain all records, reports, internal documents, and memoranda dealing with the accident or incident, until authorised by the AAID to the contrary.

19.115 MOVING THE WRECKAGE

(a) Prior to the time the AAID or its authorised representative takes custody of aircraft wreckage, mail, or cargo, such wreckage, mail, or cargo may not be disturbed or moved except to the extent necessary to—

(1) Remove persons injured or trapped;

(2) Protect the wreckage from further damage; or

(3) Protect the public from injury.

(b) Where it is necessary to move aircraft wreckage, mail, or cargo, sketches, descriptive notes, and photographs shall be made, if possible, of the original positions and condition of the wreckage and any significant impact marks.

(c) If a request is received from the State of Registry, the State of the Operator, the State of Design or the State of Manufacture that the aircraft, its contents, and any other evidence remain undisturbed pending inspection by an accredited representative of the requesting State, the investigator-in-charge shall take all necessary steps to comply with such request, so far as this is reasonably practicable and compatible with the proper conduct of the

investigation; provided that the aircraft may be moved—

(1) To the extent necessary to extricate persons, animals, mail and valuables;
(2) To prevent destruction by fire or other causes; or
(3) To eliminate any danger or obstruction to air navigation, to other transport or to the public, and
(4) Provided that it does not result in undue delay in returning the aircraft to service where this is practicable.

19.120 RELEASE FROM CUSTODY

(a) Subject to the provisions of Regulations 19.110 and 19.115, the investigator-in-charge shall release custody of the aircraft, its contents or any parts thereof as soon as they are no longer required in the investigation, to any person or persons duly designated by the State of Registry or the State of the Operator, as applicable.

(b) For this purpose, the investigator-in-charge shall facilitate access to the aircraft, its contents or any parts thereof, provided that, if the aircraft, its contents, or any parts thereof lie in an area within which the investigator-in-charge finds it impracticable to grant such access, it shall itself effect removal to a point where access can be given.

SUBPART E: ACCIDENT & INCIDENT INVESTIGATION

19.125 APPLICABILITY

(a) This Subpart is applicable to the conduct of accident and incident investigations, the persons who conduct the investigations and those persons that have information or records pertinent to the investigations.

19.130 RESPONSIBILITY FOR INVESTIGATION

(a) The AAID shall institute an investigation into the circumstances of the accident or serious incident for every aircraft and be responsible for the conduct of the investigation when accident or serious incident—

(1) Has occurred in the territory of Rwanda.
(2) Involves civil aircraft of Rwanda registry or operated by a Rwanda operator has occurred in a foreign state not bound by the provisions of ICAO Annex 13 to the Chicago Convention which does not intend to carry out an investigation. The conduct of the investigation shall be in accordance with any agreement entered into between the Government of Rwanda and the foreign state.
(3) Involves an aircraft registered in Rwanda or an aircraft operated by a Rwanda operator has occurred in a foreign state and the investigation has been delegated to Rwanda by the foreign state by mutual arrangement and consent.
(4) Has occurred in a location which cannot be definitely established as being in the territory of any State and involves an aircraft registered in Rwanda or operated by a Rwanda operator.

(b) In the case of an accident or incident in a foreign state involving civil aircraft of Rwanda registry or operated by a Rwanda operator, where the foreign state is bound by the provisions of ICAO Annex 13 to the Chicago Convention, the foreign state of occurrence is responsible for the investigation.

(c) The AAID may request the Minister to delegate the whole or any part of the investigation to another State or a regional accident and incident investigation organization by mutual arrangement and consent.

(d) Where the task of carrying out an investigation has been delegated, the AAID Division Manager shall to the best of his ability, facilitate investigation carried out by the investigator-in-charge appointed by the Contracting State or the regional accident and incident

investigation organisation conducting the investigation.

19.135 NATURE OF THE INVESTIGATION

(a) The Aviation Accident Investigation Division shall have independence in the conduct of the investigation and have unrestricted authority over the conduct of an investigation in consistent with the provisions of the Civil Aviation Law and this Part.

(b) The investigation shall normally include—

(1) Gathering, recording and analysis of all relevant information on accidents or serious incident;

(2) Protection of certain accident and incident investigation records in accordance with Regulation 19.215;

(3) If appropriate, the issuance of safety recommendations;

(4) If possible, the determination of the causes and/or contributing factors; and

(5) Completion of the final report.

(c) The scene of the accident shall be visited, the wreckage examined and statements taken from witnesses.

(d) The extent of the investigation and the procedure to be followed in carrying out an investigation shall be determined by the AAID, depending on—

(1) The objective of the investigation set out in this Part;

(2) The lessons expected to be drawn from the investigation for the improvement of safety; and

(3) The complexity of the investigation.

(e) Any investigation conducted in accordance with the provisions of this Part shall be separate from and without prejudice to any judicial or administrative proceedings to apportion blame or liability.

(f) The AAID shall develop documented policies and procedures detailing its accident investigation duties. These shall include: organization and planning, investigation and reporting.

19.140 RIGHT TO REPRESENTATION

(a) Any person interviewed by an authorised representative of the AAID during the investigation, regardless of the form of the interview (sworn, unsworn, transcribed, not transcribed, etc.), has the right to be accompanied, represented, or advised by an attorney or non-attorney representative.

19.145 INVESTIGATOR-IN-CHARGE: DESIGNATION

(a) The AAID shall designate the investigator-in-charge of the investigation and shall initiate the investigation immediately.

(b) The AAID Division Manager, through the Minister, shall call on the services of local authorities or other authorised persons to ensure protection of the accident site, including the aircraft and its contents, until the Investigator-in-charge is able to directly take over custody and determine the required security of the aircraft and its contents.

(c) The AAID Division Manager may appoint any person as an adviser to assist an investigator-in-charge in a particular investigation carried out under this Part.

(d) The AAID Division Manager shall appoint such number of investigators as he thinks fit to participate in the investigation under the control of the investigator-in-charge.

(e) Division Manager shall ensure that at least one experienced investigator is assigned to each investigation to provide the required level of experience during an investigation.

19.150 INVESTIGATOR-IN-CHARGE: ACCESS & CONTROL

(a) The investigator-in-charge shall have unhampered access to the wreckage and all relevant material, including flight recorders and ATS records, and shall have unrestricted control over it to ensure that a detailed examination can be made without delay by authorised personnel participating in the investigation.

19.155 INVESTIGATOR-IN-CHARGE: DUTIES

(a) The designated investigator-in-charge organizes, conducts, controls, and manages the field phase of the investigation, regardless of what other representatives of the Government at the accident or incident site.

(b) The investigator-in-charge has the responsibility and authority to supervise and coordinate all resources and activities of all personnel, both government and civilians, involved in the on-site investigation.

(c) The investigator-in-charge continues to have considerable organisational and management responsibilities throughout later phases of the investigation, up to and including the AAID's consideration and adoption of a report or brief of probable cause(s).

19.160 AUTHORITY OF ACCIDENT INVESTIGATORS

(a) Upon presentation of appropriate credentials, an authorised representative of the AAID is authorised to—
   (1) Enter any property where an accident or incident subject to the AAID's jurisdiction has occurred; or
   (2) Wreckage from any such accident or incident is located; and
   (3) Do all things considered necessary for proper investigation.

(b) Further, upon demand of an authorised representative of the AAID and presentation of credentials, any Government agency, or person having possession or control of any transportation vehicle or component thereof, any facility, equipment, process or controls relevant to the investigation, or any pertinent records or memoranda shall forthwith permit inspection, photographing, or copying thereof by such authorised person for the purpose of investigating an accident or incident, or preparing a study, or related to any special investigation pertaining to safety or the prevention of accidents.

(c) The records and memoranda specified in paragraph (b) shall include all files, hospital records, and correspondence then or thereafter existing, and kept or required to be kept.

(d) The representative of the AAID may issue a subpoena, enforceable in court, to obtain testimony or other evidence.

(e) A representative of the AAID may question any person having knowledge relevant to an accident/incident, study, or special investigation.

(f) The representatives of the AAID also have exclusive authority, on behalf of the Government of Rwanda, to decide the way in which any testing will be conducted, including—
   (1) Decisions on the person that will conduct the test;
   (2) The type of test that will be conducted; and
   (3) Any individual who will witness the test.

(g) The representative of the AAID, upon presenting appropriate credentials, is authorised to examine and test to the extent necessary any civil or state aircraft, aircraft engine, propeller, appliance, or property aboard such aircraft involved in an accident in commercial air transport.

19.165 AUTOPSY & MEDICAL EXAMINATIONS

(a) The investigator-in-charge, on behalf of the AAID, conducting the investigation into a fatal accident shall arrange for complete autopsy examination of fatally injured flight crew and, subject to the particular circumstances, of fatally injured passengers and cabin crew members, by a pathologist, preferably experienced in accident investigation.

(b) The investigator-in-charge is authorised to obtain, with or without reimbursement, a copy of the report of autopsy performed on any person who dies as a result of having been involved in an aircraft accident within the jurisdiction of the AAID.

(c) The investigator-in-charge, on behalf of the AAID, may order an autopsy or seek other tests of such persons as may be necessary to the investigation, provided that to the extent consistent with the needs of the accident investigation, provisions of local law protecting religious beliefs with respect to autopsies shall be observed.

(d) When appropriate, investigator-in-charge shall arrange for medical examination of the crew, passengers and involved aviation personnel, by a physician, preferably experienced in accident investigation.

(e) The investigator-in-charge shall ensure these examinations shall be expeditious and complete.

19.170 PARTIES TO THE INVESTIGATION

(a) The investigator-in-charge designates parties to participate in the investigation. Parties shall be limited to those persons, government agencies, companies, and associations whose employees, functions, activities, or products were involved in the accident or incident and who can provide suitable qualified technical personnel actively to assist in the investigation. No other entity is afforded the right to participate in accident investigations by the AAID.

(b) Participants in the investigation (i.e., party representatives, party coordinators, and/or the larger party organisation) shall be responsive to the direction of representatives of the AAID and may lose party status if they do not comply with their assigned duties, actively proscriptions or instructions, or if they conduct themselves in a manner prejudicial to the investigation.

(c) No party to the investigation shall be represented in any aspect of the AAID's investigation by any person who also represents claimants or insurers. No party representative may occupy a legal position. Failure to comply with these provisions may result in sanctions, including loss of status as a party.

(d) In addition to compliance with the provisions of paragraph (a) of this Regulation, and to assist in ensuring complete understanding of the requirements and limitations of party status, all party representatives in aviation investigations shall sign a statement containing these requirements and limitations immediately upon attaining party representative status. Failure timely to sign that statement may result in sanctions, including loss of status as a party.

19.175 ACCESS TO & RELEASE OF WRECKAGE, RECORDS, MAIL & CARGO

(a) Only the accident investigation personnel of the AAID, and persons authorised by the investigator-in- charge to participate in any particular investigation, examination or testing shall be permitted access to wreckage, records, mail, or cargo in the AAID's custody.

(b) Wreckage, records, mail, and cargo in the AAID's custody shall be released when it is determined that the AAID has no further need of such wreckage, mail, cargo, or records.

19.180 NOTIFICATION OF AFFECTED STATES

(a) The investigator-in-charge shall ensure that the notifications of other States and the ICAO of the accident or incident and the instituting of the investigation.

(b) The collection and recording of information shall not be delayed to await the arrival of an accredited representative

19.185 FLIGHT RECORDERS: ACCIDENTS & INCIDENTS

(a) Effective use shall be made of flight recorders in the investigation of an accident or an incident. The investigator-in-charge shall arrange for the read-out of the flight recorders without delay.

(b) When during the conduct of an accident or incident investigation, the investigator-in-charge determines that adequate facilities to read out the flight recorders are not available in Rwanda, he may use the facilities made available to by other States, giving consideration to the following—

(1) The capabilities of the read-out facility;

(2) The timeliness of the read-out; and

(3) The location of the read-out facility.

(c) A Representative of the State of Manufacturer & State of the Operator should preferably be present during read-out of flight recorders.

(d) The flight data recorder and the cockpit voice recorder shall be read-out at the same facility.

19.190 COORDINATION AND COOPERATION WITH JUDICIAL AUTHORITIES

(a) The judicial authorities of Rwanda shall coordinate with the investigator-in-charge or his assigned representative during the conduct of an aircraft incident or accident investigation, so that the investigation is not impeded by administrative or judicial investigations or proceedings.

(b) The judicial authorities of Rwanda shall ensure support and access of the investigator-in-charge or his assigned representative during the conduct of an accident investigation.

(c) The cooperation between the judicial authorities of Rwanda and the investigator-in-charge or his assigned representative shall include any evidence which requires prompt recording and analysis for the investigation to be successful, such as the examination and identification of victims and read-outs of flight recorder recordings under authority of the investigator-in-charge.

(d) The judicial authorities of Rwanda shall ensure separation between investigations conducted under ICAO Annex 13 by the Aviation Accident and Incident Investigation Division (AAID) and those conducted by the judicial authorities.

19.195 INFORMING AVIATION SECURITY AUTHORITIES

(a) If, in the course of an investigation it becomes known, or it is suspected, that an act of unlawful interference was involved, the investigator-in-charge shall immediately initiate action to ensure that the aviation security authorities of the State(s) concerned are so informed.

19.200 FLOW & DISSEMINATION OF ACCIDENT OR INCIDENT INFORMATION

(a) Release of information during the field investigation, particularly at the accident scene, shall be limited to factual developments and shall be made only through the head of AAID.

(b) All information concerning the accident or incident obtained by any person or organisation participating in the investigation shall be passed to the investigator-in-charge through appropriate channels before being provided to any individual outside the investigation.

(c) Parties to the investigation may relay to their respective organisations information necessary for purposes of prevention or remedial action.

(d) However, no information concerning the accident or incident may be released to any person not a party representative to the investigation (including non-party representative employees of the party organisation) before initial release by the AAID without prior consultation and approval of the investigator-in-charge.

19.205 PROPOSED FINDINGS

(a) Any person, government agency, company, or association whose employees, functions, activities, or products were involved in an accident or incident under investigation may submit to the AAID written proposed findings to be drawn from the evidence produced during the course of the investigation, a proposed probable cause, and/or proposed safety recommendations designed to prevent future accidents.

(b) To be considered, these submissions must be received before the matter is calendared for consideration at a meeting chaired by the AAID. All written submissions are expected to have been presented to staff in advance of the formal scheduling of the meeting. This procedure ensures orderly and thorough consideration of all views.

19.210 NON-DISCLOSURE OF RECORDS

(a) During the conduct of an investigation of an accident or incident, no person may make the following records available for purposes other than accident or incident investigation, unless Attorney-General determines that their disclosure outweighs the adverse domestic and international impact such action may have on that or any future investigations—

(1) All statements taken from persons by the investigation authorities in the course of their investigation;

(2) All communications between persons having been involved in the operation of the aircraft;

(3) Medical or private information regarding persons involved in the accident or incident;

(4) Cockpit voice recordings and airborne image recordings and transcripts from such recordings;

(5) Recordings and transcriptions of recordings from air traffic control units; and

(6) Analysis of and opinions about information, including flight recorder information, made by the accident investigation authority and accredited representatives in relation to the accident or incident; and

(7) The draft Final Report of an accident or incident investigation.

(b) The AAID shall determine whether any other records obtained or generated by the investigation, as a part of an accident or incident investigation, need to be protected in the same way as the records listed in paragraph (a).

(c) These records shall be included in the final report or its appendices only when pertinent to the analysis of the accident or incident.

(d) Those records or parts of the records collected during the investigation but not deemed relevant to the analysis shall not be disclosed.

(e) The AAID shall not disclose names of the persons involved in the accident or incident to the public.

(f) The AAID shall ensure that requests for records in its custody or control are directed to the original source of the information, where available.

(g) The AAID shall retain, where possible, only copies of records obtained in the course of an investigation.

19.215 RE-OPENING OF THE INVESTIGATION

(a) If new and significant evidence becomes available after the investigation of an accident that occurred within the jurisdiction of Rwanda has been closed, the AAID shall re-open the investigation.

(b) If new and significant evidence becomes available to the AAID regarding an accident that occurred in another State, that evidence shall be transmitted to the appropriate authorities of the State which instituted the original investigation.

(c) If the AAID would like to re-open an investigation that was not instituted by the Government of Rwanda, the consent of appropriate authorities of the State which instituted the investigation

shall be obtained.

SUBPART F: RESPONSIBILITY OF RWANDA AS THE STATE OF OCCURRENCE

19.220 APPLICABILITY

(a) This Subpart is applicable to international obligations in the event of an accident or incident investigation where Rwanda is the State of Occurrence or the Investigating State.

19.225 NOTIFICATION OF OTHER STATES

(a) In situations where Rwanda is the State of Occurrence, the AAID shall ensure the forwarding of the notification of an accident or serious incident to be investigated within the context of this Part, with a minimum of delay and by the most suitable and quickest means available to—
   (1) The State of Registry;
   (2) The State of the Operator;
   (3) The State of Design;
   (4) The State of Manufacture; and
   (5) The International Civil Aviation Organisation, when the aircraft involved is of a maximum mass of over 2,250kg.

(b) In situations where Rwanda is the State of Registry and the AAID institutes the investigation of an accident or serious incident, the investigator-in-charge shall forward a notification in the format and content specified in Regulation 19.235, with a minimum of delay and by the most suitable and quickest means available, to the other States listed in paragraph (a).

(c) In situations where Rwanda is either the State of Registry or the State of the Operator, if it is determined that the civil aviation authorities of the State of Occurrence is not aware of a serious incident, the AAID shall forward a notification of such an incident to the—
   (1) State of Design;
   (2) State of Manufacture; and
   (3) State of Occurrence

19.230 FORMAT & CONTENT OF NOTIFICATION

(a) The notification shall be in plain language and contains as much of the following information as is readily available, but the notification process shall not be delayed due to the lack of complete information—
   (1) For accidents the identifying abbreviation ACCID, for serious incidents INCID;
   (2) Manufacturer, model, nationality and registration marks, and serial number of the aircraft;
   (3) Name of owner, operator and hirer, if any, of the aircraft;
   (4) Name of the pilot-in-command, and nationality of crew and passengers
   (5) Date and time (local time or UTC) of the accident or serious incident;
   (6) Last point of departure and point of intended landing of the aircraft;
   (7) Position of the aircraft with reference to some easily defined geographical point and latitude and longitude;
   (8) Number of crew and passengers; aboard, killed and seriously injured; others, killed and seriously injured;
   (9) Description of the accident or serious incident and the extent of damage to the aircraft so far as is known
   (10) An indication to what extent the investigation will be conducted or is proposed to be delegated by the State of Occurrence;
   (11) Physical characteristics of the accident or serious incident area, as well as an indication ofaccess difficulties or special requirements to reach the site;

(12) Identification of the originating authority and means to contact the investigator-in-charge and the accident investigation authority of the State of Occurrence at any time; and

(13) Presence and description of dangerous goods on board the aircraft.

19.235 LANGUAGE TO BE USED IN THE NOTIFICATION

(a) The notification shall be prepared in English, taking into account the language of the recipient(s), whenever it is possible to do so without causing undue delay.

19.240 ADDITIONAL RELEVANT INFORMATION

(a) As soon as it is possible to do so, the AAID shall dispatch the details omitted from the notification as well as other known relevant information to all applicable States.

19.245 EXPECTATIONS OF PARTICIPATION OF STATES

(a) The State of Registry, the State of the Operator, the State of Design and the State of Manufacture should acknowledge receipt of the notification of an accident or serious incident.

(b) If these acknowledgements do not occur in a timely fashion, the AAID will contact the civil aviation authorities of the States on an informal and individual basis.

(c) The State of Registry, the State of the Operator, the State of Design and the State of Manufacture are expected to appoint an accredited representative when specifically requested to do so by the State conducting the investigation of an accident to an aircraft over 2,250 kg. The participation of their representatives are encouraged for the usefulness of their presence and participation in the investigation.

19.250 EXPECTATIONS FOR INFORMATION FROM OTHER STATES

(a) Upon receipt of the notification, the State of Registry, the State of the Operator, the State of Design and the State of Manufacture should, as soon as possible, provide the AAID with any relevant information available to them regarding the aircraft and flight crew involved in the accident or serious incident.

(b) Upon receipt of the notification, the State of the Operator should, with a minimum of delay and by the most suitable and quickest means available, provide the AAID with details of dangerous goods on board the aircraft.

(c) Each State should also inform the AAID—

(1) Whether it intends to appoint an accredited representative; and

(2) If such an accredited representative is appointed, the name and contact details; as well as the expected date of arrival if the accredited representative will travel to Rwanda.

19.255 CONDUCT OF THE INVESTIGATION

(a) The AAID shall ensure that the conduct of the investigation is accomplished within the authority and limitations of Subpart E of this Part.

19.260 COORDINATION OF PARTICIPATION OF OTHER STATES

(a) The AAID shall ensure the proper coordination and participation of the representative, advisors and technical experts in accordance with the provisions of Subparts H and I.

19.265 TIMELY COMPLETION OF PERTINENT REPORTS

(a) The AAID shall ensure the timely and completeness of all required reports specified in Subpart J.

SUBPART G: RWANDA NOT BEING THE STATE OF OCCURRENCE

19.270 APPLICABILITY

(a) This Subpart is applicable to international obligations in the event of an accident or incident investigation where Rwanda is not the State of Occurrence, but is the—
  (1) State of Registry;
  (2) State of the Operator;
  (3) State of Manufacturer; and/or
  (4) State of Design

19.275 ACTIONS FOLLOWING RECEIPT OF NOTIFICATION

(a) The AAID shall acknowledge receipt of the notification of an accident or serious incident from the State of Occurrence.

(b) The AAID shall also inform the State of Occurrence—
  (1) Whether it intends to appoint an accredited representative; and
  (2) If such an accredited representative is appointed, the name and contact details; as well as
  (3) The expected date of arrival if the accredited representative will be present at the investigation.

(c) In situations where the State of Occurrence does not conduct an investigation, and does not delegate the investigation to another State or a regional accident and incident investigation organization, Rwanda, as the State of Registry, the State of the Operator, the State of Design or the State of Manufacture shall request in writing the State of Occurrence to delegate the conducting of such investigation. If the State of Occurrence gives express consent, AAID shall institute and conduct the investigation with such information as is available.

19.280 TIMELY PROVISION OF RELEVANT INFORMATION

(a) Upon receipt of the notification, the AAID shall, upon request, provide the State of Occurrence with any relevant information available to them regarding the flight crew and the aircraft involved in the accident or serious incident.

(b) Upon receipt of the notification, the AAID shall, with a minimum of delay and by the most suitable and quickest means available, provide the State of Occurrence with details of dangerous goods on board the aircraft.

19.285 PROVISION OF ADDITIONAL INFORMATION

(a) The AAID shall, on request from the State conducting the investigation of an accident or an incident, provide that State with all the relevant information available to the AAID.

(b) The AAID shall, when the facilities or services of Rwanda have been, or would normally have been, used by an aircraft prior to an accident or an incident, and if it has information pertinent to the investigation, shall provide such information to the State conducting the investigation.

19.290 PROTECTION & PROVISION OF FLIGHT RECORDER RECORDS

(a) When an aircraft involved in an accident or a serious incident lands in Rwanda, the AAID shall, on request from the State conducting the investigation, furnish the latter State with the—
  (1) Flight recorder records; and
  (2) If necessary, the associated flight recorders.

19.295 PROVISION OF RELATED ORGANISATION INFORMATION

(a) The AAID shall, on request from the State conducting the investigation, provide pertinent information on any organisation whose activities may have directly or indirectly influenced the

operation of the aircraft.

19.300 REQUIRED APPOINTMENT OF AN ACCREDITED REPRESENTATIVE

(a) When the State conducting an investigation of an accident to an aircraft of a maximum mass of over
2,250 kg specifically requests participation of Rwanda, the AAID shall appoint an accredited representative.

19.305 ACTION ON SAFETY RECOMMENDATIONS

(a) When the AAID receives proposed safety recommendations from another State based on an accident or incident investigation, an evaluation of the proposals shall be conducted.

(b) Following that evaluation, the AAID shall inform the proposing State of the—
  (1) Preventive action taken or under consideration; or
  (2) Reasons why no action will be taken; or
  (3) Alternative proposals for preventive action other than the original safety recommendations.

SUBPART H: RIGHT OF PARTICIPATION IN INVESTIGATION

19.310 APPLICABILITY

(a) This Subpart provides the requirements for allowing the participation of accredited representatives, their advisors and other experts to assist in the accident investigation, reports and safety recommendations.

(b) The investigator-in-charge will ensure that these persons are included in the accident and incident investigation to the extent of their entitlement.

19.315 STATES ENTITLED TO APPOINT AN ACCREDITED REPRESENTATIVE

(a) The following States are entitled to appoint an accredited representative to participate in an accident or incident investigation conducted by the AAID—
  (1) The State of Registry;
  (2) The State of the Operator;
  (3) The State of Design; and
  (4) The State of Manufacture.

(b) The State that designed or manufactured the powerplant or major components of the aircraft shall also be invited to appoint an accredited representative for participation in the investigation of an accident.

(c) Any State which on request provides information, facilities or experts to the AAID shall be entitled to appoint an accredited representative to participate in the investigation.

(d) Any State that provides an operational base for field investigations, or is involved in search and rescue or wreckage recovery operations, or is involved as a State of a code-share or alliance partner of the operator, shall also be invited to appoint an accredited representative to participate in the investigation.

19.320 ADDITIONAL INVITED PARTICIPANTS

(a) If neither the State of Registry, nor the State of the Operator appoint an accredited representative, the AAID shall invite the operator to participate, subject to the procedures of the AAID.

(b) When neither the State of Design nor the State of Manufacture appoint an accredited representative, the AAID shall invite the organisations responsible for the type design and the final assembly of the aircraft to participate, subject to the procedures of the AAID.

19.325 APPOINTMENT OF ADVISORS TO THE ACCREDITED REPRESENTATIVES

(a) The State of Registry or the State of the Operator may appoint one or more advisors, proposed by the operator, to assist its accredited representative.

(b) The State of Design and the State of Manufacture shall be entitled to appoint one or more advisors, proposed by the organisations responsible for the type design and the final assembly of the aircraft, to assist their accredited representatives.

19.330 STATES WITH FATALITIES OR SERIOUS INJURIES TO ITS CITIZENS

(a) A State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall, upon making a request to do so, be permitted by the AAID to appoint an expert who shall be entitled to—

(1) Visit the scene of the accident;
(2) Have access to the relevant factual information;
(3) Participate in the identification of the victims;
(4) Assist in questioning surviving passengers who are citizens of the expert's State; and
(5) Receive a copy of the Final Report.

SUBPART I: ENTITLEMENT OF ACCREDITED REPRESENTATIVES

19.335 APPLICABILITY

(a) This Subpart provides the requirements that will be applied to the accredited representatives that participate in the investigation of aircraft accidents and incidents in Rwanda.

(b) The investigator-in-charge shall ensure that these accredited representatives are accorded the appropriate entitlements.

19.340 ACCREDITED REPRESENTATIVES & THEIR ADVISORS

(a) A State entitled to appoint an accredited representative shall also be entitled to appoint one or more advisors to assist the accredited representative in the investigation.

(b) . A State participating in an investigation may call upon the best technical experts from any source and appointing such experts as advisors to its accredited representative.

(c) Advisors assisting accredited representatives shall be permitted, under the accredited representatives' supervision, to participate in the investigation to the extent necessary to enable the accredited representatives to make their participation effective.

19.345 PARTICIPATION

(a) The accredited representatives, their advisors and other invited participants may participate in all aspects of the investigation, under the control of the investigator-in-charge, in particular to—

(1) Visit the scene of the accident;
(2) Examine the wreckage;
(3) Obtain witness information and suggest areas of questioning;
(4) Have full access to all relevant evidence as soon as possible;
(5) Receive copies of all pertinent documents;
(6) Participate in read-outs of recorded media;
(7) Participate in off-scene investigative activities such as component examinations, technical briefings, tests and simulations;
(8) Participate in investigation progress meetings including deliberations related to analysis, findings, causes and safety recommendations; and
(9) Make submissions in respect of the various elements of the investigation.

(b) However, participation of States other than the State of Registry, the State of the Operator, the State of Design and the State of Manufacture may be limited to those matters which entitled such States to participation under Regulation 19.335.

19.350 PROCEDURES

(a) All participants in the accident or incident investigation, or part thereof, shall be subject to the restrictions and procedures of AAID, as administered by the investigator-in-charge.

19.355 LIMITS TO ENTITLEMENT

(a) Nothing in this Part precludes the AAID from extending participation beyond the entitlement enumerated herein.

(b) The pertinent documents shall also include documents such as the reports on examinations of components or studies performed within the framework of the investigation.

19.360 OBLIGATIONS

(a) Accredited representatives and their advisors—
  (1) Should provide the AAID with all relevant information available to them; and
  (2) Shall not divulge information on the progress and the findings of the investigation without the express consent of the AAID.

(b) Nothing in paragraph (a) precludes prompt release of facts when authorised by the investigator-in-charge of the investigation, nor does this Regulation preclude accredited representatives from reporting to their respective States in order to facilitate appropriate safety actions.

SUBPART J: ACCIDENT REPORTS

19.365 APPLICABILITY

(a) This Subpart is applicable to the completion, editing and distribution of the reports that are required in the accident and serious incident investigation process.

Subdivision I: General

19.370 SAFETY OF FLIGHT

(a) When matters directly affecting safety are determined to be involved in an accident or serious incident, the AAID shall forward that information, including interim safety recommendations, to the appropriate States and ICAO—
  (1) As soon as the information is available; and
  (2) By the most suitable and quickest means available.

19.375 LANGUAGE

(a) All notifications and reports by the AAID during the course of accident and incident investigation shall be submitted to appropriate States and to the ICAO in English.

19.380 RELEASE OF INFORMATION: CONSENT

(a) No person may circulate, publish or give access to a draft report or any part thereof, or any documents obtained during an investigation of an accident or incident, without the express consent of the AAID, unless such reports or documents have already been published or released by the AIID on behalf of the government of Rwanda.

Subdivision II: Preliminary Report

19.385 REQUIRED REPORT

(a) During the investigation of an aircraft accident or serious incident, the AAID shall complete a Preliminary Report outlining the facts, observations and findings of the investigators at the time of the report.

19.390 ACCIDENTS TO AIRCRAFT OVER 2,250 KG

(a) When an aircraft involved in an accident is of a maximum mass of over 2,250 kg, the AAID shall send the Preliminary Report to—
  (1) The State of Registry;
  (2) The State of the Operator;
  (3) The State of Design;
  (4) The State of Manufacture;
  (5) Any State that provided relevant information, significant facilities or experts; and
  The International Civil Aviation Organisation.

19.395 ACCIDENTS TO AIRCRAFT OF 2,250 KG OR LESS

(a) When an aircraft, with a maximum mass of 2,250 kg or less, is involved in an accident and when airworthiness or matters considered to be of interest to other States are involved, the AAID shall forward the Preliminary Report to—
  (1) The State of Registry;
  (2) The State of the Operator;
  (3) The State of Design;
  (4) The State of Manufacture; and
  (5) Any State that provided relevant information, significant facilities or experts.

19.400 TIMELY SUBMISSION OF THE PRELIMINARY REPORT

(a) The AAID shall send the Preliminary Report by facsimile, e-mail, or airmail within thirty days of the date of the accident or incident, unless the Accident or Incident Data Report has already been sent by that time.

Subdivision III: Accident or Incident Data Report

19.405 REQUIRED REPORT

(a) During the investigation of an aircraft accident or serious incident, the AAID shall complete an Accident or Incident Data Report in the form and manner prescribed by ICAO.

19.410 ACCIDENTS TO AIRCRAFT OVER 2,250 KG

(a) When the aircraft involved in an accident is of a maximum mass of over 2,250 kg, the AAID shall send, as soon as practicable after the investigation, the Accident Data Report to ICAO.

19.415 ADDITIONAL INFORMATION

(a) The AAID shall, upon request, provide other States with pertinent information additional to that made available in the Accident/Incident Data Report.

19.420 INCIDENTS TO AIRCRAFT OVER 5,700 KG

(a) When the AAID conducts an investigation into an incident to an aircraft of a maximum mass of over 5,700 kg, the Incident Data Report shall be sent to the ICAO as soon as practicable after the investigation.

Subdivision IV: Final Report

19.425 REQUIRED REPORT

(a) During the investigation of an aircraft accident or serious incident, the investigator-in-charge shall ensure the drafting, coordination and completion of a Final Report of that investigation in sufficient detail for analysis by the AAID, other States and ICAO.

(b) The format of the Final Report in Appendix 1 of current edition of ICAO Annex 13 shall be used. However, it may be adapted to the circumstances of the accident or incident.

19.430 CONSULTATION WITH OTHER STATES

(a) The AAID shall send a copy of the draft Final Report to the State that instituted the investigation and to all States that participated in the investigation, inviting their significant and substantiated comments on the report as soon as possible.

(b) The draft Final Report of the investigation shall be sent for comments to—

(1) The State of Registry;
(2) The State of the Operator;
(3) The State of Design; and
(4) The State of Manufacture.

(c) When sending the draft Final Report to recipient States, the AAID shall use the most suitable and quickest means available, such as facsimile, email, courier service or express mail.

19.435 INVITING COMMENTS FROM OTHER INTERESTED PARTIES

(a) The AAID shall also send, through the State of the Operator, a copy of the draft Final Report to the operator to enable the operator to submit comments on the draft Final Report.

(b) The AAID shall send, through the State of Design and the State of Manufacture, a copy of the draft Final Report to the organisations responsible for the type design and the final assembly of the aircraft to enable them to submit comments on the draft Final Report.

(c) The facility at which the flight recorders are read out on behalf of the AAID will be given the opportunity to comment on the draft Final Report to ensure that the characteristics of the flight recorder analysis have been adequately taken into account.

19.440 PROCESSING OF TIMELY COMMENTS

(a) If the AAID receives comments within sixty days of the date of the transmittal letter, it shall either —

(1) Amend the draft Final Report to include the substance of the comments received; or
(2) If desired by the State that provided comments, append the comments to the Final Report.

(b) If the AAID receives no comments within sixty days of the date of the first transmittal letter, it shall issue the Final Report, unless an extension of that period has been agreed by the States concerned.

(c) During the course of the investigation, the AAID may consult with other States, such as those States which provided relevant information, significant facilities, or experts who participated in the investigation.

(d) Comments to be appended to the Final Report are restricted to non-editorial-specific technical aspects of the Final Report upon which no agreement could be reached.

19.445 RECIPIENT STATES

(a) The AAID shall send the Final Report of the investigation of an accident with a minimum of delay by the State conducting the investigation to—

(1) The State that instituted the investigation;
(2) The State of Registry;

(3) The State of the Operator;
(4) The State of Design;
(5) The State of Manufacture;
(6) Any State having suffered fatalities or serious injuries to its citizens; and
(7) Any State that provided relevant information, significant facilities or experts.

19.450 RELEASE OF THE FINAL REPORT

(a) In the interest of accident prevention, the AAID shall release the Final Report of an accident or serious incident as soon as possible.

(b) The AAID shall release the Final Report in the shortest possible time and, if possible, within twelve months of the date of the occurrence.

(c) If the report cannot be released within twelve months, the AAID shall release an interim report on each anniversary of the occurrence, detailing the progress of the investigation and any safety issues raised.

(d) When the AAID has released a Final Report of an investigation into an accident or an incident involving an aircraft of a maximum mass of over 5,700 kg, it shall send a copy of that report to the ICAO.

(e) Where Rwanda is not the State of Occurrence, and the State conducting the investigation does not make the Final Report or an interim statement publicly available within a reasonable timeframe, Rwanda, as State participating in the investigation may request in writing from the State conducting the investigation express consent to release a statement containing safety issues raised with such information as is available. If the State conducting the investigation gives express consent or does not reply to such a request within 30 days, Rwanda may release such a statement after coordinating with participating States.

19.455 SAFETY RECOMMENDATIONS

(a) At any stage of the investigation of an accident or incident, investigator-in-charge conducting the investigation shall recommend to the appropriate authorities, including those in other States, any preventive action that it considers necessary to be taken promptly to enhance aviation safety.

(b) The AAID shall address, when appropriate, any safety recommendations arising out of its investigations to the accident investigation authorities of other State(s) concerned.

(c) In the interest of safety, Rwanda, as the State participating in the investigation shall be entitled to issue safety recommendations after coordinating with the State conducting the investigation. *Note. — Effective coordination of draft safety recommendations would avoid issuance of conflicting safety recommendations by the States participating in the investigation.*

19.460 WHEN ICAO DOCUMENTS ARE INVOLVED

(a) The AAID shall address, when appropriate, any safety recommendations arising out of its investigations to ICAO, when ICAO documents are involved.

(b) When Final Reports contain safety recommendations addressed to ICAO, because ICAO documents are involved, the AAID shall ensure that these reports must be accompanied by a letter outlining the specific action proposed.

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SUBPART K: MILITARY AIRCRAFT

19.465 INVESTIGATIONS INVOLVING MILITARY AIRCRAFT OPERATING ON CIVIL AERODROME

(a) This Regulation shall apply to any accident or incident—

(1) involving a military aircraft during a flying display; or

(2) occurring while a military aircraft was on, in the course of taking off from or landing on, an aerodrome controlled by the civil aerodromes in Rwanda.

(b) In case of an investigation into an accident or incident referred to in paragraph (a) (1), matters relating to discipline or internal administration of the Rwanda Defence Forces, which are more appropriate for investigation by some other person or body, may arise. If it appears to the investigator-in-charge from AAID that, apart from such matters, the investigation is completed, that investigation may be treated as accomplished without such matters being investigated under these Regulations.

(c) Where an investigation of matters relating to the discipline or internal administration of the Rwanda Defence Forces has not been carried out by virtue of paragraph (a)(2), the report of the investigation into the accident or incident shall state the matters to which the investigation has not been extended.

SUBPART L: ACCIDENT PREVENTION MEASURES

19.470 Database and preventive actions

(a) The AAID shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies and to determine any preventive actions required.

(b) All entities responsible for the implementation of the Rwanda State Safety Programme shall have access to the accident and incident database referenced in paragraph (a) to support their safety responsibilities.

(c) Any safety recommendations addressed to an organization in another State, they shall also be transmitted to that State's investigation authority.

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APPENDICES

APPENDIX 1 TO 19.070: MANDATORY REPORTS: AIRCRAFT FLIGHT OPERATIONS

(a) **Occurrences during operations of an aircraft** that involve—

(1) Avoidance manoeuvres—

(i) Risk of collision with another aircraft, terrain or other object or an unsafe situation when avoidance action would have been appropriate;

(ii) An avoidance manoeuvre required to avoid a collision with another aircraft, terrain or other object;

(iii) An avoidance manoeuvre to avoid other unsafe situations.

(2) Take-off or landing incidents, including precautionary or forced landings. Incidents such as—

(i) Under-shooting, overrunning or running off the side of runways

(ii) Take-offs, rejected take-offs, landings or attempted landings on a closed, occupied or incorrect runway; and

(iii) Runway incursions.

(3) Inability to achieve predicted performance during take-off or initial climb.

(4) Critically low fuel quantity or inability to transfer fuel or use total quantity of usable fuel.

(5) Loss of control (including partial or temporary) regardless of cause.

(6) Occurrences close to or above V1 resulting from or producing a hazardous or potentially hazardous situation (e.g. rejected take-off, tail strike, engine-power loss etc.).

(7) Go around producing a hazardous or potentially hazardous situation.

(8) Unintentional significant deviation from airspeed, intended track or altitude (more than 300 ft) regardless of cause.

(9) Descent below decision height/altitude or minimum descent height/altitude without the required visual reference.

(10) Loss of position awareness relative to actual position or to other aircraft.

(11) Breakdown in communication between flight crew "CRM" (crew resource management) or between flight crew and other parties (cabin crew, ATC [air traffic control] engineering).

(12) Heavy landing - a landing deemed to require a "heavy landing check".

(13) Exceedance of fuel imbalance limits.

(14) Incorrect setting of an "SSR" (secondary surveillance radar) code or of an altimeter subscale.

(15) Incorrect programming of, or erroneous entries into, equipment used for navigation or performance calculations, or use of incorrect data.

(16) Incorrect receipt or interpretation of radio-telephony messages.

(17) Fuel system malfunctions or defects, which had an effect on fuel supply and/or distribution.

(18) Aircraft unintentionally departing from a paved surface.

(19) Collision between an aircraft and any other aircraft, vehicle or other ground object.

(20) Inadvertent and/or incorrect operation of any controls.

(21) Inability to achieve the intended aircraft configuration for any flight phase (e.g. landing gear and gear doors, flaps, stabilisers, slats etc.).

(22) A hazard or potential hazard which arises as a consequence of any deliberate simulation of failure conditions for training, system checks or training purposes.

(23) Abnormal vibration.

(24) Operation of any primary warning system associated with manoeuvring the aircraft, such as a configuration warning, stall warning (stick shaker), over-speed warning etc. unless—

(i) The crew conclusively established that the indication was false and provided that the false warning did not result in difficulty or hazard arising from the crew response to the warning; or

(ii) Operated for training or test purposes.

(25) "GPWS" (ground proximity warning system)/"TAWS" (terrain awareness and warning system) "warning" when—

(i) The aircraft comes into closer proximity to the ground than had been planned or anticipated; or

(ii) The warning is experienced in instrument meteorological conditions or at night and is established as having been triggered by a high rate of descent (mode 1); or

(iii) The warning results from failure to select landing gear or landing flaps by the appropriate point on the approach (mode 4); or

(iv) Any difficulty or hazard arises or might have arisen as a result of crew response to the "warning" e.g. possible reduced separation from other traffic. This could include warning of any mode or type i.e. genuine, nuisance or false.

(26) GPWS/TAWS "alert" when any difficulty or hazard arises or might have arisen as a result of crew response to the "alert".

(27) "ACAS" (air collision advisory system) "RA"s (resolution advisories).

(28) Jet or prop blast incidents resulting in significant damage or serious injury.

(29) Landing at the wrong aerodrome.

(b) **Occurrences resulting in emergencies**, including—

(1) Fire, explosion, smoke or toxic or noxious fumes, even though fires were extinguished.

(2) The use of any non-standard procedure by the flight or cabin crew to deal with an emergency when—

(i) The procedure exists but is not used;

(ii) The procedure does not exist;

(iii) The procedure exists but is incomplete or inappropriate;

(iv) The procedure is incorrect;

(v) The incorrect procedure is used.

(3) Inadequacy of any procedures designed to be used in an emergency, including when being used for maintenance, training or test purposes.

(4) An event leading to an emergency evacuation.

(5) Depressurisation.

(6) The use of any emergency equipment or prescribed emergency procedures in order to deal with a situation.

(7) An event leading to the declaration of an emergency ("Mayday" or "PAN-PAN").

(8) Failure of any emergency system or equipment, including all exit doors and lighting, to perform satisfactorily, including when being used for maintenance, training or test purposes.

(9) Events requiring any use of emergency oxygen by any crew member.

(c) **Occurrences involving crew incapacitation, including—**

(1) Incapacitation of any member of the flight crew, including that which occurs prior to departure if it is considered that it could have resulted in incapacitation after take-off.

(2) Incapacitation of any member of the cabin crew which renders them unable to perform essential emergency duties.

(d) **Occurrences involving Injury,** including any occurrences which have or could have led to significant injury to passengers or crew but which are not considered reportable as an accident.

(e) **Occurrences related to meteorology,** including–

(1) A lightning strike which resulted in damage to the aircraft or loss or malfunction of any essential service.

(2) A hail strike which resulted in damage to the aircraft or loss or malfunction of any essential servic

(3) Severe turbulence encounter, an encounter resulting in injury to occupants or deemed to require a "turbulence check" of the aircraft.
(4) A windshear encounter.
(5) Icing encounter resulting in handling difficulties, damage to the aircraft or loss or malfunction of any essential service.

(f) **Security occurrences**, including—
(1) Unlawful interference with the aircraft including a bomb threat or hijack.
(2) Difficulty in controlling intoxicated, violent or unruly passengers.
(3) Discovery of a stowaway.

(g) **Other occurrences,** including—
(1) Repetitive instances of a specific type of occurrence which in isolation would not be considered "reportable" but which due to the frequency with which they arise, form a potential hazard.
(2) A bird strike which resulted in damage to the aircraft or loss or malfunction of any essential service.
(3) Wake-turbulence encounters.
(4) Any other occurrence of any type considered to have endangered or which might have endangered the aircraft or its occupants on board the aircraft or persons on the ground.

APPENDIX 2 TO 19.070: MANDATORY REPORTS: AIRCRAFT TECHNICAL

(a) **Structural occurrences**, including—

Note: Not all structural failures need to be reported. Engineering judgment is required to decide whether a failure is serious enough to be reported. The following examples can be taken into consideration:

(1) Damage to a "PSE" (principal structural element) that has not been designated as damage-tolerant (life-limited element). PSEs are those which contribute significantly to carrying flight, ground, and pressurisation loads, and the failure of which could result in a catastrophic failure of the aircraft;
(2) Defect or damage exceeding admissible damages to a PSE that has been designated as damage-tolerant;
(3) Damage to or defect exceeding allowed tolerances of a structural element, the failure of which could reduce the structural stiffness to such an extent that the required flutter, divergence or control reversal margins are no longer achieved;
(4) Damage to or defect of a structural element, which could result in the liberation of items of mass that may injure occupants of the aircraft;
(5) Damage to or defect of a structural element, which could jeopardise proper operation of systems.
(6) Loss of any part of the aircraft structure in flight.

(b) **Aircraft systems occurrences,** including—
(1) Loss, significant malfunction or defect of any system, subsystem or set of equipment when standard operating procedures, drills etc. could not be satisfactorily accomplished;
(2) Inability of the crew to control the system, including—
(i) Uncommanded actions,
(ii) Incorrect and/or incomplete response, including limitation of movement or stiffness,
(iii) Runaway,
(iv) Mechanical disconnection or failure;
(3) Failure or malfunction of the exclusive function(s) of the system (one system could integrate several functions);
(4) Interference within or between systems;
(5) Failure or malfunction of the protection device or emergency system associated with the system;
(6) Loss of redundancy of the system;

(7) Any occurrence resulting from unforeseen behaviour of a system.
(8) For aircraft types with single main systems, subsystems or sets of equipment, loss, significant malfunction or defect in any main system, subsystem or set of equipment.
(9) For aircraft types with multiple independent main systems, subsystems or sets of equipment, the loss, significant malfunction or defect of more than one main system, subsystem or set of equipment.
(10) Operation of any primary warning system associated with aircraft systems or equipment unless the crew conclusively established that the indication was false, provided that the false warning did not result in difficulty or hazard arising from the crew response to the warning;
(11) Leakage of hydraulic fluids, fuel, oil or other fluids which resulted in a fire hazard or possible hazardous contamination of aircraft structure, systems or equipment, or risk to occupants;
(12) Malfunction or defect of any indication system when this results in the possibility of misleading indications to the crew;
(13) Any failure, malfunction or defect if it occurs at a critical phase of the flight and is relevant to the system operation;
(14) Significant shortfall of the actual performances compared to the approved performance which resulted in a hazardous situation (taking into account the accuracy of the performance-calculation method) including braking action, fuel consumption etc.;
(15) Asymmetry of flight controls; e.g. flaps, slats, spoilers etc.

(c) **Propulsion (including engines, propellers and rotor systems) and APUs (auxiliary power units)—**

(1) Flameout, shutdown or malfunction of any engine.
(2) Overspeed or inability to control the speed of any high-speed rotating component (for example: APU, air starter, air cycle machine, air turbine motor, propeller or rotor).
(3) Failure or malfunction of any part of an engine or powerplant resulting in any one or more of the following—
  (i) Non-containment of components/debris;
  (ii) Uncontrolled internal or external fire, or hot gas breakout;
  (iii) Thrust in a direction different from that demanded by the pilot;
  (iv) Thrust-reversing system failing to operate or operating inadvertently;
  (v) Inability to control power, thrust or revolutions per minute;
  (vi) Failure of the engine mount structure;
  (vii) Partial or complete loss of a major part of the powerplant;
  (viii) Dense visible fumes or concentrations of toxic products sufficient to incapacitate crew or passengers;
  (ix) Inability, by use of normal procedures, to shutdown an engine;
  (x) Inability to restart a serviceable engine.
  (xi) An uncommanded thrust/power loss, change or oscillation which is classified as a "LOTC" (loss of thrust or power control)—
  (xii) For a single-engine aircraft; or
  (xiii) Where it is considered excessive for the application; or
  (xiv) Where this could affect more than one engine in a multi-engine aircraft, particularly in the case of a twin-engine aircraft; or
  (xv) For a multi-engine aircraft where the same, or similar, engine type is used in an application where the event would be considered hazardous or critical.
(4) Any defect in a life-controlled part causing its withdrawal before completion of its full life.
(5) Defects of common origin which could cause an in-flight shut-down rate so high that there is the possibility of more than one engine being shut down on the same flight.
(6) An engine limiter or control device failing to operate when required or operating inadvertently.
(7) Exceedance of engine parameters.
(8) "FOD" (foreign objects damage).
(9) Propellers and transmission

(d) **Occurrences involving rotors and transmissions**, including—

(1) Failure or malfunction of any part of a propeller or powerplant resulting in any one or more of the following—

(i) An overspeed of the propeller;
(ii) The development of excessive drag;
(iii) A thrust in the opposite direction to that commanded by the pilot;
(iv) A release of the propeller or any major portion of the propeller;
(v) A failure that results in excessive imbalance;
(vi) The unintended movement of the propeller blades below the established minimum in-flight low-pitch position;
(vii) An inability to feather the propeller;
(viii) An inability to change propeller pitch;
(ix) An uncommanded change in pitch;
(x) An uncontrollable torque or speed fluctuation;
(xi) The release of low-energy parts.

(2) Damage or defect of main rotor gearbox/attachment which could lead to in-flight separation of the rotor assembly and/or malfunctions of the rotor control.

(3) Damage to tail rotor, transmission and equivalent systems.

(e) **Occurrences involving APUs**, including—

(1) Shut down or failure when the APU is required to be available by operational requirements, e.g. ETOPS, "MEL" (minimum equipment list).
(2) Inability to shut down the APU.
(3) Overspeed.
(4) Inability to start the APU when needed for operational reasons.

(f) **Human factors occurrences,** including any incident where any feature or inadequacy of the aircraft design could have led to an error of use that could contribute to a hazardous or catastrophic effect.

(g) **Other aircraft technical occurrences**, including—

(1) Any incident where any feature or inadequacy of the aircraft design could have led to an error of use that could contribute to a hazardous or catastrophic effect.
(2) An occurrence not normally considered as reportable (e.g., furnishing and cabin equipment, water systems), where the circumstances resulted in endangering the aircraft or its occupants.
(3) A fire, explosion, smoke or toxic or noxious fumes.
(4) Any other event which could endanger the aircraft, or affect the safety of the occupants of the aircraft, or people or property in the vicinity of the aircraft or on the ground.
(5) Failure or defect of passenger address system resulting in loss of, or inaudible, passenger address system.
(6) Loss of pilot seat control during flight.

APPENDIX 3 TO 19.070: MANDATORY REPORTS: AIR NAVIGATION OCCURRENCES

(a) **Near collision incidents** (encompassing specific situations where one aircraft and another aircraft/the ground/a vehicle/person or object are perceived to be too close to each other)—

(1) Separation minima infringement;
(2) Inadequate separation;
(3) "Near-CFIT" (near-controlled flight into terrain);
(4) Runway incursion where avoiding action was necessary.

(b) **Potential for collision or near collision** (encompassing specific situations having the potential to be an accident or a near collision, if another aircraft is in the vicinity)—

(1) Runway incursion where no avoiding action is necessary;
(2) Runway excursion;

(3) Aircraft deviation from ATC clearance;

(4) Aircraft deviation from applicable "ATM" (air traffic management) regulation—

(i) Aircraft deviation from applicable published ATM procedures;

(ii) Unauthorised penetration of airspace;

(iii) Deviation from aircraft ATM-related equipment carriage and operations, as mandated by applicable regulation(s).

(c) **ATM-specific occurrences** (encompassing those situations where the ability to provide safe ATM services is affected, including situations where, by chance, the safe operation of aircraft has not been jeopardised. This shall include the following occurrences—

(1) Inability to provide ATM services:

(i) inability to provide air traffic services;

(ii) inability to provide airspace management services;

(iii) inability to provide air traffic flow management services;

(2) Failure of Communication function;

(3) Failure of Surveillance function;

(4) Failure of Data Processing and Distribution function;

(5) Failure of Navigation function

(6) ATM system security.

(7) Examples of include—

(i) Provision of significantly incorrect, inadequate or misleading information from any ground sources, e.g. ATC, "ATIS" (automatic terminal information service), meteorological services, navigation databases, maps, charts, manuals, etc.

(ii) Provision of less than prescribed terrain clearance.

(iii) Provision of incorrect pressure reference data (i.e. altimeter setting).

(iv) Incorrect transmission, receipt or interpretation of significant messages when this results in a hazardous situation.

(v) Separation minima infringement.

(vi) Unauthorised penetration of airspace.

(vii) Unlawful radio communication transmission.

(viii) Failure of ANS ground or satellite facilities.

(ix) Major ATC/ATM failure or significant deterioration of aerodrome infrastructure.

(x) Aerodrome movement areas obstructed by aircraft, vehicles, animals or foreign objects, resulting in a hazardous or potentially hazardous situation.

(xi) Errors or inadequacies in marking of obstructions or hazards on aerodrome movement areas resulting in a hazardous situation.

(xii) Failure, significant malfunction or unavailability of aerodrome lighting.

(d) "ATC" (air traffic control) Navigation and Communications - significant malfunction or deterioration of service.

(e) An aircraft was or could have been endangered by impairment of any member of ground staff (e.g. ATC, "FD" (flight dispatchers), Maintenance, etc.).

(f) ATC overload.

(g) Failure or unplanned shutdown of a major operational ATC computer system, requiring reversion to manual back-up and resulting in disruption to the normal flow of air traffic.

END OF RCAR PART 19

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XX W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XX TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XX A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 20

Foreign Operators

SUBPART A: GENERAL 3
20.001 CITATION & APPLICABILITY 3
20.005 DEFINITIONS 3
20.010 ACRONYMS & ABBREVIATIONS 4
20.015 CONFORMANCE TO APPLICABLE REQUIREMENTS 4

SUBPART B: SAFETY OVERSIGHT OF FOREIGN OPERATORS 4
20.020 APPLICABILITY 4
20.025 PROGRAM OF INSPECTIONS 4
20.030 AUTHORITY TO INSPECT 4
20.050 NOTIFICATION OF NON-COMPLIANCE 6

SUBPART C: CONFORMANCE TO ICAO STANDARDS 6
20.055 APPLICABILITY 6
20.060 INTERNATIONAL AIRCRAFT REGISTRATION STANDARDS 6
20.065 INTERNATIONAL AIRWORTHINESS STANDARDS 6
20.070 INTERNATIONAL NOISE & ENVIRONMENT STANDARDS 6
20.075 INTERNATIONAL PERSONNEL LICENSING STANDARDS 6
20.080 INTERNATIONAL SECURITY STANDARDS 7
20.085 INTERNATIONAL DANGEROUS GOODS STANDARDS 7
20.090 INTERNATIONAL RULES OF THE AIR STANDARDS 7
20.095 INTERNATIONAL GENERAL AVIATION STANDARDS 7
20.100. INTERNATIONAL COMMERCIAL AIR TRANSPORT STANDARDS 7
20.105. RESTRICTIONS REGARDING COMMERCIAL AIR TRANSPORT 8
20.107. AERIAL WORK OPERATIONS BY FOREIGN OPERATORS 8

SUBPART D: REQUIRED NOTIFICATIONS 8
20.110. APPLICABILITY 8
20.115. OPERATIONAL DIFFERENCES TO ICAO STANDARDS 8
20.120.DANGEROUS GOODS NOTIFICATION 9
20.125.BASING A FOREIGN-REGISTERED AIRCRAFT IN RWANDA 9

SUBPART E: DOCUMENTS TO BE CARRIED & RETAINED 9
20.130.APPLICABILITY 9
20.135 DOCUMENTS TO BE CARRIED ON AIRCRAFT: ALL OPERATIONS 9
20.140. ADDITIONAL DOCUMENTS APPLICABLE TO INTERNATIONAL FLIGHTS 10
20.145.ADDITIONAL DOCUMENT REQUIREMENTS : COMMERCIAL AIR TRANSPORT 10
20.150. RETENTION OF AIR OPERATOR RECORDS 10

SUBPART F: FOREIGN AIR OPERATORS 11
20.155. APPLICABILITY 11
20.160. MINIMUM STANDARDS FOR COMPLIANCE 11
20.165. GENERAL REQUIREMENTS FOR APPLICATION 11
20.170. CONDITIONS FOR THE ISSUANCE 12
20.175. OPERATIONS SPECIFICATIONS 12
20.180.CONTINUED VALIDITY OF OPERATIONS 12

SUBPART G: SECURITY 13
20.185. APPLICABILITY 13
20.190. AIRCRAFT SECURITY 13

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SUBPART A: GENERAL

20.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (Foreign Operators) Regulations.

(b) This Part prescribes requirements applicable to the operations in the Republic of Rwanda—

(1) Of any foreign-registered civil aircraft operated by a foreign citizen who holds Rwanda economic authority but does not hold resident status in Rwanda; or

(2) Involving in scheduled commercial air transport by a foreign air operator.

20.005 DEFINITIONS

(a) For the purpose of this Part, the following definitions shall apply—

Aeroplane flight manual. A manual, associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the aeroplane.

Air operator certificate. A certificate authorizing an operator to carry out specified commercial air transport operations.

Aircraft operating manual. A manual, acceptable to the State of the Operator, 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

Authority. Rwanda Civil Aviation Authority.

Cabotage. An operation involving flights in commercial air transport which enplaned passenger at one aerodrome in Rwanda and deplaned those same passengers at another aerodrome in Rwanda.

Commercial air transport operation. An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

Foreign air operator. Any operator, not being an air operator holding an Air Operator Certificate issued by Rwanda, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of Rwanda, whether on a scheduled or charter basis.

Foreign Operator. A foreign person, organisation or enterprise engaged in or offering to engage in an operation in Rwanda with foreign registered aircraft.

Foreign person. A person that is not a citizen or legal resident of Rwanda

General aviation operation. An aircraft operation other than a commercial air transport operation or an aerial work operation.

Minimum equipment list. 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 Master Minimum Equipment List (MMEL) established for the aircraft type.

Operations manual. A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.

Personal possession. The use of this phrase indicates that a document, manual or piece of equipment shall be contained upon the person or readily assessable at the crew member's station during the exercise of the licence privileges.

Prevent Flying Order. A formal document issued by an person authorised by the Authority to conduct safety oversight inspection and resolution of safety issues to advise the operator or pilots of an imminent safety concern of the Authority.

Rotorcraft flight manual. A manual, associated with the certificate of airworthiness, containing limitations within which the rotorcraft is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation

of the rotorcraft.

State of the Operator. The State which issued the air operator certificate.

State of Registry. The State which issued the registration certificate of the aircraft.

State of Design. The Contracting State which approved the original type certificate and any subsequent supplemental type certificates for an aircraft, or which approved the design of an aeronautical product or appliance.

State of Manufacture. The Contracting State, under whose authority an aircraft was assembled, approved for compliance with the type certificate and all extant supplemental type certificates, test flown and approved for operation. (The State of Manufacture may or may not also be the State of Design.)

20.010 ACRONYMS & ABBREVIATIONS

(a) The following abbreviations are used in this Part—

AFM – Aeroplane Flight Manual;
AOC – Air Operator Certificate;
AOM – Aeroplane Operating Manual;
ATS – Air Traffic Service
MEL – Minimum Equipment List;
RFM – Rotorcraft Flight Manual.

20.015 CONFORMANCE TO APPLICABLE REQUIREMENTS

(a) No pilot or foreign operator may operate an aircraft in Rwanda contrary to the requirements of—
  (1) This Part;
  (2) Applicable standards contained in the ICAO Annex es to the Convention on International Civil Aviation for the operation to be conducted; and
  (3) Any other requirements that the Authority may specify in the—
    (i) Aeronautical Information Publication issued by Rwanda; or
    (ii) For commercial air transport operations, the operations specifications issued by Rwanda for such purpose.

SUBPART B: SAFETY OVERSIGHT OF FOREIGN OPERATORS

20.020 APPLICABILITY

(a) This Subpart provides the requirements for safety oversight that shall be applicable to foreign operators during their operations in Rwanda.

20.025 PROGRAM OF INSPECTIONS

(a) The Authority shall establish with procedures for—
  (1) The surveillance of operations in their territory by foreign operators; and
  (2) Taking appropriate action when necessary to preserve safety.

(b) This program will include both planned and no-notice inspections of the foreign operators.

(c) Foreign operators and their personnel shall permit and facilitate these inspections to ensure their accomplishment in a reasonable period of time.

20.030 AUTHORITY TO INSPECT

(a) The pilot-in-command and the operator shall permit a person properly authorised by the government of Rwanda, at any time and without prior notice—
  (1) To board any foreign aircraft operated in Rwanda; and
  (2) To inspect the documents and manuals required by this Part and the applicable ICAO Annex es; and

(3) To conduct an inspection of the aircraft and its payload.

(b) No person may intentionally obstruct or impede any authorised person from accessing locations necessary to the conduct of these inspections.

(c) Failure to permit these inspections may result in the intervention of law enforcement authorities and the detention of—

(1) Aircraft;
(2) Crew members;
(3) Passengers; and/or
(4) Cargo.

20.035 PROVISION OF DOCUMENTS FOR INSPECTIONS

(a) Any documents, manuals and records required under the provisions of this Part and the ICAO Annex Standards and Recommended Practices applicable to the specific flight operation shall be provided to an authorised person upon his request for such information.

(b) Each person involved or participating in an aviation activity shall, within a reasonable time after being requested to do so by an authorised person, provide the licences, certificates and documents which he is required to have, carry, complete or preserve during the course of his activities.

(c) For the purpose of this Regulation, a reasonable time for considered to be—

(1) *At the time of the request,* for documents required to be—

(i) Carried on the person; or
(ii) On board the aircraft during flight.;

(2) *During normal business hours*, for documents required to be—

(i) Completed and retained at an aerodrome;
(ii) Completed and retained at the administrative facilities; or
(iii) Preserved.

20.040 PRESERVATION OF REPORTS, DOCUMENTS & RECORDS

(a) Any reports or documents generated during activities subject to the requirements of this Part shall be made within times, comply with the methods and shall contain such information as is specified by the Authority.

(b) A person assigned under these Regulations to preserve any document or record shall continue to preserve that document or record until such time as the responsibility may be transferred to another assigned person.

(c) Unless otherwise directed by the Authority, a foreign operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of not less than 60 days, following an accident or incident in Rwanda involving an aircraft of the foreign operator.

20.045 UNAIRWORTHY AIRCRAFT OR UNQUALIFIED CREW MEMBERS

(a) The pilot-in-command and the operator shall ensure that the—

(1) Aircraft being operated is in conformance with the applicable airworthiness standards and documentation;
(2) Crew members are qualified in conformance with the applicable minimum requirements for the flight operation; and
(3) Aircraft is operated within the applicable structural, performance and mass and balance limitations.

(b) If the Authority determines that the requirements specified in paragraph (a) of this Regulation are not met, a Prevent Flying Order will be issued.

(c) Failure of the pilot-in-command or foreign operator to comply with the Prevent Flying Order may result in the intervention of law enforcement authorities and the detention of the aircraft and/or crew members.

20.050 NOTIFICATION OF NON-COMPLIANCE

(a) The Authority shall immediately notify the foreign operator when it identifies a case of non-compliance or suspected non-compliance by a foreign operator or its personnel with—
  (1) A serious safety concern.
  (2) ICAO Annex 6 and 19 Standards; or
  (3) Laws, regulations and procedures applicable within Rwanda territory or airspace.

(b) If warranted by the seriousness of the issue, the Authority shall notify the—
  (1) State of the Operator; and
  (2) State of Registry, if the issue falls within the responsibilities of that State.

(c) If the issue and its resolution warrant it, the Authority shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

SUBPART C: CONFORMANCE TO ICAO STANDARDS

20.055 APPLICABILITY

(a) The Subpart clarifies the ICAO Standards and Recommended Practices that will be applicable to foreign operators in Rwanda.

20.060 INTERNATIONAL AIRCRAFT REGISTRATION STANDARDS

(a) No foreign person or entity may operate an aircraft in Rwanda, unless it displays registration markings and documentation in conformance with—
  (1) ICAO Annex 7; and
  (2) The State of Registry registration requirements.

20.065 INTERNATIONAL AIRWORTHINESS STANDARDS

(a) No foreign person or entity may operate an aircraft in Rwanda, unless that aircraft is in conformance with the—
  (1) Airworthiness Standards of ICAO Annex 8;
  (2) Type Certificate issued for that type of aircraft by the State of Design, Manufacture or Registry;
  (3) Certificate of Airworthiness issued for that aircraft by the State of Registry;
  (4) The continuing inspection requirements of the State of Registry; and
  (5) Requirements for a valid maintenance release.

20.070 INTERNATIONAL NOISE & ENVIRONMENT STANDARDS

(a) No foreign person or entity may operate an aircraft in Rwanda, unless that aircraft is—
  (1) Carrying on the flight deck, a noise certificate or equivalent document issued by the State of the Registry in conformance with ICAO Annex 16;
  (2) Operated in conformance with any limitations specified in the issuance of that noise certificate.

20.075 INTERNATIONAL PERSONNEL LICENSING STANDARDS

(a) No foreign person or entity may exercise the privileges of a license issued by a State of Registry, other than Rwanda, to operate an aircraft within Rwanda unless—

(1) That license was issued in conformance with Standards and Recommended Practices specified in ICAO Annex 1;
(2) That license is carried in the personal possession of the license holder during all operations of aircraft in Rwanda;
(3) The license holder is in conformance with the applicable State of Registry requirements for—
    (i) Currency;
    (ii) Proficiency; and
    (iii) Recency of experience.

20.080 INTERNATIONAL SECURITY STANDARDS

(a) No foreign person or entity may conduct operations of aircraft in Rwanda unless those operations conform to—
    (1) ICAO Annex 17 applicable for such operations;
    (2) Any security requirements required at the authorities at the aerodromes of departure and arrival; and
    (3) *For commercial air transport operations*, the security policies and procedures approved for the air operator.

(b) A foreign operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.

20.085 INTERNATIONAL DANGEROUS GOODS STANDARDS

(a) No foreign person or entity may operate an aircraft in Rwanda transporting dangerous goods not exempted by ICAO Annex 18 or the Technical Instructions, whether in general aviation or commercial air transport operations, unless—
    (1) Those operations conform to the Standards and Recommended Practices of ICAO Annex 18; and
    (2) The notification requirement of this Part has been met.

20.090 INTERNATIONAL RULES OF THE AIR STANDARDS

(a) No foreign person or entity may operate an aircraft in Rwanda unless those operations conform to—
    (1) ICAO Annex 2, Rules of the Air; or
    (2) At the option of the operator, Part 10 of these Regulations.

20.095 INTERNATIONAL GENERAL AVIATION STANDARDS

(a) No foreign person or entity may operate an aircraft in general aviation operations in Rwanda, unless those operations conform to the Standards and Recommended Practises for those operations that are specified in—
    (1) *For aeroplanes,* ICAO Annex 6, Part 2; or
    (2) *For helicopters,* ICAO Annex 6, Part 3; or
    (3) At the option of the operator, Parts 7, 10, 13, 17 and 28 of these Regulations, as applicable.

20.100. INTERNATIONAL COMMERCIAL AIR TRANSPORT STANDARDS

(a) No foreign person or entity may operate an aircraft in commercial air transport operations in Rwanda unless those operations conform to the—
    (1) Operations specifications issued by the Authority; and
    (2) Air operator certificate and operations specifications of the State of the Operator; and
    (3) International Air Transit Agreement (1944); and

(4) ICAO Convention (1944); and
(5) The Standards and Recommended Practises for those operations that are specified in—
(i) *For aeroplanes*, ICAO Annex 6, Part 1; or
(ii) *For helicopters*, ICAO Annex 6, Part 3.

20.105. RESTRICTIONS REGARDING COMMERCIAL AIR TRANSPORT

(a) No foreign person or operator may conduct commercial air transportation operations involving cabotage between aerodromes in Rwanda unless those operations are authorized by the Authority and in accordance with the applicable freedoms specified in the International Air Transit Agreement or as provided in applicable bilateral agreements.
(b) No foreign person or air operator may conduct commercial air transport operations from an aerodrome in a foreign country to and from aerodromes in Rwanda unless those operations are authorised by the Authority and in accordance with the 5 freedoms specified in the International Air Transit Agreement or as provided in applicable bilateral agreements.

20.107. AERIAL WORK OPERATIONS BY FOREIGN OPERATORS

(a) No foreign person or entity may operate an aircraft in aerial work operations in Rwanda unless those operations conform to the—
(1) Operations specifications issued by the Authority; and
(2) Aerial work certificate, authorization and/or operations specifications of the State of the Operator; and
(3) The Standards and Recommended Practises for those operations that are specified in ICAO Annex 6 except as they are exempted by the Authority or State of the Operator.
(b) The Authority may choose not to permit the operator to operate under the foreign aerial work authorization. In that case, the operator shall to apply for and be certificated under the Rwanda Civil Aviation Regulations before performing aerial work in Rwanda.

SUBPART D: REQUIRED NOTIFICATIONS

20.110. APPLICABILITY

(a) This Subpart provides the notification requirements that are applicable to operations by foreign operators in Rwanda.

20.115. OPERATIONAL DIFFERENCES TO ICAO STANDARDS

(a) No foreign person or entity may engage in operations in Rwanda that are not in compliance, or have differences, with applicable ICAO Standards and Recommended Practices unless—
(1) The Authority has been provided with prior notification of the operation, including—
(i) Names of the persons and licences involved;
(ii) Type and registration number of the aircraft involved;
(iii) Specific dates for the proposed operations;
(iv) Specific difference with the Standard or Recommended Practice involved; and
(v) Proposed provision for an equivalent level of public safety;
(2) The foreign operator has received formal written authorisation for the proposed operations from the Authority; and
(3) A copy of the signed authorisation is carried within the aircraft during all operations within Rwanda.

20.120.DANGEROUS GOODS NOTIFICATION

(a) No foreign person or operator may carry dangerous goods on an aircraft in Rwanda unless prior notification of the presence and type of dangerous goods on the aircraft has been included in the remarks section of the filed ATC flight plan.

20.125.BASING A FOREIGN-REGISTERED AIRCRAFT IN RWANDA

(a) No foreign person or operator may base an foreign-registered aircraft in Rwanda for an extended period of 30 days or more, while conducting operations within, to and from the airspace of Rwanda unless they have made written notification to the Authority with the following information—

(1) Aircraft registration number
(2) Aircraft make, model and series;
(3) Aircraft serial number;
(4) Aerodrome where the aircraft is based;
(5) Operator name, address and telephone contact numbers; and
(6) A current copy of the aircraft insurance papers.

SUBPART E: DOCUMENTS TO BE CARRIED & RETAINED

20.130.APPLICABILITY

(a) This Subpart clarifies the requirements for documents, manuals and records that must be carried aboard the aircraft or retained at the point of departure by foreign operators in Rwanda.

20.135 DOCUMENTS TO BE CARRIED ON AIRCRAFT: ALL OPERATIONS

(a) No foreign person or entity may operate a civil aircraft unless it has within it the current and approved documents appropriate to the operations to be conducted, including—

(1) A current and properly displayed registration certificate issued by the State of Registry;
(2) A current and properly displayed airworthiness certificate issued by the State of Registry;
(3) A current and properly displayed noise certificate issued by the State of Registry;
(4) An Approved Flight Manual appropriate to the aircraft type;
(5) Normal, abnormal and emergency checklists for all phases of flight;
(6) A pilot operating handbook (or aircraft operating manual) appropriate to the aircraft type;
(7) Performance and Mass and Balance tables or graphs
(8) An aircraft radio license (if radio is installed and being used by the crew) issued by the State of Registry;
(9) Current and suitable charts for—
(i) The route of the proposed flight, and
(ii) All routes along which it is reasonable to expect that the flight may be diverted;
(10) Air-ground signals for search and rescue;
(11) Notification documents for any special cargo, including any dangerous goods; and
(12) Passenger and third-party liability insurance certificate issued to the owner and operator of the aircraft.

(b) No foreign person or entity may operate a civil aircraft in Rwanda unless the following documents issued by the State of Registry are in the personal possession of each crew member—

(1) Licences;

(2) Medical certificates, if applicable; and
(3) Radio telephone endorsement or equivalent document, if applicable.

20.140. ADDITIONAL DOCUMENTS APPLICABLE TO INTERNATIONAL FLIGHTS

(a) No foreign person or entity may operate a civil aircraft for flights across international borders into or out of Rwanda unless it has within the additional documents necessary for such flights, including—
(1) A filed ATC flight plan
(2) A general declaration for customs.
(3) A list of passenger names and points of embarkation and destination, if applicable.
(4) The procedures and signals relation to interception of aircraft;
(5) An English translation of the Noise Certificate; and
(6) Any other documentation that may be required by the Authority or States concerned with such a flight.

20.145.ADDITIONAL DOCUMENT REQUIREMENTS : COMMERCIAL AIR TRANSPORT

(a) No foreign person, entity or air operator may operate a civil aircraft in Rwanda in commercial air transport unless it has within it the additional documents necessary for such flights, including—
(1) A copy of the operations specifications issued by the Authority permitting such operations in Rwanda;
(2) An Aircraft Journey/Technical logbook with properly documented—
(i) Maintenance release; and
(ii) If relevant, identification and deferment of any mechanical irregularity;
(3) A completed Aircraft Load Manifest for the specific flight;
(4) A completed Operational Flight Plan appropriate to the route;
(5) The NOTAMS briefing documentation appropriate to the flight;
(6) The meteorological briefing documentation appropriate to the route of flight.
(7) Operations manuals relevant to operation(s) conducted accepted by the State of the Operator;
(8) An Aircraft Operating Manual accepted by the State of the Operator;
(9) A MEL approved by the State of the Operator
(10) An English translation of a certified true copy of AOC and authorisations, conditions and limitations issued by the State of the Operator for the fleet of aircraft operated;
(11) A bomb search checklist;
(12) A Least risk location instruction in the event a bomb is found; and
(13) Forms for complying with the reporting requirements of the State of the Operator and the AOC holder.

20.150. RETENTION OF AIR OPERATOR RECORDS

(a) The foreign air operator shall have a copy of the following records retained at a point of departure from Rwanda—
(1) Passenger manifest
(2) Aircraft technical log page(s) containing the maintenance release(s) applicable for the departing flight;
(3) Aircraft type-specific load manifest demonstrating compliance with requirements for—
(i) Mass and balance; and
(ii) Performance; and

(4) Operational flight plan.

(b) The Authority may approve an alternative retention method in the operations specifications.

SUBPART F: FOREIGN AIR OPERATORS

20.155. APPLICABILITY

(a) This Subpart provides the additional requirements that are applicable to foreign air operators for conduct of commercial air transport operations in Rwanda.

20.160. MINIMUM STANDARDS FOR COMPLIANCE

(a) Rwanda shall recognize as valid an air operator certificate issued by another ICAO Contracting State, provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in ICAO Annex 6, Part 1.

(b) If there is not sufficient information or technical reservations regarding the foreign air operator's conformance with ICAO Annex 6, the Authority may make an on-site visit to the operator's operations and maintenance bases assess conformance before issuance of the Foreign Air operator's operations specifications.

(c) The Authority shall not impose more restrictive requirements than those applicable to commercial air transport operations conducted by—

(1) Other foreign air operators authorised to operate in Rwanda; or

(2) AOC holders of Rwanda.

20.165. GENERAL REQUIREMENTS FOR APPLICATION

(a) A foreign air operator shall not operate an aircraft in Rwanda unless it holds operations specifications issued to it by the Authority.

(b) Where an air operator wishes to apply to operate in Rwanda it shall make such application to the Authority in the form and manner prescribed by the Authority.

(c) An application for Operations Specifications, shall be accompanied by—

(1) A copy of a valid air operator certificate and supporting authorisations issued by the State of the Operator;

(2) A copy of any equivalent operations specifications issued by the State of the Operator for any demonstrating approvals to be used while conducting operations in Rwanda;

(3) A copy of the licence or authorisation granted to the air operator by the State of the Operator to conduct commercial air transport to and from Rwanda;

(4) A proposed Aircraft Operator Security program, for the approval of the Authority;

(5) A copy of the approval page for a Minimum Equipment List approved by the State of the Operator for each aircraft type intended to be operated in Rwanda;

(6) A representative copy of a Certificate of Registration issued the State of Registry for the aircraft types proposed to be operated in Rwanda;

(7) A copy of a document identifying the maintenance that are required to be carried out for aircraft while they are operated in Rwanda;

(8) A copy of the maintenance contract between the air operator and the AMO approved by the State of Registry to conduct the maintenance while in Rwanda;

(9) A copy of any lease agreements, if the aircraft is not owned by foreign air operator; and

(10) Any other document the Authority considers necessary to ensure that the intended operations will be conducted safely.

(d) The Authority may waive the requirements listed in paragraph (c)(5-10) during the

validation process, but the operator shall provide such document when requested by the Authority at a later date.

(e) An applicant under this Part shall apply for the initial issue of foreign air operator operations specifications at least 15 days before the date of commencement of intended operation.

20.170. CONDITIONS FOR THE ISSUANCE

(a) The Authority may issue operations specifications to a foreign air operator to conduct commercial air operations in Rwanda where the Authority is satisfied that the air operator—

(1) Has a valid Air Operator Certificate and Operations Specifications issued by the State of the Operator;

(2) Has an Aircraft Operator Security Program approved by the State of the Operator and Rwanda for the operations intended;

(3) Meets the applicable Standards and Recommended Practices for commercial air transport in ICAO—

(i) *For aeroplanes*, ICAO Annex 6, Part 1: or

(ii) *For helicopters*, ICAO Annex 6, Part 3; and

(4) Meets the standards contained in other applicable ICAO Annexes to the Chicago Convention for the operation to be conducted.

20.175. OPERATIONS SPECIFICATIONS

(a) The operations specifications issued by the Authority shall specify which specific operations are authorised, prohibited, limited or subject to certain conditions, in the interest of public safety.

(b) The Authority shall not issue authorisations that have not been authorised for the foreign air operator by the State of the Operator unless those requirements are specifically intended only for operations in Rwanda.

(c) Operations Specifications issued under this Subpart shall contain details of the following—

(1) The purpose of issuance;

(2) Application and duration;

(3) Limitations to, or actions required by, the operator;

(4) Aerodrome authorisations and limitations;

(5) Authorised aircraft listing; and

(6) Any other limitations to operations in Rwanda prescribed by the Authority.

(d) The Operations Specifications issued to a foreign air operator by the Authority shall be supplementary to the requirements of this Part of these Regulations.

20.180. CONTINUED VALIDITY OF OPERATIONS

(a) Unless otherwise a shorter period is stated, the Authority shall issue foreign air operations specifications valid for not more than 12 months.

(b) A foreign air operator shall, when conducting operations authorized by the Authority to, from and within Rwanda, meet and maintain the requirements established by Rwanda, including those found in—

(1) This Part;

(2) Operations Specifications issued by the Authority;

(3) Its approved Aircraft Operator Security program; and

(4) Any additional security and safety requirements that may be specified by the Government of Rwanda.

(c) During the validity period of the foreign operator certificate and operations

specifications, the operator is required to monitor any changes that occur to documents or arrangements submitted with the original application and provide any revisions to the Authority in a manner prescribed by the Authority.

(d) Where an air operator wishes to renew or amend foreign operator certificate issued by the Authority in accordance with the provisions of this Part, the foreign operator shall make such application to the Authority in the form and manner prescribed by the Authority 15 days prior to the expiration date and 15 days for amendment processing. Applicable charges will be paid into RCAA account prior any processing.

(e) Contents of the application package stated in paragraph (d) shall include—

(1) An application form duly completed in a manner prescribed by the Authority;

(2) An indication of those elements that have changed since the original application.

(3) Any documents required on the original application.

SUBPART G: SECURITY

20.185. APPLICABILITY

(a) This Subpart provides additional security requirements that are applicable to foreign air operators for commercial air transport operations in Rwanda.

20.190. AIRCRAFT SECURITY

(a) A foreign air operator shall—

(1) Ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national security programs of the State of the operator;

(2) Establish, maintain and conduct approved training programs which enable the operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimise the consequences of such events should they occur;

(3) Following an act of unlawful interference on board an aircraft the pilot-in-command or, in his absence the operator, shall submit, without delay, a report of such an act to the designated local authority and the civil aviation authority in the State of the Operator;

(4) Ensure that all aircraft carry a checklist of the procedures to be followed for that type in searching for concealed weapons, explosives, or other dangerous devices; and

(5) If installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorised access.

END OF RCAR PART 20

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXI W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXI TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXI A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 21

Aeronautical Telecommunications

SUBPART A: GENERAL 3
21.001 CITATION & APPLICABILITY 3
21.005 DEFINITIONS 3
21.010 ACRONYMS & ABBREVIATIONS 3
21.015 PERFORMANCE PROHIBITIONS 4
21.020 ESTABLISHMENT OF AERONAUTICAL TELECOMMUNICATION SERVICE PROVIDER 4
21.025 IDENTIFICATION CODES & FREQUENCIES 5
21.030 ISSUE OF RWANDA CIVIL AVIATION TECHNICAL STANDARDS (R-CATS) 5

SUBPART B: CERTIFICATION REQUIREMENTS 6
21.035 REQUIREMENT FOR CERTIFICATE 6
21.040 APPLICATION FOR CERTIFICATE 6
21.045 ISSUE OF CERTIFICATE 6
21.050 PRIVILEGES OF CERTIFICATE HOLDER 6
21.055 DURATION OF CERTIFICATE 6
21.060 RENEWAL OF CERTIFICATE 7
21.065 PERSONNEL & TRAINING REQUIREMENTS 7
21.070 AERONAUTICAL TELECOMMUNICATION SERVICE ORGANISATION MANUAL OF OPERATIONS 8
21.075 AMENDMENT OF CERTIFICATE HOLDER'S MANUAL OF OPERATIONS 9
21.080 AERONAUTICAL FACILITY REQUIREMENTS & COMMISSIONING OF NEW FACILITY 10
21.085 SAFETY CASE 11
21.090 OPERATING PROCEDURES 11
21.095 NOTIFICATION OF AERONAUTICAL FACILITY INFORMATION 11
21.100 AERONAUTICAL FACILITY PERFORMANCE 11
21.105 PERIODIC INSPECTION & TESTING 12
21.110 EQUIPMENT FOR INSPECTION, TESTING & CALIBRATION 13
21.115 AERONAUTICAL FACILITY CHECK AFTER ACCIDENT OR INCIDENT 13
21.120 FACILITY MALFUNCTION INCIDENTS & RADIO INTERFERENCE REPORTING 13
21.125 SECURITY PROGRAMME 14
21.130 SAFETY MANAGEMENT SYSTEM 14
21.135 DOCUMENTATION & RECORDS 15

SUBPART C: OPERATING REQUIREMENTS 16
21.140 CONTINUED COMPLIANCE 16
21.145 OPERATING & MAINTENANCE INSTRUCTIONS & PLANS 16
21.150 INTERFACE ARRANGEMENT FOR SUPPORT SERVICES 16
21.155 DEVIATIONS 17
21.160 TEMPORARY AERONAUTICAL FACILITY 17
21.165 PROHIBITION 17

SUBPART D: FACILITY SPECIFICATIONS & REQUIREMENTS 18
21.170 SPECIFICATIONS & REQUIREMENTS 18

SUBPART E: SAFETY OVERSIGHT REQUIREMENTS 18
21.175 SAFETY OVERSIGHT FUNCTION 18
21.180 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS 18
21.185 SAFETY REGULATORY AUDITS 18
21.190 CORRECTIVE ACTIONS 19
21.195 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS 19
21.200 CONTINGENCY PLAN REQUIREMENTS 19

SUBPART F: APPROVAL REQUIREMENT 20
21.205 APPROVAL REQUIREMENT 20

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SUBPART A: GENERAL

21.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Aeronautical Telecommunications Services) Regulations.

(b) This Part prescribes the requirements of Rwanda for—

(1) Operating and technical standards for aeronautical telecommunication services and facilities; and

(2) Governing the certification and operation of organisations providing aeronautical telecommunication services in support of Instrument Flight Rules (IFR) flight or an air traffic service.

(c) This Part is applicable to—

(1) Persons seeking certification to provide aeronautical telecommunications services; and

(2) Organisations that provide the required aeronautical telecommunications services; and

(3) Persons that administer the required aeronautical telecommunications services on behalf of the organisations.

(d) The Standards contained in Rwanda Civil Aviation Technical Standards (R-CATS)-Aeronautical Telecommunication Service shall be applicable to the provision of aeronautical telecommunications in Rwanda.

(e) These regulations do not apply in respect of any aeronautical telecommunication services that are provided by or under the authority of the Minister of Defence.

21.005 DEFINITIONS

(a) For the purpose of this Part, the following definitions apply—

ADS-C agreement. A reporting plan that establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services or control unit and frequency of ADS-C reports that have to be agreed to prior to the provision of the ADS-C services).

Controller-pilot data link communications (CPDLC). A means of communication between controller and pilot, using data link for ATC communications.

Convention. The 1944 Chicago Convention on International Civil Aviation.

Data link communications. A form of communication intended for the exchange of messages via a data link.

Manual of Operations. The manual required by Regulation 21.070.

Note 1: Additional aviation-related terms are defined in Part 1 of these requirements.

Note 2: Additional aviation aeronautical telecommunication service definitions are provided in the Rwanda-Civil Aviation Technical Standards relevant to the requirements of this Part.

21.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

ADS = Automatic Dependent Surveillance – Broadcast or ADS-B

AFTN = Aeronautical Fixed Telecommunication Network
AIP = Aeronautical Information Publication
AIS = Aeronautical Information Service
ATIS = Automatic Terminal Information Service
CPDLC = Controller-Pilot Data Link Communications
DME = Distance Measuring Equipment
ENR = En Route

FDPS = Flight Data Processing System
GNSS = Global Navigation Satellite System
HF = High Frequency - 3-30 Megahertz
ICAO = International Civil Aviation Organisation
IFR = Instrument Flight Rules
ILS = Instrument Landing System
MLS = Microwave Landing System
NDB = Non-Directional Beacon
NOTAM = Notice to Airmen
PAR = Precision Approach Radar
PSR = Primary Surveillance Radar
RCATS = Rwanda Civil Aviation Technical Standards
RDPS = Radar Data Processing System
SMS = Safety Management System
SSR = Secondary Surveillance Radar
UHF = Ultra High Frequency – 300-3000 Megahertz
VHF = Very High Frequency -30-300 Megahertz
VOLMET = Routine Broadcast Meteorological information for aircraft in-flight
VOR = VHF (Very High Frequency) Omni-Directional Radio Range

Note 1: Additional aviation-related acronyms are listed in Part 1 of these requirements and the RCATS.

Note 2: The references for the requirements of this Part include the RCATS, ICAO Annex 10 and ICAO doc. 8071.

21.015 PERFORMANCE PROHIBITIONS

(a) A person who operates any equipment that is part of an aeronautical telecommunications system referred to in RCATS - Aeronautical Telecommunication Service shall ensure that—
  (1) the equipment is installed, maintained and operated in accordance with the standards specified in RCATS - Aeronautical Telecommunication Service; and
  (2) documentation is maintained that shows how compliance with the standards referred to in paragraph
  (1) is being achieved.

(b) No person shall perform a function related to the installation, maintenance or operation of any aeronautical telecommunications equipment unless the person has successfully completed training in the performance of that function and has been certified by the operator of the aeronautical telecommunications system as being competent to perform that function.

(c) A person who operates any ground equipment in support of satellite navigation systems shall ensure that—
  (1) the equipment is installed, maintained and operated in accordance with the standards specified for GNSS IFR Operations; and
  (2) documentation is maintained that shows how compliance with the standards referred to in paragraph (1) is being achieved

(d) A person who operates any equipment that is part of an aeronautical telecommunications system referred to in paragraph (a) or (c) shall, at the request of the Authority, provide a copy of the documentation referred to in paragraph (a)(2) or (c)(2).

21.020 ESTABLISHMENT OF AERONAUTICAL TELECOMMUNICATION SERVICE PROVIDER

(a) These Regulations prescribe the requirements pertaining to the planning, operation and maintenance of aeronautical telecommunication facilities
(b) An aeronautical telecommunication service provider shall ensure that the aeronautical telecommunication service that it provides is in conformity with the provisions in this

regulation.

(c) The aeronautical telecommunication service provider shall be designated by the responsible Authority for providing such services.

(d) An aeronautical telecommunication service provider shall be responsible for the provision of communication, navigation and surveillance services to ensure that the telecommunication information and data necessary for the safe, regular and efficient operation of air navigation is available.

21.025 IDENTIFICATION CODES & FREQUENCIES

(a) The Authority shall allocate an identification code for a radio navigation aid or a frequency for a radio communication transmitting aeronautical facility if the Authority is satisfied that the allocation of a code or frequency is not contrary to the interests of aviation safety.

(b) An applicant for the allocation of an identification code or a frequency under paragraph (a), complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority with, if applicable, a payment of the appropriate application fee prescribed by the Authority.

(c) No person shall operate—

(1) radio navigation aid, unless it has been allocated an identification code by the Authority under paragraph (a); or

(2) a radio communication transmitter on an aeronautical radio frequency, unless it has been allocated a frequency by the Authority under paragraph(a).

21.030 ISSUE OF RWANDA CIVIL AVIATION TECHNICAL STANDARDS (R-CATS)

(a) The Authority shall issue a Manual of Rwanda Civil Aviation Technical Standards (R-CATS)-Aeronautical telecommunication Service, Volume I,II,III,IV and V prescribing standards for these Regulations that provides for the following matters—

(1) standards, including procedures, systems and documents used to provide aeronautical telecommunication services;

(2) standards for facilities and equipment used to provide an aeronautical telecommunication services;

(3) standards for the training and checking of an aeronautical telecommunication services provider's personnel;

(4) any matter required or permitted by these Regulations to be provided for by the Manual of Rwanda Civil Aviation Technical Standards (R-CATS);

(5) any matter necessary or convenient to be provided for the effective operation of these Regulations.

(b) The standards referred to paragraph (a) shall, for the safety of air navigation, be complied with by—

(1) aeronautical telecommunication service certificate holders; and

(2) aeronautical telecommunication services certificate applicants.

(c) The Authority shall also publish Advisory Circulars containing acceptable methods and procedures for compliance with these regulations and the prescribed standards.

SUBPART B: CERTIFICATION REQUIREMENTS

21.035 REQUIREMENT FOR CERTIFICATE

(a) No person shall provide an aeronautical telecommunication service or operate an aeronautical facility except under the authority of, and in accordance with the provisions of, an aeronautical telecommunication service certificate.

(b) Paragraph (a) does not apply if a person operates an aeronautical facility on an aeronautical radio frequency and—

(1) the aeronautical facility—

(i) is a radio communication transmitter that does not support an air traffic service; or

(ii) is a radio navigation aid that does not support IFR flight or an air traffic service; and

(iii) the aeronautical facility does not interfere with any other aeronautical telecommunication service or aeronautical facility; and

(iv) the radio transmission does not interfere with any other aeronautical telecommunication service or aeronautical facility;

(v) is a surveillance system that does not support an air traffic service.

21.040 APPLICATION FOR CERTIFICATE

(a) An applicant for an aeronautical telecommunication service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority with—

(1) the applicant's manual of operations required under Regulation 21.070; and

(2) a payment of the appropriate application fee prescribed by the Authority.

21.045 ISSUE OF CERTIFICATE

(a) The Authority shall issue an aeronautical telecommunication service certificate to an applicant if the Authority is satisfied that—

(1) the applicant meets the requirements of these regulations and standards prescribed by the Authority; and

(2) the applicant and the senior person or senior persons required under Regulation 21.065(a)(1) and (2) are fit and proper persons; and

(3) the granting of the certificate is not contrary to the interests of aviation safety.

21.050 PRIVILEGES OF CERTIFICATE HOLDER

(a) An aeronautical telecommunication service certificate shall specify the aeronautical telecommunication services and aeronautical facility types that the certificate holder is authorized to operate.

(b) Subject to Regulation 21.170, the holder of an aeronautical telecommunication service certificate may operate any of the aeronautical facility types specified on the holder's certificate so long as—

(1) each aeronautical facility operated is listed in the certificate holder's manual of operations; or

(2) if the aeronautical facility is not listed in the manual of operations, its operation is for site test purposes controlled by the procedures required under Regulation 21.080(b).

21.055 DURATION OF CERTIFICATE

(a) An aeronautical telecommunication service certificate shall be granted or renewed for a period of up to 2 years.

(b) An aeronautical telecommunication service certificate shall remain in force until it expires, or is suspended or revoked.

(c) The holder of an aeronautical telecommunication service certificate that has been suspended or revoked shall surrender the certificate to the Authority immediately.

(d) The Authority may, by written notice given to the holder of an aeronautical telecommunication service certificate, suspend or revoke the certificate if there are reasonable grounds for believing that—

(1) a condition to which the certificate is subject has been breached; or

(2) the holder has failed to comply with these Regulations.

(e) Before suspending or cancelling an aeronautical telecommunication service certificate, the Authority shall—

(1) give to the holder a show cause notice that—

(i) sets out the facts and circumstances that, in the opinion of the Authority, would justify the suspension or cancellation; and

(ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or revoked; and

(2) take into account any written submissions that the holder makes to the Authority within 30 days.

(f) The holder of an aeronautical telecommunication service certificate that has been suspended or revoked shall forthwith surrender the certificate to the Authority immediately.

21.060 RENEWAL OF CERTIFICATE

(a) An application for the renewal of an aeronautical telecommunication service certificate shall be made in a form and in the manner prescribed by the Authority; and

(b) The application for the renewal shall be made not less than 90 days before the expiry date specified on the certificate and shall be accompanied by the Manual of Operations (MANOPs) if significant changes have been made following the initial certification; and

(c) the fee as prescribed by the Authority.

(d) The renewal of a certificate shall be subject to compliance with these Regulations and any other conditions as may be specified or notified by the Authority.

21.065 PERSONNEL & TRAINING REQUIREMENTS

(a) An applicant for an aeronautical telecommunication service certificate shall employ, contract, or otherwise engage—

(1) a senior person identified as the chief executive who—

(i) has the authority within the applicant's organization to ensure that all activities undertaken by the organization can be financed and carried out to meet applicable operational requirements; and

(ii) is responsible for ensuring that the organization complies with the requirements and standards prescribed by these Regulations; and

(2) a senior person or persons responsible to the chief executive and who are responsible for—

(i) ensuring that the applicant's organization complies with its manual of operations; and

(ii) the system for safety management system required under Regulation 21.130; and

(3) sufficient personnel to inspect, supervise, and maintain the facilities listed in the applicant's manual of operations.

(b) The senior person or persons required by paragraph (a)(2)(ii) shall be able to demonstrate competency and experience relevant to the management of safety systems and the activities of the certificate holder.

(c) An applicant for an aeronautical telecommunication service certificate shall establish

procedures for personnel, who are authorized by the holder of the aeronautical telecommunications service certificate to place into operational service any of the facilities listed in the manual of operations, to—

(1) assess the competency of those authorized personnel; and
(2) maintain the competency of those authorized personnel; and
(3) establish a means to provide those authorized personnel with written evidence of the scope of their authorization.

(d) An Applicant shall ensure that all its personnel possess the skills and competencies required in the provision of the aeronautical telecommunication service. The applicant shall develop an overall training policy and programme for each of its staff. The training policy and programme should lay down the training courses that different levels of staff have to undergo to perform his/her duties, including initial, recurrent, specialized and on-job (OJT) training.

(e) An Applicant shall maintain individual training records for each of its staff, which should include a training plan detailing the courses completed by each staff as well as the time-frame for attending future courses as required under his training plan.

21.070 AERONAUTICAL TELECOMMUNICATION SERVICE ORGANISATION MANUAL OF OPERATIONS

(a) An applicant for an aeronautical telecommunication service certificate shall provide the Authority with a manual of operations that contains—

(1) a statement signed by the chief executive, on behalf of the applicant's organization confirming that—
  (i) the manual of operations defines the organization and demonstrates its means and methods for ensuring ongoing compliance with these Regulations; and
  (ii) the manual of operations, and all associated manuals, operating, and maintenance instructions, shall be complied with by the organization's personnel at all times; and
(2) in relation to the system for safety management system required by Regulation 21.130—
  (i) all of the documentation required by Civil Aviation (Safety Management System) Regulations; and
  (ii) for an applicant that is not applying for a renewal of an aeronautical telecommunication service certificate, an implementation plan that describes how the system for safety management will be implemented; and
(3) the titles and names of the senior person or persons required by Regulation 21.065(a)(1) and (2); and
(4) the duties and responsibilities of the senior person or persons required by Regulation 21.065(a)(1) and (2), including—
  (i) matters for which they have responsibility to deal directly with the Authority on behalf of the organisation; and
  (ii) responsibilities for safety management system; and
(5) an organisation chart showing lines of responsibility of each senior person or persons required by Regulation 21.065(a)(1) and (2) and covering each location listed under paragraph (a)(8); and
(6) a summary of the organisation's staffing structure at each location listed under paragraph (a)(8); and
(7) a list of each type of aeronautical facility to be operated under the authority of the aeronautical telecommunication service certificate; and
(8) a summary of the scope of activities at each location where the organisation's personnel are based for the purpose of providing or maintaining the types of facilities listed under paragraph (a)(7); and
(9) a summary of the operational details or system performance target of each aeronautical

facility (such as its availability and reliability) associated with each location listed under paragraph (a)(8); and

(10) details of the security programme required under Regulation 21.125; and

(11) the detailed procedures including information that are required under—

(i) Regulation 21.065(a)(1) and (2) regarding the competence of personnel; and

(ii) Regulation 21.080(a) regarding the design, installation, and commissioning of facilities; and

(iii) Regulation 21.080(b) regarding the operation of temporary facilities for site tests; and

(iv) Regulation 21.135(b) regarding the control of documentation; and

(v) Regulation 21.105(a) regarding periodic inspections and testing of facilities; and

(vi) Regulation 21.100 regarding facility performance; and

(vii) Regulation 21.110 regarding the control, calibration, measuring, and test equipment; and

(viii) Regulation 21.095(a) regarding the notification of facility information; and

(ix) Regulation 21.115(a) regarding facility checks after notification of an accident or incident; and

(x) Regulation 21.120 regarding facility malfunction incidents; and

(xi) Regulation 21.135(a) regarding the identification, collection, indexing, storage, maintenance, and disposal of records; and

(xii) Regulation 21.090 regarding the operating procedures; and

detailed procedures to control, amend, and distribute the manual of operations.

(b) The applicant's manual of operations shall be approved by the Authority.

21.075 AMENDMENT OF CERTIFICATE HOLDER'S MANUAL OF OPERATIONS

(a) A holder of an aeronautical telecommunication service certificate shall—

(1) ensure that the manual of operations is amended, as required, to remain a current description of the certificate holder's organisation, aeronautical telecommunication services, and facilities; and

(2) The manual of operations shall be issued under the authority of the aeronautical telecommunication service provider. The aeronautical telecommunication service provider shall control the distribution of the manual and ensure that it is amended whenever necessary to maintain the accuracy of the information and keep its contents up to date.

(3) ensure that any amendment made to the manual of operations meets the applicable requirements of these regulations and the standards prescribed by the Authority; and

(4) comply with the amendment procedures contained in manual of operations; and

(5) forward to the Authority for approval and retention, a copy of each amendment to manual of operations before incorporating the amendment into manual of operations; and

(6) make such amendments to its manual of operations as the Authority may consider necessary in the interests of aviation safety.

(b) Before a holder of an aeronautical telecommunication service certificate changes any of the following, prior approval by the Authority is required—

(1) the chief executive;

(2) the listed senior persons;

(3) the security programme;

(4) the types of aeronautical facility operated under the authority of the certificate; and

(5) the system for safety management, if the change is a material change.

(c) The Authority may impose any conditions that the Authority considers necessary in the

interests of aviation safety, under which the holder of an aeronautical telecommunications service certificate shall operate during or following any change specified in paragraph (b).

(d) The holder of an aeronautical telecommunication service certificate shall comply with any conditions imposed by the Authority under paragraph (c).

(e) If any of the changes under paragraph (b) requires an amendment to the aeronautical telecommunication service certificate, the certificate holder shall forward the certificate to the Authority for endorsement of the change as soon as practicable.

21.080 AERONAUTICAL FACILITY REQUIREMENTS & COMMISSIONING OF NEW FACILITY

(a) An applicant for an aeronautical telecommunication service certificate shall establish a procedure to ensure that—

(1) each aeronautical facility listed in the applicant's manual of operations—

(i) is designed, installed, and commissioned to meet the applicable operational specification for that facility; and

(ii) conforms with the applicable system characteristics and specification standards prescribed in Manual of Rwanda Civil Aviation Technical Standards (R-CATS) Volumes I, III, and IV; and

(iii) conforms with the applicable specifications and requirements of Subpart D of this Regulation; and

(iv) has been allocated an identification code or frequency, if a code or frequency is required under Regulation 21.025; and

(2) the system performance of the new facility has been validated by the necessary tests, and that all parties involved with the operations and maintenance of the facility, including its maintenance contractors have accepted and are satisfied with results of the tests.

(3) the procedures include documentation of tests conducted on the facility prior to commissioning, including those that test the compliance of the facility with the applicable Manual of Rwanda Civil Aviation Technical Standards (R-CATS) for aeronautical telecommunication service provider.

(4) information on the operational status of each radio navigation aid listed in the applicant's manual of operations, that is essential for the approach, landing, and take-off at an aerodrome, is provided to meet the operational needs of—

(i) the air traffic control unit providing an aerodrome control service for that aerodrome while that service is being provided; and

(ii) the air traffic control unit providing an approach control service for that aerodrome while that service is being provided; and

(5) each aeronautical facility listed in the applicant's manual of operations is installed with suitable power supplies and means to ensure continuity of operation appropriate to the needs of the air traffic service or radio navigation service being supported; and

(6) each aeronautical facility listed in the applicant's manual of operations is installed in accordance with the security programme required under Regulation 21.125 to minimize any risk of destruction, damage, or interference with the operation of the facility; and

(7) any critical site area of any aeronautical facility listed in the applicant's manual of operations is—

(i) clearly identified on the site drawings for the aeronautical facility; and

(ii) physically protected by suitable signposts on the site; and

(iii) protected by written agreements with the site owner, aerodrome operator, and air traffic control unit, as appropriate, to ensure that site restrictions are not infringed by buildings, fences, vehicles, machinery, or aircraft.

(b) An applicant for an aeronautical telecommunication service certificate who intends to operate a temporary aeronautical facility to carry out site tests shall establish a procedure for

conducting those tests.

(c) The procedure required under paragraph (b) shall require that—

(1) the operation of the temporary facility does not cause any interference with any other operating aeronautical facility; and

(2) appropriate information regarding the operation of the temporary facility is forwarded to the provider of the AIS for the issue of a NOTAM, and if appropriate the publication of a Supplement to the AIP; and

(3) an appropriate NOTAM has been published.

21.085 SAFETY CASE

(a) The aeronautical telecommunication service provider shall ensure that for safety critical systems, including automated ATC systems, Integrated Communication Systems (ICS) and Instrument Landing System (ILS), the commissioning of such systems shall include the conduct of a safety case or equivalent.

(b) The aeronautical telecommunication service provider shall ensure that human factors principles are observed in the design, operation and maintenance of aeronautical telecommunication facilities.

21.090 OPERATING PROCEDURES

(a) An applicant for an aeronautical telecommunication service certificate shall ensure that the procedures for operating the facilities listed in the applicant's manual of operations are in accordance with the applicable operating procedures prescribed in the Manual of Rwanda Civil Aviation Technical Standards (R-CATS), Volumes I, II, III, IV and V and the equipment manufacturer's technical manual.

21.095 NOTIFICATION OF AERONAUTICAL FACILITY INFORMATION

(a) A person operating an aeronautical facility shall forward to the provider of the aeronautical information services (AIS)—

(1) information on the operational details of any new aeronautical facility, for publication in the Rwanda aeronautical information publication (AIP); and

(2) information concerning any change in the operational status of any existing aeronautical facility, for the issue of a NOTAM; and

(b) An applicant for an aeronautical telecommunication service certificate shall establish a procedure to ensure that the requirements of paragraph (a) are met for each applicable aeronautical facility listed in the applicant's manual of operations.

(c) The procedure required under paragraph (b) shall include a means to confirm that—

(1) the operational details of any new aeronautical facility as notified to AIS have been accurately published in the AIP; and

(2) any change to the operational status of any existing aeronautical facility has been published by NOTAM.

21.100 AERONAUTICAL FACILITY PERFORMANCE

(a) The aeronautical telecommunication service provider shall establish an overall operation and maintenance plan for the aeronautical telecommunication service.

(b) All facilities shall—

(1) be tested for normal operations on a routine basis;

(2) meet the required level of reliability and availability;

(3) provide for the timely and appropriate detection and warning of system failures and degradations;

(4) include documentation on the consequences of system, sub-system and

equipment failures and degradations; and

(5) include measures to control the probability of failures and degradations.

(c) An applicant for an aeronautical telecommunication service certificate shall establish a procedure to ensure that no aeronautical facility listed in the applicant's manual of operations is placed into operational service unless—

(1) the person placing the aeronautical facility into operational service is assessed as competent and authorized according to the procedures required under Regulation 21.065; and

(2) the appropriate checks detailed in the operating and maintenance instructions required under Regulation 21.145 have been carried out to verify the performance of the aeronautical facility; and

(3) the aeronautical facility record has been completed according to the procedures required under Regulation 21.135;

(4) An aeronautical telecommunication provider shall keep, for each aeronautical telecommunication service that it provides from a particular location, a logbook in accordance with the standards set out in the Manual of Rwanda Civil Aviation Technical Standards (R-CATS), Volume 1.

21.105 PERIODIC INSPECTION & TESTING

(a) An applicant for an aeronautical telecommunication service certificate shall establish a procedure for the periodic inspection and testing of the aeronautical facilities listed in the applicant's manual of operations to verify that each aeronautical facility meets the applicable operational requirements and performance specifications for that facility.

(b) The procedure required under paragraph (a) shall—

(1) include ground and Flight inspections and tests; and

(2) include the criteria for establishing or changing the interval between the periodic tests for each aeronautical facility listed in the manual of operations, having regard to—

(i) any applicable information published by the Authority; and

(ii) any applicable reliability data for the aeronautical facility; and

(iii) information on the proven reliability performance of the aeronautical facility, and of other similar aeronautical facilities, and the stability of the aeronautical facility's operating environment; and

(3) ensure that the grounds for establishing or changing the interval between the periodic tests for each aeronautical facility listed in the manual of operations are documented.

(c) An applicant for an aeronautical telecommunication service certificate shall establish—

(1) a programme of periodic ground inspections for each aeronautical facility listed in the applicant's manual of operations; and

(2) a programme of periodic ground tests for each aeronautical facility listed in the applicant's manual of operations; and

(3) a programme of periodic flight tests for each radio navigation aid listed in the applicant's manual of operations unless the applicant can establish from the criteria under paragraph (b)(2) that periodic ground tests can replace the periodic flight tests for the aeronautical facility without affecting the safety of air navigation

(d) The programmes required by paragraphs (c)(2) and (3) shall be based on the criteria required under paragraph (b)(2) and shall specify the maximum interval between the tests for each aeronautical facility.

(e) An applicant for an aeronautical telecommunication service certificate shall notify the Authority of any radio navigation aid that is not subjected to periodic flight tests.

21.110 EQUIPMENT FOR INSPECTION, TESTING & CALIBRATION

(a) An applicant for an aeronautical telecommunication service certificate shall ensure that appropriate inspection, measuring, and test equipment are available for personnel to maintain the operation of each aeronautical facility listed in the applicant's manual of operations.

(b) An applicant for an aeronautical telecommunication service certificate shall establish a procedure to control, calibrate, and maintain all the inspection, measuring, and test equipment required under paragraph
(a) to ensure that each item of equipment has the precision and accuracy that is necessary for the measurements and tests to be performed.

(c) The procedure required under paragraph (b) shall require that each item of test equipment required for the measurement of critical performance parameters is—
  (1) calibrated before use or at prescribed intervals with the calibration traceable to an appropriate national standard; and
  (2) identified with a suitable indicator to show its calibration status; and
  (3) controlled to—
    (i) safeguard against adjustments that would invalidate the calibration setting; and
    (ii) ensure that the handling, preservation, and storage of the test equipment are such that its accuracy and fitness for use is maintained.

(d) If hardware and software systems are used for the performance testing of any aeronautical facility, the procedures under paragraph (b) shall require the functions of those testing systems to be checked—
  (1) before being released for use; and
  (2) at prescribed intervals to establish that those testing systems are capable of verifying the true performance of the aeronautical facility.

21.115 AERONAUTICAL FACILITY CHECK AFTER ACCIDENT OR INCIDENT

(a) An applicant for an aeronautical telecommunication service certificate shall establish a procedure to check and accurately record the operating condition of any aeronautical facility operated under the authority of the certificate that may have been used by an aircraft, or an air traffic service, that is involved in an accident or incident.

(b) The procedure required under paragraph (a) shall require that—
  (1) the check of the aeronautical facility's operating condition is carried out as soon as practicable after notification to the holder of the aeronautical telecommunication certificate of the accident or incident; and
  (2) the record of that check, and the recorded history of the aeronautical facility, is kept in a secure place for possible use by any subsequent accident or incident investigation; and
  (3) the records required to be secured under paragraph (b)(2) are retained for 3 years from the date of the last entry made on that record.

21.120 FACILITY MALFUNCTION INCIDENTS & RADIO INTERFERENCE REPORTING

(a) A person operating an aeronautical facility shall not permit the facility to continue in operational service if that person suspects or has any cause to suspect that the information being provided by that facility is erroneous.

(b) An applicant for the grant of an aeronautical telecommunication service certificate shall establish procedures—
  (1) to notify, collect, investigate, and report facility malfunction incidents; and
  (2) to implement corrective actions to eliminate the cause of a facility malfunction incident and prevent its recurrence.

(c) Reports of such incidents shall be compiled and reviewed periodically by the

aeronautical telecommunication service provider to—

(1) determine the cause of the incidents and determine any adverse trends;
(2) implement corrective and preventive actions where necessary to prevent recurrence of the incidents; and
(3) implement any measures to improve the safety performance of the aeronautical telecommunication service.

(d) Any serious failure or safety incident shall be reported to Accident and Incident Investigation office in the Ministry of Infrastructure and be investigated by the aeronautical telecommunication service provider. The purpose of the investigation shall be to understand how and why the incident happened, including possible organizational contributing factors and to recommend actions to prevent a recurrence.

(e) A copy of the investigation report shall be forwarded to Rwanda Civil Aviation Authority.

(f) The aeronautical telecommunication service provider shall establish a procedure for the management of aeronautical radio spectrum. Any frequency allocation and protection within the aeronautical radio spectrum shall be performed by the Authority to ensure that there will be no conflict and interference to any radio stations or facility. Updated records shall be kept of all allocated frequencies.

(g) The aeronautical telecommunication service provider shall ensure that there is no willful transmission of unnecessary or anonymous radio signals, messages or data by any of its radio stations. Procedures shall also be established with the local telecommunication regulatory authority to address occurrence of radio frequency interference. Any frequency interference occurrence shall be reported to the local telecommunication regulatory authority through the Rwanda Civil Aviation Authority (RCAA), investigated and follow-up actions taken to prevent recurrence.

21.125 SECURITY PROGRAMME

(a) An applicant for the grant of an aeronautical telecommunication service certificate shall establish a security programme for the facilities listed in the applicant's manual of operations.

(b) The security programme required under paragraph (a) shall specify the physical security requirements, practices, and procedures to be followed for the purposes of minimising the risk of destruction of, damage to, or interference with the operation of any aeronautical facility operated under the authority of the aeronautical telecommunication service certificate, if such destruction, damage, or interference could endanger the safety of aircraft.

(c) The security programme required under paragraph (a) shall include such physical security requirements, practices, and procedures as may be necessary—

(1) to ensure that each aeronautical facility is subject to positive access control at all times to prevent unauthorized entry; and
(2) for personnel to follow in the event of a bomb threat or other threat of damage to an aeronautical facility; and
(3) to monitor an unattended aeronautical facility building to ensure that any intrusion or interference is immediately detected.

(d) The security programme required under paragraph (a) shall include procedures to notify, investigate and report security incidents to the Authority.

21.130 SAFETY MANAGEMENT SYSTEM

(a) An applicant for the grant of an aeronautical telecommunication service certificate shall establish, implement, and maintain a system for safety management system in accordance with Civil Aviation Regulations, Part 30, Subpart B.

21.135 DOCUMENTATION & RECORDS

(a) An applicant for an aeronautical telecommunication service certificate shall hold copies of relevant equipment manuals, and other relevant ICAO documents, instructions, and any other documentation that are necessary for the provision and operation of the facilities listed in the applicant's manual of operations. These regulations and the aeronautical telecommunication service provider manual of operations also form part of the documentation required.

(b) An applicant for an aeronautical telecommunication service certificate shall establish a procedure for the control of the documentation required under paragraph (a) and any other applicable Regulations.

(c) The procedure required under paragraph (b) shall require that—
  (1) all documentation is reviewed and authorized by an appropriate senior person referred to in Regulation 21.065 before issue; and
  (2) current issues of all relevant documentation are accessible to staff at all locations if required for the provision and operation of aeronautical facilities; and
  (3) all obsolete documentation is promptly removed from all points of issue or use; and
  (4) changes to documentation are reviewed and authorized by an appropriate senior person referred to in Regulation 21.065; and
  (5) the current version of each item of documentation can be identified.

(d) An applicant for an aeronautical telecommunication service certificate shall establish procedures to identify, collect, index, store, maintain, and dispose of the records that are necessary to record—
  (1) the safe provision of the aeronautical telecommunication services; and
  (2) the safe operation of each aeronautical facility listed in the applicant's manual of operations.

(e) The procedures required under paragraph (a) shall require that accurate records of the following are maintained—
  (1) for each aeronautical facility, a record—
    (i) documenting the operating performance of the aeronautical facility; and
    (ii) records of malfunction and safety incidents
    (iii) providing a history of the maintenance, and the periodic inspections and tests of the aeronautical facility, that are traceable to the person or persons responsible for each of the recorded activities; and
  (2) for each aeronautical facility, a record of the establishment of, or a change in, the periodic tests required under Regulation 21.105(a); and
  (3) for each item of test equipment required under Regulation 21.110(a) that is used for the measurement of an aeronautical facility's critical performance parameters, a record that includes a traceable history of the location, maintenance, and the calibration checks for the item of test equipment; and
  (4) for each facility malfunction incident reported to the Authority, a record that includes—
    (i) details of the nature of the malfunction; and
    (ii) the findings of the investigation; and
    (iii) the follow up corrective actions; and
    (iv) records of internal audit reports
    (v) a copy of the report submitted to the Authority; and
  (5) for each person who is authorised in accordance with Regulation 21.065(a) to place aeronautical facilities into operational service, a record that includes details of the person's experience, qualifications, training, competence assessments, and current authorizations.
  (6) Job descriptions, training programme and plan of each staff member are also part of

records.

(f) The procedures required under paragraph (a) shall require—

(1) all records to be legible and of a permanent nature; and

(2) all aeronautical facility records required under paragraph (e)(1) to be retained for a period of at least three years unless a longer period is required—

(i) by the Authority; or

(ii) to establish a performance history for the aeronautical facility.

SUBPART C: OPERATING REQUIREMENTS

21.140 CONTINUED COMPLIANCE

(a) The holder of an aeronautical telecommunication service certificate shall—

(1) continue to meet the standards and comply with the requirements of Subpart B prescribed for certification under these Regulations; and

(2) comply with all procedures referred to in the manual of operations; and

(3) hold at least one complete and current copy of the manual of operations at each location listed in its manual of operations where a senior person is based; and

(4) make each applicable part of the manual of operations available to personnel who require those parts to carry out their duties; and

(5) notify the Authority on form of any change of address for service, telephone number, or facsimile number or email within 28 days of the change.

21.145 OPERATING & MAINTENANCE INSTRUCTIONS & PLANS

(a) The holder of an aeronautical telecommunication service certificate shall—

(1) have operating and maintenance instructions and plans that set out the requirements for operating and maintaining each aeronautical facility listed in the manual of operations; and

(2) provide the operating and maintenance instructions required under (a)(1) for the use and guidance of its personnel.

(b) The operating and maintenance instructions and plans required under paragraph (a)(1) shall include—

(1) details of the critical performance parameters for each aeronautical facility; and

(2) the associated minimum performance levels for those critical performance parameters referred to in paragraph (b)(1); and

(3) details of the test equipment required for the measurement of those critical performance parameters referred to in paragraph (a); and

(4) details of the mandatory inspections and test procedures for the operational service; and

(5) details of the mandatory inspection and test procedures for the operation and maintenance of each aeronautical facility.

(6) an analysis of the number of personnel required to operate and maintain each facility taking into account the workload required.

(7) the corrective plan and procedures for each facility, including such as whether the repair of modules and component are undertaken in-house or by equipment manufacturers; and

(8) the spare support for each facility.

21.150 INTERFACE ARRANGEMENT FOR SUPPORT SERVICES

(a) The aeronautical telecommunication service provider shall formalize interface arrangements where applicable with external organizations in the form of service level agreements, detailing the following—

(1) interface and functional specifications of the support service;

(2) service level of the support service such as availability, accuracy, integrity and recovery time of failure of service; and
(3) monitoring and reporting of the operational status of the service to the service provider.

21.155 DEVIATIONS

(a) If an emergency necessitates immediate action for the protection of life or property, and the action involves an aircraft operation, the holder of an aeronautical telecommunication service certificate may, subject to this Regulation, deviate from any requirement of these Regulations.

(b) The holder of an aeronautical telecommunication service certificate who deviates from a requirement of these Regulations under paragraph (a) shall—
(1) provide a written report to the Authority as soon as practicable, but in any event not later than 14 days, after the emergency; and
(2) include in the report required under (b)(1) the nature, extent, and duration of the deviation.

21.160 TEMPORARY AERONAUTICAL FACILITY

(a) If a temporary aeronautical facility is operated for the purpose of a site test, the holder of an aeronautical telecommunication service certificate is not required to comply with any requirements of Subpart B, except for Regulation 21.080(b) and (c).

21.165 PROHIBITION

(a) Except for the operation of a temporary aeronautical facility for site tests according to the procedures required under Regulation 21.080(b), the holder of an aeronautical telecommunication service certificate may not permit an aeronautical facility to continue in operational service under the authority of the certificate if the holder has any cause to suspect the integrity of the information being provided by the facility.

(b) Except if a deviation is required under Regulation 21.155(a) or a site test is carried out according to the procedures required under Regulation 21.080(b), the holder of an aeronautical telecommunication service certificate shall not operate an aeronautical facility under the authority of that certificate unless—
(1) the aeronautical facility is listed in the certificate holder's manual of operations; and
(2) the performance of the aeronautical facility meets the applicable information published for that facility under Regulation 21.100; and
(3) the performance of the aeronautical facility meets the applicable requirements in Regulation 21.080(a); and
(4) any integrity monitoring system for the aeronautical facility is fully functional; and
(5) all the periodic tests for the aeronautical facility are completed according to the programmes established under regulation 21.105(c)(2) and (3); and
(6) the aeronautical facility is included in the certificate holder's security programme required under 21.125(a) if the destruction, damage, or interference with the aeronautical facility is likely to endanger the safety of an aircraft in flight; and
(7) if (6)) applies, the requirements of the security programme for the aeronautical facility are being complied with.

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SUBPART D: FACILITY SPECIFICATIONS & REQUIREMENTS

21.170 SPECIFICATIONS & REQUIREMENTS

(a) The following specifications and requirements are applicable to the aeronautical facilities referred to in 21.080(a)(1)—

(1) each radio navigation aid listed in an aeronautical telecommunication service certificate holder's manual of operations shall be provided with a monitoring system that will remove the aeronautical facility from operational service and transmit a warning to an appropriate control point upon detection of any of the following conditions;

(i) navigation information outside the prescribed tolerance for the facility;

(ii) failure of the identification signal;

(iii) failure of the monitoring system.

SUBPART E: SAFETY OVERSIGHT REQUIREMENTS

21.175 SAFETY OVERSIGHT FUNCTION

(a) The Authority shall exercise safety oversight as part of its supervision of requirements applicable to the aeronautical telecommunication services in order to monitor the safe provision of these activities and to verify that the applicable safety regulatory requirements and their implementing arrangements are met.

21.180 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS

(a) The Authority shall establish a process in order to verify compliance with applicable safety regulatory requirements prior to the issue or renewal of a certificate necessary to provide aeronautical telecommunication services including safety-related conditions attached to it.

(b) The process referred to in paragraph (a) shall—

(1) be based on documented procedures;

(2) be supported by documentation specifically intended to provide safety oversight personnel with guidance to perform their functions;

(3) provide the organisations concerned with an indication of the results of the safety oversight activity;

(4) be based on safety regulatory audits and reviews conducted;

(5) provide competent authorities with the evidence needed to support further action.

21.185 SAFETY REGULATORY AUDITS

(a) The Authority shall conduct safety regulatory audits of all the aeronautical telecommunication services activities.

(b) The safety regulatory audits referred to in paragraph (a) shall—

(1) provide the Authority with evidence of compliance with applicable safety regulatory requirements and with implementing arrangements by evaluating the need for improvement or corrective action;

(2) be independent of internal auditing activities undertaken by the service provider concerned as part of its safety or quality management systems;

(3) be conducted by qualified inspectors;

(4) apply to complete implementing arrangements or elements thereof, and to processes, products or services;

(5) determine whether—

(i) implementing arrangements comply with safety regulatory requirements;

(ii) actions taken comply with the implementing arrangements;

(iii) the results of actions taken match the results expected from the implementing arrangements;

(6) lead to the correction of any identified non-conformities

(c) Within the inspection programme, the Authority shall establish and update at least annually a programme of safety regulatory audits in order to—

(1) cover all the areas of potential safety concern, with a focus on those areas where problems have been identified;

(2) cover all the aeronautical telecommunication service providers, services;

(3) ensure that audits are conducted in a manner commensurate to the level of risk posed by the aeronautical telecommunication service providers' activities;

(4) ensure that sufficient audits are conducted over a period of 1 year to check the compliance of all these aeronautical telecommunication service providers with applicable safety regulatory requirements in all the relevant areas of the functional system;

(5) ensure follow up of the implementation of corrective actions.

(d) The Authority may decide to modify the scope of pre-planned audits and to include additional audits, wherever that need arises.

(e) The Authority shall decide which arrangements, elements, services, functions, products, physical locations and activities are to be audited within a specified time frame.

(f) Audit observations and identified non-conformities shall be documented. The latter shall be supported by evidence, and identified in terms of the applicable safety regulatory requirements and their implementing arrangements against which the audit has been conducted.

(g) An audit report, including the details of the non-conformities, shall be drawn up.

21.190 CORRECTIVE ACTIONS

(a) The Authority shall communicate the audit findings to audited aeronautical telecommunication service providers and shall simultaneously request corrective actions to address the non-conformities identified without prejudice to any additional action required by the applicable safety regulatory requirements.

(b) Audited aeronautical telecommunication service providers shall determine the corrective actions deemed necessary to correct non-conformities and the time frame for their implementation.

(c) The Authority shall assess the corrective actions as well as their implementation as determined by audited aeronautical telecommunication service providers and accept them if the assessment concludes that they are sufficient to address the non-conformities.

(d) Audited aeronautical telecommunication service providers shall initiate the corrective actions accepted by the Authority. These corrective actions and the subsequent follow-up process shall be completed within the time period accepted by competent authorities.

21.195 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS

(a) The aeronautical telecommunication service providers shall only use procedures accepted by the Authority when deciding whether to introduce a safety-related change to their functional systems. In case of communication, navigation or surveillance service providers, the Authority shall accept these procedures in the framework of these regulations.

(b) The aeronautical telecommunication service providers shall notify the Authority of all planned safety-related changes.

21.200 CONTINGENCY PLAN REQUIREMENTS

(a) An aeronautical telecommunication service provider shall have in place contingency plan for all the services it provides in the case of events which result in significant degradation or

interruption of its services.

(b) The plan shall include—

(1) the actions to be taken by the members of the aeronautical telecommunication service provider's personnel responsible for providing the service;

(2) possible alternative arrangements for providing the service; and

(3) the arrangements for resuming normal operations for the service.

SUBPART F: APPROVAL REQUIREMENT

21.205 APPROVAL REQUIREMENT

(a) An aeronautical telecommunication service provider shall not provide communication, navigation and surveillance systems or operate communication, navigation and surveillance facility or facilities in the designated airspace and aerodromes unless the system or facility has been approved by the Authority.

(b) The Authority shall approve installation, commissioning, decommissioning, upgrading or relocation of all the communication, navigation and surveillance facility or facilities in the designated airspace and aerodromes.

(c) An aeronautical telecommunication service provider shall ensure the authority is involved during Factory and Site acceptance tests prior to installation and commissioning of a new CNS equipment.

END OF RCAR PART 21

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KU WA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 22

Air Traffic Services

SUBPART A: GENERAL 3
22.001 PURPOSE & APPLICABILITY 3
22.005 DEFINITIONS 3
22.010 ACRONYMS & ABBREVIATIONS 4
22.015 ISSUE OF CIVIL AVIATION OF TECHNICAL STANDARDS 4
22.020 GENERAL REQUIREMENTS & PROHIBITIONS 5
22.025 ESTABLISHMENT OF AUTHORITY 5
22.030 OBJECTIVES OF THE AIR TRAFFIC SERVICES 5
22.035 CLASSIFICATION OF AIRSPACE 5
22.037 ESTABLISHMENT AND DESIGNATION OF THE UNITS PROVIDING AIR TRAFFIC SERVICES 6
22.040 ESTABLISHMENT & IDENTIFICATION OF AIR TRAFFIC SERVICES ROUTES 6
22.045 ESTABLISHMENT & IDENTIFICATION OF SIGNIFICANT POINTS 6
22.050 AERONAUTICAL DATA 6
22.055 UNITS OF MEASUREMENT 7
22.060 LANGUAGE PROFICIENCY 7
22.065 DESIGNATION OF THE PORTIONS OF THE AIRSPACE AND CONTROLLED AERODROMES WHERE AIR TRAFFIC SERVICES WILL BE PROVIDED 7
22.066 MINIMUM FLIGHT ALTITUDES 7
22.067 IDENTIFICATION AND DELINEATION OF PROHIBITED, RESTRICTED AND DANGER AREAS 7
SUBPART B: CERTIFICATION REQUIREMENTS 7
22.070 REQUIREMENT FOR CERTIFICATE 7
22.075 APPLICATION FOR CERTIFICATE 7
22.080 ISSUE OF CERTIFICATE 7
22.085 PRIVILEGES OF CERTIFICATE 8
22.090 DURATION OF CERTIFICATE 8
22.095 RENEWAL OF CERTIFICATE 8
22.100 PERSONNEL REQUIREMENTS 8
22.105 ATS PERSONNEL TRAINING 9
22.110 AIR TRAFFIC SERVICE ORGANISATION MANUAL OF OPERATIONS 10
22.115 AMENDMENT OF CERTIFICATE & MANUAL OF OPERATIONS 12
22.120 CONTROL OF DOCUMENTATION 12
22.125 FACILITY REQUIREMENTS 13
22.130 FAILURE OR IRREGULARITY OF SYSTEMS & EQUIPMENT 15
22.135 ATS REQUIREMENT FOR COMMUNICATION 15
22.140 ESTABLISHMENT & TRANSFER OF SERVICE 15
22.145 FATIGUE MANAGEMENT 16
22.150 CONTINGENCY PLAN 16
22.155 CO-ORDINATION REQUIREMENTS 16
22.160 NOTIFICATION OF FACILITY STATUS 18
22.165 GENERAL INFORMATION REQUIREMENTS 18
22.170 METEOROLOGICAL INFORMATION & REPORTING 18
22.175 PROVISIONS OF AIR TRAFFIC CONTROL SERVICES 19
22.180 AREA & APPROACH CONTROL SERVICES 19
22.185 AERODROME CONTROL SERVICE 21
22.190 SPECIAL USE AIRSPACE 22
22.195 RESPONSIBILITY FOR CONTROL 22
22.200 PRIORITIES 23
22.205 FLOW CONTROL 24

22.210 ATC CLEARANCES 24
22.215 READ-BACK OF CLEARANCES & SAFETY-RELATED I N F O R M A T I O N 25
22.220 CRUISING LEVELS 25
22.225 DEVIATION FROM AN ATC CLEARANCE 25
22.230 FLIGHT INFORMATION SERVICE: GENERAL 25
22.235 FLIGHT INFORMATION SERVICE: TRAFFIC INFORMATION 26
22.240 AERODROME FLIGHT INFORMATION SERVICE 27
22.245 ALERTING SERVICE 27
22.250 FLIGHT PLANS 29
22.255 TIME IN ATS 29
22.260 ALTIMETER SETTING PROCEDURES 30
22.265 RADIO & TELEPHONE P R O C E D U R E S 30
22.270 AIRCRAFT EMERGENCIES & IRREGULAR OPERATION 30
22.275 ACTION AFTER SERIOUS INCIDENT OR ACCIDENT 30
22.280 REPORTING OF INCIDENTS 31
22.285 SERVICE DISRUPTIONS 31
22.290 LOGBOOKS & POSITION LOGS 31
22.295 SAFETY MANAGEMENT SYSTEM 32
22.300 SECURITY 32
22.305 SECURITY TRAINING PROGRAMME 32
22.310 MANAGEMENT OF RECORDS 33
22.311. INSTRUMENT FLIGHT PROCEDURE DESIGN SERVICE 34
SUBPART C: OPERATING REQUIREMENTS 34
22.315 CONTINUED COMPLIANCE 34
22.320 SUSPENSION OF VFR OPERATIONS 34
22.325 WITHDRAWAL OR TRANSFER OF SERVICE 34
22.330 PERFORMANCE-BASED NAVIGATION (PBN) OPERATIONS 35
22.335 PERFORMANCE-BASED COMMUNICATION (PBC) OPERATIONS 35
22.340 PERFORMANCE-BASED SURVEILLANCE (PBS) OPERATIONS69. 35
22.345 SEPARATION MINIMA 35
22.350 ATS SURVEILLANCE SERVICE 36
SUBPART D: STANDARD PHRASEOLOGY 36
22.355 Standard Phraseology 36
22.360 CONTROLLER/PILOT P H R A S E O L O G Y 36
22.365 ATS CO-ORDINATION PHRASEOLOGY 38
SUBPART E: RADAR PROCEDURES 38
22.370 VERIFICATION OF SSR TRANSPONDER MODE C LEVEL INFORMATION 38
22.375 SPEED CONTROL 38
SUBPART F: SAFETY OVERSIGHT REQUIREMENT 38
2.380 SAFETY OVERSIGHT FUNCTION 38
22.385 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS 39
22.390 SAFETY REGULATORY AUDITS 39
22.395 CORRECTIVE ACTIONS 40
22.400 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS 40

SUBPART A: GENERAL

22.001 PURPOSE & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Air Traffic Services) Regulations.

(b) These regulations prescribe the requirements of Rwanda for—

(1) the certification and operation of organizations providing an air traffic service in Kigali Flight Information Region; and

(2) operating and technical standards for providing an air traffic service by those organizations.

(c) These regulations are applicable to—

(1) a person providing air traffic services within designated air spaces and at an aerodrome; and

(2) Organizations that provide the required air traffic services; and

(3) Persons that administer the required air traffic services on behalf of the organizations

(d) These regulations shall not apply—

(1) in respect of any air traffic services that are provided by or under the authority of the Minister of Defence; and.

(2) to a person providing air traffic services in the course of his duties to state aircraft.

(e) Civil Aviation Technical Standards published by the Authority shall be applicable to the provision of air traffic services in Rwanda.

22.005 DEFINITIONS

(a) For the purpose of this Part, the following definitions apply—

Annex 1. Annex 1 to the Convention;

Annex 2. Annex 2 to the Convention;

Annex 3. Annex 3 to the Convention;

Annex 10. Annex 10 to the Convention;

Annex 11. Annex 11 to the Convention;

Area of responsibility. The airspace, and in the case of an aerodrome, the manoeuvring area, within which a particular operating position is responsible for the provision of an air traffic service;

ATS Letter of Agreement/procedures. A document formalising matters of operational significance between ATS units;

ATS messages. Emergency messages, movement and control messages, and flight information messages as described in the Civil Aviation Technical Standards for Air Traffic Services chapter 13

Authority. Rwanda Civil Aviation Authority (RCAA)

Civil Aviation Technical Standards. A document issued by the Authority containing standards pertaining to the certification and operating requirements to be complied with by organisations providing an air traffic service in Kigali Flight Information Region for the safety of air navigation. These standards are complementary to the requirements of these Regulations.

Document 4444. The ICAO document titled Procedures for Air Navigation Services;

Document 7030. The ICAO document titled Regional Supplementary Procedures as applicable to the Africa-Indian Ocean (AFI) Regions;

Document 9432. The ICAO document titled Manual of Radiotelephony;

Essential traffic. Any controlled traffic that is not separated by the prescribed minima in relation to other controlled flights where separation is required;

Filed flight plan. The flight plan as filed with an ATS unit by the pilot or a designated representative, without any subsequent changes;

Flow control. Measures designed to adjust the flow of traffic into a given airspace, along a given route, or bound for a given aerodrome, to ensure the most effective utilization of the airspace;

Operating position. The work station from which one or more air traffic controllers or flight service operators provide air traffic services within an allocated area or areas of responsibility;

Rated air traffic controller. An air traffic controller holding a current licence, and a rating, or ratings, validated for the particular location, issued in accordance with the Civil Aviation (Personnel Licensing) Regulations;

Rated flight service operator. A flight service operator holding a current licence, and a rating, or ratings, validated for the particular location, issued in accordance with the Civil Aviation (Personnel Licensing) Regulations;

Strayed aircraft. An aircraft that has deviated significantly from its intended track or reports that it is lost;

Traffic avoidance advice. Advice provided by an ATS unit specifying manoeuvres to assist a pilot to avoid a collision;

Traffic information. Information issued by an ATS unit, to alert a pilot to other known or observed air traffic which may be in proximity to the position, or intended route of flight, and to help the pilot avoid a collision.

22.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

ANSP = Air Navigation Service Provider
ATS = Air Traffic Services
CGPM = General Conference of Weights and Measures
GPWS= Ground Proximity Warning System
RCATS = Rwanda Civil Aviation Technical Standards
RSP = Required Surveillance Performance
IFR = Instrument Flight Rules
VFR = Visual Flight Rules
AIS = Aeronautical Information Services
CNS = Communication Navigation Services
PANSOPS = Procedures for Air Navigation Services Operations
TAWS = Traffic avoidance Warning System

22.015 ISSUE OF CIVIL AVIATION OF TECHNICAL STANDARDS

(a) The Authority may issue Civil Aviation Technical Standards (Air Traffic Services) prescribing standards for these Regulations that provides for the following matters—

(1) standards, including procedures, systems and documents used to provide an air traffic service;
(2) standards for facilities and equipment used to provide an air traffic service;
(3) standards for the training and checking of an ATS provider's personnel;
(4) any matter required or permitted by these Regulations to be provided for by the Technical Standards;
(5) any matter necessary or convenient to be provided for the effective operation of these Regulations.

(b) The standards referred to paragraph (a) shall, for the safety of air navigation, be complied with by—

(1) air traffic service certificate holder; and
(2) air traffic service certificate applicant.

(c) The Authority shall also publish Advisory Circulars containing acceptable methods and procedures for compliance with these regulations and the prescribed standards.

22.020 GENERAL REQUIREMENTS & PROHIBITIONS

(a) No person shall provide air traffic control services unless they are provided in accordance with—
(1) the requirements of these regulations;
(2) any Civil Aviation Technical Standards prescribed by the Authority.

(b) No person shall act as an air traffic controller—
(1) within eight hours after consuming alcohol;
(2) while under the influence of alcohol; or
(3) while under the influence of any drug or other substance that impairs the person's faculties to the extent that aviation safety is affected.

22.025 ESTABLISHMENT OF AUTHORITY

(a) An applicant for the grant of an air traffic service certificate shall determine those portions of the airspace and aerodromes where air traffic services will be provided.

(b) The applicant shall arrange for such services to be established and provided in accordance with the provisions of these regulations and implementing standards prescribed by the Authority.

(c) Where air traffic services are established, information shall be published as necessary to permit the utilization of such services.

(d) The authority responsible the provision of air traffic services shall arrange for those services to be established and provided in accordance with these Regulations.

22.030 OBJECTIVES OF THE AIR TRAFFIC SERVICES

(a) An applicant shall establish procedures to ensure that the objectives of the air traffic services is to—
(1) prevent collisions between aircraft;
(2) prevent collisions between aircraft on the manoeuvring area and obstructions on that area;
(3) expedite and maintain an orderly flow of air traffic;
(4) provide advice and information useful for the safe and efficient conduct of flights; and
(5) notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required.

22.035 CLASSIFICATION OF AIRSPACE

(a) An applicant for the grant of an air traffic service certificate shall select the airspace classes appropriate to their needs.

(b) The applicant shall establish procedures to ensure that ATS airspaces are classified in accordance with the following—
(1) Class A. IFR flights only are permitted, all flights are provided with air traffic control service and are separated from each other.
(2) Class B. IFR and VFR flights are permitted, all flights are provided with air traffic control service and are separated from each other.
(3) Class C. IFR and VFR flights are permitted, all flights are provided with air traffic control service and IFR flights are separated from other IFR flights and from VFR flights. VFR flights are separated from IFR flights and receive traffic information in respect of other VFR flights.

(4) Class D. IFR and VFR flights are permitted and all flights are provided with air traffic control service, IFR flights are separated from other IFR flights and receive traffic information in respect of VFR flights, VFR flights receive traffic information in respect of all other flights.

(5) Class E. IFR and VFR flights are permitted, IFR flights are provided with air traffic control service and are separated from other IFR flights. All flights receive traffic information as far as is practical. Class E shall not be used for control zones.

(6) Class F. IFR and VFR flights are permitted, all participating IFR flights receive an air traffic advisory service and all flights receive flight information service if requested.

(7) Class G. IFR and VFR flights are permitted and receive flight information service if requested.

(c) The requirements for flights within each class shall be in accordance with Appendix 4 of Civil aviation technical standards- Air traffic services.

22.037 ESTABLISHMENT AND DESIGNATION OF THE UNITS PROVIDING AIR TRAFFIC SERVICES

(a) The air traffic services shall be provided by units established and designated as follows:

(1) Flight information centres shall be established to provide flight information service and alerting service within flight information regions, unless the responsibility of providing such services within a flight information region is assigned to an air traffic control unit having adequate facilities for the discharge of such responsibility; and

(2) Air traffic control units shall be established to provide air traffic control service, flight information service and alerting service within control areas, control zones and at controlled aerodromes

22.040 ESTABLISHMENT & IDENTIFICATION OF AIR TRAFFIC SERVICES ROUTES

(a) An applicant shall ensure that—

(1) when ATS routes are established, a protected airspace along each ATS route and a safe spacing between adjacent ATS routes are provided;

(2) designators for ATS routes are selected in accordance with the principles set forth in RCATS-ATS Appendix 1; and

(3) each ATS route is identified by designators.

(b) Standard departure and arrival routes and associated procedures shall be identified in accordance with the principles set forth in the RCATS-ATS, Appendix 3

22.045 ESTABLISHMENT & IDENTIFICATION OF SIGNIFICANT POINTS

(a) An applicant for the grant of air traffic certificate shall establish procedures to ensure that significant points are—

(1) established for the purposes of defining an ATS route or instrument approach procedure and/or in relation to the requirements of air traffic services for information regarding the progress of aircraft in flight; and

(2) identified by designators.

(b) A Significant point shall be established and identified in accordance with the principles set forth in RCATS-ATS, Appendix 2.

22.050 AERONAUTICAL DATA

(a) The determination and reporting of air traffic services -related aeronautical data shall be in accordance with the accuracy and integrity classification required to meet the needs of the end-user of aeronautical data.

(b) Digital data error detection techniques shall be used during the transmission and/or storage of aeronautical data and digital data sets.

22.055 UNITS OF MEASUREMENT

(a) The SI Units developed and maintained by the General Conference of Weights and Measures (CGPM) shall be in accordance with the provisions of Part 38 of civil aviation regulations.

22.060 LANGUAGE PROFICIENCY

(a) An applicant for the grant of an air traffic service certificate shall ensure that air traffic controllers demonstrate the ability to read, speak, write and understand the English language used for radiotelephony communication as specified in part 7 of Civil Aviation Regulations.

22.065 DESIGNATION OF THE PORTIONS OF THE AIRSPACE AND CONTROLLED AERODROMES WHERE AIR TRAFFIC SERVICES WILL BE PROVIDED

(a) When it has been determined that air traffic services will be provided in particular portions of the airspace or at particular aerodromes, then those portions of the airspace or those aerodromes shall be designated in relation to the air traffic services that are to be provided.

(b) The designation of the particular portions of the airspace or the particular aerodromes shall be as specified in Rwanda civil Aviation Technical Standards –Air traffic services

22.066 MINIMUM FLIGHT ALTITUDES

(a) ATS provider shall determine and promulgate minimum flight altitudes for each ATS route and control area over Kigali flight Information Region (FIR).

(b) The minimum flight altitudes determined shall provide a minimum clearance above the controlling obstacle located within the areas concerned.

22.067 IDENTIFICATION AND DELINEATION OF PROHIBITED, RESTRICTED AND DANGER AREAS

(a) Each prohibited area, restricted area, or danger area established by the Rwanda shall upon initial establishment, be given an identification and full details shall be promulgated.

SUBPART B: CERTIFICATION REQUIREMENTS

22.070 REQUIREMENT FOR CERTIFICATE

(a) No person shall provide an air traffic service except under the authority of, and in accordance with the provisions of, an air traffic service certificate issued under these Regulations.

22.075 APPLICATION FOR CERTIFICATE

(a) An applicant for the grant of an air traffic service certificate shall complete an application, in a form and in the manner prescribed by the Authority, which shall include the following information—

(1) Applicant's name and address in Rwanda; and

(2) The specific air traffic service or services to be provided; and

(3) The aerodrome location or airspace designation at, or within which, the service will be provided; and

(4) Such other information relating to the applicant and the intended service as may be required by the Authority as indicated on the form and submit it to the Authority with:

(i) the applicant's manual of operations required under Regulation 22.110; and

(ii) if applicable, a payment of the appropriate application fee prescribed by the Authority.

22.080 ISSUE OF CERTIFICATE

(a) Subject to paragraph (b) below, Authority shall issue an air traffic service certificate to an applicant if the Authority is satisfied that—

(1) the applicant meets the requirements of these Regulations and standards prescribed by the Authority; and

(2) the applicant, and the applicant's senior person or persons required by Regulation 22.100, are fit and proper persons; and

(3) the granting of the certificate is not contrary to the interests of aviation safety.

(b) The Authority shall ensure, in the interests of aviation safety that only one certificate for the same air traffic service is current at any time.

(c) (The provision of the AIS, CNS, PANSOPS, Aeronautical Meteorological services and/ or Cartography services, when under the authority of the applicant for the grant of an air traffic service certificate, are included in the scope of the ATS provider's certificate.

22.085 PRIVILEGES OF CERTIFICATE

(a) An air traffic service certificate shall specify which of the following air traffic services, and which training and assessment for such services, the certificate holder is authorized to provide—

(1) area control service;
(2) approach control service;
(3) aerodrome control service;
(4) flight information service; and
(5) alerting service.

(b) An air traffic service certificate—

(1) shall state the aerodrome or airspace at, or within which, the service is to be provided; and
(2) specifies the air traffic services authorized to be provided; and
(3) shall include such conditions as the Authority considers appropriate in the interest of aviation safety and efficiency.

22.090 DURATION OF CERTIFICATE

(a) An air traffic service certificate shall be granted or renewed for a period of up to 2 years.

(b) An air traffic service Certificate shall remain in force until it expires, or is suspended or revoked.

(c) The Authority may, by written notice given to the holder of an air traffic service certificate, suspend or revoke the certificate if there are reasonable grounds for believing that:

(1) a condition to which the certificate is subject has been breached; or
(2) the holder has failed to comply with these Regulations.

(d) Before suspending or cancelling an air traffic service certificate, the Authority shall:

(1) give to the holder a show cause notice that:
(i) sets out the facts and circumstances that, in the opinion of the Authority, would justify the suspension or cancellation; and
(ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or revoked; and
(2) take into account any written submissions that the holder makes to the Authority within 30 days.

(e) The holder of an air traffic service certificate that has been suspended or revoked shall forthwith surrender the certificate to the Authority immediately.

22.095 RENEWAL OF CERTIFICATE

(a) An applicant for the renewal of an air traffic service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority.

(b) The application for the renewal shall be made not less than 90 days before the expiry date specified on the certificate and shall be accompanied by;

(i) the Manual of Air traffic service operations (MATS) if significant changes have been made following the initial certification; and
(ii) the fee as prescribed by the Authority.

22.100 PERSONNEL REQUIREMENTS

(a) An applicant for the grant of an air traffic service certificate shall employ, contract, or otherwise

engage—

(1) a senior person identified as the chief executive who has the authority within the applicant's organization to ensure that every air traffic service listed in the manual of operations—
   (i) can be financed; and
   (ii) is provided in accordance with the requirements and standards prescribed by these Regulations; and

(2) a senior person or persons ultimately responsible to the chief executive who is or are responsible for the following functions—
   (i) ensuring that the applicant's organization complies with the requirements of these Regulations; and
   (ii) the system for safety management required under Regulation 22.295; and

(3) at all times sufficient suitably qualified and trained personnel to manage, support, and ensure the provision of the air traffic services in a safe, efficient, continuous and sustainable manner and any associated training or assessment listed in the applicant's manual of operations.

(b) The senior person required by paragraph (a)(2) shall be able to demonstrate competency and experience relevant to the management of safety systems and the activities of the certificate holder.

(c) The applicant shall establish procedures to—

(1) ensure the continued competence of those personnel who are authorized by the applicant to provide the air traffic services, and training and assessment for those services, listed in the applicant's manual of operations; and

(2) provide those authorized personnel with written evidence of the scope of their authorization; and

(3) ensure that those authorized personnel hold appropriate current licenses and ratings issued in accordance with Civil Aviation (Personnel Licensing) Regulations; and

(4) ensure that authorized personnel only exercise the privileges of their rating or ratings and are familiar with all relevant and current applicable to those licenses and ratings; and

(5) facilitate, for rated air traffic service licence holders, compliance with the recent experience requirements prescribed by the Authority; and

(6) ensure, that an air traffic controller does not exercise the privileges of their rating or ratings—
   (i) unless they comply with any endorsements on their medical certificate; and
   (ii) when any decrease in their medical fitness might render them unable to safely exercise these privileges.

(7) ensure that all qualified air traffic controllers be in possession of a valid air traffic controller license and a current medical certificate before they can provide any air traffic service.

22.105 ATS PERSONNEL TRAINING

(a) An applicant for the grant of an air traffic service certificate shall establish procedures and programs for the training and assessment of the following personnel—

(1) air traffic controllers; and

(2) personnel directly involved in activities supporting rated air traffic controllers.

(b) The applicant shall establish procedures to ensure that personnel giving instruction in an operational environment hold an appropriate current ATS instructor endorsement issued under Civil Aviation (Personnel Licensing) Regulations.

(c) The applicant shall establish procedures to ensure that personnel carrying out air traffic examination for the issue of licenses, or validation of ratings, have knowledge/experience requirements prescribed by the Authority.

22.110 AIR TRAFFIC SERVICE ORGANISATION MANUAL OF OPERATIONS

(a) An applicant for the grant of an air traffic service certificate shall provide the Authority with a manual of operations containing—

(1) a statement signed by the chief executive on behalf of the applicant's organization confirming that the manual of operations and any included manuals—

(i) define the organisation and demonstrate means and methods for ensuring ongoing compliance with these regulations and any other applicable regulations; and

(ii) are to be complied with by its personnel at all times; and

(2) in relation to the system for safety management required by Regulation 22.295—

(i) all of the documentation required by Civil Aviation (Safety Management System) Regulations; and

(ii) for an applicant that is not applying for a renewal of an air traffic service certificate, an implementation plan that describes how the system for safety management will be implemented; and

(3) the titles and names of the senior person or persons (for the supervisory positions) required by Regulation 22.100(a)(1) and (2); and

(4) the duties and responsibilities of the senior person or persons required by Regulation 22.100(a)(1) and (c), including—

(i) matters for which they have responsibility to deal directly with the Authority on behalf of the organisation; and

(ii) responsibilities for safety management; and

(5) an organisation chart showing lines of responsibility of the senior person or persons required by Regulation 22.100(a)(1) and (2), and extending to each location listed in (6)(i); and

(6) in the case of an organisation providing air traffic services from more than 1 ATS unit, a table listing—

(i) locations of ATS units; and

(ii) the aerodrome or airspace being serviced; and

(iii) the services provided; and

(7) details of the applicant's staffing structure for each ATS unit; and

(8) a statement showing how the provider determines the number of operational staff required, including the number of operational supervisory staff; and

(9) details of procedures required by Regulation 22.100(c) Personnel Requirements regarding the competency, qualifications, maintenance of current operating practice, and fitness of personnel; and

(10) details of procedures required by Regulation 22.105 regarding the training and assessment of ATS personnel, and regarding the qualifications of ATS training personnel; and

(11) information identifying the lines of safety responsibility within the organization; and

(12) a description of the display systems to be used in meeting the requirements of Regulation 22.125(b)(5)(i) and (c)(2)(i); and

(13) the information required by Regulation 22.140 (c) regarding hours of service, the establishment of an air traffic service, and any transitional arrangements; and

(14) if the service is an ATS for a controlled aerodrome—

(i) a chart of the manoeuvring area of the aerodrome showing all runways, taxiways, parking areas, etc.;

(ii) extracts from the Airport Emergency Plan (AEP) relevant to the ATS functions;

(iii) a copy of the procedures as set out in the aerodrome manual for preventing unauthorized entry of persons or things onto the movement area of the aerodrome; and

(iv) a copy of the procedures set out in the aerodrome manual for the control of

surface vehicles operating on or in the vicinity of the manoeuvring area;

(15) procedures regarding shift administration required by Regulation 22.145; and

(16) details of the procedures required by Regulation 22.120 regarding the control of documentation; and

(17) the contingency plan required by Regulation 22.150; and

(18) details of the systems and procedures required by Regulation 22.155 regarding co-ordination requirements; and

(19) details of the procedures required by Regulation 22.160 regarding the notification of facility status; and

(20) details of the systems and procedures required by Regulation 22.165 regarding general information requirements; and

(21) details of the systems and procedures required by Regulation 22.170 regarding meteorological information and reporting; and

(22) details of the systems and procedures required by Regulation 22.175 regarding the provision of Air traffic control services; and

(23) details of systems and procedures required by Regulation 22.180 regarding the provision of area control and approach control services where applicable; and

(24) details of systems and procedures required by Regulation 22.185 regarding the provision of aerodrome control service where applicable; and

(25) details of systems and procedures required by Regulation 22.190 regarding the separation of controlled flights and active special use airspace; and

(26) details of the procedures required by Regulation 22.195 regarding responsibility for control; and

(27) details of the procedures required by Regulation 22.200 regarding the application of priorities; and

(28) details of the procedures required by Regulation 22.205 regarding flow control; and

(29) details of the procedures required by Regulation 22.210 regarding issuing ATC clearances

(30) details of the procedures required by Regulation 22.215 regarding a correct read-back of clearances and safety-related information; and

(31) details of the procedures required by Regulation 22.220 regarding the allocation of cruising levels; and

(32) details of the procedures required by Regulation 22.225 regarding deviations from an ATC clearance; and

(33) details of systems and procedures required by Regulations 22.230, 22.235 and 22.240 regarding the provision of flight information service; and

(34) details of systems and procedures required by Regulation 22.245 regarding the provision of alerting service; and

(35) details of the procedures required by Regulation 22.250 regarding the processing of flight plans; and

(36) details of the procedures required by Regulation 22.255 regarding time in ATS; and

(37) details of altimeter setting procedures required by Regulation 22.260; and

(38) details of the radio and telephone procedures required by Regulation 22.265; and—

  (i) details of the procedures required by Regulation 22.350 ATS Surveillance Service regarding the provision of radar services; and

  (ii) systems and procedures governing ATIS broadcasts

(39) details of the procedures required by Regulation 22.270 regarding aircraft emergencies and irregular operation; and

(40) details required by Regulation 22.275 regarding procedures following a serious incident or accident; and

(41) details of the procedures required by Regulation 22.280 regarding reporting of incidents; and

(42) details of systems and procedures required by Regulation 22.310 regarding the

gathering and management of records; and

(43) details of the procedures required by Regulation 22.290 regarding the keeping of logbooks and position logs; and

(44) details of the programme required by Regulation 22.300 regarding security arrangements; and

(45) details of the procedures required by Regulation 22.285 regarding disruptions to service; and

(46) a description of the procedures to be followed to ensure all operational staff are familiar with any operational changes that have been issued since they last performed operational duties

(47) details of the procedures required by Regulation 22.345 separation minima applicable; and

(48) procedures to control, amend and distribute the manual of operations.

(b) The applicant's ATS procedures and standards in paragraph (a) shall be in accordance with these regulations, Doc 4444, supplemented by Doc 7030 as applicable.

(c) The applicant's manual of operations shall be approved by the Authority.

22.115 AMENDMENT OF CERTIFICATE & MANUAL OF OPERATIONS

(a) A holder of an air traffic service certificate shall ensure that, the manual of operations is amended so as to remain with a current description of the holder's organization and services.

(b) The holder of an air traffic service certificate shall ensure that any amendment made to the holder's manual of operations—

(1) meets the applicable requirements of these Regulations and the standards prescribed by the Authority; and

(2) complies with the amendment procedures contained in the manual of operations.

(c) The holder of an air traffic service certificate shall forward to the Authority for approval and retention, a copy of each amendment to manual of operations before incorporating the amendment into the manual of operations. The holder shall forward to the Authority—

(1) a copy of each amendment, at least 30 working days in advance of the effective date; and

(2) an amendment of an urgent or immediate nature, without delay, and no later than the date on which it is effective.

(d) If there is any change that requires an amendment to the certificate, the holder of the air traffic service certificate shall forward the certificate to the Authority for endorsement of the change as soon as practicable.

(e) The holder of an air traffic service certificate shall make amendments to the manual of operations as the Authority considers necessary in the interests of aviation safety.

22.120 CONTROL OF DOCUMENTATION

(a) An applicant for the grant of an air traffic service certificate shall hold copies of the relevant technical manuals, and all other documents, necessary for the provision and operation of the services listed in the manual of operations.

(b) The applicant shall establish a procedure to control all the documentation required by paragraph (a). The procedure shall ensure that—

(1) all incoming documentation is reviewed, and actioned as required, by authorized personnel; and

(2) all documentation is reviewed and authorised before issue; and

(3) current copies of all relevant documentation are available to personnel at all locations where they need access to such documentation for the provision and operation of air traffic services; and

(4) all obsolete documentation is promptly removed from all points of issue or use; and

(5) any obsolete documents retained as archives are suitably identified as obsolete; and

(6) changes to documentation are reviewed and approved by authorised personnel who shall have access to pertinent background information upon which to base their review and approval; and

(7) the current version of each item of documentation can be identified to preclude the use of out-of-date editions.

22.125 FACILITY REQUIREMENTS

(a) An applicant for the grant of an air traffic service certificate shall establish the following facilities that are appropriate to the air traffic services listed in the applicant's manual of operations—

(1) aerodrome control towers;

(2) approach control offices;

(3) area control centres;

(4) flight information centres; and

(5) dedicated training and assessment facilities.

(b) Except as provided in paragraph (h), an applicant for an aerodrome control service, shall establish procedures to ensure that any aerodrome control tower including any temporary tower or office, listed in the applicant's manual of operations, is—

(1) constructed and situated to provide—

(i) the maximum practicable visibility of aerodrome traffic; and

(ii) protection from glare and reflection; and

(iii) protection from noise; and

(2) safeguarded from any development that would affect the requirements of paragraph (1); and

(3) at solo watch locations, provided with—

(i) toilet facilities that ensure the minimum possible interruption to, or degradation of air traffic services; and

(ii) storage and preparation facilities for food and drink in the visual control room; and

(4) provided with adequate equipment for two-way voice communication with—

(i) any aircraft, in or adjacent to airspace for which the applicant has responsibility; and

(ii) any aircraft, vehicle, and person, on, or adjacent to, the manoeuvring area; and

(5) provided with the following minimum equipment:

(i) a display system or systems designed to show the disposition of current and pending aerodrome traffic together with ancillary information for individual aircraft;

(ii) a power supply;

(iii) appropriate and current maps and charts;

(iv) binoculars;

(v) clocks;

(vi) log keeping system;

(vii) outside temperature indicator;

(viii) QNH display;

(ix) signal lamp with green, red, and white functions;

(x) telephone communications;

(xi) status monitors for approach and landing aids road a

(xii) visibility and cloud height checkpoints;

(xiii) voice and, if applicable, data recording equipment;

(xiv) wind direction and wind speed display;

(xv) an AFTN terminal or, if provided for in an ATS letter of agreement, an alternative means of reception and transmission of information normally conveyed by

AFTN; and

(xvi) if applicable, airfield lighting controls panel; and

(6) provided with 2 independent sources of the current altimeter setting, at least 1 of which shall be an aneroid barometer or barometric altimeter situated in the visual control room.

(c) The applicant shall establish procedures to ensure that an area control centre, a flight information centre, and an approach control office is—

(1) provided with adequate equipment enabling—

(i) to the fullest extent practical, two-way voice communication; and

(ii) if applicable, data communication with any aircraft in, or adjacent to, airspace for which the applicant has responsibility; and

(2) provided with the following minimum equipment—

(i) a display system or systems designed to show the disposition of current and pending flights together with ancillary information for individual aircraft;

(ii) the Automation systems to generate and display flight plan, control and coordination data in a timely, accurate and easily recognizable manner and in accordance with human Factors principles

(iii) a power supply:

(iv) appropriate and current maps and charts:

(v) clocks:

(vi) log keeping system:

(vii) status monitors as appropriate for navigation, approach, and landing aids:

(viii) telephone communications:

(ix) voice recording equipment and, if applicable, data recording equipment:

(x) an AFTN terminal:

(xi) for an approach control operating position, an ILS status monitor at the approach control or approach control radar operating position for the aerodrome concerned:

(xii) for an approach control operating position responsible for aircraft on final approach, or aircraft landing or taking off, a wind direction and wind speed display fed from the same source as the corresponding equipment in the aerodrome control tower.

(d) The applicant shall establish procedures to ensure that the aeronautical telecommunications equipment required by paragraphs (b) and (c) are operated in accordance with the requirements of the Civil Aviation (Aeronautical Telecommunication Services) Regulations.

(e) The applicant shall establish procedures to ensure that any visual display unit used by an air traffic service is positioned with due regard to the relative importance of the information displayed and ease of use by the staff concerned.

(f) The equipment required by paragraphs (b)(4) and (5), and (c)(1) and (2), shall have a level of reliability, availability, and redundancy, that minimises the possibility of failure, non-availability, or significant degradation of performance.

(g) The applicant shall establish procedures to ensure that the status monitors required by paragraphs (b)(4)(xi) and (c)(2)(vi) and (x) are fitted with—

(1) an aural signal to indicate a change of status; and

(2) a visual indication of the current status.

(h) A temporary aerodrome control tower is not required to be provided with the equipment required under paragraphs (b)(4)(xi), (xv) and (xvi) and (xvii) if it is impracticable to do so and other appropriate measures are taken, as the case may be, to—

(1) provide the person providing the air traffic service from the temporary tower or office with the information that would be available from the equipment required under paragraph

(b)(4)(xi) and (xv); and

(2) control the airfield lighting if applicable.

22.130 FAILURE OR IRREGULARITY OF SYSTEMS & EQUIPMENT

(a) An applicant shall establish procedures to ensure that air traffic control units immediately report in accordance with local instructions any failure or irregularity of communication, navigation and surveillance system or any other safety significant systems or equipment which could adversely affect the safety or efficiency of flight operations and/or the provision of air traffic control service.

22.135 ATS REQUIREMENT FOR COMMUNICATION

(a) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that requirements for Regulation 22.125(b)(4) and (c)(1) be used in air-ground communication to enable two-way communications to take place in all ATS units for ATS purposes.

(b) The applicant shall ensure that all facilities for direct-speech or data link communications between ATS units and between ATS units and other units described under paragraphs (d) and (e) shall be provided with automatic recording.

(c) Recordings of communications channels as required in paragraph (b) shall be retained for a period of at least ninety days.

(d) An applicant shall ensure the use of Direct-speech and/or data link communications in ground-ground communications between applicable ATS units and other supporting units /agencies for ATS purposes.

(e) The applicant shall ensure that the communication facilities required under paragraph (d) include where applicable, provisions for—

(1) communications by direct speech alone, or in combination with data link communications, whereby for the purpose of transfer of control using radar or ADS-B, the communications can be established instantaneously and for other purposes the communications can normally be established within fifteen seconds; and

(2) printed communications, when a written record is required; the message transit time for such communications being no longer than five minutes.

(f) The applicant shall ensure that these communication facilities, in all cases include provisions for messages in a form suitable for retention as a permanent record, and delivery in accordance with transit times specified by regional air navigation agreements.

22.140 ESTABLISHMENT & TRANSFER OF SERVICE

(a) An applicant for the grant of an air traffic service certificate shall determine those portions of the airspace and aerodromes where air traffic services will be provided.

(b) An applicant shall arrange for such services to be established and provided in accordance with the provisions of this regulation and technical standards as prescribed by the authority,

(c) An applicant for the grant of an air traffic service certificate shall include with the application—

(1) for each aerodrome and airspace, a schedule of the proposed hours of service; and

(2) in respect of an aerodrome, or airspace, not currently provided with an air traffic service, a summary of safety factors considered before seeking certification.

(d) An applicant for the grant of an air traffic service certificate intending to assume responsibility for providing any air traffic service from an existing certificate holder, shall include with the application, full details of transitional arrangements endorsed by the chief executives of both organisations.

(e) Where air traffic services are established, information shall be published as necessary

to permit the utilization of such services.

22.145 FATIGUE MANAGEMENT

(a) An applicant for the grant of an air traffic service certificate shall establish a procedure to ensure that—
  (1) adequate time is provided at the beginning and end of each shift, for the performance of those duties required—
    (i) before providing an air traffic service; and
    (ii) after ceasing to provide an air traffic service; and
  (2) a minimum of 15 minutes is provided for each transfer of watch at an ATS operational position.

(b) The ATS provider shall establish and implement Fatigue Management system in accordance with Technical Standards prescribed by the Authority.

(c) An air traffic controller may not serve or be required to serve
  (1) for more than ten consecutive hours; or
  (2) for more than ten hours during a period of twenty-four consecutive hours, unless the air traffic controller has had a rest period of at least eight hours at or before the end of the ten hours of duty.

(d) A person holding an air traffic controller licence shall not act as an air traffic controller nor shall an employer allow a Licenced controller, if the controller or the employer knows or suspects that the controller is suffering from or, having regard to the circumstances of the period of duty to be undertaken, is likely to suffer from, such fatigue as may endanger the safety of any aircraft to which an air traffic control service may be provided.

22.150 CONTINGENCY PLAN

(a) An applicant for the grant of an air traffic service certificate shall establish a contingency plan providing for the safe and orderly flow of traffic in the event of a disruption, interruption, or temporary withdrawal of an air traffic service or related supporting service.

(b) Such contingency plans shall be developed with the assistance of ICAO as necessary, in close coordination with the air traffic services authorities responsible for the provision of services in adjacent portions of airspace and with airspace users concerned.

22.155 CO-ORDINATION REQUIREMENTS

(a) An applicant for the grant of an air traffic service certificate shall establish systems and procedures for ensuring, if applicable, co-ordination between each ATS unit listed in the applicant's manual of operations and the following agencies—
  (1) each holder of an aeronautical telecommunication service certificate issued in accordance with the Civil Aviation (Aeronautical Telecommunication Services) Regulations; and
  (2) each holder of a meteorological service certificate issued in accordance with the Civil Aviation (Aeronautical Meteorological Service) Regulations; and Services; and
  (3) aircraft operators; and
  (4) the Rwanda Defense Force; and
  (5) search and rescue authorities; and
  (6) if the listed ATS unit is an aerodrome control—
    (i) the aerodrome operator; and
    (ii) the apron management service, if the service is not provided by the aerodrome control unit.

(b) An applicant shall establish procedures for ensuring that an ATS letter of agreement is in place between each ATS unit listed in the applicant's manual of operations and—
  (1) each ATS unit responsible for adjoining airspace, and

(2) any other ATS unit with which regular operational co-ordination is required.

(c) An applicant for the grant of Air traffic services shall establish systems and procedures for ensuring coordination between each ATS unit listed in the applicant's manual of operations and each holder of Aeronautical Information service certificate issued in accordance with part 25 of the civil aviation regulations;

(1) to ensure that aeronautical information services units obtain information to enable them to provide up-to-date pre-flight information and to meet the need for in-flight information, arrangements shall be made between aeronautical information services and air traffic services authorities responsible for air traffic services to report to the responsible aeronautical information services unit, with a minimum of delay;

(i) information on aerodrome conditions;

(ii) the operational status of associated facilities, services and navigation aids within their area of responsibility;

(iii) the occurrence of volcanic activity observed by air traffic services personnel or reported by aircraft; and

(iv) any other information considered to be of operational significance

(2) The air traffic services responsible for the provision of raw aeronautical information/data to the aeronautical information services shall do so while taking into account accuracy and integrity requirements necessary to meet the needs of the end-user of aeronautical data.

(d) Before introducing changes to the air navigation system, due account shall be taken by the services responsible for such changes of the time needed by the aeronautical information service for the preparation, production and issuance of relevant material for promulgation, close coordination shall be maintained between the unit(s) introducing the changes and Aeronautical information services.

(e) The predetermined, internationally agreed AIRAC effective dates shall be observed by the responsible air traffic services when submitting the raw information/data to aeronautical information services

(f) An applicant shall establish procedures for ensuring that each ATS letter of agreement—

(1) details matters that are necessary for effective co-ordination between the unit's party to the agreement; and

(2) is kept current; and

(3) is signed by senior representatives of the participating units; and

(4) is part of the applicant's manual of operations.

(g) An applicant shall provide systems and procedures for facilitating communications between those ATS units that have an operational requirement to communicate with each other.

(h) An applicant shall provide systems and procedures for ensuring that ATS units, aircraft operators, and aeronautical meteorological service providers, if they require the information, are provided, through the exchange of ATS messages, with details of:

(1) the intended movement of each aircraft for which a flight plan has been filed, and any amendments to the flight plan; and

(2) current information on the actual progress of the flight.

(i) An applicant shall establish procedures for ensuring that activities potentially hazardous to civil aircraft are coordinated;

(1) The objective of the coordination shall be to achieve the best arrangements which will avoid hazards to civil aircraft and minimize interference with the normal operations of such aircraft; and

(2) the ATS provider shall be responsible for initiating the promulgation of information regarding the activities.

(j) An applicant shall establish procedures for ensuring that ATS messages are prepared and transmitted in accordance with procedures detailed and cross-referenced in Document 4444

(Part IX – Air Traffic Services Messages), except that the term CAVOK shall not be used.

22.160 NOTIFICATION OF FACILITY STATUS

(a) An applicant for the grant of an air traffic service certificate shall establish procedures to notify the users of its air traffic services of relevant operational information and of any changes in the operational status of each facility or service listed in the applicant's manual of operations.

(b) The applicant shall ensure that procedures established under paragraph (a) require:

(1) operational information for each of the applicant's air traffic services to be forwarded to the holder of the aeronautical information service certificate issued in accordance with the Civil Aviation (Aeronautical Information Service) Regulations for the AIP service; and

(2) the users of the applicant's air traffic services to be notified without delay of any change in operational status of a facility or service that may affect the safety of air navigation, and, except if the change is temporary in nature, information concerning any change in operational status is forwarded to the holder of the aeronautical information service certificate for the NOTAM service.

22.165 GENERAL INFORMATION REQUIREMENTS

(a) An applicant for the grant of an air traffic service certificate shall establish procedures for the receipt of information on the following activities when the activity could affect airspace used by flights within the applicant's area of responsibility—

(1) pre-eruption volcanic activity; and

(2) volcanic eruptions; and

(3) volcanic ash-cloud; and

(4) release into the atmosphere of radioactive materials or toxic chemicals.

(b) The applicant shall establish systems and procedures to ensure that each ATS unit, as appropriate to the applicant's intended area of responsibility, is kept informed of the operational status of—

(1) non-visual navigation aids; and

(2) visual aids essential for take-off, departure, approach, and landing procedures; and

(3) visual and non-visual aids essential for surface movement.

(c) An applicant for the grant of an air traffic service certificate for an—

(1) aerodrome control unit; or

(2) approach control unit; or

shall establish procedures to ensure the unit is kept informed on aerodrome conditions and the operational status of associated facilities.

22.170 METEOROLOGICAL INFORMATION & REPORTING

(a) An applicant for the grant of an air traffic service certificate shall establish systems and procedures to ensure that all meteorological information provided as part of any flight information service is supplied by the holder of an aeronautical meteorological service organization certificate issued under the Civil Aviation (aeronautical meteorological service) Regulations.

(b) The applicant shall establish systems and procedures to ensure that ATS units are supplied with the meteorological information necessary for the performance of their respective functions, in a form that requires a minimum of interpretation by ATS personnel.

(c) The applicant shall establish procedures to ensure that equipment used in the compilation of basic weather reports—

(1) supplies data representative of the area for which the measurements are required; and

(2) where that equipment consists of multiple wind direction and speed indicators, identifies

the runway, or Regulation of the runway, monitored by each instrument.

(d) The applicant shall establish a procedure to ensure that the information contained in a meteorological bulletin remains unchanged through onward transmission.

(e) The applicant shall establish procedure to ensure that Air Traffic Services units are supplied with up-to-date information on existing and forecast meteorological conditions and with the frequency which satisfies the requirements of air traffic services units concerned.

(f) To ensure that aircraft receive the most up-to-date meteorological information for aircraft operations as prescribed in paragraph (e), arrangements shall be made, between meteorological and air traffic services authorities;

(1) in addition to using indicating instruments, to report, if observed by air traffic services personnel or communicated by aircraft, such other meteorological elements as may be agreed upon;

(2) to report as soon as possible to the associated meteorological office meteorological phenomena of operational significance, if observed by air traffic services personnel or communicated by aircraft, which have not been included in the aerodrome meteorological report;

(3) to report as soon as possible to the associated meteorological office pertinent information concerning pre-eruption volcanic activity, volcanic eruptions and information concerning volcanic ash cloud. In addition, area control centers and flight information centers shall report the information to the associated meteorological watch office and volcanic ash advisory centers (VAACs).

(g) Close coordination shall be maintained between area control centers, flight information centers and associated meteorological watch offices to ensure that information on volcanic ash included in NOTAM and SIGMET messages is consistent

22.175 PROVISIONS OF AIR TRAFFIC CONTROL SERVICES

(a) An applicant shall provide air traffic control services to—
  (1) all IFR flights in airspace classes A, B, C. D, and E;
  (2) all VFR flights in airspace Classes B, C, and D;
  (3) all special VFR flights; and
  (4) all aerodrome traffic at controlled aerodrome.

(b) An applicant shall provide air traffic control services by various units as follows—
  (1) area control service—
    (i) by an area control centre; or
    (ii) by the unit providing approach control service in a control zone or in a control area of limited extent which is designated primarily for the provision of approach control service and where no area control centre is established;
  (2) approach control service—
    (i) by an aerodrome control tower or area control centre when it is necessary or desirable to combine under the responsibility of one unit the functions of the approach control service with those of the aerodrome control service or the area control service;
    (ii) by an approach control unit when it is necessary or desirable to establish a separate unit; and
  (3) aerodrome control service: by an aerodrome control tower.

22.180 AREA & APPROACH CONTROL S E R V I C E S

(a) (An applicant for the grant of an air traffic service certificate in respect of an area control service or approach control service shall establish systems and procedures to—
  (1) be provided with information on the intended movement of each aircraft, or variations

therefrom, and with current information on the actual progress of each aircraft,

(2) determine from information received the positions of known aircraft relative to each other; and

(3) provide for the issue of ATC clearances, instructions, and information in accordance with the airspace classification and type of flight for the purpose of preventing collisions between aircraft under the control of the unit, and for expediting and maintaining a safe and efficient flow of traffic; and

(4) co-ordinate clearances with other ATC units as necessary;

(i) whenever an aircraft might otherwise conflict with traffic operated under the control of such other units; and

(ii) before transferring control of an aircraft to such other units.

(5) display information on aircraft movements together with a record of clearances issued, in a manner that permits ready analysis of such information in order to maintain an efficient flow of air traffic with adequate separation between aircraft.

(b) Clearances issued by air traffic control units shall provide separation—

(1) between all flights in airspace Classes A and B;

(2) between IFR flights in airspace Classes C, D and E;

(3) between IFR flights and VFR flights in airspace Class C;

(4) between IFR flights and special VFR flights;

(5) between special VFR flights when so prescribed by the appropriate authority, except that when requested by an aircraft and if so prescribed by the appropriate ATS authority for the cases listed under paragraph (2) above in airspace Classes D and E, a flight may be cleared without separation being so provided in respect of a specific portion of the flight conducted in visual meteorological conditions.

(c) The separation required by paragraph (e) shall be obtained by at least one of the following—

(1) vertical separation, obtained by requiring aircraft using prescribed altimeter setting procedures to operate at different levels expressed in terms of flight levels or altitudes in accordance with the provisions of Regulation 22.260.

(2) horizontal separation, obtained by providing—

(i) longitudinal separation, by maintaining an interval between aircraft operating along the same, converging or reciprocal tracks, expressed in time or distance; or

(ii) lateral separation, by maintaining aircraft on different routes or in different geographical areas; and

(3) composite separation, consisting of a combination of vertical separation and one of the other forms of separation contained in (2) above, using minima for each which may be lower than, but not less than half of, those used for each of the combined elements when applied individually. Composite separation shall only be applied on the basis of regional air navigation agreements

(d) The applicant shall establish requirements for carriage and operation of pressure altitude reporting transponders within its airspace so as to improve the effectiveness of air traffic services as well as airborne collision avoidance systems.

(e) The separation required in paragraph (c) (1), (2) and (3) above, shall be selected from those prescribed by the provisions of the PANS-ATM and the Regional Supplementary Procedures as applicable under the prevailing circumstances.

(f) The selection of separation minima shall be made in consultation between the appropriate ATS authorities responsible for the provision of ATS in neighboring airspace when—

(1) traffic will pass from one into the other of the neighboring airspaces;

(2) routes are closer to the common boundary of the neighboring airspaces than the separation minima applicable in the circumstances.

(g) In Class D or E airspace, the ATC separation required by paragraph (c) does not apply to an IFR flight if the pilot has been cleared to maintain own separation from other IFR flights. The clearance shall not be issued unless—

(1) the clearance is in response to a specific request from the pilot of the aircraft; and
(2) the flight is during the day and visual meteorological conditions exist; and
(3) a radar control service is not available; and
(4) the clearance is for a specific portion of the flight; and
(5) the pilots of all flights that will be essential traffic agree with the application of the procedure; and
(6) essential traffic information is passed to the pilots of all affected flights; and
(7) the flights concerned are on the same ATC frequency

(h) For all airspace where a reduced vertical separation minimum of 300m (1000 ft) is applied between FL 290 and FL 410 inclusive, an applicant shall institute a programme, on a regional basis, for monitoring the height–keeping performance of aircraft operating at these levels.

(i) The applicant shall establish systems and procedures to ensure that the coverage of the height- monitoring facilities provided under the program in paragraph (h) is adequate to permit monitoring of the relevant aircraft types of all operators that operate in RVSM airspace.

22.185 AERODROME CONTROL SERVICE

(a) An applicant for the grant of an air traffic service certificate in respect of an aerodrome control service shall establish systems and procedures to—

(1) determine, from information received and visual observation, the relative positions of known aircraft to each other; and
(2) provide for the issue of ATC clearances, instructions, and information, for the purpose of preventing collisions between—
(i) aircraft flying in the vicinity of an aerodrome; and
(ii) aircraft landing and taking off; and
(iii) aircraft operating on the manoeuvring area; and
(iv) aircraft, vehicles, and persons, operating on the manoeuvring area; and
(v) aircraft on the manoeuvring area and obstructions on that area; and
(3) provide for the issue of ATC clearances, instructions, and information, for the purpose of expediting and maintaining a safe and efficient flow of traffic; and
(4) ensure that emergency vehicles responding to an aircraft in distress are given priority over all other surface movement traffic; and
(5) maintain a continuous watch on all flight operations on and in the vicinity of an aerodrome, if there are other aerodromes within a control zone, traffic at all aerodromes within such a zone, shall be coordinated so that traffic circuits do not conflict.
(6) provide for the control of the movement of persons or vehicles, including towed aircraft, on the manoeuvring area, as necessary to avoid hazard to them or to aircraft landing, taxiing, or taking off; and
(7) co-ordinate as necessary with other ATS units; and
(8) display, at operating positions, continuously updated information on aircraft movements.

(b) The applicant shall establish a procedure to ensure that, when radio communication is not available, basic clearances, instructions, and information required by paragraph (a)(2) can be conveyed.

(c) The applicant shall establish procedures to ensure that when required by either the weather, or category of approach, or both—

(1) aircraft on an ILS approach are informed of ILS critical area incursions, or the imminent possibility of an incursion; or

(2) the applicable ILS critical areas are protected from incursion when an aircraft is on an ILS approach, or has reached a point on the approach from which protection from incursion is necessary.

(d) The applicant shall establish a procedure to ensure that, except as provided in Regulation 22.225 and subject to authorisation by the applicable approach control unit, aerodrome control units provide separation between—

(1) IFR flights and Special VFR flights; and

(2) Special VFR flights when the flight visibility is reported to be less than 5 km.

(e) The applicant shall establish a procedure to ensure that, when authority has been delegated by, and accepted from, the applicable area or approach control unit, aerodrome control units provide separation between controlled flights in accordance with the delegation.

(f) The separation required by paragraphs (d) and (e) shall be obtained by the use of vertical or horizontal separation, in accordance with criteria and minima prescribed by—

(1) these Regulations; or

(2) Technical standards as prescribed by the authority; or

(3) Document 4444; and

(4) Document 7030.

(g) The applicant shall establish procedures to ensure that the designated preferred runway is that most suitable for the particular operation.

(h) Aerodrome control towers shall be responsible for alerting the rescue and fire-fighting services whenever:

(1) an aircraft accident has occurred on or in the vicinity of the aerodrome; or

(2) information is received that the safety of an aircraft which is or will come under the jurisdiction of the aerodrome control tower may have or has been impaired; or

(3) requested by the flight crew; or

(4) when otherwise deemed necessary or desirable.

22.190 SPECIAL USE AIRSPACE

(a) An applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish systems and procedures to ensure that separation is provided between controlled flights and active special use airspace, except when—

(1) the pilot has approval from the administering authority to operate in the airspace; or

(2) in the case of a danger area or a volcanic hazard zone, the pilot has notified an express intention to operate in the danger area or the volcanic hazard zone, as the case may be; or

(3) it is known, or reasonably believed, that the pilot of a VFR flight or an IFR flight navigating by visual reference is aware that the airspace is active; or

(4) on a request by the pilot, the flight is cleared to maintain its own separation from the airspace.

22.195 RESPONSIBILITY FOR CONTROL

(a) An applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that any controlled flight is under the control of only one ATC operating position at any given time.

(b) The applicant shall establish procedures to ensure that responsibility for the control of all aircraft operating within a given block of airspace is vested in a single air traffic control unit.

(c) The applicant shall establish procedures for the transfer of responsibility for the control of an aircraft.

(d) The procedures required by paragraph (c) shall ensure that—

(1) transfer arrangements are: —
   (i) agreed between ATC units responsible for adjacent airspaces and published in ATS letters of agreement; and
   (ii) in place for separate operating positions within an ATC unit and promulgated in the holder's manual of operations; and
(2) responsibility for control of an aircraft is not transferred from one ATC unit to another without—
   (i) communication of appropriate parts of the current flight plan; and
   (ii) any relevant control information; and
   (iii) the consent of the accepting unit.

22.200 PRIORITIES

(a) An applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that, providing safety is not jeopardized, ATC units apply the following priorities—
   (1) an aircraft known or believed to be in a state of emergency or impaired operation has priority over other aircraft:
   (2) an aircraft landing, or in the final stages of an approach to land, has priority over a departing aircraft:
   (3) an aircraft landing or taking off has priority over a taxiing aircraft.

(b) The applicant shall establish procedures to ensure that, where practical, following a request from a pilot, an aircraft involved in, or positioning for, the following activities is granted priority—
   (1) ambulance or mercy mission:
   (2) search and rescue:
   (3) civil defence or police emergency:
   (4) carriage of head-of-State, head-of-government, or equivalent dignitary.

(c) The applicant shall establish procedures to ensure that an aircraft at a cruising level generally has priority over other aircraft requesting that level, except that an aircraft occupying a cruising level may be reassigned another level to maintain separation.

(d) An applicant for an air traffic service certificate in respect of an area control service may establish procedures regarding priorities to be applied in airspace designated as RNP airspace.

(e) Subject to the requirements of paragraphs (a) and (b), an applicant may put in place schemes for the determination of priorities for arriving and departing flights, provided that consultation with interested parties is undertaken prior to implementing the scheme.

(f) The applicant shall establish procedures to ensure that, if priorities are established under paragraphs (d) or (e), relevant information including details regarding the handling of complaints, is published in the Rwanda AIP.

(g) The applicant shall establish procedures to ensure that, providing safety is not jeopardized, due regard is given to those priorities determined in conjunction with the aerodrome operator for:
   (1) aircraft arriving and departing the aerodrome; and
   (2) other operations in a control zone associated with the aerodrome.

(h) The applicant shall establish procedures to ensure that, except when applying priority in accordance with other provisions of this, priority for arriving and departing flights is allocated on a first-come first-served basis.

(i) The applicant shall establish procedures to ensure that the provision of an ATC service takes precedence:
   (1) over the provision of a flight information service whenever the situation so requires; and

(2) over the performance of any other non-ATS tasks.

22.205 FLOW CONTROL

(a) Each applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish flow control procedures where, due to limitations in ATS system capacity or aerodrome capacity, the applicant considers the procedures necessary.

(b) The procedures shall take account of—

(1) the requirements of affected aerodrome operators including their traffic handling priorities; and

(2) the needs of aircraft operators, and other ATS providers, who will be affected by the procedures; and

(3) the requirements of the aeronautical information service, including advance notice, and information on the method of activation and de-activation.

(c) ATS provider shall develop policies and procedures for determining the capacity of the ATS system, including the number of staff required to ensure the provision of an adequate ATS services.

22.210 ATC CLEARANCES

(a) Each applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures for the provision of ATC clearances.

(b) The procedures shall ensure that—

(1) no person knowingly issues an ATC clearance or instruction that requires or invites a pilot to violate the provisions of any other; and

(2) clearances and instructions contain positive and concise data and are, where practicable, phrased in a standard manner; and

(3) if a pilot advises that a clearance or instruction is unsuitable, an amended clearance or instruction is, if practicable, issued; and

(4) an ATC clearance for an enroute flight consists of—

(i) the aircraft identification as shown in the flight plan or, where similarity with another flight might cause confusion, an alternative identification provided by ATC; and

(ii) the clearance limit; and

(iii) the route of flight; and

(iv) the level(s) of flight for the entire route, or part thereof, and changes of level if required; and

(v) any necessary instructions or information on other matters such as approach or departure manoeuvres, communications, and the time of validity or expiry of the clearance.

(5) an ATC clearance for a local flight, a flight operating in defined areas, or a flight operating in a random manner, includes those elements detailed in paragraph (4) that are appropriate; and

(6) an ATC clearance for a transonic flight—

(i) extends at least to the end of the transonic acceleration phase; and

(ii) provides for uninterrupted descent during deceleration from supersonic cruise to subsonic flight.

(c) ATC units shall issue such ATC clearances as are necessary to prevent collisions and to expedite and maintain an orderly flow of air traffic.

(d) ATC clearances must be issued early enough to ensure that they are transmitted to the aircraft in sufficient time to comply with them.

(e) An applicant shall establish procedures to ensure that an air traffic control clearance be coordinated between air traffic control units to cover the entire route of an aircraft or a

specified portion thereof.

22.215 READ-BACK OF CLEARANCES & SAFETY-RELATED I N F O R M A T I O N

(a) Each applicant for the grant of an air traffic service certificate shall establish procedures to ensure that;

(1) the flight crew read back to the air traffic controller safety-related parts of ATC clearances and instructions which are transmitted by voice for the following items—

(i) ATC route clearances;

(ii) clearances and instructions to enter, land on, take off from, hold short of, cross and backtrack on any runway; and

(iii) runway-in-use, altimeter settings, SSR codes, level instructions, heading and speed instructions and, whether issued by the controller or contained in ATIS broadcasts, transition levels.

(2) Other clearances or instructions, including conditional clearances are read back or acknowledged in a manner to clearly indicate that they have been understood and will be complied with.

(3) the controller listens to the read-back to ascertain that the clearance or instruction has been correctly acknowledged by the flight crew and shall take immediate action to correct any discrepancies revealed by the read-back.

(b) Unless specified by the ATS units, voice read-back of CPDLC messages shall not be required.

22.220 CRUISING LEVELS

(a) An applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that cruising levels allocated within the Kigali FIR are selected in accordance with prescribed standards for IFR or VFR flights, except that, within controlled airspace—

(1) for both IFR and VFR flights, correlation of cruising level with track need not apply; and

(2) VFR flights may be allocated IFR levels.

(b) An applicant for an air traffic service certificate for the provision of an area control service in the Kigali FIR shall establish procedures to ensure that cruising levels are allocated in accordance with Rwanda Civil Aviation Regulations except that correlation of cruising level track need not apply.

22.225 DEVIATION FROM AN ATC CLEARANCE

(a) an applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that instructions issued by ATC to restore a loss of separation do not hinder the responses of a pilot to—

(1) an ACAS resolution advisory; or

(2) a GPWS or TAWS alert; or

(3) a weather, or other emergency situation that necessitates a deviation from an ATC clearance.

(b) The procedures required by paragraph (a) shall specify that if any separation has been lost it is restored once the emergency situation has been resolved.

22.230 FLIGHT INFORMATION SERVICE: GENERAL

(a) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that a flight information service is provided to the following—

(1) each aircraft being provided with an ATC service that is likely to be affected by the information in paragraph (b):

(2) each aircraft being provided with an aerodrome flight information service that is likely to be affected by the information in paragraph (b):
(3) each aircraft operating IFR that is likely to be affected by the information in paragraph (b):
(4) any aircraft operating VFR for which the pilot has submitted a VFR flight plan to an ATS unit:
(5) any aircraft operating VFR if the pilot makes a specific request to an ATS unit for flight information.

(b) The applicant shall ensure that the procedures required by paragraph (a) for the provision of the flight information service includes the provision of available and relevant—
(1) SIGMET and AIRMET information; and
(2) (information on weather conditions reported or forecast at departure, destination, and alternate aerodromes; and
(3) information concerning pre-eruption volcanic activity, volcanic eruptions, and volcanic ash clouds; and
(4) information concerning the release into the atmosphere of radioactive materials or toxic chemicals; and
(5) information on changes in the serviceability of navigation aids; and
(6) information on changes in the condition of aerodromes and associated facilities, including information on the state of the aerodrome movement areas when they are affected by snow, ice, or water; and
(7) information on unmanned free balloons; and
(8) other information likely to affect safety.

(c) An applicant for the grant of an air traffic service certificate for an aerodrome control service shall establish procedures to ensure that, whenever water is present on a runway, a description of the runway surface conditions on the centre half of the width of the runway is made available using one of the following terms—
(1) DAMP – the surface shows a change of color due to moisture:
(2) WET – the surface is soaked but there is no standing water:
(3) WATER PATCHES – significant patches of standing water are visible:
(4) FLOODED – extensive standing water is visible.

(d) An applicant for the grant of an air traffic service certificate for an aerodrome control service, approach control service, shall establish procedures to ensure that, if practical, local aircraft operators likely to be affected by the information are advised of short-notice changes to published hours of service if they are unlikely to have the information from any other source.

(e) An applicant shall ensure that where ATS units provide both flight information service and air traffic control service, the provision of air traffic control service have precedence over the provision of flight information service whenever the provision of air traffic control service so requires.

22.235 FLIGHT INFORMATION SERVICE: TRAFFIC INFORMATION

(a) An applicant for the grant of an air traffic service certificate for an air traffic control service shall establish procedures to ensure that essential traffic information is passed to all affected traffic.

(b) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that each ATS unit operating under that certificate provides traffic information to flights that are known to the ATS unit and are likely to be affected by the information as follows—
(1) in class C airspace, between VFR flights, together with traffic avoidance advice on request:
(2) in class D airspace, between IFR and VFR flights, and between VFR flights, together with traffic avoidance advice on request:
(3) in class G airspace, between IFR flights, and, if practical, between other flights on request.

22.240 AERODROME FLIGHT INFORMATION SERVICE

(a) An applicant for an air traffic service certificate in respect of an aerodrome flight information service shall establish systems and procedures to—
  (1) determine, from information received and visual observation, the relative positions of known aircraft to each other; and
  (2) provide for the issue of advice and information, including the designation of a preferred runway for the purpose of the safe and efficient operation of—
    (i) aircraft flying in the vicinity of an aerodrome; and
    (ii) aircraft operating on the manoeuvring area; and
    (iii) aircraft landing and taking off; and
    (iv) aircraft, vehicles, and persons on the manoeuvring area; and
    (v) aircraft on the manoeuvring area and obstructions on that area.

(b) The applicant shall establish procedures to ensure that the designated preferred runway is that most suitable for the particular operation

22.245 ALERTING SERVICE

(a) In this —
  (1) ALERFA means the Alert phase;
  (2) DETRESFA means the Distress phase;
  (3) INCERFA means the Uncertainty phase;
  (4) RCC means the rescue co-ordination centre.

(b) An applicant for the grant of an air traffic service certificate shall establish systems and procedures to ensure the provision of an alerting service within its areas of responsibility—
  (1) (for all aerodrome traffic when an aerodrome control service is being provided; and
  (2) for all aircraft—
    (i) operating under the submitted a flight plan; or
    (ii) otherwise known by any air traffic service to be in need of assistance; or
    (iii) known or believed to be the subject of unlawful interference.

(c) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that, in the event of a state of emergency described in paragraph (f)—
  (1) immediate declaration of an INCERFA, ALERFA, or DETRESFA is made, in accordance with par (6); and
  (2) the declaration is notified to the ATS unit or FIC responsible, except where the emergency can be dealt with by local emergency organisations.

(d) An applicant for the grant of an air traffic service certificate in respect of an approach control service shall establish procedures to ensure that, in the event of a state of emergency, the approach control unit concerned or FIC—
  (1) serves as the central point within the FIR concerned for collecting all information relevant to the state of emergency; and
  (2) forwards such information without delay to the RCC.

(e) Notwithstanding paragraph (d), an applicant for an air traffic service certificate for an aerodrome control service, shall establish procedures to ensure that whenever the urgency of the situation so requires, those services shall first alert appropriate local emergency organizations which can give immediate assistance required.

(f) The declaration required by paragraph (c) shall be made in the following circumstances, and in any other circumstances that warrant such a declaration—
  (1) INCERFA when—
    (i) no communication has been received from an IFR or controlled VFR aircraft within a period of 30 minutes after the time a communication should have been received,

or from the time an unsuccessful attempt to establish communication with the aircraft was first made, whichever is the earlier; or

(ii) a pilot fails to terminate the flight plan or amend the nominated SARTIME and immediate checks have failed to locate the aircraft; or

(iii) a VFR aircraft on a VFR flight plan for which a SARTIME has not been provided fails to arrive within 30 minutes of the estimated time of arrival—

except when no doubt exists as to the safety of the aircraft and its occupants; or

(2) ALERFA when—

(i) an aircraft is known or believed to be subject to unlawful interference; or

(ii) following the uncertainty phase, subsequent attempts to establish communication with the aircraft or inquiries to other relevant sources have failed to reveal any news of the aircraft; or

(iii) an aircraft has been cleared to land, and fails to land within five minutes of the estimated time of landing, and communication has not been re-established with the aircraft; or

(iv) information has been received that indicates that the operating efficiency of the aircraft has been impaired, but not to the extent that a forced landing is likely—

except, in the case of (ii), (iii), and (iv), when evidence exists that would allay apprehension as to the safety of the aircraft and its occupants; or

(3) DETRESFA when—

(i) following the alert phase further unsuccessful attempts to establish communication with the aircraft and more widespread unsuccessful inquiries point to the probability that the aircraft is in distress; or

(ii) the fuel on board is considered to be exhausted, or to be insufficient to enable the aircraft to reach safety; or

(iii) information is received that indicates that the operating efficiency of the aircraft has been impaired to the extent that a forced landing is likely; or

(iv) information has been received that, or it is reasonably certain that, the aircraft is about to make or has made a forced landing—

except when there is reasonable certainty that the aircraft and its occupants are not threatened by grave and imminent danger and do not require immediate assistance.

(g) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure the notification of an emergency situation required by paragraph (c)(2) includes such of the following information as is available, in the order listed—

(1) (INCERFA, ALERFA, or DETRESFA as appropriate to the phase of the emergency:

(2) agency and person calling:

(3) nature of the emergency:

(4) significant information from the flight plan:

(5) unit that made last contact, time, and radio frequency used:

(6) last position report and how determined:

(7) colour and distinctive marks of aircraft:

(8) dangerous goods carried as cargo;

(9) any action taken by the reporting office; and

(10) other pertinent remarks.

(h) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that, following the notification of an emergency situation, the RCC is provided, without delay, with—

(1) any useful additional information, especially on the development of the state of emergency through subsequent phases; and

(2) notification when the emergency situation no longer exists.

(i) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure, as necessary, the use of all available means to establish and maintain communication with, and surveillance of, an aircraft in a state of emergency.

(j) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that, when a state of emergency is considered to exist, the last known position of any aircraft involved is established and recorded.

(k) An applicant for the grant of an air traffic service certificate in respect of an approach control or a Flight information Centre shall establish procedures to ensure that:

(1) (a) when an approach control unit (APP) declares an INCERFA or ALERFA it shall, where practical, advise the aircraft operator prior to notifying the RCC; and

(2) all information notified to the RCC by an APP shall, where practical, also be communicated without delay to the aircraft operator.

(3) other aircraft known to be in the vicinity of the aircraft involved be informed of the nature of the emergency as soon as practicable except when the aircraft in the state of emergency is subjected to unlawful interference.

22.250 FLIGHT PLANS

(a) An applicant for the grant of an air traffic service certificate shall establish procedures for the acceptance and actioning of flight plans.

(b) An applicant shall ensure that the acceptance procedures required by paragraph (a) include, for the first ATS unit receiving a filed flight plan—

(1) a check for compliance with any prescribed flight plan format and data conventions; and

(2) a check for completeness, and to the extent practical, for accuracy; and

(3) provision for any action necessary to make the plan acceptable to ATS.

(c) Any applicant intending to provide air traffic services from more than one location may nominate a single ATS unit within the applicant's organisation to accept filed flight plans on behalf of any or every unit.

(d) An applicant for the grant of an air traffic service certificate intending to operate a centralised flight planning office shall ensure the office is equipped with—

(1) AFTN, facsimile, and computer data-link connection facilities, for the acceptance of flight plans from aircraft operators and any other ATS unit; and

(2) facilities for the advance filing, retention, and activation of standard or repetitive elements of flight plan information.

(e) An operator shall, prior to departure ensure that—

(1) Where the flight is intended to operate on a route or in an area where a required navigation performance (RNP) type is prescribed, the aircraft has an appropriate RNP approval, and all conditions applying to that approval will be satisfied; and

(2) Where that operation in reduced vertical separation minimum (RVSM) airspace is planned, the aircraft has the required RVSM approval.

22.255 TIME IN ATS

(a) An applicant for the grant of an air traffic service certificate shall establish a procedure to ensure that each ATS unit is equipped with clocks and other time recording devices clearly visible from each operating position in the unit concerned and—

(1) use Co-Ordinated Universal Time and express that time in hours and minutes of the 24-hour day beginning at 0000 UTC; and

(2) are correct to within 30 seconds of UTC as determined by reference to a standard time station or GPS time standard.

(b) The applicant shall establish a procedure to ensure that the correct time, to the nearest half minute, is provided—

(1) in respect of any aerodrome control service, to IFR aircraft prior to taxiing for take-off unless arrangements have been made for the pilot to obtain it from other sources; and
(2) to any aircraft on request.

(c) The applicant shall obtain the correct time from a standard time station or, if not possible, from another unit which has obtained the correct time from such station.

22.260 ALTIMETER SETTING PROCEDURES

(a) An applicant for the grant of an air traffic service certificate shall establish a procedure to ensure that—
(1) QNH altimeter settings are in hectopascals rounded down to the nearest whole hectopascal; and
(2) the appropriate aerodrome QNH altimeter setting is provided to all aircraft on initial radio contact, including aircraft that advise having received the current applicable ATIS broadcast, except when it is known the aircraft has already received the information; and
(3) ATS units provide to an aircraft on request, the current applicable aerodrome QNH altimeter setting.

22.265 RADIO & TELEPHONE PROCEDURES

(a) Each applicant for the grant of an air traffic service certificate shall establish systems and procedures to ensure that—
(1) the standard telephony and radiotelephony phraseology prescribed in paragraph (b) is used; and
(2) in all radiotelephony communications discipline is observed, by transmitting only those messages that are necessary for the provision of an air traffic service, or that otherwise contribute to safety; and
(3) communications procedures are in accordance with the applicable communication procedures prescribed by the authority.

(b) The applicant shall establish procedures to ensure that, for the purposes of paragraph (a)(1), the standard phraseology, and the circumstances in which it is used, is that published in—
(1) Subpart D of these regulations; or
(2) Document 4444; or
(3) Document 9432.

(c) For the purposes of paragraph (b), where differences occur between the stated documents, the particular phraseology shall be selected according to the order of precedence of the documents as listed.

22.270 AIRCRAFT EMERGENCIES & IRREGULAR OPERATION

(a) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure maximum assistance and priority is given to an aircraft known, or believed to be, in a state of emergency including being subjected to unlawful interference.

(b) An applicant shall, where appropriate, establish procedures to assist strayed aircraft, unidentified aircraft, and aircraft subject to military interception.

22.275 ACTION AFTER SERIOUS INCIDENT OR ACCIDENT

(a) An applicant for the grant of an air traffic service certificate shall establish procedures regarding a serious incident or accident to—
(1) determine if any air navigation facilities have contributed to the event; and
(2) ensure immediate action is taken to:
i. warn other aircraft that may be using or intending to use the facilities; and

ii. advise the operator of the facility of the occurrence, and that the facility may be implicated; and

(3) assist the operator of the facility with the prompt promulgation of any decision to withdraw the equipment from service; and

(4) ensure that any facility identified in paragraph (a)(1) is not used in the provision of separation to IFR aircraft until cleared for use by the relevant holder of an aeronautical telecommunications service certificate issued under the Civil Aviation (Aeronautical Telecommunications Service) Regulations.

22.280 REPORTING OFINCIDENTS

(a) An applicant for the grant of an air traffic service certificate shall establish procedures for—

(1) the notification, investigation, and reporting of incidents to the authority; and

(2) the forwarding of facility malfunction reports to the applicable aeronautical telecommunication service certificate holder.

(3) the aeronautical telecommunication service provider to promptly respond to the facility malfunction reports and provide feedback to the applicable air traffic service unit.

22.285 SERVICE DISRUPTIONS

(a) An applicant for the grant of an air traffic service certificate shall establish procedures to:

(1) advise the Authority of any planned disruption to the provision of air traffic services that could have an impact on safety; and

(2) investigate any unplanned disruption to the provision of air traffic services; and

(3) report to the Authority, within 48 hours of the occurrence, the circumstances surrounding any unplanned disruption to air traffic services when the disruption affected, or could have affected, the safety of air traffic.

(b) Disruptions reportable under paragraph (a) shall include, but are not limited to, any—

(1) failure to open watch within 15 minutes of the promulgated opening time; and

(2) any interruption, of greater than 10 minutes, to the normal provision of an air traffic service; and

(3) curtailment of watch, by greater than 30 minutes, from the promulgated off watch time.

22.290 LOGBOOKS & POSITION LOGS

(a) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that a logbook, with sequentially numbered pages, is kept at each ATS unit, and, where a unit has physically separate operations areas, at each such location within the unit.

(b) The procedure shall ensure that—

(1) the logbook is maintained by the senior person on duty, or the person on watch at a nominated operating position; and

(2) the logbook is maintained throughout the hours of watch of the unit or operations room; and

(3) all entries include the time of entry; and

(4) the person responsible for maintaining a logbook signs On Watch, and effects transfer of responsibility by successive On Watch entries; and

(5) logbook entries are—

(i) in chronological sequence and in ink; and

(ii) without erasure, defacement, or obliteration; and

(iii) corrected by drawing a single line through the erroneous information and initialing the correction; and

(6) actual times of opening and closing watch are recorded in the logbook, together with the reason for every variation from published hours of service; and

(7) logbooks are retained for a period of one year from the date of final entry.

(c) An applicant shall establish a procedure to ensure the keeping of an operating position log, when such information is not available in the logbook required by paragraph (a).

(d) The procedure shall ensure that the operating position log—

(1) contains sufficient information to identify—

(i) when that position was in operation; and

(ii) the services being provided from that position; and

(iii) the identity of the individual providing the service; and

(2) is retained for a period of at least 1year from the date of filing.

22.295 SAFETY MANAGEMENT SYSTEM

(a) An applicant for the grant of an air traffic service certificate shall develop and implement, and maintain a system for safety management in accordance with part 30 of Civil Aviation Regulations.

(b) A Safety Management System shall have the following minimum elements—

(1) The ATS provider's safety policy and objectives;

(2) The organisational commitment and staff responsibilities for safety matters;

(3) The development of a process that ensures the levels of safety that apply to the services, and ensures analysis, assessment, and control of the safety risks associated with identified hazards;

(4) The process for hazard identification through internal reporting of safety concerns and incidents;

(5) The process for the assessment, control, and mitigation of existing and potential safety hazards in service provision;

(6) The definition of the interface arrangements for safety management and related responsibilities and procedures, with internal functional groups and with aviation service providers and support service providers;

(7) The process for internal safety reviews to verify organisational performance;

(8) The development of safety performance indicators and targets of SMS; and

(9) The processes for the management of changes to existing services.

22.300 SECURITY

(a) An applicant for the grant of an air traffic service certificate shall prepare an ATS security programme.

(b) An ATS security programme shall specify the physical security requirements, practices, and procedures to be followed for the purposes of minimising the risk of destruction of, damage to, or interference with the operation of, any ATS unit operated by the applicant where such destruction, damage, or interference is likely to endanger the safety of aircraft.

(c) Without limiting the generality of paragraph (b), the security programme shall specify such physical security requirements, practices, and procedures as may be necessary:

(1) to ensure that entrances to permanent ATS facilities operated by the applicant are subject to positive access control at all times, so as to prevent unauthorised entry; and

(2) to protect personnel on duty; and

(3) to be followed in the event of a bomb threat or other threat of violence against an ATS unit; and

(4) to monitor unattended ATS unit buildings to ensure that any intrusion or interference is detected.

22.305 SECURITY TRAINING PROGRAMME

(a) A holder of an air traffic service certificate shall establish a security training programme and

procedures for ensuring that every person who is employed, engaged, or contracted by the applicant has the appropriate level of security awareness applicable to the person's function.

(b) The training programme required by paragraph (a) shall contain—
  (1) applicable segments for initial training and recurrent training; and
  (2) knowledge testing or competency assessment as appropriate for the training conducted.

(c) The holder shall establish procedures for ensuring that each segment required by paragraph (b)(1)—
  (1) includes a syllabus that is acceptable to the Authority; and
  (2) is conducted in a structured and coordinated manner by a person authorised by the certificate holder.

(d) The holder of an air traffic service certificate shall establish procedures for ensuring that every person who is required to be trained under paragraph (a) undertakes the recurrent training segment of the training programme at an interval of not more than 3 years.

22.310 MANAGEMENT OF RECORDS

(a) An applicant for the grant of an air traffic service certificate shall establish systems and procedures for identifying, collecting, indexing, filing, storing, securing, maintaining, accessing, and disposing of, records necessary for—
  (1) the operational provision of air traffic services; and
  (2) the purpose of assisting with any accident or incident investigation.

(b) The records referred to in paragraph (a) shall include—
  (1) telephone communications; and
  (2) radio broadcasts and communications; and
  (3) air-ground digital data exchanges; and
  (4) radar information; and
  (5) filed flight plans including standard and repetitive plans; and
  (6) flight progress strips; and
  (7) staff duty rosters; and
  (8) appropriate meteorological and aeronautical information, except where the information is retained for an equivalent period by a meteorological or AIS organisation; and
  (9) a record for every person who is required to be trained under these regulations, including details of:
    (i) each segment of training that is undertaken; and
    (ii) knowledge testing or competency assessment as appropriate for the training conducted.
  (10) job descriptions of air traffic services personnel.

(c) The applicant shall establish systems and procedures for ensuring the automatic electronic recording of—
  (1) all ATS radio and telephone communications; and
  (2) (all relevant data from primary and secondary radar equipment, or obtained through automatic dependent surveillance (ADS), used in providing or supporting an ATC service; and
  (3) for any equipment coming into service after the date these Regulations comes into force, any transfer and acceptance of control process not conducted by telephone.

(d) The applicant shall establish systems and procedures to ensure that electronic records referred to in paragraph (c)—
  (1) include time recording, correct to within 5 seconds of UTC, as determined by reference to a standard time station or GPS time standard; and
  (2) either—

(i) replicate the voice communications, and, if applicable, the radar picture, applying at the particular operating position; or
(ii) are accompanied by a statement fully describing the differences between the recording supplied and a recording in accordance with paragraph (d)(2)(i).

(e) For the purposes of paragraph (d)(2) the term radar picture includes any visual presentation of aircraft position, however derived.

(f) The applicant shall establish systems and procedures for ensuring that all records, except where replication is required by paragraph (d)(2)(i), are sufficiently clear to convey the required information.

(g) The applicant shall establish procedures for ensuring that the records referred to in paragraph (b) are retained for at least 90 days from the date of last entry, except for—
(1) staff duty rosters which shall be retained for 6 months from the date of last duty roster made; and
(2) written records associated with the requirements of Regulation 22.285(a)(2) and (3) which shall be retained for 2 years; and
(3) training records which shall be retained for a period of 3 years from the date the affected person ceases to work or be associated with the air traffic service organization then archive the records in accordance with local human resource arrangements

22.311. INSTRUMENT FLIGHT PROCEDURE DESIGN SERVICE

(a) ATS provider shall ensure that an instrument flight procedure design service is in place in accordance with Part 23 of civil aviation regulations.

SUBPART C: OPERATING REQUIREMENTS

22.315 CONTINUED COMPLIANCE

(a) Each holder of an air traffic service certificate shall—
(1) hold at least one complete and current copy of the manual of operations at each ATS unit listed in its manual of operations, except that manuals relating solely to a particular location need only be held at principal locations and the unit concerned; and
(2) comply with all procedures and standards detailed in its manual of operations; and
(3) make each applicable part of the manual of operations available to personnel who require those parts to carry out their duties; and
(4) continue to meet the standards and comply with the requirements of Subpart B prescribed for certification under these Regulations and other related requirements; and
(5) promptly notify the Authority of any change of address for service.

22.320 SUSPENSION OF VFR OPERATIONS

(a) Each holder of an air traffic service certificate for an approach control service or aerodrome control service may, when appropriate for safety reasons, suspend any or all controlled VFR operations within a control zone.

22.325 WITHDRAWAL OR TRANSFER OF SERVICE

(a) Each holder of an air traffic service certificate who wishes to permanently withdraw an air traffic service shall give the Authority at least 90 days' notice of the proposal and include in that notice a summary of factors considered in arriving at the decision to withdraw the service.

(b) Each holder of an air traffic service certificate who intends to permanently reduce the hours of operation of an air traffic service shall provide to the Authority advance notice of, and the

reasons for, the proposed reduction.

(c) Each holder of an air traffic service certificate who is the outgoing provider of an air traffic service shall not hinder the preparation and execution of the transitional arrangements required by Regulation 22.140(d).

22.330 PERFORMANCE-BASED NAVIGATION (PBN) OPERATIONS

(a) Each holder of an air traffic service certificate shall establish procedures, when applicable, to prescribe, the navigation specification(s) for designated areas, tracks or ATS routes on the basis of regional air navigation agreements.

(b) In designating a navigation specification, limitations may apply as a result of navigation infrastructure constraints or specific navigation functionality requirements.

(c) The prescribed navigation specification shall be appropriate to the level of communications, navigation and ATS provided in the airspace concerned as prescribed in the ICAO Doc 9613 – Performance Based Navigation Manual.

(d) Performance-based navigation operations shall be implemented as soon as practicable.

22.335 PERFORMANCE-BASED COMMUNICATION (PBC) OPERATIONS

(a) An applicant shall establish procedures to ensure that—

(1) performance-based communication (PBC), where applicable, Required Communication Performance (RCP) specifications are prescribed on the basis of regional air navigation agreements

(2) the prescribed RCP specification in paragraph (a)(1) shall be appropriate to the air traffic services provided in Rwanda airspace.

22.340 PERFORMANCE-BASED SURVEILLANCE (PBS) OPERATIONS69.

(a) An applicant for the grant of air traffic service certificate when applying performance-based surveillance (PBS), shall establish procedures to ensure that Required surveillance performance (RSP) specifications is prescribed on the basis of regional air navigation agreements

(b) The prescribed RSP specification in paragraph (a) shall be appropriate to the air traffic services and equipment capability provided.

(c) Where an RSP specification has been prescribed for performance-based surveillance, ATS units shall be provided with equipment capable of performance consistent with the prescribed RSP specification(s).

22.345 SEPARATION MINIMA

(a) The applicant shall select the separation minima for application within a given portion of airspace as follows—

(1) the separation minima shall be selected from those prescribed by the provisions of the PANS-ATM and the Regional Supplementary Procedures as applicable under the prevailing circumstances, except where types of aids are used or circumstances prevail which are not covered by current State provisions, other separation minima shall be established as necessary by:

(i) the ANSP following consultation with operators, for routes or portions of routes contained within the sovereign airspace of Rwanda

(ii) Regional air navigation agreements for routes or portions of routes contained within airspace over the high seas or over areas of undetermined sovereignty

(2) the selection of separation minima shall be made in consultation between the ANSPs responsible for the provision of air traffic services in neighbouring airspace when—

(i) traffic will pass from one into the other of the neighbouring airspaces;

(ii) routes are closer to the common boundary of the neighbouring airspaces than the separation minima applicable in the circumstances.

(b) The applicant shall establish procedures to ensure that the details of the selected separation minima and of their areas of application be notified—

(1) to the ATS units concerned; and

(2) to pilots and operators through aeronautical information publications, where separation is based on the use by aircraft of specified navigation aids or specified navigation techniques.

22.350 ATS SURVEILLANCE SERVICE

(a) An applicant for the grant of an air traffic service certificate shall establish procedures to ensure that where an ATS surveillance system is used to support the provision of an air traffic service—

(1) all ATS surveillance services are provided in accordance with procedures published in—

(i) Document 4444; or

(ii) Document 7030 (as applicable to the Africa-Indian Ocean (AFI) Region); or

(iii) these regulations; and

(2) SSR code allocation for international flights is in accordance with the code assignment system published in the applicable ICAO Air Navigation Plan; and

(3) an SSR code management plan is in place for domestic flights that conforms to the applicable principles contained in Document 4444; and

(4) full information is made available to pilots and aircraft operators on—

(i) the nature and extent of the ATS surveillance services provided; and

(ii) any significant limitations regarding such ATS surveillance services; and

(5) the information displayed at individual ATS surveillance service operating positions is that required for the air traffic services to be provided; and

(6) have a very high level of reliability, availability and integrity; and

(7) back-up facilities are provided; and

(8) ground systems provides for the display of safety-related alerts and warnings, including conflict alert, conflict prediction, minimum safe altitude warning and unintentionally duplicated SSR codes.

(b) The applicant shall establish procedures to ensure that, the provision of ATS surveillance services is limited when position data quality degrades below a level specified by the provider of air traffic services.

(c) ATS provider shall establish requirements for carriage and operation of pressure-altitude reporting transponders within defined portions of airspace

SUBPART D: STANDARD PHRASEOLOGY

22.355 Standard Phraseology

(a) This Subpart prescribes standard phraseology to be used in the particular circumstances stated, in accordance with the requirements of Regulation 22.265.

(b) In this Subpart, words in brackets indicate an appropriate insertion is required and an oblique stroke indicates a choice required to be made from the alternatives separated by the stroke.

22.360 CONTROLLER/PILOT PHRASEOLOGY

(a) Unavailability of route or cruising level—

(1) When it is not possible to clear a flight via the preferred route or cruising level: "(route and/or level) NOT AVAILABLE DUE (reason)"

(b) Block levels—

(1) When approving a requested block level: "MAINTAIN BLOCK (level) TO (level)"

(2) When cancelling a block level: "CANCEL BLOCK CLEARANCE ..."

(c) DME climbs and descents—

(1) When authorising a DME step climb procedure: "CLIMB ABOVE DME STEPS" or "CLIMB ABOVE VORSEC DME STEPS"

(2) When authorising a DME step descent procedure: "DESCEND DME STEPS TO (level)" or "DESCEND VORSEC DME STEPS TO (level)"

(d) Visual departures—

(1) When authorising a visual departure: "VISUAL DEPARTURE"

(e) Holding—

(1) When issuing a holding instruction where more than one holding pattern is published for a specified geographical location:"HOLD AT (designator). ENTER THE (descriptor) HOLDING PATTERN"

(f) Precautionary holding—

(1) When issuing a holding instruction to Rwanda operators, when that instruction is likely to be cancelled before the aircraft reaches the designated holding point: "PRECAUTIONARY HOLD"

(g) Runway operations—

(1) When approving a request for a stop and go landing: "CLEARED STOP AND GO"

(2) When emphasising the runway to be used for landing: "RUNWAY (designator) CLEARED TO LAND"

(3) When an expeditious take-off is required: "CLEARED IMMEDIATE TAKE-OFF"

(h) Land and hold short operations—

(1) When requiring an aircraft to terminate its landing run in less than the available runway length: "LAND AND HOLD SHORT BY (taxiway or other specified point)"

(i) Visual separation—

(1) When requiring a pilot to maintain visual separation from another aircraft: "MAINTAIN VISUAL SEPARATION FROM (traffic) TO/UNTIL (clearance limit)"

(j) Terrain clearance—

(1) When advising a pilot that a descent clearance is based on a radar terrain contour map use the suffix: "… RADAR TERRAIN"

(2) When requiring pilots to arrange their own terrain clearance: "MAINTAIN TERRAIN CLEARANCE VISUALLY"

(k) Confirmation of unlawful interference—

(1) When seeking verification that the SSR transponder Mode A code 7500 has been set intentionally: "CONFIRM SQUAWKING 7500"

(l) Helicopter operations—

(1) When approving helicopter operations at a controlled aerodrome, but outside the manoeuvring area: "LAND/TAKEOFF/AIR TAXI AT YOUR DISCRETION"

(m) Traffic avoidance advice—

(1) When initiating, or responding to a request for, traffic avoidance advice: "SUGGEST"

(n) Traffic information—

(1) When indicating there is no pertinent IFR traffic information: "NO REPORTED IFR TRAFFIC"

(o) Joining the circuit—

(1) When instructing an aircraft to make the standard overhead joining

procedure: "MAKE STANDARD OVERHEAD JOIN"

(2) When instructing an aircraft to cross over the aerodrome, then follow specific joining instructions: "CROSS OVERHEAD, JOIN (specific instructions)"

22.365 ATS CO-ORDINATION PHRASEOLOGY

(a) Release instructions to aerodrome control—

(1) When there are no restrictions: "RELEASED"

(2) When the aircraft is to be held on the ground: "HOLD"

(3) When a release is based on clock time: "CLEARANCE VALID/EXPIRES AT (time)"

(4) When a release is based on time interval:"RELEASED (number of minutes) MINUTES BEHIND (leading aircraft)"

(5) When a release is based on the application of vertical separation: "RELEASED AFTER (leading aircraft call sign) HAS PASSED (level)"

(6) When a release is subject to aerodrome control providing separation from specified traffic, where RYS means "Released, your separation":"RYS (call sign of conflicting traffic) (details of conflicting traffic, if not already passed)"

(b) Clarification of responsibility for providing separation—

(1) When assigning or clarifying who is providing separation, and to acknowledge the arrangement: "MY SEPARATION/YOUR SEPARATION (call sign of conflicting traffic)"

(c) Co-ordination between radar controllers—

(1) When effecting a radar transfer of control: "RADAR RELEASE (details)"

(2) When radar identity only is being transferred: "RADAR IDENT (details)"

(d) Negotiation of revised estimate messages—

(1) Invitation by transferring controller: "WILL YOU ACCEPT (details)"

(2) Refusal by accepting controller:"NEGATIVE, WILL ACCEPT (alternative details)"

SUBPART E: RADAR PROCEDURES

22.370 VERIFICATION OF SSR TRANSPONDER MODE C LEVEL INFORMATION

(a) Subject to paragraph (b), aerodrome control may verify the Mode C level information of a departing aircraft when the tower radar indicates a positive rate of climb from the aerodrome elevation.

(b) Mode C information shall not be used when the displayed level varies by more than 300 feet from the aerodrome elevation during the take-off roll.

22.375 SPEED CONTROL

(a) Speed control shall not be applied or continued after a point 4 nm from the runway threshold on final approach.

SUBPART F: SAFETY OVERSIGHT REQUIREMENT

2.380 SAFETY OVERSIGHT FUNCTION

(a) The Authority shall exercise safety oversight as part of its supervision of requirements applicable to the air traffic services in order to monitor the safe provision of these activities and to verify that the applicable safety regulatory requirements and their implementing arrangements are met.

22.385 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS

(a) The Authority shall establish a process in order to verify compliance with applicable safety regulatory requirements prior to the issue or renewal of a certificate necessary to provide air traffic services including safety-related conditions attached to it.

(b) The process referred to in paragraph (a) shall—

(1) be based on documented procedures;

(2) be supported by documentation specifically intended to provide safety oversight personnel with guidance to perform their functions;

(3) provide the organisations concerned with an indication of the results of the safety oversight activity;

(4) be based on safety regulatory audits and reviews conducted; and

(5) provide competent authorities with the evidence needed to support further action.

22.390 SAFETY REGULATORY AUDITS

(a) The Authority shall conduct safety regulatory audits of all the air traffic services activities.

(b) The safety regulatory audits referred to in paragraph (a) shall—

(1) provide the Authority with evidence of compliance with applicable safety regulatory requirements and with implementing arrangements by evaluating the need for improvement or corrective action;

(2) be independent of internal auditing activities undertaken by the service provider concerned as part of its safety or quality management systems;

(3) be conducted by qualified inspectors;

(4) apply to complete implementing arrangements or elements thereof, and to processes, products or services;

(5) determine whether—

(i) implementing arrangements comply with safety regulatory requirements;

(ii) actions taken comply with the implementing arrangements;

(iii) the results of actions taken match the results expected from the implementing arrangements;

(6) lead to the correction of any identified non-conformities.

(c) Within the inspection programme, the Authority shall establish and update at least annually a programme of safety regulatory audits in order to—

(1) cover all the areas of potential safety concern, with a focus on those areas where problems have been identified;

(2) cover all the air traffic services;

(3) ensure that audits are conducted in a manner commensurate to the level of risk posed by the service providers' activities;

(4) ensure that sufficient audits are conducted every year to check the compliance of all these service providers with applicable safety regulatory requirements in all the relevant areas of the functional system;

(5) ensure follow up of the implementation of corrective actions.

(d) The Authority may decide to modify the scope of pre-planned audits and to include additional audits, wherever that need arises.

(e) The Authority shall decide which arrangements, elements, services, functions, products, physical locations and activities are to be audited within a specified time frame.

(f) Audit observations and identified non-conformities shall be documented. The latter shall be supported by evidence, and identified in terms of the applicable safety regulatory requirements and their implementing arrangements against which the audit has been conducted. An audit report, including the details of the non- conformities, shall be drawn up.

22.395 CORRECTIVE ACTIONS

(a) (The Authority shall communicate the audit findings to audited air traffic service provider and shall simultaneously request corrective actions to address the non-conformities identified without prejudice to any additional action required by the applicable safety regulatory requirements.

(b) Audited air traffic service providers shall determine the corrective actions deemed necessary to correct non-conformities and the time frame for their implementation.

(c) The Authority shall assess the corrective actions as well as their implementation as determined by audited service providers and accept them if the assessment concludes that they are sufficient to address the non- conformities.

(d) Audited air traffic service providers shall initiate the corrective actions accepted by the Authority. These corrective actions and the subsequent follow-up process shall be completed within the time period accepted by competent authorities.

22.400 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS

(a) Air traffic service providers shall only use procedures accepted by the Authority when deciding whether to introduce a safety-related change to their functional systems. In case of communication, navigation or surveillance service providers, the Authority shall accept these procedures in the framework of these regulations.

(b) Service providers shall notify the Authority of all planned safety-related changes

END OF RCAR PART 22

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXIII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXIII TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXIII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 23

Flight Procedure Services

SUBPART A: GENERAL 2
23.001 CITATION & APPLICABILITY 2
23.05 DEFINITIONS 2
23.010 ABBREVIATIONS & ACRONYMS 3
23.015 GENERAL 4
23.020 REQUIREMENTS FOR THE PROVISION OF AN INSTRUMENT FLIGHT PROCEDURE DESIGN SERVICE 4

SUBPART B: ORGANISATION REQUIREMENTS 5
23.025 INSTRUMENT FLIGHT PROCEDURE DESIGN (IFPD) ORGANIZATION 5
23.030 INSTRUMENT FLIGHT PROCEDURE DESIGN MANUAL 5
23.035 EMPLOYMENT OF PERSONNEL 5
23.040 PROCEDURE DESIGN FACILITIES & RESOURCE REQUIREMENTS 5
23.045 DOCUMENTS & RECORDS CONTROL SYSTEM 6
23.050 IFP DESIGNER QUALIFICATIONS, TRAINING, EXPERIENCE AND APPROVAL 6
23.055 PROCEDURE DATA & INFORMATION ACQUISITION 7
23.060 INSTRUMENT FLIGHT PROCEDURE DESIGN (IFPD) 8
23.065 FLIGHT VALIDATION 8
23.070 GROUND VALIDATION 9
23.075 SAFETY ASSESSMENT 9
23.080 APPROVAL OF INSTRUMENT FLIGHT PROCEDURES 10
23.085 PUBLICATION OF INSTRUMENT FLIGHT PROCEDURES 10
23.090 USE OF AUTOMATION IN PROCEDURE DESIGN & FLIGHT VALIDATION 10
23.095 ERRORS IN PUBLISHED INSTRUMENT FLIGHT PROCEDURES 11
23.100 AERODROME OPERATING MINIMA 11

APPENDICES 12
APPENDIX 1 TO 23.065: FLIGHT VALIDATION PILOT TRAINING 12

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SUBPART A: GENERAL

23.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Instrument Flight Procedure Design Service) Regulations.

(b) These regulations prescribe the requirements for the design, continuous maintenance and periodic review of instrument flight procedures (IFP).

(c) This Part is applicable to—

(1) persons providing an Instrument Flight Procedure Design Service within certificated airspace and at aerodromes for civil aviation purposes

(2) persons seeking certification to provide instrument flight procedures services; and

(3) organizations that provide the required instrument flight procedures services; and

(4) persons that administer the required instrument flight procedures services on behalf of the organizations.

(d) These regulations do not apply to the design of aircraft performance operating limitations or flight paths, for critical engine inoperative emergency procedures

(e) Civil Aviation Technical Standards which may be published by the Authority to further clarify the applicable flight procedures standards and practices shall also be applicable to the development, checking, maintenance and review of aeronautical navigation procedures and charts in Rwanda.

(f) Those requirements addressing persons certificated under any Part of these Regulations apply also to any person who engages in an operation governed by any Part without the appropriate certificate, licence, operations specification, or similar document required as part of the certification.

23.05 DEFINITIONS

(a) For the purpose of this Part, the following definitions shall apply—

Aerodrome operating minima. The limits of usability of an aerodrome for—

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

(ii) landing in precision approach and landing operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H) as appropriate to the category of the operation;

(iii) landing in approach and landing operations with vertical guidance, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H); and

(iv) landing in non-precision approach and landing operations, expressed in terms of visibility and/or runway visual range, minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions.

Aeronautical Information Publication (AIP). a publication issued by or with the authority of a state and containing aeronautical information of a lasting character essential to air navigation;

Conceptual design. High-level graphical and/or textual description of the designer's interpretation of the stakeholders' requirements.

Designer. A person adequately trained who performs the design of an instrument flight procedure.

Document 8168. The ICAO document titled Procedures for Air Navigation Services - Aircraft Operations

Flight procedure design process. The process which is specific to the design of instrument flight procedures leading to the creation or modification of an instrument flight procedure.
Functional validation. Confirmation of the correct implementation of automation functions and of the compliance of the human machine interface with the user requirements
Instrument approach procedure. A series of pre-determined manoeuvres by reference to flight instruments with specific 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 flight procedure. A published procedure used by aircraft flying in accordance with the instrument flight rules which is designed to achieve and maintain an acceptable level of safety in operations and includes an instrument approach procedure, a standard instrument departure, a planned departure route and a standard instrument arrival.
Instrument flight procedure designer. A person who has acquired and maintained the required competency level to design instrument flight procedures in accordance with the applicable criteria
Instrument flight procedure design service. A service established for the design, documentation, validation, maintenance and periodic review of instrument flight procedures necessary for the safety, regularity and efficiency of air navigation
Integrity (aeronautical data). A degree of assurance that an aeronautical data and its value has not been lost or altered since the data origination or authorized amendment.
Planned departure route. A notified instrument flight rule departure (IFR) route linking the aerodrome or a specific runway of the aerodrome with a specified significant point, normally on the boundary of controlled airspace associated with the aerodrome.
Procedure. A specified way to carry out an activity or a process (see ISO 9000:2000 Quality management systems — Fundamentals and vocabulary, section 3.4.5). controller holding a current license, and a rating, or ratings, validated for the particular location, issued in accordance with the Civil Aviation (Personnel Licensing) Regulations;
Quality record. Objective evidence which shows how well a quality requirement is being met or how well a quality process is performing. Quality records normally are audited in the quality evaluation process.
Review. An activity undertaken to determine the suitability, adequacy and effectiveness of the subject matter to achieve established objectives (see ISO 9000:2000 Quality management systems — Fundamentals and vocabulary, section 3.8.7).
Software validation. Acknowledgement, derived from a series of tests, of the compliance of an automation system with the applicable standards.
Standard instrument arrival. A designated instrument flight rule arrival (IFR) route linking a significant point, normally on an ATS route, with a point from which a published instrument approach procedure can be commenced.
Standard instrument departure. A designated instrument flight rule (IFR) departure route linking the aerodrome or a specific runway of the aerodrome with a specified significant point, normally on a designated ATS route, at which the enroute phase of a flight commences
Validation with reference to criteria. Confirmation through a series of tests of the compliance of the results with reference to applicable criteria.
Validation. Confirmation, through the provision of objective evidence, that the requirements for a specific intended use or application have been fulfilled. The activity whereby a data element is checked as having a value that is fully applicable to the identity given to the data element, or a set of data elements that is checked as being acceptable for their purpose.
Verification. Confirmation, through the provision of objective evidence, that specified requirements have been fulfilled. The activity whereby the current value of a data element is checked against the value originally supplied.

23.010 ABBREVIATIONS & ACRONYMS

(a) The following abbreviations and acronyms are used in this Part—

AIP = Aeronautical Information Publication

ARINC = Aeronautical Radio Corporation

ATS = Air Traffic Service

FVP = Flight Validation Pilot
ICAO = International Civil Aviation Organisation
IFP = Instrument Flight Procedures
IFPD = Instrument Flight Procedures Design
OJT = On-the-Job Training
PANS-OPS = ICAO Doc 8168
PBN = Performance Based Navigation
SID = Standard Instrument Departure
STAR = Standard Terminal Arrival Route

23.015 GENERAL

(a) The ATS provider shall be responsible for providing instrument flight procedure design services within Kigali flight Information Region

(b) The ATS provider may—
  (1) agree with one or more ATS provider(s) to provide a joint service; and
  (2) delegate the provision of the service to external agency(ies)

(c) The IFPD organization shall follow an instrument flight procedure process that encompasses acquisition of data, design and promulgation of procedures and in accordance with design criteria approved by the Authority.

(d) The IFPD organization shall establish procedures to ensure that the quality and safety of the procedure design product are assured through review, verification, coordination and validation of the procedure at appropriate points in the process.

(e) The IFPD organization shall ensure that the units of measurement, as prescribed by the authority are used in the design of IFP.

23.020 REQUIREMENTS FOR THE PROVISION OF AN INSTRUMENT FLIGHT PROCEDURE DESIGN SERVICE

(a) A person shall not provide an Instrument Flight Procedure Design Service within Rwanda unless—
  (1) he is approved by the authority; and
  (2) the services are provided in accordance with—
    (i) the requirements prescribed in these Regulations or any other publications issued by the Authority; and
    (ii) the procedures specified in the service providers' Manual of instrument flight procedure design.

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SUBPART B: ORGANISATION REQUIREMENTS

23.025 INSTRUMENT FLIGHT PROCEDURE DESIGN (IFPD) ORGANIZATION

(a) The IFPD organization shall;

(1) maintain an appropriate instrument design office to enable the Instrument Flight Procedure (IFP) designer to carry on design work in IFP in accordance with the requirements set out in these regulations; and

(2) ensure that the designs of instrument flight procedure are in accordance with—

(i) the criteria contained the international civil aviation organization document number 8168 as amended;

(ii) applicable standards as set out in these regulations

(b) The IFPD organization shall make provisions for person(s) trained in IFP design to check and verify independently the plans of each instrument flight procedure designed.

23.030 INSTRUMENT FLIGHT PROCEDURE DESIGN MANUAL

(a) The IFPD organization shall develop and maintain an operations manual which shall serve to demonstrate how the service provider will comply with the requirements set out in these regulations.

(b) The contents of the operations manual shall include but not limited to the following—

(1) the information required of the IFP design organization as mentioned in these regulations; and

(2) a description of the IFP design office that shows the role, responsibilities and job functions of the IFP design office personnel who are responsible for ensuring the compliance of the organization with the requirements in paragraph (a).

(c) The IFPD organization shall—

(1) keep the operations manual in a readily accessible form;

(2) ensure that the IFP designer has ready access to the operations manual; and

(3) amend the operations manual whenever necessary to keep its content up to date.

(d) The IFPD organization shall submit a copy of the most current operations manual to the Authority for approval.

(e) The IFPD organization shall ensure that an instrument flight procedure design service provider utilizes a quality management system at each stage of the instrument flight procedure design process.

23.035 EMPLOYMENT OF PERSONNEL

(a) The approved instrument flight procedure design organization shall—

(1) employ, contract, or engage sufficient personnel to plan, design, verify, and maintain the instrument flight procedures; and

(2) develop job descriptions for its Procedure design technical staff.

23.040 PROCEDURE DESIGN FACILITIES & RESOURCE REQUIREMENTS

(a) The IFPD organization shall provide and maintain adequate facilities for carrying on design work on instrument flight procedures as follows—

(1) having available equipment appropriate for the design, design verification, flight validation, and maintenance of applicable types of instrument flight procedures;

(2) access to relevant and current data including, but not limited to, aeronautical data, land contour data or charts detailing terrain, obstacle data, current navigation aid coordinate data and aerodrome reference point and threshold data for the design, design

verification, flight verification, and maintenance of the instrument flight procedures; and

(3) ready access to copies of relevant documentation comprising technical standards, practices, and instructions, and any other documentation that may be necessary for the design, design verification, flight validation, and maintenance of the types of instrument flight procedure.

(4) the data referred to in paragraph (a)(2) is current, traceable, and meets the required level of accuracy for the design, design verification, flight validation and maintenance of instrument flight procedure.

23.045 DOCUMENTS & RECORDS CONTROL S Y S T E M

(a) The designer organization shall establish and put into effect, a system for controlling documents and records relating to the instrument flight procedures on which the designer carries on design work, including the policies and procedures for making, amending, preserving and disposing of those documents and records.

(b) The designer organisation shall, at authority's request, make the documents and records, or copies of them or extracts from them, available for inspection by the Authority.

(c) The documentation developed and maintained by the IFP designer is divided into three categories and includes—

(1) information required for publication in the AIP;

(2) documentation required to maintain transparency concerning the details and assumptions used by the IFP designer, which should include supporting information/data used in the design, such as—

(i) controlling obstacle for each segment of the procedure;

(ii) effect of environmental considerations on the design of the procedure;

(iii) infrastructure assessment;

(iv) airspace constraints;

(v) for modifications or amendments to existing procedures, the reasons for any changes; and

(vi) for any deviation from existing standards, the reasons for such a deviation and details of the mitigations applied to assure continued safe operations.

(3) additional documentation required to facilitate ground and flight validation of the procedure.

(d) All calculations and results of calculations shall be presented in a manner that enables the reader to follow and trace the logic and resultant output and the record of all calculations shall be kept in order to prove compliance to or variation from the standard criteria.

(e) Formulae used during calculation shall be the standard formulae as stated in ICAO Doc 8168 and related ICAO publications.

(f) The IFPD organization shall establish procedure to ensure that all documentation undergo a final verification for accuracy and completeness prior to validation and publication.

(g) The IFPD organization shall establish procedure to ensure that all documentation be retained to assist in recreating the procedure in the future in the case of incidents and for periodic review and maintenance.

(h) The periodic retention shall not be less than the operational lifetime of the procedure.

23.050 IFP DESIGNER QUALIFICATIONS, TRAINING, EXPERIENCE AND APPROVAL

(a) The IFPD organization shall ensure that a person designing or amending a flight instrument procedure has required Competency level for flight procedure design through training and supervised on- the-job training (OJT).

(b) The training for IFP designers shall include an initial training and recurrent training.

(c) The IFPD organization shall establish procedures to ensure that the instrument flight procedure designer is able to demonstrate a basic level of competency through initial training that includes at least the following elements—

(1) knowledge of information contained in International Civil Aviation Organization (ICAO) Document number 8168, ICAO documents and manuals pertaining to the design of instrument flight procedures as amended;

(2) enhancement of knowledge and skills in the design of procedures; and

(3) competency as outlined in the competency framework for flight procedures designers as prescribed by the Authority

(4) practical exercises in the design of procedures (OJT)

(d) The IFPD organization shall ensure that the IFP designer, in addition to initial training, acquires more competency through recurrent training that includes at least the following elements—

(1) knowledge about updates in ICAO provisions and other provisions pertaining to procedure design; and

(2) maintenance and enhancement of knowledge and skills in the design of procedures.

(e) The IFPD organization shall ensure that new IFP designers undergo an adequate, supervised OJT.

(f) The IFPD organization shall—

(1) develop and implement training programme and a training plan that is commensurate to the technical competence required by its staff; and

(2) maintain training records for their instrument flight procedure designers.

(3) ensure that only designers approved by the Authority shall undertake the design, review, validation of IFPs for operational use

(g) A person seeking approval as required in paragraph (f)(3) shall—

(1) provide proof of successful completion of the ICAO PANS-OPS training course applicable to the approval being requested based on the ICAO PANS-OPS criteria.

(2) demonstrate practical application of theoretical knowledge through the design of two instrument flight procedures under supervision of a qualified designer;

(3) demonstrate ability to maintain a documented quality assurance process for procedure design.

(h) An approved procedure designer shall only design IFPs within the scope of their approval

(i) Ensure that the units of measurement, as specified in the civil aviation (units of measurement to be used in air and ground operations) regulations are used in the design of Instrument flight procedure.

23.055 PROCEDURE DATA & INFORMATION ACQUISITION

(a) The IFPD organization shall ensure that the quality characteristics of data acquired for the FPD process are known and adequate, or that, in the case where the data's quality characteristics are unknown or inadequate, that appropriate data verification occurs prior to use.

(b) The IFPD organization shall ensure that the survey and subsequent IFP design activities are controlled and monitored by a person(s) trained in procedure design.

(c) In the obstacle survey for procedure design, the IFP designer shall consider that—

(1) all obstacles be accounted for and Items, such as trees and heights of tall buildings shall be accounted for either by physical examination of the site or by addition of a suitable margin above terrain contours; and

(2) the accuracy of the vertical and horizontal data obtained may be adjusted by adding an amount equal to the specified survey error to the height of all measured obstructions and

by making a corresponding adjustment for specified horizontal error.

(d) The procedure design information shall be coordinated with all relevant stakeholders throughout the procedure design and validation process to ensure that the procedure meets the needs of the user and the community

(1) As input for the procedure design process the following aspects need to be assessed—

(i) Airport, navigation aid, obstacle, terrain coordinate and elevation data, based on verified surveys and complying with technical standard requirements prescribed by the authority;

(ii) Airspace requirements;

(iii) User requirements – the needs of Air Traffic Service provider and operators who will use this procedure;

(iv) Airport infrastructure such as runway classification, lighting, communications, runway markings, and availability of local altimeter setting;

(v) Environmental considerations; and

(vi) Any other potential issue associated with the procedure.

23.060 INSTRUMENT FLIGHT PROCEDURE DESIGN (IFPD)

(a) Instrument flight Procedures shall be designed in accordance with these regulations, the procedures for Air Navigation Services – Aircraft Operations criteria to ICAO Doc 8168 – PANS- OPS.

(b) Each new or revised procedure shall be verified by a person(s) trained in procedure design other than the one who designed the procedure, to ensure compliance with applicable criteria.

(c) Published procedures shall be subject to periodic review to ensure that they continue to comply with changing criteria, and meets user requirements.

(d) The maximum interval for this review in (c) above is five years.

(e) The flight inspection of instrument flight procedures shall be carried for new flight instrument procedure to determine if the procedure is flyable and safe.

23.065 FLIGHT VALIDATION

(a) Validation shall consist of ground validation and flight validation.

(b) The IFPD organization shall ensure that a person conducting flight validation including simulator evaluation is a qualified and experienced flight validation pilot.

(c) The IFP design organization shall ensure that flight validation is conducted in accordance with the requirements of ICAO Doc 9906, Volume 5 — Validation of IFP

(d) The qualifications for Flight Validation Pilot shall include—

(1) At least a commercial pilot licence with instrument rating; and

(2) A requirement that the licence held by the flight validation pilot shall be for the aircraft category appropriate for the procedure to be validated; and

(3) Meet all the experience requirements for the airline transport pilot licence in the relevant category of aircraft as described in personnel licensing regulations except that the Flight Validation Pilot does not have to be the pilot-in-command of the validation flight nor is he required to have the type rating on the aircraft used for the validation flight.

(e) In order to adequately validate instrument procedures, Flight Validation Pilot's training shall include the elements prescribed in Appendix 1 to 23.065.

(f) The IFP designer shall be the originator of all data applicable to conduct a flight validation provided to the flight inspection operations activity.

(g) The flight validation of IFP shall—

(1) Provide assurance that adequate obstacle clearance has been provided;
(2) Verify that the navigation data to be published, as well as that used in the design of the procedure, is correct;
(3) Verify that all required infrastructure, such as runway markings, lighting, and communications and navigation sources, are in place and operative;
(4) Conduct an assessment of fly ability to determine that the procedure can be safely flown; and
(5) evaluate the charting, required infrastructure, visibility and other operational factors.

(h) Flight validation of IFP when required shall be carried out as part of the initial record and shall be included as part of the periodic quality assurance programme.

(i) The qualifications for Flight Validation Pilot (FVP) shall include;
(1) At least a commercial pilot licence with instrument rating. Alternatively, an equivalent authorization from the [appropriate authority designated by the State] meeting the Annex 1 knowledge and skill requirements for issuing the commercial pilot license and instrument rating is acceptable;
(2) The licence held by the FVP shall be for the aircraft category (e.g. aeroplane or helicopter) appropriate for the procedure to be validated; and
(3) FVPs shall meet all the experience requirements for the airline transport pilot licence in the relevant category of aircraft (e.g. aeroplane or helicopter) as defined in Annex 1.

(j) Flight validation is conducted whenever the following conditions exist—
(1) The fly ability of a procedure cannot be determined by other means;
(2) The procedure requires mitigation for deviations from design criteria
(3) The accuracy and/or integrity of obstacle and terrain data cannot be determined by other means; and
(4) New procedures differ significantly from existing procedures.

23.070 GROUND VALIDATION

(a) Ground validation shall review of the entire instrument flight procedure package by a person(s) trained in procedure design and with appropriate knowledge of flight validation issues.

(b) The ground validation shall be conducted to determine if flight validation is needed for modifications and amendments to previously published procedures.

(c) Ground validation is undertaken by a qualified flight procedure designer with appropriate knowledge of validation issues.

23.075 SAFETY ASSESSMENT

(a) The Designer shall carry out a safety assessment in respect of proposals for new flight procedure designs or any significant changes in a revised procedure and the proposals shall be implemented only when the assessment has shown that an acceptable level of safety will be met.

(b) The safety assessment shall consider relevant factors determined to be safety-significant, including but not limited to—
(1) Types of aircraft and their performance characteristics, including navigation capabilities and navigation performance;
(2) Traffic density and distribution;
(3) Airspace complexity; ATS route structure and classification of the airspace;
(4) Aerodrome layout
(5) Type and capabilities of ground navigation systems
(6) Any significant local or regional data (e.g. Obstacles, infrastructures, operational factors,

etc).

(c) Safety risk control/mitigation process shall include hazard/consequence identification and safety risk assessment.

(d) As part of the safety assurance, the risk control/ mitigation process shall include a system of feedback to ensure integrity, efficiency and effectiveness of the defences under the new operational conditions.

(e) The ATS Provider responsible for procedure design shall establish procedure to ensure that the results and conclusions of the safety assessment and mitigation process of a new or changed procedure are specifically documented, and that this documentation is maintained throughout the life of the instrument flight procedure.

23.080 APPROVAL OF INSTRUMENT FLIGHT PROCEDURES

(a) An instrument flight procedure for use by civil aircraft within Rwanda shall not be published unless the instrument flight procedure is approved by the Authority;

(b) The Authority shall only accept IFPs for approval, submitted by approved procedure designers;

(c) For IFPs designed by approved procedure designers independently outside the approved organization the submission of approval shall be in line with these regulations.

23.085 PUBLICATION OF INSTRUMENT FLIGHT PROCEDURES

(a) The approved service provider shall ensure that instrument flight procedure designs/charts, are provided to the Aeronautical Information Service (AIS) provider for publication in the Aeronautical Information Publication (AIP).

(b) The IFP shall be accompanied by a narrative, which describes the procedure in textual format.

(c) The intended effective date for operational use of the IFP shall be included in the document narrative.

(d) The designs/charts published in the AIP shall be produced in accordance with the provisions contained in the documents listed below—

(1) Civil aviation (Aeronautical Information services) regulations

(2) ICAO Doc 8168 Volumes I and II - Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS)

(3) ICAO Doc 8697 – Aeronautical Chart Manual

(4) Civil Aviation technical standards- Aeronautical information service.

(e) The aeronautical charts included in the AIP shall be kept up-to date by means of replacement sheets where necessary and significant amendments or revisions in the IFP shall be clearly indicated in the revised charts.

23.090 USE OF AUTOMATION IN PROCEDURE DESIGN & FLIGHT VALIDATION

(a) The IFPD organization or designated service provider of designer organization using an automated flight procedure design tool shall ensure that such tool is validated.

(b) Validation of the software shall be in accordance with the requirements of ICAO Doc 9906, Volume 3 — *Flight Procedure Design Software Validation.*

(c) The scope of validation shall include compliance with ICAO criteria contained in document number 8168.

(d) The flight validation tools required under this section shall include the use of equipment that—

(1) Has the precision, and accuracy traceable to appropriate standards, that are necessary for the validation being performed;

(2) Has known measurement uncertainties including, but not limited to, the software, firmware and crosswind uncertainties;

(3) Records the actual flight path of the validation aircraft;
(4) Is checked before being released for use, and at intervals not exceeding the calibration intervals recommended by the manufacturer, to establish that the system is capable of verifying the integrity of the instrument flight procedure; and
(5) Is operated in accordance with flight validation system procedures and criteria by persons who are competent and current on the system used.

23.095 ERRORS IN PUBLISHED INSTRUMENT FLIGHT PROCEDURES

(a) The IFPD organization shall establish procedures for recording, investigating, correcting, and reporting, any identified error, and any identified non-conformance or suspected non-conformance with these regulations.

(b) The procedure required by paragraph (a) shall require that—
(1) An instrument flight procedure is immediately withdrawn from operational use if the error or non- conformance affects, or may affect, the safety of an aircraft operation; and
(2) The error or non-conformance is corrected, and approved by a senior person who is appropriately authorized by the service provider.
(3) The correction required by paragraph (b)(2) is clearly identified and promulgated by the most appropriate means relative to the operational significance of the error or non-conformance;
(4) The source of the error or non-conformance is identified, and—
(i) If possible, eliminated to prevent a recurrence; and
(ii) Preventive action is taken to ensure that the source of the error or non-conformance has not affected the integrity of any other instrument flight procedure; and
(iii) The Authority is immediately notified, of a promulgated information incident relating to an error or non-conformance referred to in paragraph (a) above.

23.100 AERODROME OPERATING MINIMA

(a) The requirements for aerodrome operating minima are as specified in the civil aviation (operation of aircraft) regulations.

(b) The procedures for the establishment of the aerodrome operating minima shall be prescribed by the Authority.

(c) The requirements for aerodrome operating minima are as specified in the Civil Aviation (Operation of Aircraft) Regulations.

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APPENDICES

APPENDIX 1 TO 23.065: FLIGHT VALIDATION PILOT TRAINING

(a) The Flight Validation Pilot shall receive the following training—

(1) Standards, procedures and guidance pertinent to AIS, including Annex 15;
(2) Standards, procedures and guidance pertinent to flight inspection, including Annex 10 and ICAO Doc 8071 — Manual on Testing of Radio Navigation Aids;
(3) Standards, procedures and guidance pertinent to aerodromes, including Annex 14, ICAO Doc 9157
— Airport Services Manual and ICAO Doc 9157 — Aerodrome Design Manual;
(4) Standards, procedures and guidance pertinent to charting and aviation publications including Annex 4 and ICAO Doc 8697 — Aeronautical Chart Manual;
(5) Performance-based navigation (PBN) and conventional instrument procedure construction such as standard instrument departures/standard instrument arrivals (SIDs/STARs) and holding/reversal procedures, including the PANS-OPS;
(6) The PBN concept including the ICAO Doc 9613 — Performance-based Navigation (PBN) Manual;
(7) the basic concept of and differences between flight validation and flight inspection;
(8) ARINC 424 coding;
(9) Human Factors;
(10) Different types of aircraft operations and aircraft performance (i.e. Limitations and equipment);
(11) Obstacle assessment methodology;
(12) Safety assessment process;
(13) Geodesy, including ICAO Doc 9906, Volume 2, paragraph 3.3.3.8; and
(14) Comprehensive understanding of ICAO Doc 9906, Volume 5.

END OF RCAR PART 23

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXIV W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXIV TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXIV A L'ARRÊTÉ MINISTÉRIEL Nº 01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 24

Aeronautical Meteorological Service

SUBPART A: GENERAL 3
24.001 CITATION & APPLICABILITY 3
24.005 DEFINITIONS 3
24.010 ACRONYMS & ABBREVIATIONS 4
24.015 PERFORMANCE PROHIBITIONS 4
24.020 BASIC WEATHER REPORTING 4
24.025 ISSUE OF RCATS –AERONAUTICAL METEOROLOGICAL SERVICE 4
24.030 ESTABLISHMENT OF AERONAUTICAL METEOROLOGICAL SERVICE PROVIDER 5
24.035 PROCEDURES FOR PROVISION OF METEOROLOGICAL SERVICES FOR AIR NAVIGATION 6

SUBPART B: CERTIFICATION REQUIREMENTS 6
24.040 REQUIREMENT FOR CERTIFICATE 6
24.045 APPLICATION FOR CERTIFICATE 6
24.050 ISSUE OF CERTIFICATE 6
24.055 PRIVILEGES OF CERTIFICATE HOLDER 6
24.060 DURATION OF CERTIFICATE 6
24.065 RENEWAL OF CERTIFICATE 7
24.070 PERSONNEL REQUIREMENT 7
24.075 DOCUMENTATION 7
24.080 AERONAUTICAL METEOROLOGICAL SERVICE-MANUAL OF OPERATIONS 8
24.085 AMENDMENT OF CERTIFICATE HOLDER'S MANUAL OF OPERATIONS 9
24.090 SITE REQUIREMENTS 9
24.095 COMMUNICATION REQUIREMENTS 9
24.100 INPUT REQUIREMENTS 9
24.105 OUTPUT REQUIREMENTS 10
24.110 FACILITY REQUIREMENTS 10
24.115 VERIFICATION, PERIODIC INSPECTION, TESTING & CALIBRATION 10
24.120 RELEASE OF METEOROLOGICAL INFORMATION 11
24.125 NOTIFICATION OF METEOROLOGICAL OFFICE & FACILITY STATUS 11
24.130 METEOROLOGICAL INFORMATION CHECK AFTER ACCIDENT OR INCIDENT 11
24.135 MALFUNCTIONS & ERRONEOUS INFORMATION 11
24.140 QUALITY MANAGEMENT SYSTEM 12
24.145 RECORDS 12

SUBPART C: OPERATING REQUIREMENTS 13
24.150 CONTINUED COMPLIANCE 13
24.155 PROHIBITION 13
24.160 SECURITY MEASURES 13

SUBPART D: SAFETY OVERSIGHT OF AERONAUTICAL METEOROLOGICAL SERVICE 14
24.165 SAFETY OVERSIGHT FUNCTION 14
24.170 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS 14
24.175 SAFETY REGULATORY AUDITS 14

24.180 CORRECTIVE ACTIONS.....15
24.185 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS 15

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SUBPART A: GENERAL

24.001 CITATION & APPLICABILITY

(a) These regulations may be cited as Civil Aviation (Aeronautical Meteorological Service) Regulations.

(b) This Part prescribes the requirements of Rwanda for—

(1) The certification and operation of organisations providing meteorological services for aviation; and

(2) Governing the provision of basic weather reports for aviation.

(c) This Part is applicable to—.

(1) Persons seeking certification to provide meteorological services for aviation; and

(2) Organisations that provide the required meteorological services for aviation; and

(3) Persons that administer the required meteorological services for aviation on behalf of the certificated organisations.

(d) Civil Aviation Technical Standards published by the Authority are also applicable to the provision of meteorological information for operations in the airspace of Rwanda.

24.005 DEFINITIONS

(a) For the purpose of this Part, the following definitions apply —

Aeronautical Meteorological Service Standards. Standards contained in the Civil Aviation Technical Standards (Aeronautical Meteorological Service) published by Rwanda Civil Aviation Authority as amended from time to time.

Authority. Rwanda Civil Aviation Authority (the Authority).

Basic weather report. A verbal comment, in support of aviation, describing any of the following current weather conditions observed at a particular place or airspace—

(i) Wind direction and speed;

(ii) Pressure;

(iii) Air temperature; and/or

(iv) Weather conditions and cloud cover.

Director General. Chief Executive of Rwanda Civil Aviation Authority.

Convention. The ICAO Chicago Convention of 1944.

Erroneous meteorological information. Any meteorological information that is or has the potential to be significantly outside the allowable accuracy or tolerance for that information.

Manual of Operations. The manual required by Section 24.080.

Facility. Any system or equipment which provides an automatic function that supports a meteorological office or provides meteorological information, and includes any system or equipment for the following—

(i) Electronic data analysis and forecast productions;

(ii) Remote weather sensing; and

(iii) Electronic or automatic meteorological information delivery.

Meteorological information. Any meteorological report, analysis, or forecast in support of aviation, and any other statement in support of aviation relating to existing or expected meteorological conditions.

Meteorological office. An office designated to provide meteorological service for international air navigation.

Meteorological report. A statement, in support of aviation, of observed meteorological conditions related to a specific time and location.

Meteorological service. Any of the following services that provide meteorological information in support of aviation—

(i) *Climatology service*: a service for the development and supply of climatology information for a specific place or airspace.
(ii) F*orecast service*: a service for the supply of forecast meteorological information for a specific area or portion of airspace.
(iii) *Information dissemination service*: a service for the collection and dissemination of meteorological information.
(iv) *Meteorological briefing service*: a service for the supply of written and oral meteorological information on existing and expected meteorological conditions.
(v) *Meteorological reporting service*: a service for the supply of routine meteorological reports.
(vi) *Meteorological watch service*: a service for maintaining a watch over meteorological conditions affecting aircraft operations in a specific area. (a) ;

Note 1: Additional aviation-related terms are defined in Part 1 of these regulations.

Note 2: Additional aviation meteorological definitions are provided in the RCATS, WMO-49, Vol I and II and WMO-No..1083.

24.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

AIP = Aeronautical Information Publication
MET = Meteorology or Meteorological
NOTAM = Notice to Airmen
RCATS = Rwanda Civil Aviation Technical Standards
WMO = World Meteorological Organisation

Note 1: Additional aviation-related acronyms are listed in Part 1 of these requirements and the RCATS.

Note 2: The references for the requirements of this Part include the RCATS, ICAO Annex 1 and 3; WMO Publication No.49, and WMO doc.1083.

24.015 PERFORMANCE PROHIBITIONS

(a) No person shall provide aviation meteorological services unless they are provided in accordance with—
(1) the requirements of this Part; and
(2) the RCATS prescribed by the Authority relevant to provision of aeronautical meteorological services.

24.020 BASIC WEATHER REPORTING

(a) No person shall provide a basic weather report unless they—
(1) Utilise equipment that is suitable for the observations being made; and
(2) Employ a system for checking that equipment; and
(3) Be trained to provide accurate basic weather reports.

24.025 ISSUE OF RCATS –AERONAUTICAL METEOROLOGICAL SERVICE

(a) The Authority shall issue Technical Standards for these regulations that provides for the following matters—
(1) Standard procedures for providing meteorological routine observations and reports;
(2) Standards procedures for providing special observation and reports;
(3) Standards procedures for providing forecast information;
(4) Standards procedures to provide meteorological briefing and consultation on existing and expected meteorological conditions;

(5) Standards procedures for providing meteorological watch service, to maintain a watch over meteorological conditions affecting aircraft operations in a specific area;
(6) Standards relating to the procedures, systems and documents required for the provision of meteorological services;
(7) Standards for facilities and equipment used to provide meteorological services;
(8) Standards procedures for minimum qualifications and training of meteorological personnel;
(9) Any matter necessary or convenient to be provided for the effective operation of these Regulations

(b) The standards referred to paragraph (a) shall, for the safety of air navigation, be complied with by—
(1) Aeronautical meteorological service certificate holder; and
(2) Aeronautical meteorological service certificate applicant

(c) The Authority shall also publish Advisory Circulars containing acceptable methods and procedures for compliance with these regulations and the prescribed standards.

24.030 ESTABLISHMENT OF AERONAUTICAL METEOROLOGICAL SERVICE PROVIDER

(a) These Regulations prescribe the requirements pertaining to the provision of meteorological services to air navigation.

(b) An aeronautical meteorological service provider shall ensure that the MET service it provides is in conformity with the provisions in this regulation

(c) Responsible authority for providing Air navigation services shall designate the aeronautical meteorological service provider. Details of the meteorological authority so designated shall be included in the Rwanda Aeronautical Information Publication (AIP).

(d) The MET service provider under paragraph (c) shall provide the following services in support of aviation—
(1) Make routine meteorological observations at regular intervals;
(2) Make special weather observations whenever specified changes occur in respect of surface wind, visibility, runway visual range, present weather, cloud and air temperature;
(3) Prepare and obtain significant weather forecasts information and maintain contact with Regional specialized meteorological centres for the notification and exchange of information on volcanic ash and tropical cyclones activity as prescribed by the Authority;
(4) Display and provide briefing, consultation and flight documentation to flight crew members and other flight operations personnel, the latest information on existing and expected meteorological conditions along the route to be flown, at the aerodrome of intended landing, alternate aerodromes and other aerodromes as prescribed by the Authority;
(5) Perform weather watch and monitoring, including the ability to detect and forecast hazards relevant to the aviation community, as prescribed by the Authority;
(6) Derive forecast and warning products to the requirements prescribed by the Authority for the pilot, air traffic service and air operators;
(7) Maintain a record of aeronautical climatological information for supply to pilot, air traffic service and air operators and any other persons on request;
(8) Exchange aeronautical meteorological information with other aeronautical meteorological offices;
(9) Supply information received concerning the accidental release of radioactive materials into the atmosphere within its area of responsibility to the air traffic service for dissemination.

24.035 PROCEDURES FOR PROVISION OF METEOROLOGICAL SERVICES FOR AIR NAVIGATION

(a) A person authorized to provide meteorology services for air navigation under Section 24.030 shall do so in accordance with the procedures described in–

(1) The Manual of Operations required under these regulations; and

(2) The quality management system manual required under these regulations

SUBPART B: CERTIFICATION REQUIREMENTS

24.040 REQUIREMENT FOR CERTIFICATE

(a) No person shall provide meteorological service except under the authority of, and in accordance with the provisions of, a meteorological service certificate issued under these Regulations.

(b) The Authority shall grant a certificate authorising the provision of meteorological services varying from a single meteorological service to a range of meteorological services supported by a network of meteorological offices intended for interacting with the Air navigation system.

24.045 APPLICATION FOR CERTIFICATE

(a) An applicant for the grant of meteorological service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority with—

(1) The applicant's manual of operations required under Section 24.080; and

(2) A payment of the appropriate application fee prescribed by the Authority.

24.050 ISSUE OF CERTIFICATE

(a) An applicant is entitled to a meteorological service certificate if the Authority is satisfied that—

(1) The applicant meets the requirements of these Regulations and technical standards prescribed by the Authority; and

(2) The applicant, and the applicant's senior person or persons required by Section 24.070, are adequate and qualified; and

(3) The granting of the certificate is not contrary to the interests of aviation safety.

24.055 PRIVILEGES OF CERTIFICATE HOLDER

(a) A meteorological service certificate specifies the types of facilities that the certificate holder is authorised to operate.

(b) Subject to Section 24.155, the holder of a meteorological service certificate shall provide the meteorological services listed on the holder's certificate provided that each meteorological service, and the meteorological information supplied for each meteorological service, and the location and airspace covered by each meteorological service is listed in the certificate holder's manual of operations.

24.060 DURATION OF CERTIFICATE

(a) A meteorological service certificate shall be granted or renewed for a period of up to 2 years.

(b) A meteorological service certificate shall remain in force until it expires or is suspended or revoked.

(c) The Authority shall, by written notice given to the holder of a meteorological service certificate, suspend or revoke the certificate if there are reasonable grounds for believing that:

(1) a condition to which the certificate is subject has been breached; or

(2) the holder has failed to comply with these Regulations.

(d) Before suspending or cancelling a meteorological service certificate, the Authority shall:

(1) give to the holder a show cause notice that:

(i) sets out the facts and circumstances that, in the opinion of the Authority, would justify the suspension or cancellation; and

(ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or revoked; and

(2) take into account any written submissions that the holder makes to the Authority within 30 days.

(e) The holder of a meteorological service certificate that has been suspended or revoked shall forthwith surrender the certificate to the Authority.

24.065 RENEWAL OF CERTIFICATE

(a) An application for the renewal of a meteorological service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority.

(b) The application for the renewal shall be made not less than 90 days before the expiry date specified on the certificate.

24.070 PERSONNEL REQUIREMENT

(a) An applicant for the grant of a meteorological service certificate shall employ, contract, or otherwise engage:

(1) a senior person identified as the chief executive who has the authority within the applicant's organisation to ensure that every meteorological service listed in the manual of operations can be financed and carried out to meet the operational requirements, and the requirements and standards prescribed by these Regulations; and

(2) a senior person or persons ultimately responsible to the chief executive who are responsible for—

(i) ensuring that the organisation complies with the manual of operations; and

(ii) the quality management system required under Section 24.140; and

(3) sufficient personnel to plan, operate, supervise, the meteorological offices and facilities and provide the meteorological services listed in the applicant's manual of operations.

(b) The senior person required by Section 24.070(a)(2) shall be able to demonstrate competency and experience relevant to the quality management system and the activities of the certificate holder.

(c) The applicant shall:

(1) ensure that all meteorological personnel engaged in providing meteorological services meet the World Meteorological Organisation (WMO) requirements in respect of qualification, competences, education and training,

(2) establish a procedure to assess the competence of those personnel who are authorised by the applicant to:

(i) supervise the production and release of meteorological information; and

(3) establish a procedure to maintain the competence of those authorised personnel; and

(4) Ensure that competence assessment is in accordance to the guidelines developed and endorsed by the WMO commission of aeronautical Meteorology (CAeM); and

(5) provide those authorized personnel with written evidence of the scope of the authorization.

24.075 DOCUMENTATION

(a) Each applicant for the grant of a meteorological service certificate shall hold copies of meteorological office manuals, facility manuals, technical standards, procedures manuals, and any other documentation that is necessary for the provision of the meteorological service listed in the manual of operations.

(b) The applicant shall establish a procedure to control the documentation required by

paragraph (a). The procedure shall ensure that:

(1) the documentation is reviewed and authorised by appropriate personnel before issue; and
(2) current issues of relevant documentation are available to personnel at all locations where they need access to such documentation for the provision of the meteorological service listed in the applicant's manual of operations; and
(3) obsolete documentation is promptly removed from all points of issue or use; and
(4) changes to documentation are reviewed and approved by appropriate personnel; and
(5) the current version of each item of documentation can be identified to preclude the use of out-of-date editions.

24.080 AERONAUTICAL METEOROLOGICAL SERVICE-MANUAL OF OPERATIONS

(a) An applicant for the grant of a meteorological service certificate shall provide the Authority with a Manual of Operations that contains—

(1) statement signed by the chief executive on behalf of the applicant's organisation confirming that the manual of operations and any included manuals;
  (i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with these Regulations; and
  (ii) are to be complied with at all times; and
(2) in relation to the quality management system required by Section 24.140,
  (i) all of the documentation required by Section 24.140; and
  (ii) Quality manual accepted by the Authority
(3) the titles of the senior person or persons required by Section 24.070 (a)(1) and (2); and
(2) the functions, duties and responsibilities of the senior person or persons required by 24.070 (a)(1) and (2) including—
  (i) matters for which they have a responsibility to deal directly with the Authority on behalf of the organisation; and
  (ii) responsibilities for quality management system; and
(4) an organisation chart showing lines of responsibility of the senior person or persons required by 24.070 (a)(1) and (2); and
(5) a summary of the applicant's staffing structure at each meteorological office listed in paragraph (8)(i); and
(6) a list of the meteorological services to be covered by the certificate; and
(7) a list providing—
  (i) the location of each meteorological office operated by the applicant; and
  (ii) the location of each facility operated by the applicant that provides meteorological information directly to the users; and
  (iii) the meteorological services provided by each of those meteorological offices and facilities; and
  (iv) the locations and airspace covered by such meteorological services; and
(8) details of the applicant's output meteorological information identified under Section 24.105(a)(1) and the standards and formats for that information determined under Section (a)(2); and
(9) details of the applicant's procedures and systems required by—
  (i) Section 24.070(b) regarding personnel requirement; and
  (ii) Section 24.090 regarding site requirements; and
  (iii) Section 24.095 regarding communication requirements; and
  (iv) Section 24.100 regarding meteorological service input requirements; and
  (v) Section 24.105 regarding meteorological service output requirements; and
  (vi) Section 24.110 regarding facility requirements; and
  (vii) Section 24.075(b) regarding control of documentation; and
  (viii) Section 24.115 regarding verification, inspection, test and calibration,

(ix) Section 24.120 regarding release of meteorological information; and
(x) Section 24.125 regarding notification of meteorological office and facility status; and
(xi) Section 24.130 regarding meteorological information checks after notification of an accident or incident; and
(xii) Section 24.135 regarding malfunctions and erroneous information; and
(xiii) Section 24.145 regarding records; and

(b) Procedures to control amend and distribute the manual of operations.

(c) The Authority shall approve the applicant's manual of operations.

24.085 AMENDMENT OF CERTIFICATE HOLDER'S MANUAL OF OPERATIONS

(a) A holder of a meteorological service certificate shall ensure that the manual of operations is amended so as to remain a current description of the holder's organisation and meteorological service provided.

(b) The certificate holder shall ensure that any amendment made to its manual of operations meets the applicable requirements of these Regulations, the standards prescribed by the Authority and complies with the amendment procedures contained in the manual of operations.

(c) The certificate holder shall forward to the Authority for approval and retention a copy of each amendment to manual of operations before incorporating the amendment into the manual of operations.

(d) If there is any change that requires the amendment to the certificate, the certificate holder shall forward the certificate to the Authority for endorsement of the change as soon as practicable.

(e) The certificate holder shall make such amendments to the manual of operations, as the Authority may consider necessary in the interests of aviation safety.

24.090 SITE REQUIREMENTS

(a) Each applicant for the grant of a meteorological service certificate shall establish procedures to ensure that—

(1) each of the meteorological offices and facilities listed in the manual of operations is—

(i) sited and configured in accordance with security measures designed to prevent unlawful or accidental interference; and

(ii) provided with suitable power supplies and means to ensure appropriate continuity of service; and

(2) each of the remote weather sensing facilities listed in the manual of operations is installed and maintained in a technically appropriate position to ensure that the facility provides an accurate representation of the local meteorological conditions.

24.095 COMMUNICATION REQUIREMENTS

(a) Each applicant for the grant of a meteorological service certificate shall establish communication systems and procedures to ensure that each of the meteorological offices and facilities listed in the applicant's manual of operations can provide the meteorological information for which it is intended.

(b) The communication systems and procedures shall be able to handle the volume and nature of the meteorological information being communicated so that no meteorological information is delayed to the extent that the information becomes out-of-date.

24.100 INPUT REQUIREMENTS

(a) Each applicant for the grant of a meteorological service certificate shall establish procedures to obtain input meteorological information appropriate for meteorological services being provided.

(b) The procedures shall ensure that—

(1) each meteorological office and facility listed in the applicant's manual of operations that provides meteorological forecast has continuing access to appropriate historical, real-time, and other meteorological information for the applicant's forecast areas; and
(2) each meteorological office and facility listed in the applicant's manual of operations that provides meteorological briefings in person or by any other interactive visual means, has adequate display and briefing resources available for the briefings; and
(3) each meteorological office and facility listed in the applicant's manual of operations that provides meteorological reports has adequate observing systems to supply adequate, accurate and timely meteorological reports; and
(4) each meteorological office listed in the applicant's manual of operations that provides meteorological watch has adequate meteorological information to supply an adequate, accurate and timely meteorological watch service; and
(5) each meteorological office and facility listed in the applicant's manual of operations that provides climatological summaries has adequate meteorological information for the preparation of climatological information.

24.105 OUTPUT REQUIREMENTS

(a) Each applicant for the grant of a meteorological service certificate shall—
(1) identify the output meteorological information provided by each meteorological service listed in the manual of operations; and
(2) determine the standards and formats for that output meteorological information in accordance with the requirements of the relevant chapter and appendix of RCATS-MET.

(b) The applicant shall establish procedures to ensure that the meteorological information supplied by each meteorological office and facility listed in the manual of operations complies with the standards and formats determined under paragraph (a)(2).

24.110 FACILITY REQUIREMENTS

(a) Each applicant for the grant of a meteorological service certificate shall establish procedures to ensure that all electronic data processing facilities used in the acquisition, compilation, computing, access or dissemination of meteorological information are of a nature, configuration and capability to ensure the adequacy, accuracy and timeliness of that meteorological and related information.

24.115 VERIFICATION, PERIODIC INSPECTION, TESTING & CALIBRATION

(a) Each applicant for the grant of a meteorological service certificate shall establish procedures for—
(1) the routine verification of meteorological information obtained and provided by the applicant; and
(2) the periodic inspection of each meteorological office listed in the applicant's manual of operations; and
(3) the periodic inspection, testing and calibration of each facility listed in the applicant's manual of operations.

(b) The procedures shall ensure that—
(1) the systems required for the routine verification of meteorological information have the capability and integrity necessary for verifying the meteorological information; and
(2) appropriate inspection equipment and systems are available to personnel for the inspection of each meteorological office; and
(3) appropriate inspection, measuring and test equipment and systems are available to personnel for the inspection, testing and calibration of each facility; and
(4) the inspection, measuring and test equipment and systems have the precision and accuracy necessary for the inspections, measurements and tests being

carried out; and

(5) all meteorological sensing facilities are calibrated and configured so that the environmental sensors fitted or incorporated yield, as far as possible, reliable, accurate and representative meteorological information.

24.120 RELEASE OF METEOROLOGICAL INFORMATION

(a) Each applicant for the grant of a meteorological service certificate shall establish procedures for—

(1) the release of meteorological information from each meteorological office listed in the manual of operations; and

(2) the placing of facilities listed in the manual of operations into operational service.

(b) The procedures shall ensure that persons authorised to supervise the production and release of meteorological information and persons authorised to place meteorological facilities into operational service have been assessed as competent under the procedures required by Section 24.070(b).

24.125 NOTIFICATION OF METEOROLOGICAL OFFICE & FACILITY STATUS

(a) An applicant for a meteorological service certificate shall establish procedures to notify the users of the applicant's meteorological services of relevant operational information and of any change in the operational status of each meteorological office or facility listed in the applicant's manual of operations.

(b) The applicant shall ensure that the procedures established under paragraph (a) require—

(1) the operational information for each of the applicant's meteorological services that support the air navigation system or an air traffic service to be forwarded to the Aeronautical Information Service for publication in the Rwanda Aeronautical Information Publication; and

(2) the users of a meteorological office or facility to be notified without delay of any change in the operational status of the meteorological office or facility if the change may affect the safety of air navigation. For those meteorological offices and facilities published in the Rwanda Aeronautical Information Publication, the information concerning any change to their operational status shall be forwarded to the Aeronautical Information Service for the issue of a NOTAM.

24.130 METEOROLOGICAL INFORMATION CHECK AFTER ACCIDENT OR INCIDENT

(a) Each applicant for the grant of a meteorological service certificate shall establish procedures for checking the adequacy, accuracy and timeliness of any of the meteorological information that may have been used by an aircraft or an air traffic service involved in an accident or incident.

(b) The procedures shall ensure that—

(1) the checks are carried out as soon as practicable after notification to the applicant's organisation of such an accident or incident; and

(2) copies of the meteorological information are kept in a secure place for possible use by any subsequent investigation.

24.135 MALFUNCTIONS & ERRONEOUS INFORMATION

(a) Each applicant for the grant of a meteorological service certificate shall establish procedures—

(1) to identify, record, notify, investigate and rectify any report of erroneous meteorological information; and

(2) to identify, record, notify, investigate and rectify any detected malfunction in the facilities and meteorological services listed in their manual of operations that may result in the supply of erroneous meteorological information; and

(3) to notify without delay all users that have received the erroneous meteorological information; and of those malfunctions that cannot be remedied within 72 hours; and
(4) for the continuation of malfunction status reports in the event that such reports are required by the Authority.

24.140 QUALITY MANAGEMENT SYSTEM

(a) An applicant for the grant of a meteorological service certificate shall establish, implement, and maintain a quality management system that—
  (1) is based on the elements of the latest edition of the ISO 9001 standard, as in force from time to time, that are relevant to the provision of Meteorological services; and
  (2) includes quality management procedures that address the quality management requirements mentioned in the RCATS (Aeronautical Meteorological Service).

24.145 RECORDS

(a) An applicant for the grant of an aeronautical meteorological service certificate shall establish procedures to identify, collect, index, store, maintain and dispose of the records that are necessary for the supply of the meteorological services listed in the manual of operations.

(b) The procedures shall ensure that—
  (1) there is a record of the input meteorological information obtained under the procedures required by Section 24.100; and
  (2) there is a record of all output meteorological information identified under Section 24.105; and
  (3) the records specified in (1) and (2) are retained for a period of at least 90 days or for such longer period as may be required by the Authority; and
  (4) there is a record for each meteorological office and facility listed in the applicant's manual of operations, in order to document the performance of each meteorological office and facility and to provide a traceable history of its maintenance, service and product quality, its periodic inspections, and the persons responsible for each of these activities; and
  (5) there is a record of the equipment and systems used for verification, inspection, testing and calibration under the procedures required by Section 24.115. The record shall provide a traceable history of the location, maintenance, and calibration checks for the equipment and systems; and
  (6) there is a record of each occurrence of erroneous meteorological information reported and of each malfunction detected under the procedures required by Section 24.135. The record shall detail the nature of the erroneous meteorological information or malfunction and the findings of the investigation and the follow-up corrective actions; and
  (7) there is a record for each person who is authorized by the applicant to supervise the production and release of meteorological information and for each person who is authorized by the applicant to place facilities into operational service. The record shall include details of their experience, qualifications, training, job descriptions; duties and responsibilities.
  (8) all records are legible, and of a permanent nature; and
  (9) all records other than those required in (a) and (b) are retained for at least one year, or for such longer period as may be required by the Authority, in order to establish a history of the performance of the meteorological services.

SUBPART C: OPERATING REQUIREMENTS

24.150 CONTINUED COMPLIANCE

(a) Each holder of a meteorological service certificate shall—

(1) hold at least one complete and current copy of the manual of operations at each meteorological office specified in the manual of operations; and

(2) comply with all procedures and systems detailed in the manual of operations; and

(3) make each applicable part of the manual of operations available to personnel who require those parts to carry out the duties; and

(4) continue to meet the standards and comply with the requirements of Subpart B prescribed for certification under these Regulations; and

(5) notify the Authority of any change of address for service, telephone number, or facsimile number required within 28 days of the change.

24.155 PROHIBITION

(a) The holder of a meteorological service certificate shall not—

(1) provide meteorological information where the meteorological input information required to provide that meteorological information is not available; or

(2) provide meteorological information where the operational performance of the meteorological office or facility producing that meteorological information does not meet the applicable requirements; or

(3) provide meteorological information where any integrity monitoring system associated with that meteorological information is not fully functional; or

(4) provide meteorological information where any required verification, inspection, test or calibration relating to that meteorological information has not been completed; or

(5) provide meteorological information where there is any cause whatsoever to suspect the integrity of that meteorological information.

24.160 SECURITY MEASURES

(a) An applicant for the grant of meteorological service certificate shall establish a security measures for personnel and facilities listed in the applicant's manual of operations.

(b) The security measures required under paragraph (a) shall specify the physical security requirements, practices, and procedures to be followed for the purposes of minimising the risk of destruction of, damage to, or interference with the operation of any facility operated under the authority of the meteorological service certificate, if such destruction, damage, or interference could endanger the safety of aircraft.

(c) The security measures required under paragraph (a) shall include such physical security requirements, practices, and procedures as may be necessary—

(1) to ensure that each aeronautical facility is subject to positive access control at all times to prevent unauthorized entry; and

(2) for personnel to follow in the event of a bomb threat or other threat of damage to an aeronautical facility; and

(3) to monitor an unattended aeronautical facility building to ensure that any intrusion or interference is immediately detected.

(d) The security measures required under paragraph (a) shall include procedures to notify, investigate and report security incidents to the Authority.

SUBPART D: SAFETY OVERSIGHT OF AERONAUTICAL METEOROLOGICAL SERVICE

24.165 SAFETY OVERSIGHT FUNCTION

(a) The Authority shall exercise safety oversight as part of its supervision of requirements applicable to Aeronautical meteorological service in order to monitor the safe provision of these activities and to verify that the applicable safety regulatory requirements and their implementing arrangements are met.

24.170 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS

(a) The Authority shall establish a process in order to verify compliance with applicable safety regulatory requirements prior to the issue or renewal of a certificate necessary to provide meteorological services including safety-related conditions attached to it.

(b) The process referred to in paragraph (a) shall—

(1) be based on documented procedures;

(2) be supported by documentation specifically intended to provide safety oversight personnel with guidance to perform their functions;

(3) provide the organisations concerned with an indication of the results of the safety oversight activity;

(4) be based on safety regulatory audits and reviews conducted;

(5) provide competent authorities with the evidence needed to support further action.

24.175 SAFETY REGULATORY AUDITS

(a) The Authority shall conduct safety regulatory audits of meteorological service provider.

(b) The safety regulatory audits referred to in paragraph (a) shall—

(1) provide the Authority with evidence of compliance with applicable safety regulatory requirements and with implementing arrangements by evaluating the need for improvement or corrective action;

(2) be independent of internal auditing activities undertaken by the meteorological service provider concerned as part of its safety or quality management systems;

(3) be conducted by MET qualified inspectors;

(4) apply to complete implementing arrangements or elements thereof, and to processes, products or services;

(5) determine whether—

(i) implementing arrangements comply with safety regulatory requirements;

(ii) actions taken comply with the implementing arrangements;

(iii) the results of actions taken match the results expected from the implementing arrangements; and

(iv) lead to the correction of any identified non-conformities

(c) Within the inspection Programme, the Authority shall establish and update at least annually a programme of safety regulatory audits in order to—

(1) cover all the areas of potential safety concern, with a focus on those areas where problems have been identified;

(2) cover all the Aeronautical MET service providers, services;

(3) ensure that audits are conducted in a manner commensurate to the level of risk posed by the service providers' activities;

(4) ensure that sufficient audits are conducted over a period of 1 year to check the compliance of all these MET service providers with applicable safety regulatory requirements in all the relevant areas of the functional system;

(5) ensure follow up of the implementation of corrective actions.

(d) The Authority may decide to modify the scope of pre-planned audit and to include additional audits, wherever that need arises.

(e) The Authority shall decide which arrangements, elements, services, functions, products, physical locations and activities are to be audited within a specified time frame.

(f) Audit observations and identified non-conformities shall be documented. The latter shall be supported by evidence, and identified in terms of the applicable safety regulatory requirements and their implementing arrangements against which the audit has been conducted.

(g) An audit report, including the details of the non-conformities, shall be drawn up.

24.180 CORRECTIVE ACTIONS

(a) The Authority shall communicate the audit findings to audited meteorological service provider and shall simultaneously request corrective actions to address the non-conformities identified without prejudice to any additional action required by the applicable safety regulatory requirements.

(b) MET service provider audited shall determine the corrective actions deemed necessary to correct non- conformities and the time frame for their implementation.

(c) The Authority shall assess the corrective actions as well as their implementation as determined by audited MET service providers and accept them if the assessment concludes that they are sufficient to address the non-conformities.

(d) Meteorological service provider audited shall initiate the corrective actions accepted by the Authority. These corrective actions and the subsequent follow-up process shall be completed within the period accepted by competent authorities.

24.185 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS

(a) Meteorological service provider shall only use procedures accepted by the Authority when deciding whether to introduce a safety-related change to their functional systems.

(b) Meteorological service provider shall notify the Authority of all planned safety related changes.

END OF RCAR PART 24

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXV W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXV TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXV A L'ARRÊTÉ MINISTÉRIEL Nº 01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 25

Aeronautical Information Service

SUBPART A: GENERAL 3
25.001 PURPOSE & APPLICABILITY 3
25.005 DEFINITIONS 3
25.010 ACRONYMS & ABBREVIATIONS 3
25.015 GENERAL REQUIREMENTS & PROHIBITIONS 4
25.020 ISSUE OF RWANDA CIVIL AVIATION TECHNICAL STANDARDS (AERONAUTICAL INFORMATION SERVICES) 4

SUBPART B: CERTIFICATION REQUIREMENTS 4
25.025 REQUIREMENT FOR CERTIFICATE 4
25.030 APPLICATION FOR CERTIFICATE 4
25.035 ISSUE OF CERTIFICATE 4
25.040 PRIVILEGES OF CERTIFICATE HOLDER 4
25.045 DURATION OF CERTIFICATE 4
25.050 RENEWAL OF CERTIFICATE 5
25.055 PERSONNEL REQUIREMENTS 5
25.060 DOCUMENTATION 6
25.065 AERONAUTICAL INFORMATION SERVICE ORGANIZATION MANUAL OF OPERATIONS 6
25.070 AMENDMENT OF CERTIFICATE & MANUAL OF OPERATIONS 7
25.075 FACILITY REQUIREMENTS 7
25.080 SCOPE OF PRE-FLIGHT INFORMATION SERVICE 7
25.085 COLLECTION OF INFORMATION 7
25.090 PUBLICATION OF AERONAUTICAL INFORMATION 8
25.095 ERROR CORRECTION IN PUBLISHED INFORMATION 9
25.100 QUALITY MANAGEMENT SYSTEM 9
25.105 RECORDS 10

SUBPART C: OPERATING REQUIREMENTS 10
25.110 CONTINUED COMPLIANCE 10
25.115 AIP SERVICE 11
25.120 NOTAM SERVICE 12
25.125 PRE-FLIGHT INFORMATION SERVICE 12

SUBPART D : RWANDA AERONAUTICAL INFORMATION PUBLICATION (AIP) 13
25.130 CONTENTS OF RWANDA AIP 13
25.135 SPECIFICATIONS FOR RWANDA AIP 13
25.140 SPECIFICATIONS FOR AIP AMENDMENTS 14
25.145 SPECIFICATIONS FOR AIP SUPPLEMENTS 14

SUBPART E: AERONAUTICAL INFORMATION CIRCULARS (AIC) 14
25.150 SPECIFICATIONS FOR AN AIC 14

SUBPART F: NOTICES TO AIRMEN (NOTAM) 15
25.155 SPECIFICATIONS FOR NOTAM 15
25.160 DISTRIBUTION OF NOTAM 15

SUBPART G: SECURITY PROGRAMME 16
25.165 SECURITY PROGRAMME 16

SUBPART H: CONTINGENCY PLAN 16
25.170 CONTINGENCY PLAN 16

SUBPART I: SAFETY OVERSIGHT OF AERONAUTICAL INFORMATION SERVICES 16
25.175 SAFETY OVERSIGHT FUNCTION 16
25.180 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS 16
25.185 SAFETY REGULATORY AUDITS 17
25.190 CORRECTIVE ACTIONS 17
25.195 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS 18

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SUBPART A: GENERAL

25.001 PURPOSE & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Aeronautical Information Service) Regulations.

(b) These Regulations prescribe—

(1) the requirements for the certification and operation of organisations providing aeronautical information service provider in Rwanda; and

(2) the requirements for the Rwanda Aeronautical Information Publication, Aeronautical Information Circulars and Notices to Airmen (NOTAMs).

(c) This Part is applicable to—

(1) Persons seeking certification to provide aeronautical information services; and

(2) Organisations that provide the required aeronautical information services; and

(3) Persons that administer the required aeronautical information services on behalf of the organisations.

(d) The Civil Aviation Technical Standards (Aeronautical Information Services) published by the Authority and generically referred to as R-CATS, are also applicable to provision of official aeronautical information for Rwanda.

25.005 DEFINITIONS

(a) For the purpose of this Part, the following definitions apply—

Aeronautical Information Publication (AIP). A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

Convention. The 1944 Chicago Convention on International Civil Aviation.

Manual of Operations. The manual required by Regulation 25.065.

Note1: Additional aviation-related terms are defined in Part 1 of these regulations.

Note 2: Additional aviation aeronautical information service definitions are provided in the Rwanda Civil Aviation Technical Standards (RCATS) relevant to the requirements of this Part.

25.010 ACRONYMS & ABBREVIATIONS

(a) The following acronyms and abbreviations are used in this Part—

AIP = Aeronautical Information Publication
AIC = Aeronautical Information Circulars
NOTAM = Notice to Airmen
FIR = Flight Information Region
AIRAC = Aeronautical Information Regulation and Control
ENR = En Route
NOF = International NOTAM Office
AFTN = Aeronautical Fixed Telecommunication Network
PIB = Pre-Flight Information Bulletin
ILS = Instrument Landing System
PSR = Primary Surveillance Radar
SSR = Secondary Surveillance Radar
SMS = Safety Management System
VOR = Visual Operating Restriction
NDB = Non-Directional Beacon
VHF = Very High Frequency
RVR = Runway Visual Range
ICAO = International Civil Aviation Organisation

Note 1: Additional aviation-related acronyms are listed in Part 1 of these requirements and ICAO Doc 8400.

25.015 GENERAL REQUIREMENTS & PROHIBITIONS

(a) No person may provide aeronautical information services for Rwanda unless they are provided in accordance with—
  (1) the requirements of this Part; and
  (2) any Civil Aviation Technical Standards prescribed by the Authority.

25.020 ISSUE OF RWANDA CIVIL AVIATION TECHNICAL STANDARDS (AERONAUTICAL INFORMATION SERVICES)

(a) The Authority shall issue Rwanda Civil Aviation Technical Standards–Aeronautical Information Services prescribing standards for these Regulations that provides for the following matters—
  (1) Standards relating to the procedures, systems and documents required for the provision of aeronautical information service;
  (2) Standards for facilities and equipment used to provide aeronautical information service;
  (3) Standards, including competency standards and minimum qualifications, for a technician or, if a service provider is an individual, a service provider;
  (4) Any matter required or permitted by these Regulations to be provided for by the standards;
  (5) Any matter necessary or convenient to be provided for the effective operation of these Regulations.

(b) The standards referred to paragraph (a) shall, for the safety of air navigation, be complied with by—
  (1) Aeronautical information service certificate holder; and
  (2) Aeronautical information service certificate applicant.

SUBPART B: CERTIFICATION REQUIREMENTS

25.025 REQUIREMENT FOR CERTIFICATE

(a) No person shall provide an aeronautical information service for the Kigali FIR except under the authority of, and in accordance with the provisions of, an aeronautical information service certificate issued under these Regulations.

25.030 APPLICATION FOR CERTIFICATE

(a) An applicant for an aeronautical information service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority with—
  (1) The applicant's manual of operations required under Regulation 25.065; and
  (2) A payment of the appropriate application fee prescribed by the Authority.

25.035 ISSUE OF CERTIFICATE

(a) The Authority shall issue an aeronautical information service certificate to an applicant if the Authority is satisfied that—
  (1) The applicant meets the requirements of these Regulations and standards prescribed by the Authority; and
  (2) The applicant and the senior person or senior persons required under Regulation 25.055(a)(1) and (2) are fit and proper persons; and
  (3) The granting of the certificate is not contrary to the interests of aviation safety.

25.040 PRIVILEGES OF CERTIFICATE HOLDER

(a) The aeronautical information service certificate shall specify the aeronautical information services that the certificate holder is authorised to provide.

25.045 DURATION OF CERTIFICATE

(a) An aeronautical information service certificate shall be granted or renewed for a period of up to 2 years.

(b) An aeronautical information service certificate shall remain in force until it expires or is suspended or revoked.

(c) The Authority may, by written notice given to the holder of an aeronautical information service certificate, suspend or revoke the certificate if there are reasonable grounds for believing that—

(1) A condition to which the certificate is subject has been breached; or

(2) The holder has failed to comply with these Regulations.

(d) Before suspending or cancelling an aeronautical information service certificate, the Authority shall—

(1) give to the holder a show cause notice that—

(i) sets out the facts and circumstances that, in the opinion of the Authority, would justify the suspension or cancellation; and

(ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or revoked; and

(2) take into account any written submissions that the holder makes to the Authority within 30 days.

(e) The holder of an aeronautical information service certificate that has been suspended or revoked shall forthwith surrender the certificate to the Authority.

25.050 RENEWAL OF CERTIFICATE

(a) An application for the renewal of an aeronautical information service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority.

(b) The application for the renewal shall be made not less than 90 days before the expiry date specified on the certificate.

25.055 PERSONNEL REQUIREMENTS

(a) An applicant for the grant of an aeronautical information service certificate shall employ, contract, or otherwise engage—

(1) a senior person identified as the chief executive who has the authority within the organisation to ensure that every aeronautical information service listed in the applicant's manual of operations—

(i) can be financed and is provided to meet operational requirements; and

(ii) is provided in accordance with the requirements prescribed by these Regulations; and

(2) a senior person or persons ultimately responsible to the chief executive who are responsible for—

(i) ensuring that the organisation complies with its manual of operations; and

(ii) the quality management system required under Regulation 25.100; and

(3) sufficient personnel to collect, collate, check, coordinate, edit, and publish aeronautical information for the aeronautical information services listed in the applicant's manual of operations.

(b) The senior person required by paragraph (a) (2) (ii) shall be able to demonstrate competency and experience relevant to the management of safety systems and the activities of the certificate holder.

(c) The applicant shall—

(1) establish a procedure for initially assessing the competence of personnel authorised by the applicant to check, edit, and publish aeronautical information for the aeronautical information services listed in the manual of operations; and

(2) establish a procedure to maintain the competence of those authorised personnel; and

(3) provide those authorised personnel with written evidence of the scope of their authorisation.

25.060 DOCUMENTATION

(a) Each applicant for the grant of an aeronautical information service certificate shall—
  (1) document the format and standards for the aeronautical information published under the authority of the certificate; and
  (2) ensure that the format and standards take into account the circumstances under which the information will be used; and
  (3) hold copies of relevant reference material, standards, practices and procedures, and any other documentation that is necessary for the aeronautical information services listed in the manual of operations.

(b) The applicant shall establish a procedure to control all the documentation required by paragraph (a), to ensure that—
  (1) the documentation is reviewed and authorised by appropriate personnel before issue; and
  (2) current issues of relevant documentation are available to staff at all locations where they need access to such documentation for the aeronautical information services listed in the manual of operations; and
  (3) all obsolete documentation is promptly removed from all points of issue or use; and
  (4) changes to documentation are reviewed and approved by appropriate personnel; and
  (5) the current version of each item of documentation can be identified to preclude the use of out-of-date editions.

25.065 AERONAUTICAL INFORMATION SERVICE ORGANIZATION MANUAL OF OPERATIONS

(a) An applicant for the grant of an aeronautical information service certificate shall provide the Authority with a manual of operations that contains—
  (1) a statement signed by the chief executive on behalf of the applicant's organisation confirming that the manual of operations and any included manuals—
    (i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with these Regulations; and
    (ii) are to be complied with at all times; and
  (2) in relation to the quality management system required by Regulation 25.100—
    (i) all of the required documentation; and
    (ii) for an applicant that is not applying for a renewal of an information aeronautical service certificate, an implementation plan that describes how the quality safety management system will be implemented; and
  (3) the titles and names of the senior person or persons required by Regulation 25.055(a); and
  (4) the duties and responsibilities of the senior person or persons required Regulation 25.055(a) including—
    (i) matters for which they have responsibility to deal directly with the Authority on behalf of the organisation; and
    (ii) responsibilities for quality management; and
  (5) an organisation chart showing lines of responsibility of the senior person or persons referred to in Regulation 25.055(a); and
  (6) summary of the staffing structure for each aeronautical information service listed in Regulations 25.115,25.120 and 25.125; and
  (7) information identifying the lines of safety responsibility within the organisation; and
  (8) a list of the aeronautical information services to be covered by the certificate; and
  (9) for a pre-flight information service, details of the area, aerodromes and air routes required by Regulation 25.080; and
  (10) the location and address details of the applicable offices required by Regulation 25.115(b)(1) and Regulation 120(a); and
  (11) details of the applicant's format and standards required by Regulation

25.060(a)(1) for their published aeronautical information; and

(12) details of the applicant's procedures regarding—

(i) the competence of personnel; and

(ii) the control of documentation; and

(iii) the collection of information; and

(iv) the publication of aeronautical information; and

(v) the correction of errors in published information; and

(vi) the identification, collection, indexing, storage, maintenance, and disposal of records; and

(13) procedures to control, amend and distribute the manual of operations.

(14) training programme for AIS technical staff.

(b) The applicant's manual of operations shall be approved by the Authority.

25.070 AMENDMENT OF CERTIFICATE & MANUAL OF OPERATIONS

(a) A holder of an aeronautical information service certificate shall ensure that the holder's manual of operations is amended so as to remain a current description of the holder's organisation and services.

(b) The certificate holder shall ensure that any amendment made to manual of operations meets the applicable requirements of these Regulations, the standards prescribed by the Authority and complies with the amendment procedures contained in the manual of operations.

(c) The certificate holder shall forward to the Authority for approval and retention a copy of each amendment to manual of operations before incorporating the amendment into the manual of operations.

(d) If there is any change that requires an amendment to the certificate, the certificate holder shall forward the certificate to the Authority for endorsement of the change as soon as practicable.

(e) The certificate holder shall make such amendments to the manual of operations as the Authority may consider necessary in the interests of aviation safety.

25.075 FACILITY REQUIREMENTS

(a) Each applicant for the grant of an aeronautical information service certificate shall establish offices and facilities that—

(1) are appropriate for the aeronautical information services listed in their manual of operations; and

(2) meet the applicable requirements of Regulation 25.115, Regulation 25.120 and Regulation 25.165.

25.080 SCOPE OF PRE-FLIGHT INFORMATION SERVICE

(a) Each applicant for the grant of an aeronautical information service certificate for a pre-flight information service shall, for the pre-flight services listed in the manual of operations, specify—

(1) the geographic area; and

(2) the aerodromes and the air routes originating from those aerodromes.

25.085 COLLECTION OF INFORMATION

(a) Each applicant for the grant of an aeronautical information service certificate shall establish procedures to collect and collate the information required for the aeronautical information services listed in the manual of operations.

(b) The procedures shall ensure that—

(1) applicable information is obtained from organisations that provide services in support of the Rwanda air navigation system; and
(2) applicable information is obtained from the aeronautical information services of other States relevant to the requirements of international aircraft operators operating—
  (i) in the areas in which Rwanda is responsible for air traffic services; and
  (ii) on international air routes originating from Rwanda; and
(3) arrangements for the timely provision of information are made with the information originators prescribed in paragraphs (1) and (2); and
(4) information received from the information originators prescribed in (a) is certified as accurate by a person identified by the originator to be responsible for the accuracy of that information.

(c) The procedures for the NOTAM service shall, in addition to paragraph (b), ensure that any originator's request for the issue of a NOTAM does not require the NOTAM to be effective for more than 3 months.

25.090 PUBLICATION OF AERONAUTICAL INFORMATION

(a) An applicant for the grant of an aeronautical information service certificate shall establish procedures for checking, coordinating, editing, publishing and disseminating aeronautical information for the services listed in the applicant's manual of operations.

(b) The applicant shall ensure that the procedures established under paragraph (a) provide for the following—
(1) the information received under Regulation 25.085 to be checked against available information is verified as accurate before its publication; and
(2) the information received under Regulation 25.085 to be edited, accurately published, and disseminated—
  (i) in the format applicable to the operational significance of the information; and
  (ii) if applicable, in accordance with Subpart D, E, or F; and
  (iii) is in a format that takes account of the circumstances under which the information is to be used; and
(3) except for (4), permanent publications and long-term temporary publications to be clearly identified as being published under the authority of the applicant's aeronautical information service certificate; and
(4) if aeronautical information obtained from the aeronautical information services of other States under Regulation 25.085(b)(2), Collection of Information, is disseminated, that information to be clearly identified as having the authority of the originating State; and
(5) if information that has not been certified as accurate under Regulation 25.085(b)(4) is disseminated, that information shall be clearly identified as unverified; and
(6) any permanent change to published information to be coordinated with other applicable information originators before the change is published; and
(7) temporary information that is published without a defined expiry date to be reviewed at an appropriate time to ensure that the originator takes the required action to cancel or reissue the information; and
(8) the aeronautical information to be published in the English language; and
(9) place names to be spelt according to local usage, transliterated when necessary into the Latin alphabet; and
(10) units of measurement to be consistent with those prescribed the Authority; and
(11) abbreviations, consistent with those prescribed in manual of standards, to be used in the published aeronautical information if—
  (i) their use is appropriate; and
  (ii) their use facilitates the dissemination of the information; and

(12) any of the aeronautical information published to be promptly made available to the aeronautical information services of other States, upon request by those States; and

(13) the aeronautical information to be made available in a form that is suitable for the operational requirements of—

(i) flight operations personnel, including flight crew members and the services responsible for pre- flight briefing; and

(ii) the air traffic service units responsible for flight information services.

(c) The applicant shall ensure that the procedures for the AIP service, in addition to paragraph (b), require—

(1) aeronautical charts, and operationally significant information published in AIP Amendments and AIP Supplements, to be published in accordance with the AIRAC system; and

(2) the information published under the AIRAC system to be clearly identified with the acronym AIRAC; and

(3) the information published under the AIRAC system to be distributed so that recipients receive the information at least 28 days before its effective date; and

(4) the information published under the AIRAC system to not change for at least 28 days after the effective date, unless the circumstance notified is of a temporary nature and would not persist for the full period; and

(5) if an AIP Supplement is published to replace a NOTAM, the supplement to include a reference to the serial number of the NOTAM; and

(6) if an AIP Amendment or AIP Supplement is published under the AIRAC system, a NOTAM to be originated giving a brief description of the operationally significant contents, the effective date and the reference number of each amendment or supplement. The NOTAM shall—

(i) come into force on the same effective date as the amendment or supplement; and

(ii) remain in force for a period of 14 days; and

(7) if there is no applicable information to be published by the AIRAC date, a NIL notification to be issued; and

(8) a NOTAM to be originated if information to be published as an AIP Amendment or AIP Supplement takes effect prior to the effective date of the amendment or supplement.

25.095 ERROR CORRECTION IN PUBLISHED INFORMATION

(a) Each applicant for the grant of an aeronautical information service certificate shall establish procedures to record, investigate, correct, and report any errors that are detected in the aeronautical information published under the authority of the certificate.

(b) The procedures shall ensure that—

(1) the error is corrected by the most appropriate means relative to the operational significance of the error; and

(2) the correction is clearly identified in the republished information; and

(3) the source of the error is identified and, where possible, eliminated; and

(4) the Authority is notified of promulgated information errors.

25.100 QUALITY MANAGEMENT SYSTEM

(a) An applicant for the grant of an aeronautical information service certificate shall establish, implement, and maintain a quality management system that—

(1) is based on the elements of the latest edition of the ISO 9001 standard, as in force from time to time, that are relevant to the provision of Aeronautical Information Management; and

(2) encompasses all functions of an aeronautical information service as outlined in these regulations and

(3) make the execution of such quality management system demonstrable for each function stage, when required.

25.105 RECORDS

(a) An applicant for the grant of an aeronautical information service certificate shall establish procedures to identify, collect, index, store, maintain and dispose of the records that are necessary for the aeronautical information services listed in the manual of operations.

(b) The procedures shall ensure that—

(1) there are records enabling all incoming and outgoing aeronautical information to be readily identified by serial number and date, and that supplementary information can be similarly verified and, where necessary, authenticated; and

(2) there is a record of each person who is authorised by the applicant to check, edit, and publish aeronautical information; and

(3) there is a record of each occurrence of error correction under the procedures required by Regulation 25.095; and

(4) all records are legible and of a permanent nature; and

(5) all records are retained for at least 5 years except NOTAM, AIP Supplements and Aeronautical Information Circulars, which need only be retained for 60 days after cancellation.

(c) The AIS provider shall maintain individual training records for each of its staff, which shall include a training plan detailing the courses completed by each staff as well as the time-frame for attending future courses as required under his training plan.

(d) The AIS provider shall conduct a yearly review of the training plan for each staff at the beginning of the year to identify any gaps in competency, changes in training requirement and prioritise the type of training required for the coming year.

SUBPART C: OPERATING REQUIREMENTS

25.110 CONTINUED COMPLIANCE

(a) Each holder of an aeronautical information service certificate shall—

(1) hold at least one complete and current copy of the manual of operations at each office listed in the manual of operations; and

(2) comply with all procedures and standards detailed in the manual of operations; and

(3) make each applicable part of the manual of operations available to personnel who require those parts to carry out their duties; and

(4) continue to meet the standards and comply with the requirements of Subpart B of these Regulations and applicable standards prescribed by the Authority for certification; and

(5) notify the Authority of any change of address for service, telephone number, or facsimile number required within 28 days of the change.

(6) Apply automation to ensure timeliness, quality, and efficiency and cost effectiveness of aeronautical information services;

(7) Ensure that in order to meet the data quality requirement automation —

(i) enables digital aeronautical data exchange between the parties involved in the data processing chain; and

(ii) uses aeronautical information exchange models and data exchange models designed to be globally interoperable.

(b) Each holder of an aeronautical information service certificate shall ensure that —

(1) data sets are amended or reissued at such regular intervals as may be necessary to

keep them up to date;

(2) permanent changes and temporary changes of long duration (three months or longer) made available as digital data are issued in the form of a complete data set or a subset that includes only the differences from the previously issued complete data set;

(3) The integrity of aeronautical data is maintained throughout the data chain from origination to distribution;

(4) Based on the applicable integrity classification, procedures are put in place in order to:

(i) for routine data: avoid corruption throughout the processing of the data;

(ii) for essential data: assure corruption does not occur at any stage of the entire process and include additional processes as needed to address potential risks in the overall system architecture to further assure data integrity at this level; and

(iii) for critical data: assure corruption does not occur at any stage of the entire process and include additional integrity assurance processes to fully mitigate the effects of faults identified by thorough analysis of the overall system architecture as potential data integrity risks.

(5) Traceability of aeronautical data is ensured and retained as long as the data is in use;

(6) Timeliness of aeronautical data is ensured by including limits on the effective period of the data elements;

(7) Completeness of aeronautical data is ensured in order to support its intended use;

(8) The format of delivered aeronautical data is adequate to ensure that the data is interpreted in a manner that is consistent with its intended use;

(9) Digital data is in the form of the following data sets —

(i) AIP data Sets;

(ii) terrain data sets;

(iii) obstacle data sets;

(iv) aerodrome mapping data sets and;

(v) instrument flight procedure data sets.

25.115 AIP SERVICE

(a) The holder of the aeronautical information service certificate for the AIP service shall publish—

(1) the Rwanda AIP in accordance with Subpart D; and

(2) AIP Amendments in accordance with Regulation 25.140; and

(3) AIP Supplements in accordance with Regulation 25.145 for notification of—

(i) temporary changes that are effective for 3 months or longer; and

(ii) information of less than 3 months duration which contains extensive text or graphics; and

(4) the AIC in accordance with Subpart E.

(b) The certificate holder shall, in addition to paragraph (a)—

(1) designate an office or a person as Rwanda's point of contact with the aeronautical information services of other States for the interchange of the Aeronautical Information Product, except NOTAM; and

(2) make the Rwanda AIP, AIP Amendments, AIP Supplements and AIC available to any person upon payment of a charge that may apply to the supply of the publications; and

(3) establish a system to disseminate the Rwanda AIP, AIP Amendments, AIP Supplements, aeronautical charts, and AIC in accordance with Regulation 25.090(c)(3); and

(4) ensure that every aeronautical chart published as part of the Rwanda AIP conforms to the applicable standards for the charts; and

(5) coordinate the input of all aeronautical information from the originators prescribed in Regulation 25.085 (b)(1), except—

(i) information which is of immediate operational significance necessitating the immediate issue of a NOTAM; and

(ii) temporary information of a duration of less than 3 months, that only requires the

issue of a NOTAM.

25.120 NOTAM SERVICE

(a) The holder of the aeronautical information service certificate for the NOTAM service shall—
  (1) designate a NOF for Rwanda; and
  (2) operate the NOF on a 24-hour basis; and
  (3) establish agreements with other international NOTAM offices for the exchange of NOTAM; and
  (4) ensure that—
    (i) the NOF is connected to the AFTN; and
    (ii) the NOF has appropriate facilities to issue and receive NOTAM distributed by means of telecommunication; and
  (5) promptly issue a NOTAM that is in accordance with Subpart D, whenever information received under Regulation 25.085 requires the issue of a NOTAM; and
  (6) at intervals of not more than 1 month, issue a checklist over the AFTN of the NOTAM that are currently in force.

25.125 PRE-FLIGHT INFORMATION SERVICE

(a) A holder of an aeronautical information service certificate for a preflight information service shall make available to flight operations personnel and flight crew members, aeronautical information that—
  (1) is essential for the safety, regularity and efficiency of air navigation; and
  (2) relates to the geographic area, aerodromes and air routes listed in the certificate holder's manual of operations.

(b) The aeronautical information provided under paragraph (a) shall include, where applicable—
  (1) a summary of current NOTAM and other information of an urgent character, in a plain text PIB; and
  (2) relevant elements of the Aeronautical Information Product; and
  (3) current information relating to the aerodrome of departure concerning any of the following—
    (i) construction or maintenance work on or immediately next to the manoeuvring area;
    (ii) rough portions of any part of the manoeuvring area, whether marked or not, including broken parts of the surface of runways and taxiways;
    (iii) presence and depth of water on runways and taxiways, including its effect on surface friction;
    (iv) parked aircraft or other objects on or immediately next to taxiways;
    (v) the presence of other temporary hazards including those created by birds;
    (vi) failure or irregular operation of part or all of the aerodrome lighting system including approach, threshold, runway, taxiway, and obstruction lights, and manoeuvring area unserviceability lights, and aerodrome power supply; and
    (vii) failure, irregular operation or changes in the operational status of air navigation facilities including ILS and markers, PSR, SSR, VOR, NDB, VHF aeromobile channels, RVR observing system, and secondary power supply.

(c) The holder of an aeronautical information service certificate for a preflight information service shall make provision for flight crew members to report post-flight information at those aerodromes listed in the holder's manual of operations.

(d) The holder of an aeronautical information service certificate for a pre-flight information service shall forward any post-flight information reported by flight crew members under paragraph (c) concerning the state and operation of air navigation facilities, to the operator of the navigation facility.

SUBPART D : RWANDA AERONAUTICAL INFORMATION PUBLICATION (AIP)

25.130 CONTENTS OF RWANDA AIP

(a) The Rwanda AIP shall contain current information, data and aeronautical charts relating to—
  (1) the regulatory and airspace requirements for air navigation in the Kigali FIR and the areas in which Rwanda is responsible for air traffic services; and
  (2) the Rwanda services and facilities that support international air navigation to and from Rwanda; and
  (3) the services and facilities that support air navigation within the Rwanda flight information region; and
  (4) aerodromes operating under an aerodrome certificate issued in accordance with the Civil Aviation (Aerodrome) Regulations.

(b) The Rwanda AIP shall contain current information, data, and aeronautical charts relating to aerodromes not operating under an aerodrome operating certificate, if—
  (1) the aerodrome operator provides the holder of the aeronautical information service certificate for the AIP service with the required data and information relating to the aerodrome; and
  (2) the aerodrome operator accepts responsibility for the accuracy and currency of that data and information.

(c) The Rwanda AIP shall include at an appropriate location—
  (1) a statement to advise which certificated organisations are responsible for the air navigation facilities, services and procedures covered by the Rwanda AIP; and
  the general conditions under which those services and facilities are available for use; and
  (2) a list of the differences with the ICAO Standards, Recommended Practices and Procedures that the Authority has filed under Article 38 of the Convention; and
  (3) a summary of any significant standards, practices and procedures followed by Rwanda, where the ICAO Standards, Recommended Practices and Procedures allow alternative courses of action.

(d) The AIP data set shall contain the digital representation of aeronautical information of lasting character (permanent information and long duration temporary changes) essential to air navigation.

25.135 SPECIFICATIONS FOR RWANDA AIP

(a) Each publication that forms part of the Rwanda AIP shall—
  (1) specify the purpose of the publication, the geographic area covered and that the publication is part of the Rwanda AIP; and
  (2) be self-contained, include a table of contents with page numbers, and be paginated clearly; and
  (3) specify that it is published—
    (i) by the holder of the aeronautical information service certificate for the AIP service; and
    (ii) under the authority of the holder's certificate issued by the Authority; and
  (4) not duplicate information unnecessarily and if duplication is necessary, there shall be no difference in the duplicated information in respect of the same facility, service or procedure; and
  (5) be dated, or if the publication is in loose-leaf form, each page shall be dated. The date shall consist of the day, month by name, and the year when the aeronautical information becomes effective; and
  (6) be updated by means of AIP Amendments or by reissue at regular intervals; and
  (7) show clearly the degree of reliability of any unverified information.
  (b) A publication published in loose-leaf form shall—

(b) specify on each page, which publication the page belongs to and that the page is part of the

Rwanda AIP; and that the page is part of the Rwanda AIP; and

(1) contain a checklist that—

(i) gives the current date, and page number or chart title of each page or chart in the publication; and

(ii) is issued with each AIP Amendment; and

(iii) specifies which publication it belongs to; and

(iv) is printed with a page number and the date as prescribed in paragraph (a)(5).

25.140 SPECIFICATIONS FOR AIP AMENDMENTS

(a) Each AIP Amendment shall—

(1) clearly identify, by a distinctive symbol or annotation, all changes to the published information, and all new information on a reprinted page; and

(2) be allocated a serial number, which shall be consecutive and based on the calendar year.

25.145 SPECIFICATIONS FOR AIP SUPPLEMENTS

(a) Each AIP Supplement shall be allocated a serial number which shall be consecutive and based on the calendar year.

(b) The AIP Supplement pages shall remain part of the Rwanda AIP while any parts of their contents remain valid.

(c) A checklist of AIP Supplements currently in force shall be issued with each AIP Supplement or at intervals of not more than one month. The checklist shall be given the same distribution as the supplement.

SUBPART E: AERONAUTICAL INFORMATION CIRCULARS (AIC)

25.150 SPECIFICATIONS FOR AN AIC

(a) Each AIC shall—

(1) be made available by the most expeditious means; and

(2) be allocated a serial number which should be consecutive and based on the calendar year.

(b) An AIC affecting international aircraft operators shall be given the same distribution as the AIP.

(c) Where AIC are distributed in more than one series, each series shall be separately identified by a prefix letter.

(d) A checklist of AIC currently in force shall be issued at least once a year and distributed as an AIC.

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SUBPART F: NOTICES TO AIRMEN (NOTAM)

25.155 SPECIFICATIONS FOR NOTAM

(a) Each NOTAM shall be allocated a serial number by the NOTAM Office in either an A series or a B series. The serial number within each series shall be consecutive and based on the calendar year.

(b) The B series of NOTAM shall only contain aeronautical information that—
   (1) is operationally significant to operators operating within the Kigali FIR; and
   (2) is not published in the A series of NOTAM.

(c) The A series of NOTAM shall contain aeronautical information that is operationally significant to international operators operating in—
   (1) the Kigali FIR; and
   (2) the areas in which Rwanda is responsible for air traffic services

(d) Each NOTAM shall be brief, deal with only 1 subject, and be compiled so that its meaning is clear without reference to another document.

(e) If a NOTAM contains information that requires an amendment to the Rwanda AIP or an AIP Supplement, the NOTAM shall contain a cross-reference to the affected Rwanda AIP text or AIP Supplement.

(f) If a NOTAM is issued which cancels or supersedes a previous NOTAM, the serial number of the previous NOTAM shall be specified.

(g) If an error is detected in a NOTAM, a replacement NOTAM which cancels the original shall be issued.

(h) Location indicators included in the text of a NOTAM shall conform to those approved by ICAO.

(i) A curtailed form of location indicator shall not be used.

(j) If no location indicator is assigned to the location, the name of the place, spelt in accordance with Regulation 25.090(b)(9), shall be entered in the text of the NOTAM.

(k) The NOTAM checklist required under Regulation 25.120(a) (6) shall—
   (1) refer to the latest AIP Amendments, AIP Supplements and the internationally distributed AIC; and
   (2) have the same distribution as the actual NOTAM series to which the checklist refers and shall be clearly identified as a checklist.

(l) Each NOTAM in the A series shall be prepared and composed in a manner suitable for international distribution.

25.160 DISTRIBUTION OF NOTAM

(a) Each NOTAM shall—
   (1) where possible, be transmitted as a single telecommunication message; and
   (2) be distributed to addressees to whom the information is of direct operational significance, and who would not otherwise have at least seven days prior notification.

(b) The B series of NOTAM shall be distributed within Rwanda.

(c) The A series of NOTAM shall be distributed within Rwanda and to those international NOTAM offices with whom agreements have been established under Regulation 25.120 (a) (3).

(d) The AFTN shall be employed for NOTAM distribution, whenever practicable.

(e) When a NOTAM exchanged under the agreement established under Regulation 25.120 (a)(3), is sent by means other than the AFTN, a six-digit date-time group indicating the date and time of filing the NOTAM and the identification of the originator shall precede the text of the NOTAM.

(f) A predetermined distribution system for NOTAM transmitted on the AFTN shall be used, whenever possible, subject to the agreements established under Regulation 25.120 (a) (3) with

other international NOTAM offices.

SUBPART G: SECURITY PROGRAMME

25.165 SECURITY PROGRAMME

(a) An applicant for the grant of an aeronautical information service certificate shall establish a security programme for the facilities listed in the applicant's manual of operations.

(b) The security programme required under paragraph (a) shall specify the physical security requirements, practices, and procedures to be followed for the purposes of minimising the risk of destruction of, damage to, or interference with the operation of any aeronautical facility operated under the authority of the aeronautical information service certificate, if such destruction, damage, or interference could endanger the safety of aircraft.

(c) The security programme required under paragraph (a) shall include such physical security requirements, practices, and procedures as may be necessary—

(1) to ensure that each aeronautical facility is subject to positive access control at all times to prevent unauthorized entry; and

(2) for personnel to follow in the event of a bomb threat or other threat of damage to an aeronautical facility; and

(3) to monitor an unattended aeronautical facility building to ensure that any intrusion or interference is immediately detected.

(d) The security programme required under paragraph (a) shall include procedures to notify, investigate and report security incidents to the Authority.

SUBPART H: CONTINGENCY PLAN

25.170 CONTINGENCY PLAN

(a) An AIS provider shall have in place contingency plan for all the services it provides in the case of events which result in significant degradation or interruption of its services.

(b) The plan shall include—

(1) the actions to be taken by the members of the AIS provider's personnel responsible for providing the service;

(2) possible alternative arrangements for providing the service; and

(3) the arrangements for resuming normal operations for the service.

SUBPART I: SAFETY OVERSIGHT OF AERONAUTICAL INFORMATION SERVICES

25.175 SAFETY OVERSIGHT FUNCTION

(a) The Authority shall exercise safety oversight as part of its supervision of requirements applicable to aeronautical information services in order to monitor the safe provision of these activities and to verify that the applicable safety regulatory requirements and their implementing arrangements are met.

25.180 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS

(a) The Authority shall establish a process in order to verify compliance with applicable safety regulatory requirements prior to the issue or renewal of a certificate necessary to provide aeronautical information services including safety-related conditions attached to it.

(b) The process referred to in paragraph (a) shall—

(1) be based on documented procedures;

(2) be supported by documentation specifically intended to provide safety oversight personnel with guidance to perform their functions;

(3) provide the organisations concerned with an indication of the results of the safety oversight activity;
(4) be based on safety regulatory audits and reviews conducted; and
(5) provide competent authorities with the evidence needed to support further action.

25.185 SAFETY REGULATORY AUDITS

(a) The Authority shall conduct safety regulatory audits of all aeronautical information services provider.

(b) The safety regulatory audits referred to in paragraph (a) shall—
(1) provide the Authority with evidence of compliance with applicable safety regulatory requirements and with implementing arrangements by evaluating the need for improvement or corrective action;
(2) be independent of internal auditing activities undertaken by the service provider concerned as part of its safety or quality management systems;
(3) be conducted by qualified inspectors;
(4) apply to complete implementing arrangements or elements thereof, and to processes, products or services;
(5) determine whether—
(i) implementing arrangements comply with safety regulatory requirements;
(ii) actions taken comply with the implementing arrangements;
(iii) the results of actions taken match the results expected from the implementing arrangements;
(6) lead to the correction of any identified non-conformities

(c) Within the inspection programme, the Authority shall establish and update at least annually a programme of safety regulatory audits in order to—
(1) cover all the areas of potential safety concern, with a focus on those areas where problems have been identified;
(2) cover all the service providers, services;
(3) ensure that audits are conducted in a manner commensurate to the level of risk posed by the service providers' activities;
(4) ensure that sufficient audits are conducted over a period of 1 year to check the compliance of all these service providers with applicable safety regulatory requirements in all the relevant areas of the functional system;
(5) ensure follow up of the implementation of corrective actions.

(d) The Authority may decide to modify the scope of pre-planned audits and to include additional audits, wherever that need arises.

(e) The Authority shall decide which arrangements, elements, services, functions, products, physical locations and activities are to be audited within a specified time frame.

(f) Audit observations and identified non-conformities shall be documented. The latter shall be supported by evidence, and identified in terms of the applicable safety regulatory requirements and their implementing arrangements against which the audit has been conducted.

(g) An audit report, including the details of the non-conformities, shall be drawn up.

25.190 CORRECTIVE ACTIONS

(a) The Authority shall communicate the audit findings to audited service providers and shall simultaneously request corrective actions to address the non-conformities identified without prejudice to any additional action required by the applicable safety regulatory requirements.

(b) Audited service providers shall determine the corrective actions deemed necessary to correct non- conformities and the time frame for their implementation.

(c) The Authority shall assess the corrective actions as well as their implementation as determined by audited service providers and accept them if the assessment concludes that they are sufficient

to address the non- conformities.

(d) Audited service providers shall initiate the corrective actions accepted by the Authority. These corrective actions and the subsequent follow-up process shall be completed within the time period accepted by competent authorities.

25.195 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS

(a) Aeronautical information services provider shall only use procedures accepted by the Authority when deciding whether to introduce a safety-related change to their functional systems.

(b) Aeronautical information services provider shall notify the Authority of all planned safety-related changes.

END OF RCAR PART 25

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXVI W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXVI TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXVI A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 26
Aerodromes and Ground Aids

SUBPART A: GENERAL....6
26.001 CITATION & APPLICABILITY....6
26.005 DEFINITIONS....6
26.010 ACRONYMS & ABBREVIATIONS....13
26.011 CATEGORIES OF AERODROMES....13

SUBPART B: CONSTRUCTION OF AERODROMES....14
26.015 APPLICATION OF THIS SUBPART....14
26.020 REQUIREMENTS FOR APPLICATION FOR AN AERODROME CONSTRUCTION PERMIT....14
26.025 ISSUANCE OF AERODROME CONSTRUCTION PERMITS....14
26.030 DESIGN & CONSTRUCTION OF AERODROMES....14
26.035 REQUIREMENTS FOR AERODROME DESIGN....15
26.040 AERODROME REFERENCE CODE....15

SUBPART C: LICENSING OF AERODROMES....16
26.045 APPLICATION OF THIS SUBPART....16
26.050 APPLICATION FOR LICENCE....16
26.055 CONDITIONS FOR ISSUANCE OF LICENCE....16
26.060 ISSUANCE OF LICENCE....16
26.065 BREACH OF CONDITIONS OF LICENCE & NON-CONFORMANCE WITH THE LICENSING REQUIREMENTS....17
26.070 AERODROME OPERATOR LICENCE....17
26.075 VALIDITY OF LICENCE....17
26.080 RENEWAL OF LICENCE....17
26.085 AMENDMENT OF LICENCE....18
26.090 SUSPENSION & CANCELLATION OF LICENCE....18
26.095 SURRENDER OF LICENCE....19
26.100 [RESERVED]....19
26.105 LICENCES REGISTER....19
26.110 NOTIFICATION & FURNISHING OF INFORMATION....19

SUBPART D: CERTIFICATION OF AERODROMES....19
26.115 APPLICATION OF THIS SUBPART....19
26.120 APPLICATION FOR CERTIFICATE....20
26.125 CONDITIONS FOR ISSUANCE OF CERTIFICATE....20
26.130 ISSUANCE OF CERTIFICATE....20
26.135 BREACH OF CONDITIONS OF CERTIFICATE & NON-CONFORMANCE WITH THE CERTIFICATION REQUIREMENTS....21
26.140 VALIDITY OF CERTIFICATE....21
26.145 RENEWAL OF CERTIFICATE....21
26.150 AMENDMENT OF CERTIFICATE....22
26.155 SUSPENSION & CANCELLATION OF CERTIFICATE....22

26.160 SURRENDER OF CERTIFICATE 22
26.165 [RESERVED] 23
26.170 CERTIFICATES REGISTER 23
26.175 TRANSFER OF AN AERODROME CERTIFICATE 23
26.180 INTERIM AERODROME CERTIFICATE 23

SUBPART E: OBLIGATIONS OF AERODROME OPERATOR 24
26.185 APPLICATION OF THIS SUBPART 24
26.190 COMPLIANCE WITH CONDITIONS & PRESCRIBED STANDARDS 24
26.195 COMPETENCE OF OPERATIONAL & MAINTENANCE PERSONNEL 24
26.200 AERODROME OPERATIONS & MAINTENANCE 24
26.205 AERODROME OPERATOR'S SAFETY MANAGEMENT SYSTEM 25
26.210 STORAGE OF INFLAMMABLE & OTHER DANGEROUS GOODS 25
26.215 SAFETY MEASURES AGAINST FIRE 25
26.220 ACCESS TO THE AERODROME 26
26.225 ENTRY INTO OR EXIT FROM RESTRICTED AREAS OF AERODROME 26
26.230 TEST-RUNNING OF AIRCRAFT ENGINE 26
26.235 CERTAIN ACTS PROHIBITED ON AERODROME 26
26.240 REMOVAL OF OBSTRUCTIONS FROM THE AERODROME SURFACE 27
26.245 MAINTENANCE OF ENVIRONMENT MANAGEMENT PROGRAMME 27
26.250 PROTECTION OF NAVIGATION AIDS 27
26.255 RESPONSIBILITIES OF OPERATOR 27
26.260 INSPECTION OF AERODROMES & UNHINDERED ACCESS BY INSPECTORS OF THE AUTHORITY 28
26.265 NOTIFYING & REPORTING 28
26.270 AERODROME MOVEMENT AREA INSPECTIONS 29
26.275 SPECIAL INSPECTIONS 29
26.280 WARNING NOTICES 29
26.281 REMOVAL OF OBSTRUCTIONS FROM THE AERODROME SURFACE 29

SUBPART F: AERODROME MANUAL 30
26.285 APPLICATION OF THIS SUBPART 30
26.290 REQUIREMENTS FOR AERODROME MANUAL 30
26.295 INFORMATION TO BE INCLUDED IN AERODROME MANUAL 30
26.300 AMENDMENT OF AERODROME MANUAL 30
26.305 LOCATION OF THE AERODROME MANUAL 31

SUBPART G: WILDLIFE HAZARD MANAGEMENT 31
26.310 APPLICABILITY 31
26.315 ANIMALS NOT ALLOWED IN RESTRICTED AREAS OF AERODROME 31
26.320 WILDLIFE HAZARD MANAGEMENT 31
26.325 WILDLIFE HAZARD REDUCTION AT AERODROME 31
26.330 NATIONAL COMMITTEE ON WILDLIFE HAZARD MANAGEMENT 32

SUBPART H: OBSTACLE RESTRICTIONS & REMOVAL 33
26.335 APPLICATION OF THIS SUBPART 33
26.340 ERECTION OF OBSTACLES 33
26.345 ESTABLISHMENT OF OBSTACLE LIMITATION SURFACES 33
26.350 AUTHORISATION TO CONSTRUCT WITHIN THE VICINITY OF AN AERODROME

.....33
26.355 REMOVAL OF OBSTACLE 34
26.360 MARKING & LIGHTING OF OBSTACLE 34

SUBPART I: AERONAUTICAL GROUND LIGHTING.....34
26.365 APPLICATION OF THIS SUBPART. 34
26.370 ESTABLISHMENT & MAINTENANCE OF AERONAUTICAL GROUND LIGHTS 34
26.375 SECONDARY POWER SUPPLY 35
26.380 AERONAUTICAL BEACONS 35

SUBPART J: AERODROME VISUAL AIDS 35
26.385 APPLICATION OF THIS SUBPART 35
26.390 WIND DIRECTION INDICATORS 35
26.395 SIGNALING LAMP.....36
26.400 SIGNAL PANEL & SIGNALING AREA 36
26.405 MARKINGS.....36
26.410 VOR AERODROME CHECKPOINT MARKING 36
26.415 AIRCRAFT STAND MARKINGS.....36
26.420 APRON SAFETY LINES.....36
26.425 ROAD-HOLDING POSITIONS 36
26.430 MANDATORY INSTRUCTION MARKINGS & SIGNS.....37
26.435 INFORMATION MARKING.....37
26.440 VISUAL AIDS FOR DENOTING OBSTACLES.....37
26.445 OBSTACLES TO BE MARKED OR LIGHTED 37
26.450 VISUAL AIDS FOR DENOTING RESTRICTED AREAS 37
26.455 LANDING DIRECTION INDICATOR 37
26.460 LIGHTS.....38
26.465 MARKERS 38

SUBPART K: AERODROME OPERATIONAL SERVICES, EQUIPMENT, INSTALLATIONS & FACILITIES.....38
26.470 APPLICATION OF THIS SUBPART 38
26.475 IMMIGRATION, CUSTOMS & EXCISE AERODROMES 38
26.480 SUPPLY OF AVIATION FUEL TO AIRCRAFT 38
26.485 AERODROME EMERGENCY PLANNING.....39
26.490 EMERGENCY PLANNING COMMITTEE.....40
26.495 AERODROME EMERGENCY EXERCISE 40
26.500 EMERGENCY OPERATION CENTRE & COMMAND POST 41
26.505 EMERGENCIES IN DIFFICULT ENVIRONMENT 41
26.510 AERODROME RESCUE & FIRE FIGHTING SERVICES.....41
26.515 REMOVAL OF DISABLED AIRCRAFT.....41
26.520 APRON MANAGEMENT SERVICE.....42
26.525 GROUND SERVICING OF AIRCRAFT 42
26.530 AERODROME VEHICLE OPERATION.....42
26.535 LOCATION, CONSTRUCTION & INSTALLATION OF EQUIPMENT ON OPERATIONAL AREAS 43
26.540 FENCING OF AERODROMES & INSTALLATIONS.....43
26.545 MAINTENANCE OF SAFETY INSPECTION PROGRAMME 44
26.550 MAINTENANCE OF FIRE PREVENTION PROGRAMME 44

26.555 ACCESS OF GROUND VEHICLES TO AERODROME MOVEMENT AREA.....44

SUBPART L: AERODROME MAINTENANCE.....45
26.560 APPLICATION OF THIS SUBPART.....45
26.565 MAINTENANCE PROGRAMME.....45
26.570 MAINTENANCE OF MOVEMENT & ADJACENT AREAS.....45
26.575 PREVENTIVE MAINTENANCE OF VISUAL AIDS.....46
26.580 CONSTRUCTION OR MAINTENANCE ACTIVITY DURING LOW VISIBILITY OPERATIONS.....47
26.585 WORKS AT AERODROMES.....47

SUBPART M: ELECTRICAL SYSTEMS.....47
26.590 APPLICATION OF THIS SUBPART.....47
26.595 ELECTRICAL POWER SUPPLY SYSTEMS FOR AIR NAVIGATION SERVICES & FACILITIES.....47

SUBPART N: INFORMATION TO BE REPORTED TO AERONAUTICAL INFORMATION SERVICES.....48
26.600 APPLICATION OF THIS SUBPART.....48
26.605 AVAILABILITY OF INFORMATION.....48
26.610 ACTION REQUIRED FOR OCCURRENCES OF OPERATIONAL SIGNIFICANCE OTHER THAN THOSE INVOLVING ELECTRONIC AIDS AND COMMUNICATION FACILITIES.....49
26.615 ACTION REQUIRED FOR OCCURRENCES THAT AFFECT ELECTRONIC AIDS & COMMUNICATION FACILITIES.....49
26.620 AERONAUTICAL DATA REPORTING.....49
26.625 {RESERVED}.....50

SUBPART O: EXEMPTIONS.....50

SUBPART P: MISCELLANEOUS.....50
26.645 APPLICATION OF THIS SUBPART.....50
26.650 CHANGE OF NAMES OF A LICENCE OR CERTIFICATE HOLDER.....50
26.655 CHANGE OF ADDRESS OF A LICENCE OR CERTIFICATE HOLDER.....51
26.660 USE & RETENTION OF LICENCES, CERTIFICATES & RECORDS.....51
26.665 REPLACEMENT OF DOCUMENTS.....51
26.670 [RESERVED].....51
26.675 CONDITIONS FOR OPERATING AN AERODROME.....52
26.680 STANDARDS FOR PHYSICAL CHARACTERISTICS.....52
26.685 DANGEROUS LIGHT.....52
26.690 LIGHTING OF EN-ROUTE OBSTACLES.....52
26.695 LAND USE IN THE VICINITY OF AN AERODROME.....53
26.700 AERONAUTICAL STUDY.....53
26.705 DEVIATIONS FROM STANDARDS.....53
26.710 SAFETY INSPECTIONS & AUDITS.....53
26.715 OBLIGATION TO INSURE AN AERODROME.....53

APPENDICES.....55
APPENDIX 1 TO 26.205: SYSTEMATIC MANAGEMENT OF SAFETY AT

AERODROMES 55
APPENDIX 2 TO 26.205: OCCURRENCE REPORTING & INVESTIGATION AT AERODROMES 57
APPENDIX 1 TO 26.295: PARTICULARS FOR AERODROME MANUAL FOR AERODROMES IN CATEGORY A 60
APPENDIX 2 TO 26.295: PARTICULARS FOR AERODROME MANUAL FOR AERODROMES IN CATEGORIES B & C 66
APPENDIX 3 TO 26.295: PARTICULARS FOR AERODROME MANUAL FOR AERODROMES IN CATEGORY D 69
APPENDIX 1 TO 26.620: AERODROME DATA 72

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SUBPART A: GENERAL

26.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Aerodromes) Regulations.

(b) This Part prescribes rules governing and applicable to—

(1) design and construction of aerodromes;

(2) certification of aerodromes and the requirements that apply to operators of certified aerodromes;

(3) licensing of aerodromes and the requirements that apply to operators of licensed aerodromes;

(4) heliports design, construction and operation; and

(5) operations of the aerodromes by the Aerodrome Operator Certificate holder and service providers located on the aerodrome.

(c) This Part is applicable to—

(1) persons and organisations that operate aerodromes within Rwanda; and

(2) the persons performing duties on their behalf; and

(3) persons and organisation that are located on and use the aerodrome.

(d) Civil Aviation Technical Standards published by the Authority to further clarify the applicable aerodrome standards shall also be applicable to the construction, operations and certification of aerodromes in Rwanda.

(1) Any reference in these regulations to aerodrome standards and practices is a reference to the standards and practices for aerodromes that are set out in the Civil Aviation Technical Standards (Aerodromes) as amended from time to time.

(2) An aerodrome operator shall comply with the standards, practices and procedures that are required by the Civil Aviation Technical Standards (Aerodromes), as appropriate to the operations conducted at the aerodrome and the requirements for aircraft using the aerodrome.

(3) The Authority may also publish advisory circulars prescribing acceptable methods and procedures for compliance with these regulations and the prescribed standards.

26.005 DEFINITIONS

(a) For the purpose of this Subpart, the following definitions apply—

Accuracy. A degree of conformance between the estimated or measured value and the true value;

Aerodrome. 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;

Aerodrome beacon. An aeronautical beacon used to indicate the location of an aerodrome from the air;

Aerodrome certificate. A certificate issued by the appropriate authority under applicable regulations for the operation of an aerodrome.

Aerodrome elevation. The elevation of the highest point of the landing area;

Aerodrome identification sign. A sign placed on an aerodrome to aid in identifying the aerodrome from the air.

Aerodrome facilities and equipment. Facilities and equipment, inside or outside the boundaries of an aerodrome that are constructed or installed and maintained for the arrival, departure and surface movement of aircraft;

Aerodrome manual. The manual that forms part of the application for a license or a certificate under these Regulations, including any amendments to the manual, approved by the Authority;

Aerodrome mapping data (AMD). Data collected for the purpose of compiling aerodrome mapping information for aeronautical uses.

Aerodrome mapping database (AMDB). A collection of aerodrome mapping data organized and arranged as a structured data set.

Aerodrome reference code. A code used for planning purposes to classify an aerodrome with respect to the critical aircraft characteristics for which the aerodrome is intended;

Aerodrome reference point. The designated geographical location of an aerodrome;

Aeronautical beacon. An aeronautical ground light visible at all azimuths, either continuously or intermittently, to designate a particular point on the surface of the earth;

Aeronautical ground light. Any light specially provided as an aid to air navigation, other than a light displayed on an aircraft;

Aeroplane reference field length. The minimum field length required for take-off at maximum certificated take-off mass, sea level, standard atmospheric conditions, still air and zero runway slope, as shown in the appropriate aeroplane flight manual prescribed by the certificating authority or equivalent data from the aeroplane manufacturer. Field length means balanced field length for aeroplanes, if applicable, or take-off distance in other cases.

Aeronautical Information Circular. A notice containing information that does not qualify for the origination of a NOTAM or for inclusion in the Aeronautical Information Publication, but which relates to flight safety, air navigation, technical, administrative or legislative matters;

Aeronautical Information Publication. An aeronautical information publication of a lasting character essential to air navigation, issued by the Authority;

Air traffic service. A flight information service, alerting service, air traffic advisory service, or air traffic control service;

Air traffic service unit. A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office;

Aircraft Classification Number. A number expressing the relative effect of an aircraft on a pavement for a specified standard subgrade category;

Aircraft stand. A designated area on an apron intended to be used for parking an aircraft;

Apron. A defined area, on an aerodrome, intended to accommodate aircraft for purposes of loading or unloading of passengers, mail or cargo, fuelling, parking or maintenance;

Apron management service. A service provided to regulate the activities and the movement of aircraft and vehicles on an apron;

Arresting system. A system designed to decelerate an aeroplane overrunning the runway.

Autonomous runway incursion warning system (ARIWS). A system which provides autonomous detection of a potential incursion or of the occupancy of an active runway and a direct warning to a flight crew or a vehicle operator

Authority. The Rwanda Civil Aviation Authority established pursuant to the Laws of Rwanda

Authorized person. Any person authorized by the Authority either generally or in relation to a particular case or class of cases and reference to an authorized person includes references to the holder for the time being of an office designated by the Authority;

Balked landing. A landing manoeuvre that is unexpectedly discontinued at any point below the obstacle clearance altitude/height (OCA/H)

Barrette. Three or more aeronautical ground lights closely spaced in a transverse line so that from a distance they appear as a short bar of light.

Calendar. Discrete temporal reference system that provides the basis for defining temporal position to a resolution of one day (ISO 19108).

Capacitor discharge light. A lamp in which high-intensity flashes of extremely short duration are produced by the discharge of electricity at high voltage through a gas enclosed in a tube.

Certificate. The certificate to operate an aerodrome issued by the Authority under these Regulations;

Certified aerodrome. An aerodrome whose operator has been granted an aerodrome certificate under these regulations;

Clearway. A defined rectangular area under the control of the appropriate authority selected or prepared as a suitable area over which an aircraft may make a portion of its initial climb to a specified height;

Cyclic redundancy checks (CRC). A mathematical algorithm applied to the digital expression of data that provides a level of assurance against loss or alteration of data.

Data quality. A degree or level of confidence that the data provided meet the requirements of the data user in terms of accuracy, resolution and integrity.

Controlled aerodrome. An aerodrome where air traffic services are provided;

Critical aircraft. The most demanding aircraft in terms of its size and maximum take-off weight that is proposed to use an aerodrome facility;

Declared distance—

(i) *accelerate-stop distance available*. which is the length of the take-off run available plus the length of the stopway, if provided;

(ii) *landing distance available.* which is the length of the runway which is declared available and suitable for the ground run of an aircraft landing;

(iii) *take-off distance available.* which is the length of the take-off run available plus the length of the clearway, if provided;

(iv) *take-off run available.* which is the length of runway declared available and suitable for the ground run of an aircraft taking off;

Dangerous goods. Articles or substances which are capable of posing a risk to health, safety, property or the environment;

Datum. Any quantity or set of quantities that may serve as reference or basis for calculation of other quantities;

Displaced threshold. A threshold not located at the extremity of a runway;

Effective intensity. The effective intensity of a flashing light is equal to the intensity of a fixed light of the same colour which will produce the same visual range under identical conditions of observation.

Ellipsoid height (Geodetic height). The height related to the reference ellipsoid, measured along the ellipsoidal outer normal through the point in question.

Engineer. means an individual, company, organization or firm.

Fixed light. A light having constant luminous intensity when observed from a fixed point.

Frangible object. An object of low mass designed to break, distort or yield on impact so as to present the minimum hazard to aircraft.

Note. — Guidance on design for frangibility is contained in the Aerodrome Design Manual (Doc 9157), Part 6.

Foreign object debris (FOD). An inanimate object within the movement area which has no operational or aeronautical function and which has the potential to be a hazard to aircraft operations.

Geodetic datum. A minimum set of parameters required to define location and orientation of the local reference system with respect to the global reference system/frame.

Geoid. The equipotential surface in the gravity field of the earth which coincides with the undisturbed Mean Sea Level extended continuously through the continents;

Geoid undulation. The distance of the geoid above (positive) or below (negative) the mathematical reference ellipsoid;

Gregorian calendar. Calendar in general use; first introduced in 1582 to define a year where common years have 365 days and leap years 366 divided into twelve sequential months;

Hazard beacon. An aeronautical beacon used to designate a danger to air navigation;

Heliport. 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;

Holding bay. A defined area where aircraft can be held, or bypassed, to facilitate efficient surface movement of aircraft;

Holdover time. The estimated time the anti-icing fluid (treatment) will prevent the formation of ice and frost and the accumulation of snow on the protected (treated) surfaces of an aeroplane

Hot spot. A location on an aerodrome movement area with a history or potential risk of collision or runway incursion, and where heightened attention by pilots/drivers is necessary.

Human factor principles. 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. Human capabilities and limitations, which have an impact on the safety and efficiency of aeronautical operations;

Identification beacon. An aeronautical beacon emitting a coded signal by means of which a particular point of reference can be identified;

Independent parallel approaches. Simultaneous approaches to parallel or near-parallel instrument runways where radar separation minima between aircraft on adjacent extended runway centre lines are not prescribed.

Independent parallel departures. Simultaneous departures from parallel or near-parallel instrument runways.

incident. An occurrence other than an accident associated with the operation of an aircraft, which affect or may affect the safety of operation of aircraft;

instrument runway. Any of the following types of runways intended for the operation of aircraft using instrument approach procedures—

(i) non- precision approach runway., which means an instrument runway served by visual aids and a non-visual aid providing at least directional guidance adequate for a straight-in approach;

(ii) precision approach runway, category I., which means an instrument runway served by instrument landing system and/or microwave landing system and visual aids intended for operation with a decision height not lower than 60m (200 ft) and either a visibility not less than 800 m or a runway visual range not less than 550m;

(iii) *precision approach runway, category II., which means an instrument runway served by Instrument Landing System and/or Microwave Landing System and visual aids intended for operation with a decision height lower than 60m (200 ft) but not lower than 30 m (100 ft) and* a runway visual range not less than 300 m;

Integrity (aeronautical data). A degree of assurance that an aeronautical data and its value has not been lost nor altered since the data origination or authorised amendment;

Integrity classification (aeronautical data). Classification based upon the potential risk resulting from the use of corrupted data. Aeronautical data is classified as—

(i) routine data: there is a very low probability when using corrupted routine data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe;

(ii) essential data: there is a low probability when using corrupted essential data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe; and

(iii) *critical data: there is a high probability when using corrupted critical data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe*.

Intermediate holding position. A designated position intended for traffic control at which taxiing aircraft and vehicles stop and hold until they are cleared to proceed, when so instructed by the aerodrome control tower;

Law. Law No. 52/2010 of 20/01/2011 governing civil aviation in Rwanda;

Landing area. That part of a movement area intended for the landing or take-off of aircraft;

Landing direction indicator. A device to indicate visually the direction currently designated for landing and for take-off.

Laser-beam critical flight zone (LCFZ). Airspace in the proximity of an aerodrome but beyond the LFFZ where the irradiance is restricted to a level unlikely to cause glare effects.

Laser-beam free flight zone (LFFZ). Airspace in the immediate proximity of the aerodrome where the irradiance is restricted to a level unlikely to cause any visual disruption.

Laser-beam sensitive flight zone (LSFZ). Airspace outside, and not necessarily contiguous with, the LFFZ and LCFZ where the irradiance is restricted to a level unlikely to cause flash-blindness or after-image effects.

Lighting system reliability. The probability that the complete installation operates within the specified tolerances and that the system is operationally usable.

Licence. A licence to operate an aerodrome issued by the Authority under these Regulations;

Manoeuvring area. that part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons;

Marker. An object displayed above ground level in order to indicate an obstacle or delineate a boundary;

Marking. A symbol or group of symbols displayed on the surface of the movement area in order to convey aeronautical information;

Minister. The Minister for the time being responsible for civil aviation;

Movement area. That part of the aerodrome to be used for take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and apron(s);

Near-parallel runways. Non-intersecting runways whose extended centre lines have an angle of convergence/divergence of 15 degrees or less.

Notify. Shown in Aeronautical Information Publications, Aeronautical Information Circulars, NOTAM, civil aviation publications or any other official publication issued for the purpose of enabling any of the provisions of these Regulations to be complied with;

Non-instrument runway. A runway intended for the operation of aircraft using visual approach procedures;

Normal flight zone (NFZ). Airspace not defined as LFFZ, LCFZ or LSFZ but which must be protected from laser radiation capable of causing biological damage to the eye.

Obstacle. Any fixed (whether temporary or permanent) and mobile object, or part thereof, that—

(i) is located on an area intended for the surface movement of aircraft; or

(ii) extends above a defined surface intended to protect aircraft in flight; or

(iii) *stands outside those defined surfaces and that has been assessed as being a hazard to air* navigation.

Orthometric height. Height of a point related to the geoid, generally presented as an MSL elevation.

Obstacle free zone. The airspace above the inner approach surface, inner transitional surfaces, the balked landing surface and that portion of the strip bounded by these surfaces, which is not penetrated by any fixed obstacle other than a low-mass and frangibly mounted one required for air

navigation purposes;

Obstacle limitation surfaces. A series of surfaces that define the volume of airspace at and around an aerodrome to be kept free of obstacles in order to permit the intended aircraft operations to be conducted safely and to prevent the aerodrome from becoming unusable by the growth of obstacles around the aerodrome;

Operator. A person operating an aerodrome licensed or certificated under these Regulations;

Pavement Classification Number. A number expressing the bearing strength of a pavement for unrestricted operations;

Precision approach runway. (see instrument runway);

Prescribed. Prescribed by the Authority in the Manual of Aerodrome Standards, Circulars, Orders, Notices, Aeronautical Publications and any other documents;

Primary runway. A runway used in preference to others whenever conditions permit;

Recommended practice. Any specification for the physical characteristics configuration, material, performance or procedure, the uniform application of which is recognised as desirable in the interest of safety, regularity or efficiency of international air navigation;

Relevant authority. Any authority other than the Civil Aviation Authority whose action may be necessary or complimentary for the implementation of these Regulations;

Restricted area. An area legally designated by Authority, as one with which the movement of people, vehicles, cargo and luggage is controlled and requires access.

Road. An established surface route on the movement area meant for the exclusive use of vehicles;

Road-holding position. A designated position at which vehicles may be required to hold;

Runway. A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft;

Runway end safety area (RESA). An area symmetrical about the extended runway centreline and adjacent to the end of the strip primarily intended to reduce the risk of damage to an aircraft undershooting or overrunning the runway;

Runway guard lights. A light system intended to caution pilots or vehicle drivers that they are about to enter an active runway.

Runway-holding position. A designated position intended to protect a runway, an obstacle limitation surface, or an Instrument Landing System/Microwave Landing System critical or sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorized by the aerodrome control tower;

Runway strip. A defined area including the runway and stopway, if provided, intended—

(i) to reduce the risk of damage to aircraft running off a runway; and;

(ii) to protect aircraft flying over it during take-off or landing operations;

Runway turn pad. A defined area on a land aerodrome adjacent to a runway for the purpose of completing a 180-degree turn on a runway;

Runway visual range. The range over which a 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;

Rwanda Civil Aviation Standards (Aerodromes). A publication developed by the Authority on aerodrome standards;

Safety. A state in which the risk of harm to persons or of property damage is reduced to, and maintained at or below unacceptable level through a continuing process or hazard identification and risk management;

Safety management system (SMS). A systematic approach to managing safety including the necessary organizational structure, accountabilities, policies and procedures;

Segregated parallel operations. Simultaneous operations on parallel or near-parallel instrument runways in which one runway is used exclusively for approaches and the other runway is used exclusively for departures.

Signal area. An area on an aerodrome used for the display of ground signals;

Shoulder. An area adjacent to the edge of a pavement, prepared to provide a transition between the pavement and the adjacent surface;

Sign—

(i) Fixed message sign. A sign presenting only one message.

(ii) Variable *message sign.* A sign capable of presenting several predetermined messages or no message, as applicable.

Standard. Any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognised as necessary for the safety of air navigation;

Station declination. An alignment variation between the zero-degree radial of a VOR and true north, determined at the time the VOR station is calibrated.

Stopway. A defined rectangular area on the ground at the end of the take-off run available, prepared as a suitable area in which an aircraft can be stopped in the case of an abandoned take-off;

Switch-over time (light). The time required for the actual intensity of a light measured in a given direction to fall from 50 per cent and recover to 50 per cent during a power supply changeover, when the light is being operated at intensities of 25 percent or above.

Take-off runway. A runway intended for take-off only.

Taxiway. A defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including—

(i) *an aircraft stand taxilane* which is a portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;

(ii) *an apron taxiway* which is a portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron;

(iii) *rapid exit taxiway* which is a taxiway connected to a runway at an acute angle and designed to allow landing aircrafts to turn off at higher speeds than are achieved on other exit taxiways thereby minimizing runway occupancy times;

Taxiway intersection. A junction of two or more taxiways.

Taxiway strip. An area including a taxiway intended to protect aircraft operating on a taxiway and to reduce the risk of damage to an aircraft accidentally running off the taxiway;

Threshold. The beginning of that portion of the runway usable for landing;

Touchdown zone. The portion of a runway beyond the threshold, intended for landing aircraft on first contact with the runway;

Usability factor. The percentage of time during which the use of a runway or system of runways is not restricted because of the crosswind component.

Note: Crosswind component means the surface wind component at right angles to the runway centre line.

Unserviceable area. A part of the movement area that is unfit and unavailable for use by aircraft;

Vicinity. A defined airspace around an aerodrome for control of obstacles that may infringe the obstacle limitation surfaces around the aerodrome, contained within a radius of twelve and half kilometres from the aerodrome reference point up to a height of one thousand five hundred feet above ground level;

Wildlife. Feral birds and animals, including domestic animals out of the control of their owners;

Wildlife hazard. A potential for a damaging aircraft collision with wildlife on or near an aerodrome.

26.010 ACRONYMS & ABBREVIATIONS

ADOC = Aerodrome Operator Certificate
ACN = Aircraft Classification Number
AIP = Aeronautical Information Publication
AIS = Aeronautical Information Service
ARC = Aerodrome Reference Code
ARP = Aerodrome Reference Point
HOC = Heliport Operator Certificate
NOTAM = Notice to Airmen
PCN = Pavement Classification Number
R-CATS = Rwanda Civil Aviation Technical Standards
RESA = Runway End Safety Area
RFFS = Rescue and Fire Fighting Service
SMS = Safety Management System

26.011 CATEGORIES OF AERODROMES

(a) In these Regulations aerodromes shall be categorised as follows—
   (1) category A comprising aerodromes intended to be used for international air transport operations.
   (2) category B comprising aerodromes intended to be used for domestic air traffic including aircraft of maximum certificated take-off mass above five thousand seven hundred kilogrammes
   (3) category C comprising aerodromes intended to be used for domestic air traffic of maximum certificated take-off mass not exceeding five thousands seven hundred kilogrammes;
   (4) category D comprising aerodromes intended to be used by helicopters only.

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SUBPART B: CONSTRUCTION OF AERODROMES

26.015 APPLICATION OF THIS SUBPART

(a) This Subpart applies to all categories of aerodromes except where otherwise specified by the Authority.

26.020 REQUIREMENTS FOR APPLICATION FOR AN AERODROME CONSTRUCTION PERMIT

(a) A person shall not construct an aerodrome unless that person has a valid aerodrome construction permit issued under Regulation 26.025.

(1) An application for an aerodrome construction permit shall be considered for approval, where—

(i) the applicant holds a valid authorization from a relevant authority for use of the place as an aerodrome;

(ii) the application is approved by the authority responsible for national environment management;

(2) The Authority shall prior to issuance of a construction permit, assess the suitability of the place proposed for construction taking into consideration—

(i) the proximity of the place to other aerodromes and landing areas including military aerodromes obstacles, terrain and existing airspace restrictions; and

(ii) that it is not against public interest that the place where the aerodrome is to be constructed should be used as such.

(3) An applicant for an aerodrome construction permit shall submit to the Authority for approval an application in the prescribed form accompanied by—

(i) a detailed design of the proposed construction including related architectural requirements approved by the relevant authority;

(ii) a detailed design of the proposed construction including related architectural requirements approved by the qualified and registered engineer.

(iii) aerodrome data in accordance with the characteristics of the aircraft for which the aerodrome is intended; and

(iv) a topographical map of the proposed aerodrome site as specified by the Authority:

(v) airspace study;

(vi) obstacle limitation surface study; and

(vii) weather condition analysis report.

26.025 ISSUANCE OF AERODROME CONSTRUCTION PERMITS

(a) The Authority shall issue an aerodrome construction permit to an applicant where the application meets the requirements provided in Regulation 26.030 and 26.020 the specifications as may be prescribed by the Authority and any other requirements as may be specified by any relevant authority.

26.030 DESIGN & CONSTRUCTION OF AERODROMES

(a) An applicant for a construction permit shall ensure that the design and construction of the aerodrome is undertaken by a person registered by the relevant professional body.

(b) The Authority shall inspect the site of an aerodrome during construction to ascertain compliance with the standards prescribed and the terms of the aerodrome construction permit.

26.035 REQUIREMENTS FOR AERODROME DESIGN

(a) An aerodrome design shall—
  (1) indicate the physical characteristics as prescribed by the Authority;
  (2) indicate the obstacle limitation surfaces;
  (3) integrate security measures in accordance with the Civil Aviation (Security) Regulations
  (4) indicate visual aids for navigation obstacles and restricted areas
  (5) indicate the appropriate equipment and installations.

(b) The physical characteristics, obstacle limitation surfaces, visual aids and equipment and installations, required under paragraph (a) shall—
  (1) be appropriate to the critical aircraft characteristics for which the aerodrome intends to serve;
  (2) be at the lowest meteorological minima for each runway;
  (3) provide ambient light conditions during the operations of aircraft
  (4) comply with the appropriate aerodrome design standards as prescribed by the Authority).

26.040 AERODROME REFERENCE CODE

(a) An aerodrome reference code comprising a code number and a code letter shall be used for aerodrome planning purposes.

(b) The Authority shall determine the aerodrome reference code in accordance with the characteristics of aerodromes so as to provide a series of aerodrome facilities that are suitable for the aeroplanes that are intended to operate at the aerodrome.

(c) The aerodrome reference code numbers and code letters required under paragraph (a) shall be prescribed by the Authority in the applicable R-CATS.

(d) Use of common reference systems
  (i) The World Geodetic System – 1984 (WGS-84) shall be used as the horizontal reference system to express aeronautical geographical coordinates for aerodromes.
  (ii) The Mean Sea Level datum shall be used as the vertical reference system (elevation) at aerodromes.
  (iii) Except where notified in the Aeronautical Information Publication or the Aeronautical Information Circular of Rwanda, the Gregorian calendar and Coordinated Universal Time (UTC) shall be used as the temporal reference system.
  (iv) Unless otherwise prescribed by the Authority, the International System of Units developed and maintained by the General Conference of Weights and Measures (CGPM) shall be used as the standard system of units of measurement.

SUBPART C: LICENSING OF AERODROMES

26.045 APPLICATION OF THIS SUBPART

(a) This Subpart applies to aerodromes in categories B, C and D except where otherwise specified.

26.050 APPLICATION FOR LICENCE

(a) An application for a licence shall be made in the prescribed form accompanied by—
  (1) an aerodrome manual;
  (2) a site plan for the aerodrome;
  (3) an environmental impact assessment report and its approval from relevant Authority;
  (4) approval from any relevant authority;
  (5) proof of financial capability;
  (6) particulars of any non-compliance or deviations from the appropriate aerodrome design, operation or equipment standards; and
  (7) Proof of payment of charges as prescribed by the Authority in the Aeronautical Information Publication or Aeronautical Information Circular.

26.055 CONDITIONS FOR ISSUANCE OF LICENCE

(a) A licence may be issued subject to any conditions that may be prescribed by the Authority

(b) The Authority shall endorse on a licence the conditions for use of an aerodrome and any other details as may be deemed necessary by the Authority.

(c) Subject to paragraph (a), where an applicant requests or the Authority considers that an aerodrome should be available for public use, a licence may be granted subject to a condition that the aerodrome shall at all times be available to all persons on equal terms and conditions.

(d) An aerodrome operator may refuse an aircraft from using the aerodrome except in an emergency situation.

26.060 ISSUANCE OF LICENCE

(a) The Authority shall issue a licence in the prescribed form and manner where—
  (1) an applicant is found to be competent to operate an aerodrome on consideration of the previous conduct and experience of the applicant, the equipment, organisation, staffing, maintenance and other arrangements of the applicant;
  (2) the physical characteristics of the aerodrome and its surroundings are safe for use by aircraft; and

(b) an applicant for a licence complies with the Civil Aviation (Security) Regulations where applicable. The issuance of a licence shall be subject to compliance with these Regulations and standards prescribed by the Authority and any other condition as may be specified or notified by the Authority in accordance with safety audit and inspection.

(c) The Authority may refuse to grant a licence to an applicant, and where the Authority so refuses, it shall notify the applicant in writing, of the reasons for the refusal, not later than fourteen days after making that decision.

(d) A person shall not operate an aerodrome without a licence issued by the Authority.

26.065 BREACH OF CONDITIONS OF LICENCE & NON-CONFORMANCE WITH THE LICENSING REQUIREMENTS

(a) The breach of any condition subject to which a licence is issued including any approval, permission or exemption shall render the licence invalid.

(b) The Authority shall impose operating restrictions and/or sanctions at a licensed aerodrome in the event of non- conformance with the licensing requirements or any unresolved safety concerns.

26.070 AERODROME OPERATOR LICENCE

(a) A licence shall specify—

(1) the category of the Aerodrome and the aerodrome reference code;

(2) the restrictions, if any, relating to non-compliance with or deviations from the appropriate aerodrome design, operation or equipment standards;

(3) the period of validity of the licence.

(b) A licence issued under these Regulations shall not be transferable.

26.075 VALIDITY OF LICENCE

(a) A licence issued under these Regulations shall be valid for a period of two years and shall remain in force until it expires or is suspended or cancelled by the Authority, in accordance with Regulation 26.080.

(b) A holder of an aerodrome licence which is suspended or cancelled shall within thirty days of the suspension or cancellation, surrender the licence to the Authority.

(c) Notwithstanding paragraph (b), where an aerodrome licence is suspended for a period of less than thirty days, a holder of the licence shall surrender the licence immediately.

(d) Upon request, the Authority shall evaluate the application and issue a licence valid for an indefinite period to a qualifying applicant where,

(1) annually, 60 days before the anniversary approval date of the aerodrome, the holder of a license shall submit;

(i) a regulatory compliance checklist,

(ii) an annual declaration on the state of the aerodrome on a form prescribed by the Authority,

(iii) proof of payment for the appropriate charges as prescribed by the Authority in the aeronautical Information Publication or Aeronautical Information Circular,

(2) the Authority has conducted inspections and audits and determined the aerodrome license holder complies with the requirements of this regulation.

(3) the aerodrome licence holder agrees to Authority annual surveillance plan

26.080 RENEWAL OF LICENCE

(a) An application for the renewal of a licence shall be made to the Authority in the prescribed form and shall be accompanied by—

(1) the aerodrome manual if significant changes have been made following the initial licensing;

(2) particulars of deviations, if any, from the appropriate design, operation or equipment standards; and

(3) the appropriate charges as prescribed by the Authority in the Aeronautical Information

Publication or Aeronautical Information Circular.

(b) An application for renewal shall be submitted sixty days before the expiry of the licence.

(c) The renewal of a licence shall be subject to compliance with these Regulations, standards prescribed by the Authority and any other conditions as may be specified or notified by the Authority as determined by safety inspections and audit procedures by the Authority, before the renewal of the licence.

26.085 AMENDMENT OF LICENCE

(a) An application for amendment of a licence shall be submitted in a form prescribed by the Authority.

(b) The Authority may request that the application be accompanied by any or all of the following—
  (1) an aerodrome manual;
  (2) a site plan for the aerodrome;
  (3) an environmental impact assessment report and its approval;
  (4) approval from any relevant authority;
  (5) proof of financial capability in the case of aerodromes in Category B;
  (6) particulars of any non-compliance or deviations from the appropriate aerodrome design, operation or equipment standards; and
  (7) the proof of payment of certification fees

(c) The Authority may, provided the requirements of Regulation 26.050, are met, where necessary, amend a licence—
  (1) for a change in the use or operation of the aerodrome;
  (2) for a change in the boundaries of the aerodrome;
  (3) if the holder of the licence requests an amendment; or
  (4) if the Authority deems it necessary.

26.090 SUSPENSION & CANCELLATION OF LICENCE

(a) The Authority may suspend an aerodrome licence where—
  (1) following a safety inspection or audit, it is evident that the holder of the licence has not complied with the requirements prescribed in these Regulations and failed to remedy the non- compliance within a period of thirty days after the inspection;
  (2) the holder of the licence prevents the Authority from carrying out a safety inspection or audit in accordance with these Regulations;
  (3) the holder of the licence is under receivership, liquidation or bankruptcy proceedings.

(b) The Authority may, on giving reasons to the holder of a licence, suspend the licence for a period not exceeding sixty days.

(c) A holder of a licence who is notified of a suspension in paragraph (b) may submit a response in writing within a period not exceeding fourteen days.

(d) Notwithstanding paragraph (c), the Authority may suspend any or all of the operations at an aerodrome pending receipt of a response from the holder.

(e) A holder of a licence who is aggrieved by the suspension of a licence may appeal as provided for in the law establishing regulations governing Civil Aviation currently in force.

(f) Where an appeal is made under paragraph (e), the holder of a licence shall state in writing the reasons why in his or her opinion, the suspension should be varied or set aside.

(g) Where a holder of a licence does not appeal against the suspension in accordance with paragraph (e), the Authority may cancel the licence, on giving reasons to the holder of a licence.

26.095 SURRENDER OF LICENCE

(a) Subject to paragraph (b), a holder of a licence may surrender the licence to the Authority at any time.

(b) A holder of a licence who wishes to surrender the licence shall give the Authority not less than thirty days' notice in writing, before the date on which the licence is to be surrendered.

(c) The Authority shall cancel the licence upon the expiry of the period of notice in paragraph (b).

(d) Where, after the expiry of the period in paragraph (b), an aerodrome is abandoned or is not maintained in accordance with the conditions of the licence, the holder of the licence shall remove, obliterate or modify the prescribed markings referred to in Regulation 26.255(a)(8).

26.100 [RESERVED]

26.105 LICENCES REGISTER

(a) The Authority shall maintain a register of all licences issued in accordance with these Regulations.

(b) The register shall contain—

(1) the full name of the holder of an aerodrome licence;
(2) the nationality of the holder of a licence;
(3) the postal, telephone, facsimile and e-mail addresses of a holder of a licence;
(4) the name and location of the aerodrome for which a licence is issued;
(5) the number of the licence;
(6) the date on which the licence was issued; and
(7) any other relevant information.

26.110 NOTIFICATION & FURNISHING OF INFORMATION

(a) An aerodrome operator shall—

(1) in the case of a licence for public use, cause to be notified the times during which the aerodrome is to be available for take- off and landing of aircraft for public transport or instruction in flying; and
(2) upon request, furnish to an authorised person, information concerning the terms of the licence.

SUBPART D: CERTIFICATION OF AERODROMES

26.115 APPLICATION OF THIS SUBPART

(a) This Subpart applies to aerodromes in Category A.

(b) A person shall not operate an aerodrome in Category A unless that person holds a certificate issued by the Authority in accordance with this Subpart.

26.120 APPLICATION FOR CERTIFICATE

(a) An application for a certificate shall be submitted in a form prescribed by the Authority and shall be accompanied by—
  (1) two copies of the aerodrome manual;
  (2) a site plan for the aerodrome;
  (3) an environmental impact assessment report and its approval;
  (4) approval from any relevant authority;
  (5) proof of financial capability;
  (6) particulars of any non-compliance or deviations from the appropriate aerodrome design, operation or equipment standards;
  (7) the proof of payment of certification fees; and
  (8) flight assessment report.

26.125 CONDITIONS FOR ISSUANCE OF CERTIFICATE

(a) Subject to Regulation 26.015(b), a certificate may be issued subject to any conditions that may be prescribed by the Authority in connection with safety requirements for aerodrome operations.

(b) The Authority shall endorse on a certificate the conditions for use of an aerodrome and any other details as may be deemed necessary by the Authority to ensure that the aerodrome is operated in accordance with safety requirements.

26.130 ISSUANCE OF CERTIFICATE

(a) The Authority shall issue a certificate in the prescribed form and manner where the Authority is satisfied that—
  (1) the applicant and the personnel of the applicant are adequate in number and have the necessary competency and experience to operate and maintain an aerodrome;
  (2) the aerodrome manual prepared for the aerodrome and submitted with the application form that contains all the relevant information;
  (3) the aerodrome facilities, services and equipment are established in accordance with approved standards and recommended practices;
  (4) the aerodrome operating procedures make satisfactory provision for the safety of aircraft;
  (5) an approved safety management system is in place;
  (6) the applicant has an approved Airport security programme in accordance with Part 29 of The Civil Aviation Regulations.

(b) The issuance of an Aerodrome certificate shall be subject to compliance with these Regulations and standards prescribed by the Authority and any other condition as may be specified or notified by the Authority in accordance with safety audit and inspection.

(c) The Authority may refuse to grant an Aerodrome certificate to an applicant who fails to comply with the provisions of these regulations, and where the Authority refuses, it shall notify the applicant in writing, of the reasons for the refusal, not later than fourteen days after making that decision.

(d) The Authority may give its consent to and issue an instrument of transfer of an aerodrome certificate to a transferee when—
  (1) the current holder of the aerodrome certificate notifies the Authority, in writing, at least 60 days before ceasing to operate the aerodrome, that the current holder will cease to

operate the aerodrome as of the date specified in the notice;

(2) the current holder of the aerodrome certificate notifies the Authority, in writing, of the name of the transferee;

(3) the transferee applies to the Authority, in writing, within 60 days before the current holder of the aerodrome certificate ceases to operate the aerodrome for the aerodrome certificate to be transferred to the transferee; and

(4) the requirements set out in paragraph (a) are met in respect of the transferee.

26.135 BREACH OF CONDITIONS OF CERTIFICATE & NON-CONFORMANCE WITH THE CERTIFICATION REQUIREMENTS

(a) The breach of any condition subject to which a certificate is issued including any approval, permission or exemption shall render the certificate invalid.

(b) The Authority shall impose operating restrictions or sanctions at a certified aerodrome in the event of non- conformance with the certification requirements or any unresolved safety concerns.

26.140 VALIDITY OF CERTIFICATE

(a) A certificate shall be valid for a period of two years, unless the certificate is suspended, cancelled or revoked in accordance with these Regulations

(b) Upon request by an applicant under sub-Regulation 26.130(a), the Authority shall evaluate an application and issue a certificate valid for an indefinite period to a qualifying applicant where,

(1) Annually, 60 days before the anniversary approval date of the aerodrome, the holder of a certificate shall submit;

(i) a regulatory compliance checklist,

(ii) an annual declaration on the state of the aerodrome on a form prescribed by the Authority,

(iii) proof of payment for the appropriate charges as prescribed by the Authority in the aeronautical Information Publication or Aeronautical Information Circular,

(2) The Authority has conducted inspections and audits and determined the aerodrome certificate holder complies with the requirements of this regulation.

(3) The aerodrome certificate holder agrees to Authority annual surveillance plan.

26.145 RENEWAL OF CERTIFICATE

(a) An application for the renewal of a certificate shall be made to the Authority in the prescribed form and shall be accompanied by—

(1) the aerodrome manual if significant changes have been made following the initial certification;

(2) particulars of deviations, if any, from the appropriate design, operation or equipment standards; and

(3) the appropriate charges as prescribed by the Authority in the Aeronautical Information Circular

(b) An application for renewal shall be submitted ninety (90) days before the expiry of the certificate

(c) The renewal of a certificate shall be subject to compliance with these Regulations, standards prescribed by the Authority and any other conditions as may be specified or notified by the Authority as determined by safety inspections and audit procedures by the Authority, before

the renewal of the certificate.

26.150 AMENDMENT OF CERTIFICATE

(a) An application for amendment of a certificate shall be submitted in a form prescribed by the Authority.

(b) The Authority may, provided the requirements of Regulation 26.120 and 26.015(b) are met, where necessary, amend an aerodrome certificate—

(1) for a change in the use or operation of the aerodrome;
(2) for a change in the boundaries of the aerodrome;
(3) if the holder of the aerodrome certificate requests an amendment; or
(4) if the Authority deems it necessary for the purpose of safety of the aerodrome.

26.155 SUSPENSION & CANCELLATION OF CERTIFICATE

(a) The Authority may suspend a certificate where—

(1) following a safety inspection or audit, it is evident that the holder of the certificate has not complied with the requirements prescribed in these Regulations and failed to remedy the non-compliance within a period of thirty days after the inspection;
(2) the holder of the certificate prevents the Authority from carrying out a safety inspection or audit in accordance with these Regulations;
(3) the holder of the certificate is under receivership, liquidation or bankruptcy proceedings, and the Authority has not been notified and approved another entity that has assumed the rights and obligations of the aerodrome certificate holder;
(4) it is deemed necessary by the Authority when the operator fails to comply with safety requirements as provided in this Part or the standards prescribed by the Authority in line with international standards and practices.

(b) Upon occurrence of any of the event in sub regulation (a), the Authority may, on giving reasons to the holder of a certificate, suspend the certificate for a period not exceeding sixty days.

(c) A holder of a certificate who is notified of a suspension in paragraph (b) may submit a response in writing within a period not exceeding fourteen days.

(d) Notwithstanding paragraph (c), the Authority may suspend any or all of the operations at an aerodrome pending receipt of a response from the holder.

(e) A holder of a certificate who is aggrieved by the suspension of a certificate may appeal as provided for in the law establishing regulations governing civil aviation currently in force.

(f) Where a holder of a certificate does not appeal against the suspension in accordance with paragraph (e), the Authority may cancel the certificate, on giving reasons to the holder of a certificate.

26.160 SURRENDER OF CERTIFICATE

(a) Subject to paragraph (b), a holder of a certificate may surrender the certificate to the Authority at any time.

(b) A holder of a certificate who wishes to surrender the certificate shall give the Authority not less than sixty days' notice in writing, before the date on which the certificate is to be surrendered.

(c) The Authority shall cancel the certificate upon the expiry of the period of notice in paragraph (b).

(d) Where, after the expiry of the period in paragraph (b), an aerodrome is abandoned or is not maintained in accordance with the conditions of the certificate, the holder of the certificate shall remove, obliterate or modify the prescribed markings referred to in Regulation 26.255(a)(8).

26.165 [RESERVED]

26.170 CERTIFICATES REGISTER

(a) The Authority shall maintain a register of all certificates issued in accordance with these Regulations.

(b) The register shall contain—

(1) the full name of the holder of an aerodrome certificates;
(2) the nationality of the holder of a certificate;
(3) the postal, telephone, facsimile and e-mail addresses of a holder of a certificate;
(4) the name and location of the aerodrome for which a certificate is issued;
(5) the number of the certificate;
(6) the date on which the certificate was issued; and
(7) any other relevant information.

26.175 TRANSFER OF AN AERODROME CERTIFICATE

(a) The Authority shall transfer an aerodrome certificate to a transferee when—

(1) the current holder of the aerodrome certificate notifies the Authority, in writing, at least 60 days before ceasing to operate the aerodrome, that the current holder will cease to operate the aerodrome as of the date specified in the notice;
(2) the current holder of the aerodrome certificate notifies the Authority, in writing, of the name of the transferee;
(3) the transferee applies to the Authority, in writing, within 30 days before the current holder of the aerodrome certificate ceases to operate the aerodrome for the aerodrome certificate to be transferred to the transferee; and
(4) the requirements set out in Regulation 26.130(a)(1)(2) and (6) are met and the transferee is in compliance with the provisions of Regulation 26.130(a)(3)(4) and (5).

(b) An application referred to in paragraph (a) (3) shall include a copy of the notice referred to in paragraph (1)(a)

(c) If the Authority does not consent to the transfer of an aerodrome certificate, it shall notify the transferee, in writing, of its reasons no later than 14 days after making that decision.

26.180 INTERIM AERODROME CERTIFICATE

(a) The Authority may issue an interim aerodrome certificate to the applicant referred to in Regulation 26.035 or the proposed transferee of an aerodrome certificate referred to in Regulation 26.060 authorizing the applicant or transferee to operate an aerodrome if the Authority is satisfied that.

(1) an aerodrome certificate in respect of the aerodrome will be issued to the applicant or transferred to the transferee as soon as the application procedure for the grant or

transfer of an aerodrome certificate has been completed; and

(2) the grant of the interim certificate is in the public interest and is not detrimental to aviation safety.

(b) An interim aerodrome certificate issued pursuant to paragraph (a) shall expire on—

(1) the date on which the aerodrome certificate is issued or transferred; or

(2) the expiry date specified in the interim aerodrome certificate whichever is earlier.

(c) An interim aerodrome certificate shall not be issued for a period of longer than 60 days.

(d) These regulations shall apply to an interim aerodrome certificate in the same manner as they apply to an aerodrome certificate.

SUBPART E: OBLIGATIONS OF AERODROME OPERATOR

26.185 APPLICATION OF THIS SUBPART

(a) This Subpart applies to all categories of aerodromes except where otherwise specified by the Authority.

26.190 COMPLIANCE WITH CONDITIONS & PRESCRIBED STANDARDS

(a) An aerodrome operator shall comply with conditions, if any, endorsed on a licence or certificate.

(b) An aerodrome operator shall comply with the standards prescribed by the Authority acting in accordance with its obligations under Regulation 26.015(b).

26.195 COMPETENCE OF OPERATIONAL & MAINTENANCE PERSONNEL

(a) An operator shall ensure that there is an adequate number of qualified, competent and skilled personnel to perform its activities for aerodrome operation and maintenance as prescribed by the Authority in the R-CATS

(b) Where the Authority or any other relevant authority requires competence certification for the personnel of an aerodrome, the operator shall employ only those persons with the required certification.

(c) The aerodrome operator shall implement a programme to upgrade the competency of the personnel referred to in paragraph (a).

26.200 AERODROME OPERATIONS & MAINTENANCE

(a) Subject to any directives the Authority may issue, an operator shall operate and maintain an aerodrome in accordance with the procedures set out in the aerodrome manual.

(b) The Authority may give written directives to an operator to alter the procedures set out in an aerodrome manual.

(c) An operator shall ensure proper and efficient maintenance of the aerodrome facilities.

(d) The aerodrome certificate holder shall coordinate with the ATS provider so that appropriate air traffic services can be provided to ensure the safety of aircraft in the airspace associated with the aerodrome and the safety of aircraft at the aerodrome. The coordination shall cover other areas related to safety such as aeronautical information service, air traffic services, designated meteorological authorities, and security.

26.205 AERODROME OPERATOR'S SAFETY MANAGEMENT SYSTEM

(a) The aerodrome operator shall establish a safety management system for the aerodrome describing the structure of the organization and the duties, powers and responsibilities of the officials in the organizational structure, with a view to ensuring that operations are carried out in a demonstrably controlled way and are improved where necessary.

(b) The aerodrome operator shall oblige all users of the aerodrome, including fixed-base operators, ground- handling agencies and other organizations that perform activities independently at the aerodrome in relation to flight or aircraft handling, to comply with the requirements laid down by the aerodrome operator with regard to safety at the aerodrome. The aerodrome operator shall monitor such compliance.

(c) The structure of the Aerodrome's safety management system shall comply with the requirements specified in Appendix 1 to 26.205 and the standards specified in the Civil Aviation Technical Standards (Aerodromes)

(d) The aerodrome operator shall require all users of the aerodrome, including fixed-base operators, ground- handling agencies and other organizations referred to in paragraph (b), to cooperate in the programme to promote safety at, and the safe use of, the aerodrome by immediately informing it of any accidents, incidents, defects and faults which have a bearing on safety.

(e) This regulation shall not apply to aerodromes in categories B, C and D aerodromes except where otherwise specified or requested by the Authority.

26.210 STORAGE OF INFLAMMABLE & OTHER DANGEROUS GOODS

(a) A person shall not store fuel, pyrotechnic materials and other highly inflammable or dangerous goods at an aerodrome except with the permission of the Authority and in accordance with standards prescribed by the Authority.

26.215 SAFETY MEASURES AGAINST FIRE

(a) A person shall not—

(1) smoke within any place, or bring an open flame into any place, where that act is prohibited by a displayed notice;

(2) where there is no notice prohibiting smoking in a place, smoke within that place, or bring an open flame into that place, within a distance of an aircraft or, of any vehicle used for the supply of fuel to an aircraft, or a store, dump, liquid fuel or explosives, as may be prescribed;

(3) willfully give a false fire alarm;

(4) tamper or interfere with any fire hose reel, hydrant or any other item of equipment provided for fire- fighting purposes;

(5) keep, store, discard or discharge any flammable liquid, gas, signal flares or other like material in an aircraft, except in the receptacle appropriate for the purpose or in a place on the aerodrome specifically approved by the aerodrome operator for the purpose; or

(6) store, stack or use any material or equipment in a manner which constitutes or is likely to constitute a fire hazard.

(b) An operator shall display in conspicuous places appropriate signage in respect of the acts prohibited under paragraph (a).

26.220 ACCESS TO THE AERODROME

(a) A person shall not access a restricted area of an aerodrome unless authorised by the operator and subject to such conditions as the operator may impose.

(b) A person authorised to access a restricted area under paragraph (a) shall not—

(1) move an aircraft or a vehicle in the restricted area except with the permission and directions issued by the air traffic services personnel;

(2) move an aircraft or vehicle in the restricted area in a manner that endangers the safety of persons and property;

(3) use a portion of the aerodrome for landing or taking off, other than the area designated for that purpose.

(c) Pursuant to the provisions of Part 1, Regulation 1.315, personnel so authorized by the Authority may inspect and carry out tests on the aerodrome facilities, services and equipment, inspect the aerodrome operator's documents and records and verify the aerodrome operator's safety management system before the aerodrome certificate is granted or renewed and, subsequently, at any other time, for the purpose of ensuring safety at the aerodrome.

(d) An aerodrome operator shall, at the request of the person referred to in paragraph (c), allow access to any part of the aerodrome or any aerodrome facility, including equipment, records, documents and operator personnel, for the purpose referred to in paragraph (c).

(e) The aerodrome operator shall cooperate in conducting the activities referred to in paragraph (a).

26.225 ENTRY INTO OR EXIT FROM RESTRICTED AREAS OF AERODROME

(a) A person, aircraft or vehicle shall not enter or leave a restricted area of an aerodrome except through points established by the operator for the purpose.

(b) Except in an emergency or at an appropriate point of entry or exit established by an operator for that purpose, a person—

(1) other than a person carried in an aircraft or in a vehicle, shall not enter or leave a restricted areas of an aerodrome; or

(2) shall not move an aircraft on the surface of an aerodrome or vehicle into or from the restricted area.

26.230 TEST-RUNNING OF AIRCRAFT ENGINE

(a) A person shall not test-run an aircraft engine at an aerodrome except at the approved aircraft maintenance facility of the aerodrome or a place designated for that purpose, by the operator.

26.235 CERTAIN ACTS PROHIBITED ON AERODROME

(a) A person shall not, on an aerodrome—

(1) obstruct or interfere with the proper use of the aerodrome;

(2) obstruct any person executing his or her duties at the aerodrome;

(3) remove or deface any notice, writing, document or marking erected or displayed by the aerodrome operator;

(4) throw, leave or drop anything capable of causing injury to any person or damage to any property;

(5) dump any waste matter except at a place approved for the purpose by the aerodrome operator;

(6) dump or spill any substance capable of causing water pollution, whether solid, liquid, vapour or gas or a combination of these, except at a place approved for that purpose by the aerodrome operator.

(b) Except with the permission of the operator, a person shall not—

(1) interfere or tamper with any part of the aerodrome or any equipment associated with the operation of the aerodrome;

(2) climb any wall, fence, barrier, ceiling, gate or post on an aerodrome;

(3) handle any baggage or carry baggage for a passenger at an aerodrome;

(4) bring a vehicle into or drive into an aerodrome; or

(5) obstruct an entrance to or a passage at an aerodrome in a manner that inconvenience other users of the entrance or passage.

26.240 REMOVAL OF OBSTRUCTIONS FROM THE AERODROME SURFACE

(a) An operator shall remove from the aerodrome surface any vehicle or other obstruction that is likely to be hazardous to aircraft operations.

26.245 MAINTENANCE OF ENVIRONMENT MANAGEMENT PROGRAMME

(a) An operator shall establish and maintain an aerodrome environment management programme for the area within the authority of the operator and for the area where any wildlife presents or is likely to present a hazard to aircraft operations.

(b) An operator shall ensure that the environment management programme established under paragraph (a) minimises the effects of any hazards or potential hazards taking into account the provisions of the laws on environmental management.

26.250 PROTECTION OF NAVIGATION AIDS

(a) An operator shall in consultation with the Authority—

(1) prevent construction of any facilities on the aerodrome, which may adversely affect the operation of any electronic or visual navigation or air traffic service facility on the aerodrome;

(2) as far as it is within the authority of the operator, prevent any interruption of visual or electronic signal of navigation aids.

26.255 RESPONSIBILITIES OF OPERATOR

(a) An operator shall—

(1) maintain the aerodrome in a serviceable condition;

(2) keep the aerodrome free of unauthorized persons, vehicles and animals which are not under proper control or any other obstructions;

(3) mark all obstructions in accordance with the prescribed guidelines;

(4) inform the Authority of any alterations to obstruction or works on the aerodrome;

(5) install approved wind direction indicators to show the surface direction of the wind and ensure that they function satisfactorily;

(6) maintain the prescribed markings in a conspicuous condition and ensure that they are readily visible to aircraft in the air or manoeuvring on the ground;

(7) avail facilities and ensure that they are in serviceable condition and that all apparatus installed function efficiently;
(8) appropriately mark the unserviceable areas on the landing terrain;
(9) inform the Authority where the aerodrome becomes unserviceable through any cause or where any portion of the surface of the landing area deteriorates to such an extent that the safe operation of aircraft may be endangered;
(10) submit to the Authority reports on the condition of the aerodrome as may be required by the Authority;
(11) ensure that organisations performing activities at the aerodrome comply with safety requirements specified by the operator; and
(12) report all incidents and accidents at the aerodrome to the Authority.
(13) Ensure that no system or facility, including visual aids and navigation aids, is installed at the Aerodrome without the approval of the Authority; these shall be installed in accordance with the requirements prescribed by the Authority in the applicable R-CATS.
(14) An aerodrome operator shall ensure that the Authority is involved during the factory and site acceptance tests prior to installation and commissioning of a new aerodrome systems and facilities.

26.260 INSPECTION OF AERODROMES & UNHINDERED ACCESS BY INSPECTORS OF THE AUTHORITY

(a) Before an aerodrome licence or certificate is issued or renewed and, subsequently, at any other time, for the purpose of ensuring that safety at the aerodrome is maintained, the Authority shall inspect and carry out tests on the aerodrome facilities, services and equipment, inspect the documents and records of the aerodrome and verify the safety management system of the aerodrome.

(b) For the purpose of facilitating the functions of the Authority specified in paragraph (a), an inspector of the Authority shall have unhindered access to any part of the aerodrome or any aerodrome facility, including equipment, records, documents and personnel.

26.265 NOTIFYING & REPORTING

(a) An aerodrome operator shall adhere to the requirement to notify and report to the RCAA, air traffic control and pilots within the specified time limits required by these regulations—
(1) any inaccuracies in the Aeronautical Information Publication;
(2) any changes to the aerodrome facilities, equipment and level of service planned in advance;
(3) issues that may require immediate notification including obstacles, obstructions and hazards, levels of service, movement areas, and any other condition that affects aviation safety at the aerodrome and against which precautions are warranted.

(b) Where it is not feasible for an operator to arrange for the air traffic control and the flight operations unit to receive notice of the circumstances referred to in paragraph (e), the operator shall give immediate notice, directly to the pilots who may be affected by that circumstance.

(c) An aerodrome operator shall review all Aeronautical Information Publications (AIPs), AIP Supplements, AIP Amendments, Notices to Airmen (NOTAMs), Pre-flight Information Bulletins and Aeronautical Information Circulars issued by AIS on receipt thereof and immediately after such reviews shall notify AIS of any inaccurate information contained therein that pertains to the aerodrome.

(d) An aerodrome operator shall notify AIS and the CAA, in writing, at least 60 days before effecting any change to the aerodrome facility or equipment or the level of service at the aerodrome that has been planned in advance and which is likely to affect the accuracy of the information contained in any AIS publication referred to in paragraph (c).

(e) Subject to the requirements of paragraph (f), an aerodrome operator shall give AIS and shall arrange for air traffic control and the flight operations unit to receive immediate notice detailing any of the following circumstances of which the operator has knowledge—

(1) obstacles, obstructions and hazards:

(i) any projections by an object through an obstacle limitation surface relating to the aerodrome; and

(ii) the existence of any obstruction or hazardous condition affecting aviation safety at or near the aerodrome;

(2) level of service: reduction in the level of service at the aerodrome as set out in any of the AIS publications referred to in paragraph (c);

(3) movement area: closure of any part of the movement area of the aerodrome; and

(4) any other condition that could affect aviation safety at the aerodrome and against which precautions are warranted.

26.270 AERODROME MOVEMENT AREA INSPECTIONS

(a) An aerodrome operator shall carry out inspections of the movement area each day at least once for aerodromes in category C and D and at least twice for aerodromes in category A & B.

26.275 SPECIAL INSPECTIONS

(a) An operator shall inspect an aerodrome—

(1) as soon as practicable after any accident or incident;

(2) during any period of construction or repair of the aerodrome facilities or equipment that is critical to the safety of aircraft operation; and

(3) at any other time when there are conditions at the aerodrome that may affect aviation safety.

(b) An operator shall notify and report to the Authority, within the specified time limits, information on any special inspection carried out under paragraph (a).

26.280 WARNING NOTICES

(a) Where a low flying aircraft, at or near an aerodrome, or where a taxiing aircraft, is likely to be hazardous to people or vehicles, an operator shall—

(1) post hazard warning notices to that effect, on any public way that is adjacent to the maneuvering area;

(2) if such a public way is not controlled by the aerodrome operator, inform the authority responsible for posting the notices on the public way that there is a hazard.

26.281 REMOVAL OF OBSTRUCTIONS FROM THE AERODROME SURFACE

(a) An aerodrome operator shall remove from the aerodrome surface any vehicle or other obstruction that is likely to be hazardous.

SUBPART F: AERODROME MANUAL

26.285 APPLICATION OF THIS SUBPART

(a) This Part applies to all categories of aerodromes except where otherwise specified by the Authority.

26.290 REQUIREMENTS FOR AERODROME MANUAL

(a) Upon making an application for a licence or a certificate the applicant shall submit to the Authority an aerodrome manual for approval.

(b) An aerodrome manual shall—
  (1) be typewritten or printed;
  (2) be signed by the operator
  (3) be in a format that is easy to revise;
  (4) have a system for recording the current pages and any amendments, including a page for logging revisions; and
  (5) be organized in a manner that facilitates the preparation, review and approval processes.

(c) An operator shall keep at least one approved copy of the aerodrome manual at the aerodrome and one copy at the principal place of business of the operator, where it is different from the aerodrome.

(d) Where an operator of an aerodrome is unable to keep a copy of the aerodrome manual at the aerodrome, the operator shall keep the aerodrome manual at a place authorised by the Authority.

26.295 INFORMATION TO BE INCLUDED IN AERODROME MANUAL

(a) An aerodrome manual shall contain all information and instructions necessary to enable the personnel of an aerodrome perform their duties.

(b) Notwithstanding paragraph (a), and to the extent that the particulars are applicable, a manual for an aerodrome in category A shall include the particulars provided in the Appendix 1 to 26.295, for an aerodrome in category B and C the particulars provided in the Appendix 2 to 26.295 and for an aerodrome in category D, the particulars provided in the Appendix 3 to 26.295.

(c) Where a person is given an exemption in accordance with Subpart E of Part 1, the aerodrome manual shall show the exemption notice number given for the exemption by the Authority, the date the exemption came into effect and any conditions or procedures subject to which the exemption was granted.

26.300 AMENDMENT OF AERODROME MANUAL

(a) For the purpose of maintaining the accuracy of the information in an aerodrome manual—
  (1) an operator shall, whenever necessary, amend the aerodrome manual; or
  (2) the Authority may issue a written directive requiring the operator to alter or amend the aerodrome manual.

(b) Notwithstanding paragraph (c), an operator shall submit the proposed amendment to the Authority for approval, before the aerodrome manual is amended.

(c) The Authority shall approve the amendment made to an aerodrome manual where the amendment meets the requirements of these Regulations.

26.305 LOCATION OF THE AERODROME MANUAL

(a) The aerodrome operator shall provide the Authority with a complete and current copy of the aerodrome manual

(b) The aerodrome operator shall keep at least one complete and current copy of the aerodrome manual at the aerodrome and one copy at the operator's principal place of business if other than the aerodrome.

(c) The aerodrome operator shall make the copy referred to in paragraph (b) available for inspection by Authority.

(d) Furnish the applicable portions of the approved aerodrome manual to aerodrome personnel responsible for its implementation.

SUBPART G: WILDLIFE HAZARD MANAGEMENT

26.310 APPLICABILITY

(a) This Subpart applies to all categories of aerodromes.

26.315 ANIMALS NOT ALLOWED IN RESTRICTED AREAS OF AERODROME

(a) A person shall not bring, permit or graze an animal in the restricted area of an aerodrome or cause any animal to graze or feed in the restricted area of an aerodrome.

(b) In this regulation, "animal" means all animals and birds.

26.320 WILDLIFE HAZARD MANAGEMENT

(a) An operator shall, in consultation with the authority responsible for wildlife, take necessary action to control wildlife hazards at the aerodrome.

(b) An operator shall ensure that procedures to deal with the danger posed to aircraft operations by the presence of wildlife in the aerodrome flight pattern or movement area are in place.

(c) The wildlife management plan of an aerodrome shall be approved by the Authority and shall form part of the aerodrome manual.

26.325 WILDLIFE HAZARD REDUCTION AT AERODROME

(a) An operator shall, in consultation with the authority responsible for wildlife, take all reasonable steps to minimize the risks associated with wildlife strike hazards.

(b) An operator shall take practical measures to control the wildlife habitat at or around the aerodrome and to disperse birds, which are a potential hazard to aircraft operations.

(c) A wildlife strike hazard on, or in the vicinity of, an aerodrome shall be assessed through—

(1) the establishment of a national procedure for recording and reporting wildlife strikes to aircraft;

(2) the collection of information from aircraft operators, airport personnel, and other sources on the presence of wildlife on or around the aerodrome constituting a potential

hazard to aircraft operations; and

(3) an ongoing evaluation of the wildlife hazard by competent personnel.

(d) The operator shall collect and forward wildlife strike reports to the Authority for submission to ICAO for inclusion in the ICAO Bird Strike Information System (IBIS) database.

(e) An operator shall take action to decrease the risk to aircraft operations by adopting measures to minimize the likelihood of collisions between wildlife and aircraft.

(f) An operator shall consult with the relevant authorities to take action to eliminate or to prevent the establishment of garbage disposal dumps, landfills, or any other source which may attract wildlife to the aerodrome, or its vicinity, unless an appropriate wildlife assessment indicates that they are unlikely to create conditions conducive to a wildlife hazard problem.

(g) Subject to paragraph (f), garbage disposal dumps and landfills shall be located no closer than 13 km from an aerodrome facility and where located in the vicinity of an approach and take-off path of an aerodrome, shall be subject to an aeronautical study.

(h) Where the elimination of existing sites is not possible, the operator and the relevant authorities shall ensure that any risk to aircraft posed by these sites is assessed and reduced to as low as reasonably practicable

(i) An operator shall give due consideration to aviation safety concerns related to land developments in the vicinity of the aerodrome that may attract wildlife.

(j) An operator shall establish a wildlife hazard control unit to control and manage the wild life hazard.

(k) The operator shall cause records of all aspects of wildlife hazard control to be kept and shall report all wildlife strikes to the Authority

(l) An operator shall monitor the local environment including any activities that may attract wildlife and in designing the wildlife hazard management programme, shall consider that environment and the activities that may attract wildlife.

26.330 NATIONAL COMMITTEE ON WILDLIFE HAZARD MANAGEMENT

(a) There shall be a National Committee on Wildlife Hazard Management for the purpose of—

(1) Analysing wildlife hazard problems at aerodromes;

(2) Carrying out research and development on wildlife hazard management;

(3) Acting as an interface between the aerodrome operators and air operators;

(4) Advising aerodrome operators wildlife hazard management; and

(5) Reviewing the effectiveness of the wildlife hazard management programmes at aerodromes.

(b) The Committee shall be established by the Authority and shall consist of persons from—

(1) the ministries responsible for civil aviation, local government, and defence;

(2) aerodrome operators;

(3) aircraft operators;

(4) air navigation service providers; and

(5) agencies responsible for wildlife services

(6) Agency responsible for Environment

(7) District in which the aerodrome is located

(c) The Committee shall be chaired by the Chief Executive of the Authority.

(d) Notwithstanding paragraph (b), the establishment and functions of the Committee shall be in accordance with requirements prescribed by the Authority.

SUBPART H: OBSTACLE RESTRICTIONS & REMOVAL

26.335 APPLICATION OF THIS SUBPART

(a) This Subpart applies to all categories of aerodromes.

26.340 ERECTION OF OBSTACLES

(a) A person shall not cause or permit the erection or growth of an obstacle at or in the vicinity of an aerodrome, where the obstacle may prevent an aircraft operation from being conducted safely or the aerodrome from being usable.

(b) A person shall not cause or permit any object, to penetrate the obstacle limitation surface, without the written permission of the Authority, where the object may cause an increase in an obstacle clearance altitude or in the height for an instrument approach procedure or of any associated visual circling procedure.

(c) The object referred to in paragraph (b) includes a new object or an extension of an existing object above the obstacle limitation surface.

(d) The obstacle clearance altitude and height applicable to obstacle limitation surface, and the obstacle limitation requirements shall comply with the specifications prescribed by the Authority.

26.345 ESTABLISHMENT OF OBSTACLE LIMITATION SURFACES

(a) Notwithstanding Regulation 26.035, an operator shall ensure that obstacle limitation surfaces are established for the aerodrome in accordance with the standards prescribed by the Authority.

(b) An operator shall monitor the established obstacle limitation surfaces around the aerodrome for infringement by objects, buildings or other structures.

26.350 AUTHORISATION TO CONSTRUCT WITHIN THE VICINITY OF AN AERODROME

(a) A person shall not construct a building or a structure within the vicinity of an aerodrome unless authorised by the Authority.

(b) Where the Authority is consulted regarding a proposed construction in paragraph (a), the Authority shall request for aeronautical study of the effect of the construction on operation of aircraft, to be carried out.

(c) Notwithstanding the provision of paragraph (a), no human activities shall be allowed to be carried out within airport boundary buffer zone as defined in Part 29 of the Rwanda Civil Aviation (security) Regulations.

(d) No human activities shall be carried out within the aerodrome obstacle limitation zone unless authorized by the authority as prescribed in R-CATS.

(e) For the purpose of this regulation; “human activities” include construction activities, agricultural activities, settlement, transport activities.

26.355 REMOVAL OF OBSTACLE

(a) A person shall remove any obstacle in the vicinity of an aerodrome, except where, after an aeronautical study, the Authority determines that the obstacle does not adversely affect the safety or significantly affect the regularity of operations of aircraft.

(b) The Authority may direct the removal of any obstacle which, in the opinion of the Authority, constitutes a hazard to aircraft operations.

(c) Where an owner fails to remove an obstacle within the time directed by the Authority, the Authority shall remove the obstacle at the cost of the owner of that obstacle.

26.360 MARKING & LIGHTING OF OBSTACLE

(a) An operator shall ensure that an obstacle is marked and where a runway is used at night and is associated with the obstacle, that obstacle shall be lighted.

(b) The markings and lights referred to in paragraph (a) shall be in accordance with the standards and guidelines prescribed by the Authority.

(c) An operator shall, where practicable, ensure that all fixed obstacles to be marked in accordance with paragraph (a) are coloured as prescribed by the Authority.

(d) Where the conditions required in paragraph (c) are not practicable, markers or flags shall be displayed on or above the fixed obstacles, except the obstacles that are sufficiently conspicuous by their shape, size or colour, which may not be marked.

(e) An operator shall ensure that a mobile obstacle is coloured as prescribed by the Authority or has displayed on it or above it, a flag.

(f) An obstacle lighted in accordance with paragraph (a) shall be indicated as low-intensity, medium-intensity or high- intensity light obstacle or a combination of these lights and shall be displayed in accordance with guidelines prescribed by the Authority.

SUBPART I: AERONAUTICAL GROUND LIGHTING

26.365 APPLICATION OF THIS SUBPART.

(a) This Subpart applies to aerodromes in categories A except where otherwise specified or requested by the Authority.

26.370 ESTABLISHMENT & MAINTENANCE OF AERONAUTICAL GROUND LIGHTS

(a) An operator shall establish and maintain aeronautical ground lights and any other lights as may be appropriate for the safe operation of aircraft and for runways, taxiways, aprons, thresholds and stop ways.

(b) Where an aerodrome is used at night or during conditions of poor visibility, an operator shall ensure that aeronautical ground lights and any other lights are installed on the aerodrome.

(c) Without prejudice to the generality of paragraph (a), the location, characteristics, intensity control and settings of aeronautical ground lights shall be in accordance with specifications prescribed by the Authority.

(d) A non-aeronautical ground light, which, by reason of its intensity, configuration or colour, may prevent or cause confusion in the clear interpretation of aeronautical ground lights, shall be extinguished, screened or modified to eliminate such a possibility.

(e) Except with the permission of the Authority, a person shall not establish, maintain or alter the character of—
   (1) an aeronautical beacon within Rwanda except an aeronautical beacon which is or may be visible from the waters;
   (2) any aeronautical ground light, other than an aeronautical beacon, at an aerodrome, or any aeronautical ground light which forms part of the lighting system for use by aircraft taking off from or landing at the aerodrome.

(f) A person shall not—
   (1) intentionally or negligently damage an aeronautical ground light; or
   (2) interfere with an aeronautical ground light without the permission of the operator.

(g) The Authority shall not grant permission under this regulation except with the consent of the lighthouse authority of the area where the aerodrome is situated.

26.375 SECONDARY POWER SUPPLY

(a) An operator shall not operate or maintain an aerodrome provided with runway lighting, without a secondary power supply.

26.380 AERONAUTICAL BEACONS

(a) An operator shall provide, where necessary, at each aerodrome intended for use at night, an aerodrome beacon, where—
   (1) aircraft navigate predominantly by visual means;
   (2) reduced visibility is frequent; or
   (3) it is difficult to locate the aerodrome from the air due to a surrounding light or terrain.

(b) An identification beacon shall be provided at an aerodrome, which is intended for use at night and which is not easily identifiable from the air by other means.

(c) The location and characteristics of an aerodrome and identification beacon described in paragraphs (a) and

(d) shall be in accordance with specifications prescribed by the Authority.

SUBPART J: AERODROME VISUAL AIDS

26.385 APPLICATION OF THIS SUBPART

(a) This Subpart applies to all categories of aerodromes.

26.390 WIND DIRECTION INDICATORS

(a) An operator shall provide and maintain at least one wind direction indicator for an aerodrome.

(b) The wind direction indicator required under paragraph (a) shall be located so as to be visible to an aircraft in-flight or on the movement area and in such a way as to be free from the effects of air disturbances caused by nearby objects.

(c) The characteristics of the wind direction indicator, the methods and procedures for installation and maintenance shall be in accordance with the R-CATS.

26.395 SIGNALING LAMP

(a) An operator shall ensure that a signaling lamp is provided at a controlled aerodrome in the aerodrome control tower.

(b) The characteristics and operating procedure of a signaling lamp shall be in accordance with RCATS.

26.400 SIGNAL PANEL & SIGNALING AREA

(a) The Authority may where it deems necessary, require a signaling panel and a signaling area to be provided at an aerodrome for safe operation of aircraft.

(b) Where provided, the location and the characteristics of the signal area shall be in accordance with RCATS.

26.405 MARKINGS

(a) An operator shall provide markings for paved runway centerline, paved runway edge, paved runway threshold, paved runway touchdown zone, paved runway holding position, aiming point, paved runway side stripe, paved runway turn pad, and intermediate holding positions at an aerodrome, in accordance with specifications prescribed by the Authority.

(b) Runway marking shall be white in colour.

(c) Taxiway markings, runway turn pad markings and aircraft stand markings shall be yellow in colour.

(d) Apron safety-lines shall be of a conspicuous colour, which shall contrast with that used for aircraft stand markings.

(e) The application, location and the characteristics of markers for unpaved runway edge markers, stopway edge markers, taxiway edge markers, taxiway centerline markers and boundary markers shall be in accordance with RCATS.

26.410 VOR AERODROME CHECKPOINT MARKING

(a) An operator shall ensure that where a VOR aerodrome checkpoint is established at an aerodrome, it is indicated by a VOR aerodrome checkpoint sign.

(b) The VOR aerodrome checkpoint location and characteristics shall be in accordance with RCATS.

26.415 AIRCRAFT STAND MARKINGS

(a) An operator shall provide aircraft stand markings for designated parking positions on a paved apron in accordance with RCATS.

26.420 APRON SAFETY LINES

(a) An operator shall provide apron safety lines on a paved apron as required by the parking configuration and ground facilities and in accordance with RCATS.

26.425 ROAD-HOLDING POSITIONS

(a) An operator shall provide road-holding position markings at all road entrances to a runway.

(b) The road-holding position markings provided under paragraph (a) shall be located across the road at all the holding positions.

(c) The road-holding position marking shall be in accordance with R-CATS.

26.430 MANDATORY INSTRUCTION MARKINGS & SIGNS

(a) An operator shall provide a mandatory instruction marking and a sign to identify a location beyond which a taxiing aircraft or vehicle shall not proceed, unless authorized by the aerodrome control tower.

(b) Where it is impracticable to install a mandatory instruction marking and a sign in accordance with paragraph (a), a mandatory instruction marking or sign shall be provided on the surface of the pavement.

(c) The location and characteristics of the mandatory instruction marking or sign shall be in accordance with specifications prescribed by the Authority.

(d) An operator shall provide signs to convey mandatory instructions and information on a specific location or destination on a movement area, or to provide surface movement guidance and control.

(e) The location and characteristics of the signs referred to in paragraph (d) shall be in accordance with the requirements prescribed by the Authority in the applicable R- CATS.

26.435 INFORMATION MARKING

(a) An operator shall install information marking, in accordance with R-CATS, where an information sign is required but is physically impossible to install.

26.440 VISUAL AIDS FOR DENOTING OBSTACLES

(a) An operator shall ensure that the visual aids for denoting obstacles are frangible and that those located near a runway or taxiway are sufficiently low to preserve clearance for propellers and for engine pods of jet aircraft and shall in accordance with R-CATS.

26.445 OBSTACLES TO BE MARKED OR LIGHTED

(a) An operator shall ensure that all fixed obstacles that extend above take- off climb surfaces are marked and that where the runway is used at night, the obstacles are lighted in accordance with RCATS.

26.450 VISUAL AIDS FOR DENOTING RESTRICTED AREAS

(a) An operator shall ensure that restricted areas are marked in a manner that is visible to aircraft operating on the ground and in the air.

(b) Without prejudice to the generality of paragraph (a), markings denoting restricted areas such as closed runways and taxiways, non-load-bearing surfaces, pre-threshold areas and unserviceable areas shall be done in accordance with RCATS.

26.455 LANDING DIRECTION INDICATOR

(a) Where provided, a landing direction indicator shall be located in a conspicuous place on the aerodrome.

(b) The landing direction indicator should be in the form of "T".

(c) The shape and minimum dimensions of a landing "T" shall be as shown in RCATS.

(d) The colour of the landing "T" shall be either white or orange, the choice being dependent on the colour that contrasts best with the background against which the indicator will be viewed.

(e) Where required for use at night the landing "T" shall either be illuminated or outlined by white lights.

26.460 LIGHTS

(a) An operator shall ensure that a non-aeronautical ground light near an aerodrome which might endanger the safety of aircraft are extinguished, screened or otherwise modified so as to eliminate the source of danger.

(b) An operator shall not operate an aerodrome unless all light installations and requirements of the aerodrome comply with the standards prescribed by the Authority and any publications as may be published or approved by the Authority.

26.465 MARKERS

(a) The operator shall ensure that Markers installed at an Aerodrome comply with the standards prescribed by the Authority.

SUBPART K: AERODROME OPERATIONAL SERVICES, EQUIPMENT, INSTALLATIONS & FACILITIES

26.470 APPLICATION OF THIS SUBPART

(a) This Part applies to all categories of aerodromes except where otherwise specified.

26.475 IMMIGRATION, CUSTOMS & EXCISE AERODROMES

(a) The Authority may, in consultation with the authorities responsible for immigration, customs and excise, notify of any aerodrome which is introduced as, or ceases to be a place for landing or departure of aircraft for purposes of the laws relating to immigration, customs and excise.

26.480 SUPPLY OF AVIATION FUEL TO AIRCRAFT

(a) An operator of an aviation fuel installation at an aerodrome shall not cause or permit any aviation fuel to be delivered to that installation or from it, to an aircraft unless—

(1) when the aviation fuel is delivered to the installation, the operator of the aviation fuel installation is satisfied that—

(i) the installation is capable of storing and dispensing the fuel so as not to render it unfit for use in an aircraft;

(ii) the installation is marked in an appropriate manner to the grade of the fuel stored or where different grades are stored in different parts, that each part is so marked;

(iii) in the case of delivery into the installation or part of the installation from a vehicle or vessel, the fuel has been sampled and is of the grade appropriate to that installation or part of the installation as the case may be and is fit for use in an aircraft;

(2) when aviation fuel is dispensed from the installation, the operator of the aviation fuel installation is satisfied after sampling, that the fuel is fit for use in an aircraft.

(b) A person shall not cause or permit aviation fuel to be dispensed for use in an aircraft where that person knows or has reason to believe that the aviation fuel is not fit for use in an aircraft.

(c) An operator of an aviation fuel installation shall not on an aerodrome, supply fuel to an aircraft except at a place and in a manner approved by the operator.

(d) An operator may subject to the approval granted under paragraph (c), ensure compliance with any conditions as the operator may impose, in order to safeguard persons or property on the ground.

(e) An operator of an aviation fuel installation shall keep a written record in respect of each installation managed by that operator.

(f) The record in paragraph (e) shall include—

(1) particulars of the grade and quantity of aviation fuel delivered and the date of delivery;

(2) particulars of all samples taken of the aviation fuel and of the results of the tests of those samples; and

(3) particulars of the maintenance and cleaning of the installation.

(g) An operator of an aviation fuel installation shall preserve the written record for a period of twelve months or such longer period as the Authority may in a particular case direct and shall, within a reasonable time after being requested to do so by an authorised person, produce the record to that authorised person.

(h) The Authority or an authorised person may direct the operator of an aviation fuel installation not to permit aviation fuel to be dispensed from that installation until the direction is revoked by the Authority or that authorised person, where it appears to the Authority or to that authorised person that aviation fuel is intended or likely to be delivered in contravention of this regulation.

(i) For the purpose of this regulation—

(1) "aviation fuel" means fuel intended for use in an aircraft; and

(2) "aviation fuel installation" means any apparatus or container, including a vehicle designed, manufactured or adapted for the storage of aviation fuel or for the delivery of fuel to an aircraft.

26.485 AERODROME EMERGENCY PLANNING

(a) An operator shall establish an aerodrome emergency plan at the aerodrome, which shall—

(1) be commensurate with the aircraft operations and activities conducted at the aerodrome; and

(2) provide for the coordination of the actions to be taken in the event of an emergency occurring at the aerodrome or in its vicinity.

(b) An emergency referred to in paragraph (a) includes an aircraft emergency, natural disasters and sabotage including bomb threats, unlawful seizure of aircraft, the effect of improper handling, transportation and storage of dangerous goods and occurrences of building fires and public health emergencies.

(c) The emergency plan shall provide for the coordination with the rescue coordination centre and for the response and participation of all agencies whose assistance is required in the event of an emergency, including—

(1) at an aerodrome—

(i) air traffic control unit;

(ii) rescue and firefighting services;
(iii) aerodrome administration;
(iv) medical and ambulance services;
(v) aircraft operators;
(vi) security services;
(vii) airport police unit;

(2) outside the aerodromes—
(i) fire departments;
(ii) police force;
(iii) medical and ambulance services;
(iv) hospitals and public health services;
(v) military forces;
(vi) harbour patrol or coast guard.

(d) The emergency plan shall include—
(1) the types of emergencies planned for;
(2) agencies to be involved in the plan;
(3) the responsibility and role of each agency, the emergency operation centre and the command post for each type of emergency;
(4) names and contacts of offices or people to be contacted in the case of a particular emergency; and
(5) a grid map of the aerodrome and its immediate vicinity.

(e) In developing an aerodrome emergency plan, the operator shall take into consideration the human factor principles to ensure optimum response by all existing agencies participating in the emergency operations.

(f) This regulation applies to aerodromes in category A.

26.490 EMERGENCY PLANNING COMMITTEE

(a) This regulation applies to aerodromes in category A except where specified by the authority.

(b) An operator shall form an emergency planning committee to discuss, determine and implement emergency planning arrangements commensurate with the size and type of aircraft that use the aerodrome.

26.495 AERODROME EMERGENCY EXERCISE

(a) An emergency plan established under Regulation 26.485(a) shall contain procedures for periodic testing of the adequacy of the plan and for reviewing of the results in order to improve its effectiveness.

(b) Without prejudice to the generality of paragraph (a), the plan shall be tested by conducting—
(1) a full-scale aerodrome emergency exercise at intervals not exceeding two years and partial emergency exercises in the intervening year to ensure that any deficiencies found during the full-scale aerodrome emergency exercise have been corrected; or;
(2) a series of modular tests commencing in the first year and concluding in a full-scale aerodrome emergency exercise at intervals not exceeding three years;
(3) and reviewed thereafter, or after an actual emergency, so as to correct any deficiency found during such exercises or actual emergency.
(4) contingency plan exercises in accordance with the Civil Aviation (Security) Regulations.

(c) This regulation applies to aerodromes in category A.

26.500 EMERGENCY OPERATION CENTRE & COMMAND POST

(a) This regulation shall apply to aerodromes in category A except where specified by the authority.

(b) An operator of an aerodrome shall ensure that a fixed emergency operations centre and a mobile command post are available for use during an emergency and are compliant to the requirements defined by the authority in RCATS.

26.505 EMERGENCIES IN DIFFICULT ENVIRONMENT

(a) Where an aerodrome is located close to water or a swampy area and where a significant portion of approach or departure operations take place over such area, the emergency plan established under Regulation 26.445 shall include the ready availability of, and co-ordination with, appropriate specialist rescue services to be able to respond to emergencies.

(b) At those aerodromes located close to water and/or swampy areas, or difficult terrain, the aerodrome emergency plan should include the establishment, testing and assessment at regular intervals of a predetermined response for the specialist rescue services

(c) An assessment of the approach and departure areas within 1,000 m of the runway threshold should be carried out to determine the options available for intervention.

(d) At an aerodrome located close to a water body, a swampy area, or difficult terrain, the aerodrome emergency plan shall include the establishment, testing and assessment at regular intervals of a pre- determined response for the specialist rescue services.

(e) This regulation applies to aerodromes in category A except where specified by the authority.

26.510 AERODROME RESCUE & FIRE FIGHTING SERVICES

(a) An operator shall put in place rescue and fire-fighting facilities commensurate with the category of the aerodrome as specified by the Authority in R-CATS.

(b) Where an aerodrome is located close to a water body, a swampy area or difficult terrain and where a significant portion of approach or departure operations take place over such an area, specialist rescue services and fire-fighting equipment appropriate to the hazard and risk shall be made available.

26.515 REMOVAL OF DISABLED AIRCRAFT

(a) An operator shall have in place a plan for the removal of disabled aircraft from the movement area or adjacent to it.

(b) The plan for the removal of disabled aircraft shall be based on the characteristics of the type of aircraft operations and shall include—

  (1) a list of equipment and personnel available for the purpose;

  (2) arrangement for the rapid receipt of aircraft recovery equipment kits from other aerodromes, where applicable; and

  (3) the name of the coordinator designated to implement the plan.

(c) The plan under this Regulation shall include particulars of the procedures as prescribed by the Authority in R-CATS.

26.520 APRON MANAGEMENT SERVICE

(a) An operator shall provide an apron management service at an aerodrome where air traffic service is provided in compliance with R-CATS.

(b) The apron management service established under paragraph (a) shall be provided by an operator, an aerodrome air traffic service unit, or a combination of these, as may be specified for each aerodrome category, in the Aeronautical Information Publication and Aeronautical Information Circular.

(c) Subject to paragraph (b), where the aerodrome control tower does not participate in the apron management service, procedures shall be established to facilitate the orderly transition of aircraft between the apron management unit and the aerodrome control tower.

(d) An operator shall ensure that, where an apron management service is established, radio communication facilities are provided.

(e) Where low visibility procedures are in effect, persons and vehicles operating in the apron shall be restricted to the essential minimum.

(f) An emergency vehicle responding to an emergency shall have priority over all other surface movement traffic and any vehicle operating on an apron shall give way to an emergency vehicle or to an aircraft about to taxi, or which is being pushed or towed.

(g) An aircraft stands at an apron where apron management service is provided shall be visually monitored to ensure that the recommended clearance distances are provided to an aircraft using the stand.

(h) This regulation does not apply to aerodromes in categories C and D unless otherwise specified by the Authority.

26.525 GROUND SERVICING OF AIRCRAFT

(a) An operator shall ensure that fire extinguishing equipment, suitable for at least the initial intervention in the event of a fuel fire, is readily available during the ground servicing of an aircraft, and that there is means of quickly summoning the rescue and firefighting service in the event of a fire or major fuel spill.

(b) An operator shall ensure that, when aircraft refueling operations take place while passengers are on board, embarking or disembarking, ground equipment are positioned in a manner that allows—

(1) the use of a sufficient number of exits for expeditious evacuation; and

(2) a ready escape route from each of the exits to be used in an emergency.

26.530 AERODROME VEHICLE OPERATION

(a) A person shall not operate a vehicle on the manoeuvring area at an aerodrome where air traffic service is provided, except where authorized by the aerodrome control tower.

(b) A person shall not operate a vehicle on an apron of an aerodrome except where authorized by the operator.

(c) A vehicle operating on the movement area shall have a rotating beacon.

(d) A driver of the vehicle on the movement area shall comply with all mandatory instructions conveyed by markings and signs, where the vehicle is on the manoeuvring area, except where the driver is authorized by the aerodrome control tower; or

(e) A driver of the vehicle on the movement area shall comply with all mandatory instructions conveyed by markings and signs, where the vehicle is on an apron, except where the

driver is authorized by the aerodrome operator.

(f) A driver of a vehicle on the movement area shall comply with all mandatory instructions conveyed by lights and instructions issued by the aerodrome control tower where the vehicle is on the manoeuvring area or by the appropriate designated authority, where the vehicle is on an apron.

(g) A driver of a vehicle on the movement area shall be appropriately trained for the tasks to be performed and shall be issued with a permit by the operator.

(h) A driver of a radio-equipped vehicle shall establish satisfactory two-way radio communication with the aerodrome control tower before entering the manoeuvring area and with the appropriate designated authority before entering the apron, and shall maintain a continuous listening watch on the assigned frequency while on the movement area.

(i) This regulation shall not apply to aerodromes in categories C and D unless otherwise specified by the Authority.

26.535 LOCATION, CONSTRUCTION & INSTALLATION OF EQUIPMENT ON OPERATIONAL AREAS

(a) Except for the purpose of air navigation, a person shall not construct or install equipment or any installation on a runway strip, a runway end safety area, a taxiway strip, a clearway or within any distances determined by the Authority, where the construction or the equipment may endanger the safety of an aircraft.

(b) Where any equipment or installation required for air navigation purposes is to be located on a portion of a runway strip or on a runway end safety area, a taxiway strip or within any distances determined by the Authority, the equipment or installation shall be located in accordance with the standards specified by the Authority.

26.540 FENCING OF AERODROMES & INSTALLATIONS

(a) An operator of an aerodrome shall provide a fence or a suitable barrier on the aerodrome—

(1) to prevent the entrance into the movement area, of any animals likely to be a hazard to aircraft; and

(2) to deter the inadvertent or premeditated access of unauthorised person onto a non-public area of the aerodrome.

(b) An operator shall provide suitable means of protection for an aerodrome to deter the inadvertent or premeditated access of unauthorised persons into ground installations and facilities essential for the safe operation of aircraft.

(c) The fence or barrier required under paragraph (a) shall be located so as to separate the movement area and other facilities or zones on the aerodrome which are vital to the safe operation of aircraft from areas open to public use.

(d) Where greater security is needed, a cleared area shall be provided on both sides of the fence or barrier to facilitate the work of patrols and to make trespassing more difficult and provision for a perimeter road along the aerodrome fencing for the use of both maintenance personnel and security patrols may be made.

(e) Where the Authority deems it necessary for security reasons, the fence or barrier provided under paragraph

(a) shall be illuminated at a minimum essential level and the security lighting shall be located so that the ground area on both sides of the fence or barrier, particularly at access points, is

illuminated.

(f) This regulation applies to aerodromes in category A and B except where deemed necessary by the Authority

26.545 MAINTENANCE OF SAFETY INSPECTION PROGRAMME

(a) An operator shall establish and maintain a safety inspection programme for the aerodrome.

(b) The safety inspection programme shall—

(1) provide procedures to ensure that competent aerodrome personnel execute the programme effectively; and

(2) provide a reporting system to ensure prompt correction of unsafe aerodrome conditions noted during any inspection.

26.550 MAINTENANCE OF FIRE PREVENTION PROGRAMME

(a) An operator shall establish a fire prevention programme with preventive measures against possible fires on the aerodrome and identify a person to maintain the fire prevention programme for the aerodrome and the aerodrome buildings.

(b) Where an aerodrome does not have designated fire service, the operator shall arrange with the relevant local government authority or any other concerned authority to maintain a fire prevention programme for the aerodrome and to advise the operator of any dangerous conditions for rectification.

(c) An operator shall ensure that unsafe practices that may result in fire are not performed on the aerodrome or within its vicinity.

(d) Notwithstanding paragraph (a) where unsafe practices are performed during maintenance on the aerodrome, an operator shall alert the rescue and firefighting services concerned, to be on standby for the duration of the practices.

26.555 ACCESS OF GROUND VEHICLES TO AERODROME MOVEMENT AREA

(a) An operator shall—

(1) limit the access of any ground vehicles used for aerodrome and aircraft operations, to the aerodrome manoeuvring area;

(2) provide adequate procedures for the safe and orderly access to the aerodrome and operation in the manoeuvring area of ground vehicles, where an air traffic service unit is in operation at the aerodrome, in order to ensure that each ground vehicle operating in the aerodrome manoeuvring area is controlled by—

(i) two-way radio communication between the vehicle and the air traffic service unit

(ii) an accompanying radio communication or an escort vehicle with adequate measures including signals or guards to control the vehicle, where the vehicle does not have a radio;

(3) provide adequate measures to ensure that ground vehicles operating in the aerodrome movement area are controlled by signs, pre-arranged signals or standards prescribed by the Authority, where an air traffic service unit is not in operation at the aerodrome;

(4) ensure that any person who operates a ground vehicle on the aerodrome movement area is familiar with and complies with the rules and procedures for the operation of ground vehicles as prescribed by the Authority.

(b) An operator shall ensure that a person who has access to the aerodrome movement area

wears a coloured reflective gear which shall be conspicuously displayed while on the movement area.

(c) In this regulation, "gear" includes a vest, band, overcoat, helmet and socks.

SUBPART L: AERODROME MAINTENANCE

26.560 APPLICATION OF THIS SUBPART

(a) This Subpart shall apply only to aerodromes in categories A and B except where otherwise specified or required by the Authority.

26.565 MAINTENANCE PROGRAMME

(a) An operator shall establish at the aerodrome, a maintenance programme, including preventive maintenance to maintain a facility in a condition that does not impair the safety, regularity and efficiency of air navigation.

(b) In this regulation—

(1) "facility" includes a pavement, visual aid, fencing, drainage system and building;

(2) "preventive maintenance" means programmed maintenance work done to prevent failure or degradation of a facility.

26.570 MAINTENANCE OF MOVEMENT & ADJACENT AREAS

(a) An operator shall at all times ensure that—

(1) the surfaces of all movement areas including pavements (runways, taxiways, and aprons) and adjacent areas are inspected and their conditions monitored regularly as part of an aerodrome preventive and corrective maintenance programme with the objective of avoiding and eliminating any loose objects/debris that might cause damage to aircraft or impair the operation of aircraft systems;

(2) the surface of the runway is maintained in a condition that precludes formation of harmful irregularities such as water pools and rough surfaces;

(3) runway surface friction characteristics for maintenance purposes is periodically measured with a continuous friction measuring device using self-wetting features and documentation;

(4) corrective maintenance action is taken to prevent the runway surface friction characteristics for either the entire runway or a portion thereof from falling below a minimum friction level specified by the Authority;

(5) when there is reason to believe that the drainage characteristics of a runway, or portions thereof, are poor due to slopes or depressions, then the runway surface friction characteristics should be assessed under natural or simulated conditions that are representative of local rain, and corrective maintenance action should be taken as necessary;

(6) where a taxiway is used by turbine-engine aircraft, the surface of the taxiway shoulders is maintained so as to be free of any loose stones or other objects that may be ingested by the aircraft engines;

(7) the surfaces of the paved runways, taxiways and aprons, are maintained in a condition that provides good friction characteristics and low rolling resistance;

(8) any standing water, mud, dust, sand, oil, rubber deposits and other contaminants are removed from the surface of runways in use as rapidly and

completely as possible to minimize accumulation.

(9) taxiways are kept clear of snow, slush, ice, etc., to the extent necessary to enable aircraft to be taxied to and from an operational runway;

(10) aprons are kept clear of snow, slush, ice, etc., to the extent necessary to enable aircraft to manoeuvre safely or, where appropriate, to be towed or pushed.

(11) whenever the clearance of snow, slush, ice, etc., from the various parts of the movement area cannot be carried out simultaneously, the order of priority after the runway(s) in use is set in consultation with the affected parties such as rescue and fire-fighting service and documented in a snow plan.

(12) chemicals to remove or to prevent the formation of ice and frost on aerodrome pavements are used when conditions indicate their use could be effective. Caution should be exercised in the application of the chemicals so as not to create a more slippery condition.

(13) chemicals which may have harmful effects on aircraft or pavements, or chemicals which may have toxic effects on the aerodrome environment, are not be used.

(b) An operator shall ensure that the overlaying of runway pavements is done in accordance with standards prescribed by the Authority so that aircraft operations do not experience down ramp.

26.575 PREVENTIVE MAINTENANCE OF VISUAL AIDS

(a) An operator shall not operate an aerodrome unless a system of preventive maintenance of visual aids is employed at the aerodrome.

(b) The system of preventive maintenance required under paragraph (a) shall, if employed for instrument precision approach runways categories I and II include—

(1) inspections and in-field measurement of the intensity, beam spread and orientation of lights included in the approach and runway lighting systems;

(2) control and measurement of the electrical characteristics of each circuitry included in the approach and runway lighting systems; and

(3) control of the correct functioning of the light intensity settings used by air traffic control unit.

(c) The in-field measurements of intensity, beam spread and orientation of lights applicable to instrument precision approach runways categories I and II shall be undertaken by measuring all lights, as far as practicable to ensure conformity with prescribed specifications using a mobile measuring unit of sufficient accuracy to analyse the characteristics of individual lights.

(d) The frequency of measurement of lights shall be at least twice a year for instrument precision approach runways categories I and II and at least once a year for other lights.

(e) An operator who is required to employ a system of preventive maintenance under paragraph (a), for instrument precision approach runways categories I and II operations and for operations under runway visual range conditions, shall comply with specifications prescribed by the Authority.

26.580 CONSTRUCTION OR MAINTENANCE ACTIVITY DURING LOW VISIBILITY OPERATIONS

(a) An operator shall ensure that any construction or maintenance activity is not undertaken in the proximity of aerodrome electrical systems at any time during periods of low visibility operations.

26.585 WORKS AT AERODROMES

(a) An operator shall establish procedures and precautions to ensure that any works carried out at an aerodrome do not endanger the safety of any aircraft operations.

(b) The procedures and precautions in paragraph (a) shall comply with standards prescribed by the Authority.

(c) The operator shall prepare a method of work plan before commencement of any construction or any works at an aerodrome and submit it to the Authority for approval.

SUBPART M: ELECTRICAL SYSTEMS

26.590 APPLICATION OF THIS SUBPART

(a) This Subpart shall apply to aerodromes in category A

(b) This Subpart may apply to aerodromes in categories B, C, and D where deemed necessary by the Authority.

26.595 ELECTRICAL POWER SUPPLY SYSTEMS FOR AIR NAVIGATION SERVICES & FACILITIES

(a) An operator shall not operate an aerodrome unless adequate primary power supply systems are made available for the safe functioning of air navigation services and facilities.

(b) The design and provision of electrical power systems for aerodrome visual and radio navigation aids shall be such that an equipment failure does not leave the pilot with inadequate visual and non-visual guidance or misleading information.

(c) Where secondary power is required for air navigation services and facilities, the operator shall arrange the electric power supply connections so as to ensure that the facilities are automatically connected to the secondary power supply upon failure of the primary power supply.

(d) Paragraph (c) applies for non-instrument runways except that a secondary power supply for visual aids may not be provided where an emergency lighting system is provided and is capable of being deployed within fifteen minutes.

(e) At an aerodrome where the primary runway is an instrument non- precision approach runway, a secondary power supply capable of fulfilling the requirements of paragraph (c) shall be provided, except that a secondary power supply for visual aids need not be provided for more than one instrument non-precision approach runway.

(f) An operator shall provide the following aerodrome facilities with secondary power supply capable of supplying power where there is a failure of the primary power supply—

  (1) the signalling lamp and the minimum lighting necessary to enable air traffic services personnel to carry out their duties;

  (2) all obstacle lights which, in the opinion of the Authority are essential to ensure the

safe operation of aircraft;
(3) approach, runway and taxiway lighting;
(4) meteorological equipment;
(5) essential security lighting, if provided;
(6) essential equipment and facilities for the aerodrome emergency agencies;
(7) floodlighting on a designated isolated aircraft packing position if provided; and
(8) illumination of apron areas over which passengers may walk.

(g) The maximum switch-over time between failure of the primary source of power and the secondary source of power for the services required by paragraph (f) shall be as prescribed by the Authority in R-CATS.

(h) For the purpose of this regulation, "switch-over time" means the time required for the actual intensity of a light measured in a given direction to fall from fifty per cent and recover to fifty per cent during a power supply changeover, when the light is being operated at intensities of twenty-five per cent or more.

SUBPART N: INFORMATION TO BE REPORTED TO AERONAUTICAL INFORMATION SERVICES

26.600 APPLICATION OF THIS SUBPART

(a) This Subpart shall apply to all categories of aerodromes.

26.605 AVAILABILITY OF INFORMATION

(a) An operator shall ensure that information relating to the aerodrome and its facilities, which is significant for the conduct of flights to and from the aerodrome, is available to the users of the aerodrome.

(b) An operator shall be responsible for notifying the Authority, Aeronautical Information Services of any errors and omissions in the aeronautical information of operational significance, published in the Aeronautical Information Publication or Aeronautical Information Circular or in the NOTAM, and of any pending changes in the aerodrome or its facilities which are likely to affect this information.

(c) An operator shall provide information on the following for the guidance of pilots and other operators—
(1) status of licensing/certification of the aerodrome;
(2) construction or maintenance work on or immediately adjacent to the manoeuvring area;
(3) unserviceable portions of any part of the manoeuvring area;
(4) the runway surface conditions when affected by water, damp, wet, water patches or flooded, as appropriate;
(5) parked aircraft or other objects on, or immediately adjacent to the taxiways;
(6) the presence of other temporary hazards;
(7) failure or irregular operation of any part of the aerodrome lighting system, or of the aerodrome main and secondary power supplies;
(8) failure, irregular operation and changes in the operational status of any electronic approach or navigation aid, or aeronautical communication facility;
(9) failures and changes in the runway visual range observer system; and
(10) any other information of operational significance.

26.610 ACTION REQUIRED FOR OCCURRENCES OF OPERATIONAL SIGNIFICANCE OTHER THAN THOSE INVOLVING ELECTRONIC AIDS AND COMMUNICATION FACILITIES

(a) Where any of the following conditions occur or are anticipated, an operator shall take immediate action to amend the information contained in the Aeronautical Information Circular and where necessary, promulgate the change by NOTAM through the Aeronautical Information Services using the Aeronautical Information Services address notified in the Aeronautical Information Circular—

(1) changes in the availability of the manoeuvring area and changes in the runway declared distance; except that increases in declared distances may only be made with the approval of the Authority;

(2) significant changes in aerodrome lighting and other visual aids;

(3) presence or removal of temporary obstructions to aircraft operation in the manoeuvring area;

(4) presence of airborne hazards to air navigation;

(5) interruption, return to service, or major changes to rescue facilities and firefighting services in terms of the new category of the rescue and firefighting service available at the aerodrome; except that permanent changes to the promulgated rescue firefighting category may only be made with the approval of the Authority;

(6) failure of or return to operation of hazard beacons and obstruction lights on or in the vicinity of the aerodrome;

(7) erection or removal of obstructions to air navigation, and erection or removal of significant obstacles in take-off, climb or approach areas;

(8) air displays, air races, parachute jumping, or any unusual aviation activity; and

(9) any other information of operational significance.

(b) Where any of the conditions in paragraph (a) arises at short notice, an operator shall notify the Aeronautical Information Services for promulgation of a NOTAM.

(c) Where any of the conditions in paragraph (a) is intended, the operator shall make a written request to the Aeronautical Information Services, for the amendment of the Aeronautical Information Publication and Aeronautical Information Circular or for supplementary action.

26.615 ACTION REQUIRED FOR OCCURRENCES THAT AFFECT ELECTRONIC AIDS & COMMUNICATION FACILITIES

(a) An operator or a person in charge of a navigation facility shall initiate NOTAM action—

(1) for the establishment or withdrawal of electronic aids to air navigation; and

(2) for changes in the regularity or reliability of operation of any electronic aid to air navigation or aeronautical communication facility.

(b) An operator or a person in charge of a navigation facility shall request for the NOTAM action, or an amendment or a supplement of Aeronautical Information Publication or Aeronautical Information Circular directly from the Aeronautical Information Services or through channels established by the Authority.

26.620 AERONAUTICAL DATA REPORTING

(a) An operator shall provide to the Authority for promulgation, accurate aeronautical data as specified in the Appendix 1 to 26.620 to these Regulations.

(b) An operator shall ensure that aerodrome related aeronautical data is adequate and accurate and that the integrity of the data is maintained and protected throughout the data process

from survey or origin up to the next intended user.

(c) An operator shall determine and report aerodrome related aeronautical data in accordance with prescribed accuracy and integrity requirements while taking into account the established quality system procedures.

(d) Accuracy requirements for aeronautical data shall be based upon a ninety-five per cent confidence level and in that respect, three types of positional data, namely; surveyed points, calculated points and declared points shall be identified.

(e) Without prejudice to the generality of paragraphs (a), (b), (c) and (d), the determination and reporting of aerodrome aeronautical data shall be in accordance with the accuracy and integrity levels prescribed by the Authority or a person in charge of a navigation facility.

(f) Aerodrome mapping data shall be made available to the aeronautical information services for all certified aerodromes.

(g) The selection of the aerodrome mapping data features to be collected and made available in accordance with paragraph (f), shall be made with consideration of the intended applications.

(h) The aerodrome mapping data made available in accordance with paragraph (f), shall comply with the accuracy and integrity requirements in prescribed by the Authority

(i) Subject to paragraph (e), based on the applicable integrity classifications, the validation and verification procedures shall—

(1) for routine data: avoid corruption throughout the processing of the data;

(2) for essential data: assure corruption does not occur at any stage of the entire process and may include additional processes as needed to address potential risks in the overall system architecture to further assure data integrity at this level; and;

(3) for critical data: assure corruption does not occur at any stage of the entire process and include additional integrity assurance procedures to fully mitigate the effects of faults identified by thorough analysis of the overall system architecture as potential data integrity risks.

26.625 {RESERVED}

SUBPART O: EXEMPTIONS

Refer to Part 1 Subpart E of Rwanda Civil Aviation Regulations.

SUBPART P: MISCELLANEOUS

26.645 APPLICATION OF THIS SUBPART

(a) This Subpart shall apply to all categories of aerodromes except where otherwise specified.

26.650 CHANGE OF NAMES OF A LICENCE OR CERTIFICATE HOLDER

(a) A holder of a licence or certificate may apply to the Authority to change the name of the holder of the licence or certificate.

(b) An application in paragraph (a) shall be accompanied by—

(1) the current licence or certificate; and

(2) a court order or any other legal document verifying the change of name if any

(c) The Authority shall change the name of the holder and issue a replacement licence or certificate with the appropriate endorsement.

(d) The Authority shall retain copies of the documents submitted under paragraph (b).

26.655 CHANGE OF ADDRESS OF A LICENCE OR CERTIFICATE HOLDER

(a) A holder of a licence or certificate, shall inform the Authority of-

(1) change in the physical address at least fourteen days in advance; and

(2) the mailing address upon the change.

(b) Where a holder of a licence or certificate does not inform the Authority of the change in the physical address within the time specified in paragraph (a), the Authority may suspend the licence or certificate.

26.660 USE & RETENTION OF LICENCES, CERTIFICATES & RECORDS

(a) A person shall not—

(1) use a licence, certificate, approval, permission, exemption or any other document issued or required by or under these Regulations which is forged, altered, revoked, or suspended, or which the person is not entitled to use;

(2) forge or alter a licence, certificate, approval, permission, exemption or any other document issued or required by or under these Regulations;

(3) lend a licence, certificate, approval, permission, exemption or any other document issued or required by or under these Regulations to any other person; or

(4) make any false representation for the purpose of procuring for himself, herself or any other person the issue, renewal or variation of an licence, certificate, approval, permission or exemption or other document.

(b) A person shall not, during the period for which it is required under these Regulations to be preserved—

(1) mutilate, alter, render illegible or destroy a licence, certificate or any entry made in any record;

(2) knowingly make, procure or assist in the making of any false entry in a licence, certificate or record, or

(3) wilfully omit to make a material entry in an licence, certificate or record.

(c) A record required to be maintained under these Regulations shall be recorded in a permanent and indelible material.

(d) A person shall not purport to issue a licence, certificate or exemption for the purpose of these Regulations unless that person is authorised to do so.

(e) The Authority may suspend or cancel a licence or certificate of an operator who contravenes any provision of these Regulations.

26.665 REPLACEMENT OF DOCUMENTS

(a) A holder of a licence or certificate who requires a replacement of the licence or certificate may apply to the Authority in the prescribed form.

26.670 [RESERVED]

26.675 CONDITIONS FOR OPERATING AN AERODROME

(a) A person shall not operate an aerodrome licensed or certificated under these Regulations unless the facilities and characteristics of the aerodrome are effectively related and match the needs of the aircraft for which the aerodrome is intended.

26.680 STANDARDS FOR PHYSICAL CHARACTERISTICS

(a) A person shall not operate an aerodrome unless the physical characteristics like runways, turn pad, runway stripes, runway end safety area, stop ways, clearways, taxiways, aprons, slopes, shoulders, holding positions, holding bays and etc. of the aerodrome comply with the standards prescribed by the Authority in Civil Aviation Technical Standards (Aerodromes) and any publications as published or approved by the Authority.

26.685 DANGEROUS LIGHT

(a) A person shall not exhibit a light in the vicinity of an aerodrome which, by its glare, endangers the safety of aircraft arriving or departing from the aerodrome.

(b) Where a light appears to the Authority to be capable of endangering the safety of aircraft as described in paragraph (a), the Authority may direct the owner of the place where the light is exhibited or the person having charge of light to extinguish and to prevent in the future, the exhibition of the light within the period specified.

(c) Where a light is or may be visible from any waters within the area of a general lighthouse authority, the power of the Authority under this regulation shall not be exercised except with the consent of that lighthouse authority.

26.690 LIGHTING OF EN-ROUTE OBSTACLES

(a) An owner or a person in charge of an en-route obstacle shall ensure that the en-route obstacle is fitted with medium intensity steady red light—
   (1) positioned as close as possible to the top of the obstacle; and
   (2) spaced as far as practicable, equally between the top lights and ground level with an interval not exceeding thirty-three metres, at the intermediate levels.

(b) Where any light which is required by this regulation to be displayed fails, an owner or a person in charge of an en-route obstacle shall repair or replace the light as soon as is reasonably practicable but in any case not later than twenty-four hours after the failure of the light.

(c) Subject to paragraph (b), an owner or a person in charge of an en-route obstacle shall ensure that the lights required to be fitted by this regulation are displayed.

(d) An owner or a person in charge of an en-route obstacle shall ensure that sufficient light is fitted and arranged at each level of an obstacle where lights are required to be fitted, so as to show, when displayed, in all directions.

(e) The Authority may direct that an en-route obstacle is fitted with additional lights which shall be displayed in such positions and at such times as the Authority may specify.

(f) For the purpose of this regulation—
   (1) “en-route obstacle” means any building, structure or erection, which is one hundred metres or more, above ground level, except a building, structure or erection, which is in the vicinity of an aerodrome;
   (2) “medium intensity steady light” means a light, which complies with the characteristics

described for a medium intensity type light specified in the Civil Aviation Technical Standards (Aerodromes).

26.695 LAND USE IN THE VICINITY OF AN AERODROME

(a) All land use practices and activities in the vicinity of an aerodrome shall conform to the guidelines prescribed by the Authority.

26.700 AERONAUTICAL STUDY

(a) Where an aerodrome does not meet the requirements prescribed in the standards, the Authority shall request the aerodrome operator to carry out Aeronautical study, to ensure that the conditions and procedures necessary to guarantee a level of safety equivalent to that established by the relevant prescribed standards. The Authority may carry out the Aeronautical study if deemed necessary.

26.705 DEVIATIONS FROM STANDARDS

(a) Any deviation from a prescribed standard or procedure in these Regulations shall be set out in an endorsement on the aerodrome manual.

26.710 SAFETY INSPECTIONS & AUDITS

(a) The Authority shall—
   (1) carry out such safety inspections and audits as may be necessary for the purpose of verifying the validity of an application for construction and operation of an aerodrome;
   (2) carry out safety inspections and audits of any document and records of an operator, which may be necessary to determine compliance with the appropriate requirements as prescribed in these Regulations

(b) The Authority shall carry out surveillance of all aerodromes as set out in the surveillance program in order to ensure compliance with the appropriate requirements as prescribed in these regulations and applicable R-CATS.

26.715 OBLIGATION TO INSURE AN AERODROME

(a) A person shall not operate, or cause or permit any other person to operate, an aerodrome unless there is a policy of insurance in force in relation to that aerodrome.

(b) A policy of insurance shall be of no effect for the purposes of paragraph (a) unless—
   (1) there has been issued by the insurer to the operator a certificate in relation to the policy of insurance in such form and containing such particulars as the Authority may prescribe, and
   (2) the operator has sent, or caused to be sent, to the Authority a copy of such certificate

(c) have effect, any licence or certificate issued under these Regulations in respect of the aerodrome to which the policy of insurance relates shall thereupon be deemed to have been revoked.

(d) A licence or certificate shall not be renewed or amended under these Regulations in relation to the operation of an aerodrome where the policy of insurance has expired.

(e) In this regulation "policy of insurance" means a policy which insures the operator of an

aerodrome against liability in respect of loss and damage caused to any person or property at that aerodrome and which complies with such conditions as may be prescribed by the Authority.

(f) This regulation shall not apply to aerodromes in categories C and D unless required by the Authority.

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APPENDICES

APPENDIX 1 TO 26.205: SYSTEMATIC MANAGEMENT OF SAFETY AT AERODROMES

1. SAFETY MANAGEMENT

Aerodromes in Category A shall have in place a system for managing safety, to which it is committed, is readily identifiable by the personnel of the Aerodrome and the personnel of the Authority and is clearly documented in the Aerodrome Manual.

2. INTERPRETATION

In this Appendix, unless the context otherwise requires "risk" is the combination of the probability, or frequency of occurrence of a defined hazard and the magnitude of the consequences of the occurrence.

3. SAFETY OBJECTIVE

An aerodrome and the facilities, equipment and systems of the aerodrome shall be designed and operated such that for any hazard, the combination of the probability of occurrence and the seriousness of the consequences of the hazard occurring must not result in a level of risk that is unacceptable.

4. SAFETY MANAGEMENT POLICY STATEMENTS

(a) Safety Management Systems (SMS) established at aerodromes shall include the following—

(1) a statement that the highest priority shall be attached to safety in relations to all business activities;

(2) a business objective for safety that shall minimise the aerodrome's contribution to aviation accidents risk to as low as reasonably practicable;

(3) a commitment by the aerodrome operator to adopt an explicit and pro-active approach to safety management;

(4) statements of safety-related responsibilities and accountabilities at all levels of the organization;

(5) a commitment to comply with all appropriate safety standards;

(6) a commitment that the safety assurance processes used by external suppliers comply with safety standards and requirements;

(7) an emergency response plan that provides for the orderly and efficiency transition and coordination of operations from normal to emergency and back to normal.

5. SAFETY MANAGEMENT PRINCIPLES

(a) Whenever practicable, quantitative safety levels shall be derived, maintained and improved for all aviation products and services delivered by the aerodrome; and when quantitative safety levels cannot be derived, a qualitative reasoning shall be performed in order to meet the safety objective.

(1) An operator shall assess all existing operations, proposed changes, additions or replacements for their safety significance.

(2) An operator shall identify and record the safety requirements for a service or product, the results of the safety assessment process and the evidence that the safety requirements have been met; and the records shall be maintained throughout the life of the service or product.

(3) An operator shall ensure that personnel whose functions impact on safety at the aerodrome are adequate, trained and qualified for the job they are required to do and for which they have accountability.

(b) An operator shall ensure that there is accountability, at a suitable senior level for the management, development and monitoring of the safety management system.

(1) An operator shall routinely carry out internal safety audits to provide assurance of the safety activities and to confirm compliance with the safety requirements and the safety management system.

(2) An operator shall have in place suitable monitoring arrangements so that undesirable trends in service or product performance can be recognized and be subject to remedial action; and in order to achieve this, the operator shall in accordance with the provisions of 5(b)(1) of this Appendix—

(i) establish a reporting system for accident and incident reporting that ensures the Authority is informed of the aviation safety aspects in connection with the aerodrome;

(ii) investigate safety significant occurrences, identify any failures of its management of safety and take corrective action if required;

(c) The operator shall establish and maintain procedures, which enable tracing of documents and data related to the safety management system, and the procedures shall ensure that all safety related documents and data are available, and that invalid documents and data shall be destroyed and secured against unintended use.

6. SAFETY MANAGEMENT STRATEGY

(a) An operator shall establish processes to identify safety shortcomings, so that remedial action can be taken to ensure safety levels are maintained.

(b) The basic principles to be applied in the safety management strategy shall include—

(1) safety achievement; specifying the means by which the safety performance of the organization meets its safety objectives and derived requirements;

(2) safety assurance; specifying the means for providing assurance that risks are being managed properly and effectively;

(3) safety performance monitoring and measurement; specifying the means to verify safety performance of the organisation and to validate the effectiveness of safety risk controls;

(4) safety promotion; specifying the means by which safety issues are communicated within the aerodrome to eliminate unnecessary risks and avoid repeat errors or risks and safety training programme that ensures personnel are trained and competent to perform SMS duties.

(c) An operator shall develop and maintain a formal process to—

(1) ensure that hazards in operations are identified.

(2) identify changes within the organisation which may affect processes and services and shall describe arrangements to ensure safety performance before implementing changes.

(3) identify the causes of substandard performance of safety management systems, determine the implications of substandard performance of the SMS in operation and eliminate or mitigate such processes.

Operational safety assurances documentation

(d) An operator shall produce and maintain safety assurance documentation, and this documentation shall cover—

(1) all safety related roles and functions;

(2) a safety based risk assessment of the roles and functions where practicable;

(3) a process of risk management for safety related tasks and functions to ensure that identified risks remain tolerable;

(4) safety performance measurements of the current operations as part of the ongoing risk management; and

(5) corrective procedures and measures that modify the original tasks or functions to address inadequate performance.

(e) Safety assurance documentation on systems requiring approval

(1) An operator shall, when intending to introduce new systems into operation, or introduce changes to, or replace existing systems, submit an application for approval by the Authority.

(2) The aerodrome operator shall also submit an application for approval if the intended changes affect the approvals in the aerodrome licence.

(3) An aerodrome licensee shall, if satisfied that their own safety requirements as well as those issued by the Authority have met the compliance criteria, notify the Authority in writing indicating compliance with the specified safety requirements for any operational system.

7. SAFETY ASSESSMENT METHODOLOGY

(a) The safety assessment of the aerodrome shall involve—

(1) systematic identification of possible hazards to aircraft;

(2) evaluation of the seriousness of the consequences of the hazard occurring;

(3) considering the chances of a hazard happening;

(4) determining whether the consequent risk is tolerable and within the operators acceptable safety performance criteria; and

(5) taking action to reduce the severity of the hazard or the probability of it arising in order to reduce the risk to a tolerable level.

8. SAFETY AUDITING OF AERODROMES

(a) An operator shall carry out internal safety auditing of the aerodrome in order to determine—

(1) the level of compliance with requirements;

(2) the areas and degree of risk and their effective management; and

(3) the competence and performance of those responsible for safety.

APPENDIX 2 TO 26.205: OCCURRENCE REPORTING & INVESTIGATION AT AERODROMES

1. AERODROME OCCURRENCE REPORTING

(a) This schedule prescribes the requirements for reporting the occurrence or detection of defects, failures or malfunctions at an aerodrome, its components or equipment, which could jeopardize the safe operation of the aerodrome or cause it to become a danger to persons or property.

(b) The objectives of the aerodrome occurrence reports are as follows—

(1) to ensure that knowledge of these occurrences is disseminated so that other persons and organizations may learn from them; and

(2) to enable an assessment to be made by those concerned (whether internal or external to the aerodrome operator) of the safety implications of each occurrence, both in itself and in relation to previous similar occurrences, so that they may take or initiate any necessary action.

2. REPORTABLE OCCURRENCES & REPORTING PROCEDURES

(a) An operator shall notify the Authority of any accident, serious incident, fatal or serious injury occurring at the aerodrome as soon as practicable after the occurrence and provide a detailed occurrence report thereafter.

(b) For the purpose of this Appendix—

(1) "accident" means an occurrence associated with the operation of an aircraft, which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which;

(i) a person is fatally or seriously injured as a result of—

(A) being in the aircraft, or

(B) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or

(C) direct exposure to jet blast, except when the injury are from natural causes, self-inflicted, or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew or;

(ii) the aircraft sustains damage or structural failure which—

(A) adversely affects the structural strength, performance or flight characteristics of the aircraft; and

(B) would normally require major repair or replacement of the affected component except for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or

(iii) the aircraft is missing or is completely inaccessible.

(2) "Serious incident" includes—

(i) a near collision requiring avoidance manoeuvre to avoid a collision or an unsafe situation or where an avoidance action would have been appropriate;

(ii) a controlled flight into terrain only marginally avoided;

(iii) aborted take-off on a closed or engaged runway;

(iv) a take-off from a closed or engaged runway with marginal separation from an obstacle;

(v) a landing or attempted landing on a closed or engaged runway;

(vi) a take-off or landing incident such as undershooting; or overrunning or running off the side of runways; or

(vii) a major failure of any navigation aid when a runway is in use;

(3) "Serious injury" means any injury that is sustained by a person in an accident and that—

(i) requires hospitalisation for more than forty-eight hours, commencing within seven days from the date the injury was received;

(ii) results in a fracture of any bone, except simple fractures of fingers, toes or nose;

(iii) involves lacerations which cause severe haemorrhage, nerve, muscle, or tendon damage;

(iv) involves any injury to any internal organ;
(v) involves second or third degree burns, or any burns affecting more than 5% of the body surface; or
(vi) involves verified exposure to infectious substances or injurious radiation.

(c) The operator shall notify the Aircraft Accident and Incident Investigation Branch whenever an accident or serious incident occurs on or adjacent to his aerodrome in accordance with the provisions of the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations.

(d) Information to be provided in the reporting and notification of an accident, serious incident or serious injury shall as far as possible include the following—

(1) The date and local time of occurrence;
(2) The exact location of the occurrence with reference to some easily defined geographical point;
(3) Detailed particulars of the parties involved, including the owner, operator, manufacturer, nationality, registration marks, serial numbers, assigned identities of aircraft and equipment;
(4) A detailed description of the sequence of events leading up to the incident;
(5) The physical characteristics, environment or circumstances of the area in which the incident occurred and an indication of the access difficulties or special requirements to reach the site;
(6) The identification of the person sending the notice and where the incident occurred;
(7) In the case of an aircraft accident, the number of crew members, passengers or other persons respectively killed or seriously injured as a result of the accident; and
(8) A description of the follow-up action being taken after the incident has occurred.

3. AERODROME OCCURRENCE RECORDS

(a) An operator shall establish and maintain aerodrome occurrence reports for any accident, serious incident, serious injury or any occurrence or event that has a bearing on the safety of aerodrome operations.

(b) An operator shall use aerodrome occurrence reports to monitor and improve the level of operational safety, including reviews of safety standards required.

(c) The Authority may require the operator to produce and provide information contained in the aerodrome occurrence report relating to any safety occurrence or event.

4. AIRCRAFT ACCIDENT & INCIDENT INVESTIGATION

(a) In the event of an accident or serious incident, an operator shall carry out its own investigations.

(b) The investigations carried out by the aerodrome operator shall be additional to that carried out by the Aircraft Accident and Incident Investigation Branch to enable the operator to assess safety of aircraft operations at his aerodrome.

(c) The investigator, or team of investigators, shall be technically competent and shall either possess or have access to the background information, so that the facts and events are interpreted accurately. The investigations shall be a search to establish how the mishap happened, why it occurred, including organizational contributing factors, and to recommend action to prevent a recurrence, and shall not be intended to apportion blame.

(d) The lesson learnt derived from an aerodrome incident or accident investigation shall be

disseminated to personnel to provide feedback for safety improvement.

(e) The Authority may require the operator to produce and provide information contained in the aerodrome accident or incident investigation report relating to any such event.

(f) An operator shall inspect his aerodrome, as circumstances require, to ensure safety as soon as practicable after any aircraft accident or incident.

APPENDIX 1 TO 26.295: PARTICULARS FOR AERODROME MANUAL FOR AERODROMES IN CATEGORY A

1. GENERAL

(a) General information, including the following—

(1) Purpose and scope of the aerodrome manual;

(2) The legal requirement for a certificate and an aerodrome manual as prescribed in the national regulations;

(3) Conditions for use of the aerodrome— a statement to indicate that the aerodrome shall at all times, when it is available for the take-off and landing of aircraft, be so available to all persons on equal terms and conditions;

(4) The available aeronautical information system and procedures for its promulgation;

(5) The system for recording aircraft movements; and

(6) Obligations of the operator.

2. PARTICULARS OF THE AERODROME SITE

(b) General information, including the following—

(1) A plan of the aerodrome showing the main aerodrome facilities for the operation of the aerodrome including, particularly, the location of each wind direction indicator;

(2) A plan of the aerodrome showing the aerodrome boundaries;

(3) A plan showing the distance of the aerodrome from the nearest city, town or other populous area, and the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome; and

(4) Particulars of the land title of the aerodrome site. If the boundaries of the aerodrome are not defined in the land title documents particulars of the land title to, or interest in, the property on which the aerodrome is located and a plan showing the boundaries and position of the aerodrome.

3. PARTICULARS OF THE AERODROME REQUIRED TO BE REPORTED TO THE AERONAUTICAL INFORMATION SERVICE

(c) General Information—

(1) The name of the aerodrome;

(2) The location of the aerodrome;

(3) The geographical coordinates of the aerodrome reference point determined in terms of the World Geodetic System - 1984 reference datum;

(4) The aerodrome elevation and geoid undulation;

(5) The elevation of each threshold and geoid undulation, the elevation of each runway end and any significant high and low points along the runway, and the highest elevation of the touchdown zone of a precision approach runway;

(6) The aerodrome reference temperature;

(7) Details of the aerodrome beacon; and
(8) The name of the operator and the address, telephone and facsimile numbers at which the operator may be contacted at all times.

(d) Aerodrome dimensions and related information: General information, including the following—

(1) Runway - true bearing, designation number, length, width, displaced threshold location, slope, surface type, type of runway and, for a precision approach runway, the existence of an obstacle free zone;
(2) Length, width and surface type of strip, runway end safety areas, stopways;
(3) Length, width and surface type of taxiways;
(4) Apron surface type and aircraft stands;
(5) Clearway length and ground profile;
(6) Visual aids for approach procedures, viz. Approach lighting type and visual approach slope indicator system (PAPI/APAPI and T-VASIS/AT-VASIS); marking and lighting of runways, taxiways, and aprons; other visual guidance and control aids on taxiways (including runway holding positions, intermediate holding positions and stop bars) and aprons, location and type of visual docking guidance system; availability of standby power for lighting;
(7) The location and radio frequency of VOR aerodrome checkpoints;
(8) The location and designation of standard taxi routes;
(9) The geographical coordinates of each threshold;
(10) The geographical coordinates of appropriate taxiway centre line points;
(11) The geographical coordinates of each aircraft stand;
(12) The geographical coordinates and the top elevation of significant obstacles in the approach and take- off area, in the circling area and in the vicinity of the aerodrome. (This information may best be shown in the form of charts such as those required for the preparation of aeronautical information publications, as specified in ICAO Annexes 4 and 15 to the Convention);
(13) Pavement surface type and bearing strength using the Aircraft Classification Number - Pavement Classification Number method;
(14) One or more pre-flight altimeter check locations established on an apron and their elevation;
(15) Declared distances: take-off run available, take-off distances available, accelerate- stop distance available, landing distance available;
(16) Disabled aircraft removal plan: the telephone/telex/ facsimile number and e-mail address of the aerodrome coordinator for the removal of a disabled aircraft on or adjacent to the movement area, information on the capability to remove a disabled aircraft, expressed in terms of the largest type of aircraft which the aerodrome is equipped to remove; and
(17) Rescue and fire-fighting; the level of protection provided, expressed in terms of the category of the rescue and fire-fighting services, which should be in accordance with the longest aircraft normally using the aerodrome and the type and amounts of extinguishing agents normally available at the aerodrome.

Note: - the accuracy of the information in Part 3 is critical to aircraft safety. Information requiring engineering survey and assessment should be gathered or verified by qualified technical persons.

4. PARTICULARS OF THE AERODROME OPERATING PROCEDURES & SAFETY MEASURES

Aerodrome reporting

(e) Particulars of the procedures for reporting any changes to the aerodrome information set out in the Aeronautical Information Publication and Aeronautical Information Circular and procedures for requesting the issue of NOTAMs, including the following—

(1) Arrangements for reporting any changes to the Authority and recording the reporting of changes during and outside the normal hours of aerodrome operations;

(2) The names and roles of persons responsible for notifying the changes, and their telephone numbers during and outside the normal hours of aerodrome operations; and

(3) The address and telephone and facsimile numbers, as provided by the Authority, of the place where changes are to be reported to the Authority.

Access to the aerodrome movement area

(f) Particulars of the procedures that have been developed and are to be followed in coordination with the agency responsible for preventing unlawful interference in civil aviation at the aerodrome and for preventing unauthorized entry of persons, vehicles, equipment, animals or other things into the movement area, including the following—

(1) The role of the operator, the aircraft operator, aerodrome fixed-base operator, the aerodrome security entity, the Authority and other government departments, as applicable; and

(2) The personnel responsible for controlling access to the aerodrome, and the telephone numbers for contacting them during and after working hours.

Aerodrome emergency plan

(g) Particulars of the aerodrome emergency plan, including the following—

(1) Plans for dealing with emergencies occurring at the aerodrome or in its vicinity, including the malfunction of aircraft in flight; structural fires; sabotage, including bomb threats (aircraft or structure); unlawful seizure of aircraft; and incidents on the aerodrome covering "during the emergency" and "after the emergency" considerations;

(2) Details of test and aerodrome facilities and equipment to be used in emergencies, including the frequency of those tests;

(3) Details of exercises to test emergency plans, including the frequency of those exercises;

(4) A list of organizations, agencies and persons of authority, both on-and/off-aerodrome, for site roles; their telephone and facsimile numbers, e-mail addresses and the radio frequencies of their offices;

(5) The establishment of an aerodrome emergency committee to organize training and other preparations for dealing with emergencies; and

(6) the appointment of an on-scene commander for the overall emergency operation.

Rescue and fire-fighting

(h) Particulars of the facilities, equipment, personnel and procedures for meeting the rescue and fire-fighting requirements, including the names and roles of the persons responsible for dealing with the rescue and fire- fighting services at the aerodrome.

Inspection of the aerodrome movement area and obstacle limitation surface by the operator

(i) Particulars of the procedures for the inspection of the aerodrome movement area and obstacle limitation surfaces, including the following—

(1) arrangements for carrying out inspections, including runway friction and water-depth

measurements on runways and taxiways, during and outside the normal hours of aerodrome operations;

(2) arrangements and means of communicating with air traffic control during an inspection;
(3) arrangements for keeping an inspection logbook, and the location of the logbook;
(4) details of inspection intervals and times;
(5) inspection checklist;
(6) arrangements for reporting the results of inspections and for taking prompt follow-up actions to ensure correction of unsafe conditions; and
(7) the names and roles of persons responsible for carrying out inspections, and their telephone numbers during and after working hours.

Visual aids and aerodrome electrical systems

(j) Particulars of the procedures for the inspection and maintenance of aeronautical lights (including obstacle lighting), signs, markers and aerodrome electrical systems, including the following—

(1) arrangements for carrying out inspections during and outside the normal hours of aerodrome operation, and the checklist for such inspections;
(2) arrangements for recording the result of inspections and for taking follow-up action to correct deficiencies;
(3) arrangements for carrying out routine maintenance and emergency maintenance;
(4) arrangements for secondary power supplies and, if applicable, the particulars of any other method of dealing with partial or total system failure; and
(5) personnel responsible for the inspection and maintenance of the lighting, and the telephone numbers for contacting those persons during and after working hours.

Maintenance of the movement area

(k) Particulars of the facilities and procedures for the maintenance of the movement area, including arrangements for—

(1) maintaining the paved areas;
(2) maintaining the unpaved runways and taxiways;
(3) maintaining the runway and taxiway strips; and
(4) the maintenance of aerodrome drainage.

Aerodrome works – safety

(l) Particulars of the procedures for planning and carrying out construction and maintenance work safely (including work that may have to be carried out at short notice) on or in the vicinity of the movement area which may extend above an obstacle limitation surface, including the following—

(1) arrangements for communicating with air traffic control during the progress of such work;
(2) the names, telephone numbers and roles of the persons and organizations responsible for planning and carrying out the work, and arrangements for contacting those persons and organizations at all times;
(3) the names and telephone numbers, during and after working hours, of the aerodrome fixed-base operators, ground handling agents and aircraft operators who are to be notified of the work;
(4) a distribution list for work plans.

Apron management

(m) Particulars of the apron management procedures, including the following—

(1) arrangements between air traffic control and the apron management unit;
(2) arrangements for allocating aircraft parking positions;

(3) arrangements for initiating engine start and ensuring clearance of aircraft push-back;
(4) marshalling service; and
(5) leader (van) service.

Apron safety management

(n) Procedures to ensure apron safety, including—
(1) protection from jet blasts;
(2) enforcement of safety precautions during aircraft refuelling operations;
(3) apron sweeping;
(4) apron cleaning;
(5) arrangements for reporting incidents and accidents on an apron; and
(6) arrangements for auditing the safety compliance of all personnel working on the apron.

Airside vehicle control

(o) Particulars of the procedure for the control of surface vehicles operating on or in the vicinity of the movement area, including the following—
(1) details of the applicable traffic rules (including speed limits and the means of enforcing the rules);
(2) the method of issuing driving permits for operating vehicles in the movement area.

Birds and wildlife hazard management

(p) Particulars of the procedures to deal with the danger posed to aircraft operations by the presence of birds or mammals in the aerodrome flight pattern or movement area, including the following—
(1) arrangements for assessing birds and wildlife hazards;
(2) arrangements for implementing birds and wildlife control programmes; and
(3) the names and roles of the persons responsible for dealing with birds and wildlife hazards, and their telephone numbers during and after working hours.

Obstacle control

(q) Particulars setting out the procedures for—
(1) monitoring the obstacle limitation surfaces and type A chart for obstacles in the take-off surface;
(2) controlling obstacles within the authority of the operator;
(3) monitoring the height of buildings or structures within the boundaries of the obstacle limitation surfaces;
(4) controlling new developments in the vicinity of aerodromes; and
(5) notifying the Authority of the nature and location of obstacles and subsequent addition of removal of obstacles for action as necessary, including amendment of the Aeronautical Information Services publications.

Removal of disabled aircraft

(r) Particulars of the procedures for removing a disabled aircraft on or adjacent to the movement area, including the following—
(1) the roles of the operator and the holder of the aircraft operator certificate.
(2) arrangements for notifying the aircraft operator.
(3) arrangements for liaising with the air traffic control unit;
(4) arrangements for obtaining equipment and personnel to remove the disabled aircraft; and
(5) role and telephone numbers of personnel responsible for arranging for the action as necessary, including amendment of the AIS publications.

Handling of hazardous materials

(s) Particulars of the procedures for the safe handling and storage of hazardous materials on the aerodrome, including the following—

(1) arrangements for special areas of the aerodrome to be set up for the storage of inflammable liquids (including aviation fuels) and any other hazardous materials; and

(2) the method to be followed for the delivery storage, dispensing and handling of hazardous materials.

Note: For the purposes of this paragraph "hazardous materials" include inflammable liquids and solids, corrosive liquids, compressed gases and magnetized or radioactive materials.

Low visibility operations

(t) Particulars of procedures to be introduced for low-visibility operations, including the measurement and reporting of runway visual range as and when required, and the personnel, their telephone numbers, responsible for measuring the Runway Visual Range.

Protection of sites for radar and navigational aids

(u) Particulars of the procedures for the protection of sites for radar and radio navigational aids located on the aerodrome to ensure that their performance will not be degraded, including the following—

(1) arrangements for the control of activities in the vicinity of radar and navigational aids installations;

(2) arrangements for ground maintenance in the vicinity of these installations; and

(3) arrangements for the supply and installation of signs warning of hazardous microwave radiation.

Note 1: In writing the procedures for each category, clear and precise information should be included on (1) when, or in what circumstances, an operating procedure is to be activated; (2) how an operating procedure is to be activated; (3) actions to be taken; and (4) the equipment necessary for carrying out the actions, and access to such equipment.

Note 2: if any of the procedures specified above are not relevant or applicable, reasons should be given.

5. AERODROME ADMINISTRATION & SAFETY MANAGEMENT SYSTEM

Aerodrome administration

(v) Particulars of the aerodrome administration, including the following—

(1) An aerodrome organizational chart showing the names and positions of key personnel, including their responsibilities;

(2) The name, position and telephone number of the person who has overall responsibility for aerodrome safety; and

(3) Airport committees.

Safety Management System

(w) Particulars of the safety management system established for ensuring compliance with all safety requirements and achieving continuous improvement in safety performance, the essential features being—

(1) the safety policy, in so far as applicable, on the safety management process and its relation to the operational and maintenance process;

(2) the structure or organization of the Safety Management System, including staffing and the assignment of individual and group responsibilities for safety issues;
(3) Safety Management System strategy and planning, such as setting safety performance target, allocating priorities for implementing safety initiative and providing a framework for controlling the risks to as low a level as is reasonably practicable keeping always in view the requirements of the prescribed standards and recommended practice, and regulations;
(4) Safety Management System implementation, including facilities, methods and procedures for the effective communication of safety messages and the enforcement of safety requirements;
(5) a system for the implementation of, and action on, critical safety areas which require a higher level of safety management integrity (safety measures programme);
(6) measures for safety promotion and accident prevention and a system for risk control involving analysis and handling of accidents, incidents, complaints, defects, faults, discrepancies and failures, and continuing safety monitoring.
(7) the internal safety audit and review system detailing the systems and programmes for quality control of safety;
(8) the system for documenting all safety-related aerodrome facilities as well as airport operational and maintenance records, including information on the design and construction of aircraft payments and aerodrome lighting. The system should enable easy retrieval of records including charts;
(9) personnel training and competency, including the review and evaluation of the adequacy of training provided to personnel on safety-related duties and of the certification system for testing their competency; and
(10) the incorporation and enforcement of safety-related clauses in the contract for construction work at the aerodrome.

APPENDIX 2 TO 26.295: PARTICULARS FOR AERODROME MANUAL FOR AERODROMES IN CATEGORIES B & C

1. PART I: GENERAL

(a) General information, including the following—
(1) purpose and scope of the aerodrome manual;
(2) the legal requirement for an aerodrome licence and an aerodrome Handbook as prescribed in the national regulations;
(3) conditions for use of the aerodrome - a statement to indicate that the aerodrome shall at all times, when it is available for the take-off and landing of aircraft, be so available to all persons on equal terms and conditions;
(4) the available aeronautical information system and procedures for its promulgation;
(5) the system for recording aircraft movements; and
(6) obligations of the aerodrome operator.

2. PART 2: PARTICULARS OF THE AERODROME SITE

(b) General information, including the following—
(1) a plan of the aerodrome showing the main aerodrome facilities for the operation of the aerodrome including, particularly, the location of each wind direction indicator;

(2) a plan of the aerodrome showing the aerodrome boundaries;

(3) a plan showing the distance of the aerodrome from the nearest city, town or other populous area, and the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome; and

3. PART 3: PARTICULARS OF THE AERODROME REQUIRED TO BE REPORTED TO THE AERONAUTICAL INFORMATION SERVICE (AIS)

(c) General Information—

(1) the name of the aerodrome;

(2) the location of the aerodrome;

(3) the geographical coordinates of the aerodrome reference point determined in terms of the World Geodetic System - 1984 (WGS-84) reference datum;

(4) the aerodrome elevation

(5) points along the runway, and the highest elevation of the touchdown zone of a precision approach runway;

(6) the aerodrome reference temperature;

(7) the name of the aerodrome operator and the address, telephone and facsimile numbers at which the aerodrome operator may be contacted at all times.

(d) Aerodrome dimensions and related information; general information, including the following—

(1) runway - true bearing, designation number, length, width, displaced threshold location, slope, surface type, type of runway and, for a precision approach runway, the existence of an obstacle free zone;

(2) length, width and surface type of strip,

(3) apron surface type and aircraft stands;

(4) one or more pre-flight altimeter check locations established on an apron and their elevation;

(5) rescue and fire-fighting plan;

Note. - the accuracy of the information in this Subpart is critical to aircraft safety. Information requiring engineering survey and assessment should be gathered or verified by qualified technical persons.

4. PART 4: PARTICULARS OF THE AERODROME OPERATING PROCEDURES & SAFETY MEASURES

Aerodrome reporting

(e) Particulars of the procedures for reporting any changes to the aerodrome information set out in the AIP and AIC and procedures for requesting the issue of NOTAMs, including the following—

(1) arrangements for reporting any changes to the Authority and recording the reporting of changes during and outside the normal hours of aerodrome operations;

(2) the names and roles of persons responsible for notifying the changes, and their telephone numbers during and outside the normal hours of aerodrome operations; and

(3) the address and telephone and facsimile numbers, as provided by the Authority, of the place where changes are to be reported to the Authority.

Access to the aerodrome movement area

(f) Particulars of the procedures that have been developed and are to be followed in coordination with the agency responsible for preventing unlawful interference in civil aviation at the aerodrome and for preventing unauthorized entry of persons, vehicles, equipment, animals or other things into the movement area, including the following—

(1) the role of the aerodrome operator, the aircraft operator, aerodrome fixed-base operator, the aerodrome security entity, the Authority and other government departments, as applicable; and

(2) the personnel responsible for controlling access to the aerodrome, and the telephone numbers for contacting them during and after working hours.

(3) inspection checklist;

(4) arrangements for reporting the results of inspections and for taking prompt follow-up actions toensure correction of unsafe conditions; and

(5) the names and roles of persons responsible for carrying out inspections, and their telephone numbers during and after working hours.

Maintenance of the movement area

(g) Particulars of the facilities and procedures for the maintenance of the movement area, including—

(1) arrangements for maintaining the unpaved runways and taxiways;

(2) arrangements for maintaining the runway and taxiway strips; and

(3) arrangements for the maintenance of aerodrome drainage.

Aerodrome Works – Safety

(h) Particulars of the procedures for planning and carrying out construction and maintenance work safely (including work that may have to be carried out at short notice) on or in the vicinity of the movement area which may extend above an obstacle limitation surface, including the following—

(1) the names, telephone numbers and roles of the persons and organizations responsible for planning and carrying out the work, and arrangements for contacting those persons and organizations at all times;

(2) a distribution list for work plans, if required.

Birds & Wildlife Hazard Management

(i) Particulars of the procedures to deal with the danger posed to aircraft operations by the presence of birds or mammals in the aerodrome flight pattern or movement area, including the following—

(1) arrangements for assessing birds and wildlife hazards;

(2) arrangements for implementing birds and wildlife control programmes; and

(3) the names and roles of the persons responsible for dealing with birds and wildlife hazards, and their telephone numbers during and after working hours.

Obstacle Control

(j) Particulars setting out the procedures for—

(1) monitoring the obstacle limitation surfaces and Type A Chart for obstacles in the take-offsurface;

(2) controlling obstacles within the authority of the operator;

(3) monitoring the height of buildings or structures within the boundaries of the obstacle limitation surfaces;

(4) controlling new developments in the vicinity of aerodromes; and

(5) notifying the Authority of the nature and location of obstacles and subsequent addition of removal of obstacles for action as necessary, including amendment of the AIS publications.

Handling of Hazardous Materials

(k) Particulars of the procedures for the safe handling and storage of hazardous materials on the aerodrome, including the following—

(1) arrangements for special areas of the aerodrome to be set up for the storage of inflammable liquids (including aviation fuels) and any other hazardous materials; and

(2) the method to be followed for the delivery storage, dispensing and handling of hazardous materials.

(3) For the purposes of this paragraph "hazardous materials" include inflammable liquids and solids, corrosive liquids, compressed gases and magnetized or radioactive materials.

Protection of Sites for Radar and Navigational Aids

(l) Particulars of the procedures for the protection of sites for radar and radio navigational aids located on the aerodrome to ensure that their performance will not be degraded, including the following

(1) arrangements for the control of activities in the vicinity of radar and navigational aids installations;

(2) arrangements for ground maintenance in the vicinity of these installations; and

(3) arrangements for the supply and installation of signs warning of hazardous microwave radiation.

Note 1. In writing the procedures for each category, clear and precise information should be included on (1) when, or in what circumstances, an operating procedure is to be activated; (2) how an operating procedure is to be activated; (3) actions to be taken; (4) the equipment necessary for carrying out the actions, and access to such equipment.

Note 2. if any of the procedures specified above are not relevant or applicable, the reason should be given.

Rescue and Fire-fighting

(m) Particulars of the facilities, equipment, personnel and procedures for meeting the rescue and fire-fighting requirements, including the names and roles of the persons responsible for dealing with the rescue and fire- fighting services at the aerodrome.

APPENDIX 3 TO 26.295: PARTICULARS FOR AERODROME MANUAL FOR AERODROMES IN CATEGORY D

1. PART I: GENERAL

(a) General information, including the following—

(1) purpose and scope of the aerodrome manual;

(2) the legal requirement for an aerodrome licence and an aerodrome Handbook as prescribed in the national regulations;

(3) conditions for use of the aerodrome - a statement to indicate that the aerodrome shall at all times, when it is available for the take-off and landing of aircraft, be so available to all persons on equal terms and conditions;

(4) the available aeronautical information system and procedures for its promulgation;

(5) the system for recording aircraft movements; and
(6) obligations of the aerodrome operator.

2. PART 2: PARTICULARS OF THE AERODROME SITE

(b) General information, including the following—
(1) a plan of the aerodrome showing the main aerodrome facilities for the operation of the aerodrome including, particularly, the location of each wind direction indicator;
(2) a plan of the aerodrome showing the aerodrome boundaries;
(3) a plan showing the distance of the aerodrome from the nearest city, town or other populous area, and the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome.

3. PART 3: PARTICULARS OF THE AERODROME REQUIRED TO BE REPORTED TO THEAERONAUTICAL INFORMATION SERVICE (AIS)

(c) General Information—
(1) the name of the aerodrome;
(2) the location of the aerodrome;
(3) the geographical coordinates of the aerodrome reference point determined in terms of the World Geodetic System - 1984 (WGS-84) reference datum;
(4) the heliport elevation of the touch down and lift off area (TLOF) and or the elevation and geoid undulation of each threshold of the final approach and take off area (FATO);
(5) FATO type, true bearing, designation number, length, width, slope, surface type;
(6) safety area: length, width and surface type;
(7) apron: surface type, helicopter stands and geographical coordinates of specific points;
(8) declared distances: take off distance available, rejected take off distance availa and landing distance available;
(9) the aerodrome reference temperature;
(10) the name of the aerodrome operator and the address, telephone and facsimile numbers at which the aerodrome operator may be contacted at all times.
(11) maximum allowable mass;
(12) visual aids available;
(13) rescue and firefighting surface and level of protection;
(14) availability of PAPI, APAPI or helicopter approach PAPI indicator.

(d) Aerodrome Dimensions & Related Information—
(1) General information, including the following—
(i) dimensions of safety areas, apron, clear way, FATO and TLOF, obstacle limitation surfaces, helideck obstacle-free sector, helideck obstacle limitation sector and approach surface;
(ii) helicopter ground taxiway, air taxiway and air transit route;
(iii) one or more pre-flight altimeter check locations established on an apron and their elevation.

Note.- the accuracy of the information in this Subpart is critical to aircraft safety. Information requiring engineering survey and assessment should be gathered or verified by qualified technical persons.

4. PART 4: PARTICULARS OF THE AERODROME OPERATING PROCEDURES & SAFETY MEASURES

Aerodrome reporting

(e) Particulars of the procedures for reporting any changes to the aerodrome information set out in the AIP and AIC and procedures for requesting the issue of NOTAMs, including the following—

(1) arrangements for reporting any changes to the Authority and recording the reporting of changes during and outside the normal hours of aerodrome operations;

(2) the names and roles of persons responsible for notifying the changes, and their telephone numbers during and outside the normal hours of aerodrome operations; and

(3) the address and telephone and facsimile numbers, as provided by the Authority, of the place where changes are to be reported to the Authority.

Access to the aerodrome movement area

(f) Particulars of the procedures that have been developed and are to be followed in coordination with the agency responsible for preventing unlawful interference in civil aviation at the aerodrome and for preventing unauthorized entry of persons, vehicles, equipment, animals or other things into the movement area, including the following—

(1) the role of the aerodrome operator, the aircraft operator, aerodrome fixed-base operator, the aerodrome security entity, the Authority and other government departments, as applicable;

(2) the personnel responsible for controlling access to the aerodrome, and the telephone numbers for contacting them during and after working hours;

(3) inspection checklist;

(4) arrangements for reporting the results of inspections and for taking prompt follow-up actions to ensure correction of unsafe conditions; and

(5) the names and roles of persons responsible for carrying out inspections, and their telephone numbers during and after working hours.

Maintenance of the movement area

(g) Particulars of the facilities and procedures for the maintenance of the movement area, including—

(1) arrangements for maintaining the unpaved areas and taxiways;

(2) arrangements for maintaining the FATO and TLOF; and

(3) arrangements for the maintenance of aerodrome drainage.

Aerodrome works – safety

(h) Particulars of the procedures for planning and carrying out construction and maintenance work safely (including work that may have to be carried out at short notice) on or in the vicinity of the movement area which may extend above an obstacle limitation surface, including the following—

(1) the names, telephone numbers and roles of the persons and organizations responsible for planning and carrying out the work, and arrangements for contacting those persons and organizations at all times;

(2) a distribution list for work plans, if required.

Obstacle Control

(i) Particulars setting out the procedures for—

(1) monitoring the obstacle limitation surfaces;

(2) controlling obstacles within the authority of the operator;
(3) monitoring the height of buildings or structures within the boundaries of the obstacle limitation surfaces;
(4) controlling new developments in the vicinity of aerodromes; and
(5) notifying the Authority of the nature and location of obstacles and subsequent addition of removal of obstacles for action as necessary, including amendment of the AIS publications.

Protection of Sites for Radar and Navigational Aids

(j) Particulars of the procedures for the protection of sites for radar and radio navigational aids located on the aerodrome to ensure that their performance will not be degraded, including the following—

(1) arrangements for the control of activities in the vicinity of radar and navigational aids installations;
(2) arrangements for ground maintenance in the vicinity of these installations; and
(3) arrangements for the supply and installation of signs warning of hazardous microwave radiation.

Note 1: In writing the procedures for each category, clear and precise information should be included on (1) when, or in what circumstances, an operating procedure is to be activated; (2) how an operating procedure is to be activated; (3) actions to be taken; and (4) the equipment necessary for carrying out the actions, and access to such equipment.

Note 2: if any of the procedures specified above are not relevant or applicable, the reason should be given.

APPENDIX 1 TO 26.620: AERODROME DATA

1. AERODROME GEOGRAPHICAL COORDINATES

(a) Geographical coordinates indicating latitude and longitude for ground positions at aerodromes shall be determined and reported in World Geodetic System – 1984 geodetic reference datum.

2. AERODROME REFERENCE POINT

(a) An aerodrome reference point shall be established for an aerodrome.
(b) The aerodrome reference point shall be located near the initial or planned geometric centre of the aerodrome and shall normally remain where first established.
(c) The position of the aerodrome reference point shall be measured and reported in degrees, minutes and seconds.

3. AERODROME & RUNWAY ELEVATIONS

(a) The aerodrome elevation and geoid undulation at the aerodrome shall be measured and reported in accordance with specifications prescribed in the Civil Aviation Technical Standards (Aerodromes).

4. AERODROME REFERENCE TEMPERATURE

(a) An aerodrome reference temperature shall be determined for an aerodrome in degrees Celsius.

(b) The aerodrome reference temperature should be the monthly mean of the daily maximum temperatures for the hottest month of the year (the hottest month being, that which has the highest monthly mean temperature). This temperature should be averaged over a period of years.

5. AERODROME DIMENSIONS & RELATED INFORMATION

(a) The following data shall be measured or described, as appropriate, for each facility provided on an aerodrome—

(1) runway – true bearing to one-hundredth of a degree, designation number, length, width, displaced threshold location to the nearest metre, slope, surface type, type of runway and, for a precision approach runway category I, the existence of an obstacle free zone when provided;

(2) strip, runway end safety area, stopway – length, width to the nearest metre, surface type;

(3) taxiway – designation, width, surface type;

(4) apron – surface type, aircraft stands;

(5) the boundaries of the air traffic control service;

(6) clearway – length to the nearest metre, ground profile;

(7) visual aids for approach procedures, marking and lighting of runways, taxiways and aprons, other visual guidance and control aids on taxiways and aprons, including runway-holding positions and stop bars, and location and type of visual docking guidance systems;

(8) location and radio frequency of any VOR aerodrome check-point;

(9) location and designation of standard taxi-routes; and

(10) distances to the nearest metre of localizer and glide path elements comprising an instrument landing system or azimuth and elevation antenna of microwave landing system in relation to the associated runway extremities.

(b) The geographical coordinates of each threshold, appropriate taxiway centre line points and each aircraft stand shall be measured and reported in degrees, minutes, seconds and hundredths of seconds.

(c) The geographical coordinates of significant obstacles in the approach and take-off areas, in the circling area and in the vicinity of an aerodrome shall be measured and reported in degrees, minutes, seconds and tenths of seconds, and in addition, the top elevation rounded up to the nearest metre, type, marking and lighting (if any) of the significant obstacles shall be reported.

6. STRENGTH OF PAVEMENTS

(a) The bearing strength of a pavement at an aerodrome shall be determined and reported using guidelines prescribed by the Authority in the Civil Aviation Technical Standards (Aerodromes).

7. PRE-FLIGHT ALTIMETER CHECK LOCATION

(a) One or more pre-flight altimeter check locations shall be established for the aerodrome.

(b) A pre-flight check location shall be located on an apron.

Note 1 – Locating a pre-flight altimeter location on an apron enables an altimeter check to be made prior to obtaining taxi clearance and eliminates the need for stopping for that purpose after leaving the apron.

Note 2 – Normally an entire apron can serve as a satisfactory altimeter check location.

(c) The elevation of a pre-flight altimeter check location shall be given as the average elevation, rounded to the nearest metre, of the area on which it is located. The elevation of any portion of a pre-flight altimeter check location shall be within 3m of the average elevation for that location.

8. DECLARED DISTANCES

(a) The following distances shall be calculated to the nearest metre for a runway intended for use by international commercial airtransport—

(1) take-off run available;
(2) take-off distance available;
(3) accelerate-stop distance available; and
(4) landing distance available.

9. CONDITION OF THE MOVEMENT AREA & RELATED FACILITIES

(a) An operator shall provide information on the condition of the movement area and the operational status of related facilities in accordance with the requirements specified in the Civil Aviation Technical Standards (Aerodromes) including information of operational significance to the air traffic service units without delay.

(b) The condition of the movement area and the operational status of related facilities shall be monitored and reports on matters of operational significance affecting aircraft and aerodrome operations shall be provided in order to take appropriate action, particularly in respect of the following—

(1) construction or maintenance work;
(2) rough or broken surfaces on a runway, taxiway or an apron;
(3) water on a runway, a taxiway or an apron;
(4) drifts adjacent to a runway, a taxiway or an apron
(5) contaminants on a runway, taxiway or apron;
(6) other temporary hazards, including parked aircraft;
(7) failure or irregular operation of part of all of the aerodrome visual aids; and
(8) failure of the normal or secondary power supply.

(c) To facilitate compliance with paragraphs (a) and (b), inspections of the movement area shall be carried out each day at least once where the aerodrome code number is 1 or 2 and at least twice where the aerodrome code number is 3 or 4.

(d) Personnel assessing and reporting runway surface conditions required in paragraph (2) shall be trained and competent to meet criteria prescribe by the Authority.

(e) Whenever water is present on a runway, a description of the runway surface conditions, shall be made available using the following terms—

(1) damp – the surface shows a change of colour due to moisture.
(2) wet – the surface is soaked but there is no stagnant water.
(3) standing water — for aeroplane performance purposes, a runway where more than 25 per cent of the runway surface area (whether in isolated areas or not) within the required length and width being used is covered by water more than 3 mm deep.

(f) Information that a runway or portion thereof may be slippery when wet shall be made available.

(g) Notification shall be given to aerodrome users when the friction level of a paved runway or portion thereof is less than that prescribed by the Authority.

Note – Guidance on determining and expressing the minimum friction level of a runway is provided in the Civil Aviation Technical Standards (Aerodromes).

10. DISABLED AIRCRAFT REMOVAL

(a) The telephone and fax number(s) of the officer of the aerodrome responsible for the coordination of operations for the removal of an aircraft disabled on or adjacent to the movement area shall be made available to aircraft operators.

(b) The operator shall provide information concerning the capability to remove an aircraft disabled on or adjacent to the movement area.

Note – The capability to remove a disabled aircraft may be expressed in terms of the largest type of aircraft which the aerodrome is equipped to remove.

11. RESCUE & FIRE FIGHTING

(a) Information concerning the level of protection provided for aircraft rescue and firefighting purposes shall be made available.

(b) The level of protection normally available at the aerodrome shall be expressed in terms of the category of the rescue and firefighting services and in accordance with the types and amounts of extinguishing agents normally available at the aerodrome.

(c) An operator shall notify to the air traffic services unit and the Aeronautical Information Services significant changes in the level of protection normally available at an aerodrome for rescue and firefighting to enable those units to provide the necessary information to arriving and departing aircraft and shall advise those units when such a change has been corrected.

Note: A significant change in the level of protection is considered to be a change in the category of the rescue and firefighting service from the category normally available at the aerodrome, resulting from a change in availability of extinguishing agents, equipment to deliver the agents or personnel to operate the equipment, etc. A report of a significant change should include the new category of the rescue and firefighting service available at the aerodrome

12. VISUAL APPROACH SLOPE INDICATOR SYSTEMS

(a) An operator shall provide information concerning the status of the visual approach slope indicator system installed at the aerodrome including—

(1) associated runway designation number;

(2) type of system for an AT-VASIS, PAPI or APAPI installation, the side of the runway on which the lights are installed, i.e. left or right, shall be given;

(3) where the axis of the system is not parallel to the runway centre line, the angle of displacement and the direction of displacement, i.e. left or right shall be indicated;

(4) nominal approach slope angle(s). (For a T-VASIS or an ATVASIS this shall be angle θ and for a PAPI and an APAPI this shall be angle (B+C)/2 and (A+B)/2, respectively); and

(5) minimum edge height(s) over the threshold of the on-slope signal(s).

(i) For a T-VASIS or an AT- VASIS this shall be the lowest height at which only the

wing bar(s) are visible; however, the additional heights at which the wing bar(s) plus one, two or three fly down light units come into view may also be reported if such information would be of benefit of aircraft using the approach.

(ii) For a PAPI, this shall be the setting angle of the third unit from the runway minus 2', i.e. angle B minus 2', and for an APAPI this shall be the setting angle of the unit farther from the runway minus 2', i.e. angle A minus 2'.

(b) Coordination between the operator and the Aeronautical Information Services.

(c) To ensure that the Aeronautical Information Services obtain information to enable them to provide up-to- date pre-flight information and to meet the need for in-flight information, the operator shall establish arrangements with the Aeronautical Information Services to report, with a minimum of delay—

(1) information on aerodrome conditions;

(2) the operational status of associated facilities, services and navigation aids within their area of responsibility;

(3) any other information considered to be of operational significance.

(d) Before introducing changes to the air navigation system, due account shall be taken by the operator of the time needed by the Aeronautical Information Services for the preparation, production and issue of relevant material for promulgation. To ensure timely provision of information to the Aeronautical Information Services, close coordination between those services concerned is therefore required.

(e) Of a particular importance are changes to aeronautical information that affects charts and/or computer- based navigation systems which qualify to be notified by the aeronautical information regulation and control system. The pre-determined internationally agreed aeronautical information regulation and control effective dates in addition to fourteen days postage time shall be observed by the responsible operator when submitting the raw information/data to the Aeronautical Information Services.

(f) The operator responsible for the provision of raw aeronautical information/data to the Aeronautical Information Services shall do that while taking into account specified accuracy and integrity requirements for aeronautical data.

END OF RCAR PART 26

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXVII W'ITEKA RYA MINISITIRI Nº01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXVII TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXVII D'ARRETE MINISTERIEL Nº 01/CAB.M/019 DU 06/02/2019 PORTANT MODIFICATION DE L'ARRÉTTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 27

Unmanned Aircraft Systems

SUBPART A: GENERAL ----------4
27.001 CITATION & APPLICABILITY 4
27.005 DEFINITIONS 4
27.010 ACRONYMS AND ABBREVIATIONS.....8
SUBPART B: CLASSIFICATION AND REGISTRATION OF UAS ----------8
27.015 CATEGORIZATION AND CLASSIFICATION OF UAS AND OPERATIONS 8
27.020 OWNERSHIP OF UAS IN RWANDA.....9
27.025 DECLARATION OF UAS ON ARRIVAL AT THE AIRPORT/BORDER 10
27.030 MANUFACTURE, ASSEMBLY & TESTING OF UAS.....10
27.035 REGISTRATION OF UAS 10
27.040 DISPLAY OF REGISTRATION MARKS.....11
27.045 UAS REGISTER.....11
27.050 DE-REGISTRATION OF UAS 11
27.055 IDENTIFICATION PLATE.....11
27.060 AIRWORTHINESS OF UAS.....11
27.065 MAINTENANCE & INSPECTION 11
27.070 INSPECTION, TESTING & DEMONSTRATION OF COMPLIANCE 12
27.075 REPORTING OF UAS INCIDENTS AND ACCIDENTS.....12
27.080 IMPORT AND EXPORT OF UAS.....12
SUBPART C: OPERATION OF UAS----------12
27.085 GENERAL OBLIGATION OF UAS OWNER AND OPERATOR 12
27.090 AUTHORIZATION OF UAS ACTIVITIES 13
27.095 PREFLIGHT FAMILIARIZATION, INSPECTION AND ACTIONS FOR UAS OPERATION.....14
27.100 OPERATION OF UAS IN PROHIBITED OR RESTRICTED AREAS 14
27.105 CARRIAGE OF DANGEROUS GOODS.....14
27.110 HAZARDOUS/RECKLESS OPERATION 15
27.115 OPERATION IN CONTROLLED AIRSPACE.....15
27.120 MEDICAL CONDITION, CONSUMPTION OF ALCOHOL & DRUGS 15
27.125 INTERNATIONAL UAS OPERATION.....15
27.130 CANCELLATION, SUSPENSION OR VARIATION OF AUTHORIZATION.....15
27.135 NOTIFICATION TO THE LOCAL AUTHORITIES.....15
27.140 EMERGENCIES AND CONTINGENCIES.....15
27.145 COMMAND AND CONTROL LINK.....16
27.150 ISSUANCE OF AUTHORIZATION/OPERATOR CERTIFICATE 16

27.155 OPERATION IN THE VICINITY OF AERODROMES 16
27.160 UAS COMMUNICATION FREQUENCIES..... 16
27.165 RESPONSIBILITY OF THE REMOTE PILOT..... 16
27.170 OPERATIONS MANUAL 16
SUBPART D: BASIC OPERATIONS OF UAS FOR PRIVATE, SPORT AND RECREATION17
27.175 PRIVATE UAS OPERATIONS 17
27.180 TRAINING FOR PRIVATE UAS OPERATIONS 17
27.185 RECREATIONAL AND SPORTS UAS OPERATIONS 17
27.190 TRAINING REQUIREMENTS FOR RECREATIONAL AND SPORTS UAS OPERATIONS 17
27.195 BASIC UAS OPERATING LIMITATIONS 17
27.200 DAYLIGHT OPERATION..... 18
27.205 VISUAL LINE-OF-SIGHT (VLOS) UAS OPERATION..... 18
SUBPART E: SPECIFIC OPERATIONS---------- 18
27.210 FLIGHT PLAN 18
27.215 OPERATION NEAR AIRCRAFT; RIGHT-OF WAY RULES..... 19
27.220 OPERATION IN CONGESTED AREAS AND OVER PEOPLE..... 19
27.225 OPERATION IN CONTROLLED AIRSPACE..... 19
27.230 ATC COMMUNICATION 19
27.235 OPERATIONS AT AN AERODROME 19
SUBPART F: COMPLEX COMMERCIAL OPERATIONS ---------- 19
27.240 UOC COMPLIANCE..... 19
27.245 UAS OPERATOR CERTIFICATE (UOC)..... 20
27.250 APPLICATION FOR UAS OPERATOR CERTIFICATE 20
27.255 ISSUANCE OF UOC 20
27.260 VALIDITY AND RENEWAL OF UAS OPERATOR CERTIFICATE 21
27.265 AMENDMENTS OF UAS OPERATOR CERTIFICATE..... 21
27.270 CONDUCTING SURVEILLANCE, TESTS AND INSPECTIONS..... 21
27.275 PERSONNEL REQUIRED FOR UAS COMMERCIAL OPERATIONS..... 21
27.280 AUTHORIZATION FOR COMMERCIAL UAS OPERATIONS 21
27.285 CERTIFICATION OF UAS PILOTS / INSTRUCTORS..... 21
27.290 ELIGIBILITY REQUIREMENTS FOR A REMOTE PILOT CERTIFICATE/LICENSE. 22
27.295 VALIDITY OF UAS PILOTS CERTIFICATE/LICENSE 22
27.300 TRAINING REQUIREMENTS FOR COMMERCIAL UAS OPERATIONS 22
27.305 INSTRUMENTS AND EQUIPMENT REQUIREMENTS..... 22
27.310 ISSUANCE OF A REMOTE PILOT LICENSE WITH A UAS RATING..... 22
27.315 RESPONSIBILITY OF THE REMOTE PILOT..... 23
27.320 AERONAUTICAL KNOWLEDGE RECENCY 23
27.325 KNOWLEDGE TESTS: GENERAL PROCEDURES AND PASSING GRADES 23

27.330 INITIAL & RECURRENT KNOWLEDGE TESTS 23
27.335 UAS OPERATION BEYOND VISUAL LINE-OF-SIGHT (BVLOS) 24
27.340 HIGHLY AUTOMATED UAS OPERATIONS 25
SUBPART G: SECURITY REQUIREMENTS FOR UAS OPERATIONS ---------- 25
27.345 SECURITY VETTING FOR UAS PILOT/CONTROLLER OR THE OWNER 25
27.350 SECURITY PROGRAMME REQUIREMENTS 25
27.355 SECURITY OBLIGATIONS FOR UAS OPERATORS 26
27.360 ACTS OF UNLAWFUL INTERFERENCE 26
27.365 UAS OPERATOR OR OWNER'S SECURITY MEASURES 26
SUBPART H: GENERAL PROVISIONS ---------- 26
27.370 RECORDS 26
27.375 INSURANCE 27
27.380 PRIVACY OF PERSONS AND PROPERTY 27
27.385 DISCHARGING OR DROPPING GOODS 27
27.390 REPORTS OF VIOLATION 27
APPENDICES ---------- 28
APPENDIX 1 TO 27.015- PERMIT AND LICENSING FLOW CHART FOR UAS 28
APPENDIX 1 TO 27.170: UAS OPERATIONS MANUAL 28
APPENDIX 1 TO 27.185: OPERATIONAL GUIDELINES FOR UAS CLUBS 29
APPENDIX 1 TO 27.290: ELIGIBILITY REQUIREMENTS FOR A REMOTE PILOT CERTIFICATE/LICENSE 30

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SUBPART A: GENERAL

27.001 CITATION & APPLICABILITY

(a) These Regulations are cited as Civil Aviation (Unmanned Aircraft Systems (UAS)) Regulations.
(b) This Part prescribes the requirements of Rwanda regarding the operations or piloting of unmanned aircraft systems of any size, whether generically termed as aircraft, balloons, drones, vehicles or models.
(c) This Part is applicable to all persons operating unmanned and/or remotely piloted unmanned aircraft systems of any size in the airspace of Rwanda over land or water.
(d) This Part is specifically applicable to the following—
  (1) Unmanned aircraft systems;
  (2) Unmanned aerial vehicles;
  (3) Drones;
  (4) Unmanned balloons, whether tethered or free-flight;
  (5) Radio controlled model aircraft;
  (6) Free flight model aircraft (whether launched by hand, catapult or rocket cartridge);
  (7) Control line model aircraft;
  (8) Model rockets;
  (9) Kites;
  (10) Small free flight model aircraft;
  (11) Any other unmanned aircraft system that is not yet identified in this regulation.
(e) Civil Aviation Technical Standards (Unmanned Aircraft Systems) published by the Authority shall also be applicable to the operations of unmanned aircraft systems in Rwanda.

27.005 DEFINITIONS

(a) The following definitions are used in this Part—
Note: Additional definitions are provided in Part 1, Appendix 1 to 1.015.

Accident: An occurrence associated with the operation of any aircraft, including UAS, which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which—

(i) A person is fatally or seriously injured as a result of—
  (A) Being in the aircraft, or
  (B) Direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
  (C) Direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

(ii) The aircraft sustains damage or structural failure which—
  adversely affects the structural strength, performance or flight characteristics of the aircraft, and
  (A) would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to single engine, including its cowlings or accessories, to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin, such as small dents or puncture holes, or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

(iii) the aircraft is missing or is completely inaccessible.

Aerodrome: 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.

Aircraft: 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.

Air traffic: All aircraft in flight or operating on the maneuvering area of an aerodrome.

Air traffic control clearance: Authorization for an aircraft to proceed under conditions specified by an air traffic control unit.

Note 1. — For convenience, the term "air traffic control clearance" is frequently abbreviated to "clearance" when used in appropriate contexts.

Note 2. — The abbreviated term "clearance" may be prefixed by the words "taxi", "take-off", "departure", "enroute", "approach" or "landing" to indicate the particular portion of flight to which the air traffic control clearance relates.

Appropriate authority—

(i) Regarding flight over the high seas: the relevant authority of the State of Registry.

(ii) Regarding flight other than over the high seas: the relevant authority of the State having sovereignty over the territory being overflown.

Authority: The Rwanda Civil Aviation Authority;

Authorization: The formal permission granted to an applicant, from the Authority, allowing particular operations with limitations commensurate with the combined operational and system risk.

Automatic Dependent Surveillance – Broadcast (ADS-B): One method by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.

Basic operations: Operations that are likely to fall under the lowest risk categories and likely require only registration of the UAS in addition to set restrictions for private use.

Beyond Visual-Line-of-Sight: Unmanned aircraft operations in which the remote pilot does not have to keep the unmanned aircraft within visual-line-of-sight at all times.

Command and Control (C2) link: The data link between the unmanned aircraft and the remote pilot station for the purposes of managing the flight.

Commercial operation of UAS: Any UAS operations for hire, profit, gain, remuneration or earnings.

Conspicuity: Quality of an aircraft (e.g. lighting or paint scheme) allowing it to be easily seen or noticed by others (e.g. by pilots, ATCOs, aerodrome personnel).

Continuing airworthiness: The set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life.

Control area: A controlled airspace extending upwards from a specified limit above the earth.

Controlled airspace: Airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

Note 3. — Controlled airspace is a generic term which covers ATS airspace Classes A, B, C, D and E as described in Annex 11, 2.6.

Controlled flight: Any flight which is subject to an air traffic control clearance.

Control zone: Controlled airspace extending upwards from the surface of the earth to a specified upper limit. **Data link Communications**: Form of communication intended for the exchange of messages via a data link.

Detect and avoid: The capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action.

Fatigue: A physiological state of reduced mental or physical performance capability resulting from sleep loss or extended wakefulness, circadian phase, or workload (mental or physical activity) that can impair a crew member's alertness and ability to safely operate an aircraft or perform safety- related duties.

Flight plan: Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.

Flight recorder: Any type of recorder installed in the aircraft for the purpose of complementing accident/ incident investigation. In the case of unmanned aircraft system, it also includes any type of recorder installed in a remote pilot station for the purpose of complementing accident/incident investigation.

Flight time: The total time from the moment an aircraft first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight.

Note 4. — Flight time as here defined is synonymous with the term "block to block" time or "chock to chock" time in general usage which is measured from the time an aircraft first moves for the purpose of taking off until it finally stops at the end of the flight.

Flight visibility: The visibility forward from the cockpit of an aircraft in flight.

Geographical limitation: A restricted airspace volume defined through electronic map data.

Geofencing: Automatic function to limit the access of the UA to airspace areas or volumes provided as geographical limitations based on the UA position and navigation data.

Guidance Material (GM): Non-binding material developed by the Authority that helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of the Regulation, Standard Scenarios, and outlines additional Acceptable Means of Compliance.

Highly automated aircraft: An unmanned aircraft that does allow minimal pilot(s)' intervention in the management of the flight.

Highly automated operation: An operation during which an unmanned aircraft system is operating with minimal pilot intervention in the management of the flight.

Human performance: Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.

Incident: An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Note 5. — The types of incidents which are of interest for safety-related studies include the incidents listed in Annex 13, Attachment C.

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

Landing area: That part of a movement area intended for the landing or take-off of aircraft.

Maintenance: The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification and the embodiment of a modification or repair.

Maintenance organization's procedures manual: A document which details the maintenance organization's structure and management responsibilities, scope of work, description of facilities, maintenance procedures, and quality assurance, or inspection systems. This document is normally endorsed by the head of the maintenance organization.

Maintenance program: A document which describes the specific scheduled maintenance tasks and their frequency of completion and related procedures, such as a reliability program, necessary for the safe operation of those aircraft to which it applies.

Maneuvering area: That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

Movement area: That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the maneuvering area and the apron(s).

Operational control: 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.

Operations manual: a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.

Operation specification: the Authorization, conditions and limitations within the UAS operator's certificate and subject to the conditions in the operation manual.

Operator: a person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Private operation of UAS. UAS operation by individual or organization, for the recreational purposes and not intended for any commercial use.

Note 6. - In the context of unmanned aircraft system, refer to the UAS definition

Remote crew member: A crew member responsible of any duty essential to the operation of an unmanned aircraft system during a flight duty period.

Remote flight crew member: a licensed crew member responsible of any duty essential to the operation of an unmanned aircraft system during a flight duty period.

Remote pilot: a person given responsibility by the operator of any duty essential to the operation of an unmanned aircraft system and who manipulates the flight controls, as appropriate, during flight time.

Remote pilot-in-command: the remote pilot designated by the operator as being in command and is responsible for the safe conduct of a flight.

Remote pilot station. the component of the unmanned aircraft system containing the equipment used to pilot the unmanned aircraft.

Unmanned Aircraft (UA): an aircraft where the pilot is not on board the aircraft.

Unmanned Aircraft System (UAS): a set of configurable elements consisting of a remotely-piloted aircraft, its associated remote pilot station(s), the required command and control links and any other system elements as may be required, at any point during flight operation.

Unmanned Aircraft System operating manual: A manual containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the UAS and each associated UAS model and other material relevant to the operation of the unmanned aircraft system.

Note 7. — The unmanned aircraft system operating manual is part of the operations manual.

Risk mitigation: The process of incorporating defenses or preventive controls to lower the severity and/or likelihood of a hazard's projected consequence in an effort to meet safety performance, "Target Levels of Safety," necessary for flight operations.

Rotorcraft: A power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors.

UAS Operator Certificate (UOC): A certificate authorizing an operator to carry out specified UAS operations.

Safety: The state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level.

Safety Management System (SMS): systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

Safety performance indicator: Data-based safety parameter used for monitoring and assessing safety performance.

Safety risk: The predicted probability and severity of the consequences or outcomes of a hazard.

Segregated airspace: Airspace of specified dimensions allocated for exclusive use to a specific user(s).

Standard Scenario: A description of a type of operation included in a certification specification issued by the Authority, for which an operational risk assessment has been conducted and mitigations identified that can be applied to a variety of applicants in satisfying Target Levels of Safety for approval.

State of Design: The State having jurisdiction over the organization responsible for the type design.

State of Manufacture: The State having jurisdiction over the organization responsible for the final assembly of the aircraft.

State of Registry: The State on whose register the aircraft is entered.

State of the Operator: The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.

Target Level of Safety (TLS): A generic term representing the level of risk which is considered acceptable in particular circumstances.

Testing Site: A specific geographical location designated by the Authority for UAS testing and flight operations, managed by the Rwandan government or delegated entity such as a UAS Club.

Type certificate: A document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State.

Note 8. – Many unmanned aircraft systems (UAS) do not have, and according to current standards, are not able to be certificated. It is up to the operator to provide the proper mitigations to risk that enable higher risk operations in lieu of more robust and reliable system certification and to use industry best practice standards when available to achieve Alternate Means of Compliance (AMOC).

Unmanned free balloon: Non-power-driven, unmanned, lighter-than-air aircraft in free flight.

Unmanned Aircraft (UA) observer: A trained and competent person designated by the operator who, by visual observation of the unmanned aircraft system, assists the remote pilot in the safe conduct of the flight.

Unmanned Aircraft System: An aircraft and its associated elements which are operated with no pilot on board.

VFR flight: Flight conducted in accordance with the visual flight rules.

Visibility: For aeronautical purposes is the greater of—

(i) the greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognized when observed against a bright background;

(ii) The greatest distance at which lights in the vicinity of 1 000 candelas can be seen and identified against an unlit background.

Note 9. - The two distances have different values in air of a given extinction coefficient, and the latter (i) varies with the background illumination. The former (i) is represented by the meteorological optical range (MOR).

Note 10. - The definition applies to the observations of visibility in local routine and special reports, to the observations of prevailing and minimum visibility reported in the aerodrome routine meteorological report (METAR) and aerodrome special meteorological report (SPECI) and to the observations of ground visibility.

Visual Line-of-Sight (VLOS) operation: An operation in which the remote crew maintains direct unaided visual contact with the unmanned aircraft system to manage its flight

Visual Meteorological Conditions (VMC): Meteorological conditions expressed in terms of visibility, distance from clouds, and ceiling, equal to or better than specified minima.

27.010 ACRONYMS AND ABBREVIATIONS

The following acronyms and abbreviations are used in this Part—

Note: Additional acronyms and abbreviations are provided in Part 1, Appendix 1 to 1.020.

GM = Guidance Material
IMC = Instrument Meteorological Conditions
MOR = Meteorological Optical Range
UOC = UAS Operator Certificate
SMS = Safety Management System
TLS = Target Level of Safety
UA = Unmanned Aircraft
UAS = Unmanned Aircraft System
VFR = Visual Flight Rules
VLOS = Visual Line-of-Sight
VMC = Visual Meteorological Conditions
SSR =Secondary Surveillance Radar
ATC = Air Traffic Control
RPAS = Remotely Piloted Aircraft System

SUBPART B: CLASSIFICATION AND REGISTRATION OF UAS

27.015 CATEGORIZATION AND CLASSIFICATION OF UAS AND OPERATIONS

(a) A classification of UAS (equipment) separate from their intended operations (activity) is impossible without clear certification and airworthiness standards, and therefore until such time that these become available,
  (1) UAS classification must consider both the intended operation and proposed system.
  (2) In addition to the three general classifications mentioned below, the Authority reserves the right to require additional mitigations commensurate with the perceived risk to air traffic and ground infrastructure and populations in the interest of safety and/or security.
  (3) Class 1 – Basic Operations: A category of UAS operation that, considering the risk involved, does not require a prior Authorization by the Authority before the operation takes place however requires notification to the authority prior to operation.
    (i) Operational requirements fitting the Basic Operation category are identified in Subpart D “Basic Operations” of this regulation.
    (ii) These are considered the lowest risk operations for UAS and will not be considered for any commercial UAS flights. A basic risk assessment shall be conducted and submitted to the Authority for approval.
    (iii) Operations conducted in private property only with appropriate property owner’s authorization.
  (4) Class 2 – Specific Operations: A category of UAS operation that, considering the risk involved, requires an Authorization by the Authority before the operation takes place and takes into account the mitigation measures identified by an operational risk assessment, except for certain standard scenarios where a declaration by the operator is sufficient.
    (i) Operational requirements for this category can be found in Subpart E “Specific Operations” of this regulation.
    (ii) These operations are considered acceptable only upon approval of a risk assessment and risk mitigation plan as described in the issued Authorization granted by the Authority.

(iii) Specific categories fit UAS operations that are not for commercial UAS operations and limited in risk exposure on the ground or in the air, or larger more complex aircraft for private testing and flight operations. This category requires the remote pilot to have a remote license issued the Authority.

(5) Class 3 – Complex Operations: A category of UAS operation that, considering the risks involved requires extensive performance review and reliability testing, a licensed remote pilot, a UAS operator certificate (UOC); and approval by the Authority (Authorization) with specifically required risk mitigations to operate as described.

(i) This category of operation may also require additional system certification such as type certifications.

(ii) Operational requirements for this category can be found in Subpart F "Complex Operations" of this regulation.

(iii) Complex Operations categorization provides the opportunity for highly robust UAS to operate in Authority controlled airspace where other operations would not be allowed for lack of system performance, reliability, and certification.

(b) As an applicant seeks approval for UAS operations from the Authority, they can look to these three categories for guidance and what will be required of them.

Appendix 1 to 27.015 illustrates of permit and licensing flow chart for UAS

(1) It is recommended that an applicant identifies what elements of the operation do not meet with the "Basic Category."

(2) These identified operational differences will be the focus of the risk assessment processes to be considered in the Specific or Complex categories.

(3) As an applicant's intended operation is characterized by higher risk elements, more significant training, licensing, permissions, system reliability, and equipage will be required.

(c) The Subparts in this regulation relating to the categories (Subparts D, E and F) outline and identify requirements that characterize that classification of operation.

(d) The Authority reserves the right to amend or require operational changes at any time.

UAS Operation Licensing and Permission Categories		
Basic	Specific	Complex
1. Registration 2. Notification to the Authority	1. Registration 2. Authorization 3. Pilot License	1. Registration 2. Authorization 3. Pilot License 4. UAS Operator Certification

(e) An applicant seeking operations beyond those limitations identified in Subpart D "Basic Operations" must provide operational risk assessment as described by the Authority in support of an Authorization. As risk increases, the complexity of the assessment will include operational considerations identified in Subpart E "Specific Operations" and Subpart F "Complex Operations".

27.020 OWNERSHIP OF UAS IN RWANDA

(a) A person shall be eligible to own a UAS if they are—

(1) A Rwandan citizen of minimum age of eighteen (18) years.

(2) A resident of Rwanda of minimum age of eighteen (18) years.

(3) A company registered in Rwanda.

(4) An institution of the government of Rwanda.

(b) A person who wishes to change ownership of a UAS shall notify the Authority in writing seven days before the change.

(c) A person shall not own, register or operate UAS with military specifications.

(d) Non Rwandans with visas shall abide by regulation 27.035(l) for ownership of UAS in Rwanda, then Regulation 27.090 and 27.255 (if applicable) before any operations

27.025 DECLARATION OF UAS ON ARRIVAL AT THE AIRPORT/BORDER

(a) A person shall declare his/her unregistered UAS to Airport security or security officer at the border post upon arrival.
(b) Unless a person has authorization, any UAS brought in the country whether unregistered or foreign registered shall notify Airport security or border security upon arrival, submit/handover the UAS, obtain and complete a seizure form. The UAS owner must complete registration and/or Authorization process before claiming back the UAS.
(c) A person who has already registered his/her aircraft prior to arrival must present all documentation to Airport security or security officer at the border post to confirm the aircraft is adequately registered and marked.
(d) A UAS seized for a period of over 6 months without owner's claim, shall be removed from the store and submitted for either destroying or auctioning.

27.030 MANUFACTURE, ASSEMBLY & TESTING OF UAS

(a) Any person intending to manufacture, assemble or test a UAS, or a component thereof, shall request for Authorization and be subjected to necessary security clearance by relevant competent security agencies.
(b) Any person intending to test a UAS or component thereof, shall register the aircraft or component with the Authority and issue notification to the Authority prior to any flight.
(c) Areas of operation may be designated by the Authority as "Testing Sites" where any person manufacturing, assembling, or testing a UAS, or a component thereof, may fly any registered aircraft or component without an Authorization.

27.035 REGISTRATION OF UAS

(a) A person shall not operate an unmanned aircraft system within Rwanda unless the unmanned aircraft system has been registered by the Authority and a certificate of registration is issued to its owner in accordance with these regulations;
(b) An unmanned aircraft system acquires Rwandan nationality when registered under these Regulations;
(c) An unmanned aircraft system is eligible for registration if it is owned by—
    (1) any Rwanda Government institution except if classified as state aircraft;
    (2) an individual legally residing in Rwanda or a Rwandan citizen;
    (3) any company registered in Rwanda;
(d) The owner of a UAS applies to the Authority by sending the following items—
    (1) an application form to provide information about the unmanned aircraft system and contact information for the UAS owner;
    (2) evidence of ownership (such as a bill of sale); and
    (3) the registration fee as determined by the Authority.
(e) If the applicant meets the registration requirements, the Authority registers the UAS by assigning a registration number ("**9XR-….**") and issues a certificate of registration to the owner;
(f) The Authority establishes and maintains a UAS register containing the information specified in regulation 27.045,
(g) If a UAS is leased or is the subject of a lease, charter or hire purchase agreement to a person qualified under 27.035 (c), the Authority temporarily registers the UAS in the names of the parties to the charter or hire purchase agreement for the duration of the lease, charter or hire-purchase agreement.
(h) The certificate of registration shall not be transferable.
(i) An operator or owner of a UAS shall be subjected to security vetting from competent security vetting agencies.
(j) Any significant modification, that affects flight characteristics, to the specifications of registered UAS shall be subject to clearance by the authority.
(k) Not prejudice to regulation 27.035 (a) and 27.035 (i), an applicant with foreign registered UAS intending to fly UAS in Rwanda, will not require Rwandan registration mark.
(l) A foreign applicant shall fly in Rwandan airspace only if the following are fulfilled—

(1) presenting all required documents as proof of having gone through registration process applicable in their home country (and recognized by the Authority) or registration in a global and accessible database;
(2) when Authorization is issued by the Authority as required;

27.040 DISPLAY OF REGISTRATION MARKS

(a) The owner of the unmanned aircraft system shall display Authority-issued registration marks prominently on the unmanned aircraft system;
(b) The registration marks shall be displayed in the largest practicable manner.

27.045 UAS REGISTER

(a) The Authority shall establish and maintain a UAS register containing the following particulars-
(1) The number of the certificate;
(2) The registration mark assigned to unmanned aircraft system by the Authority;
(3) The name of the manufacturer and the manufacturer's designation of the unmanned aircraft system;
(4) The serial number of the unmanned aircraft system;
(5) The name and address of the owner
(6) The use or conditions with regard to which unmanned aircraft system is registered.
(7) Entry date,
(8) Registration/deregistration date
(9) Inspector's signature

27.050 DE-REGISTRATION OF UAS

(a) The Authority may de-register or cancel the registration of a UAS under the following circumstances—
(1) Upon application of the UAS owner for purposes of registering the UAS with another Authority;
(2) Upon destruction of the UAS or its permanent withdrawal from use; or
(3) In the interest of National Security

27.055 IDENTIFICATION PLATE

(a) UAS must carry an easily identified inscription with its registration mark and be made of fire resistant material or placed far from any combustible material such as batteries;
(b) The identification inscription must be commensurate with the size of the UAS and affixed conspicuously to the exterior of the unmanned aircraft system.

27.060 AIRWORTHINESS OF UAS

(a) Unmanned aircraft systems owner or operator shall ensure that all its components are in working order and in accordance with the manufacturers' user manual.
(b) For the "Specific" and "Complex" risk categories of UAS operation, the Authority shall require UAS operations to meet a standards level of performance to be determined by the authority and commensurate with the risk of the operation.
(c) No airworthiness type certification shall be required for unmanned aircraft system operations that are subject to these Regulations;
(d) Without prejudice to Regulation 27.060 (c), no person shall operate an unmanned aircraft system unless it is in a condition for safe operation. This condition may be determined during the preflight check required under regulation 27.095 of these Regulations;
(e) The remote pilot must discontinue the flight when he/she knows or has reason to know that continuing the flight would pose a hazard to other aircraft, people, or property.

27.065 MAINTENANCE & INSPECTION

(a) A remote pilot or the owner of an unmanned aircraft system must—
(1) Maintain the unmanned aircraft system in a condition for safe operation; and
(2) inspect the unmanned aircraft system prior to flight to determine that the system is in a condition for safe operation;

(3) Keep a log of all the checks performed before each flight operation. These logs should then be consulted in case of incident or accident.

27.070 INSPECTION, TESTING & DEMONSTRATION OF COMPLIANCE

(a) A remote pilot, or owner of an unmanned aircraft system, must upon request, make available to the Authority—
  (1) the remote pilot license with an unmanned aircraft system rating;
  (2) the certificate of registration for the unmanned aircraft system being operated; and
  (3) any other document, record, or report required to be kept by a remote pilot or owner of an unmanned aircraft system under these Regulations

(b) The remote pilot, or owner of an unmanned aircraft system must, upon request, allow the Authority to make any test or inspection of the unmanned aircraft system, the remote pilot, and to determine compliance with these Regulations.

27.075 REPORTING OF UAS INCIDENTS AND ACCIDENTS

(a) A remote pilot must, as soon as possible but not later than 24 hours, report to the Authority any operation of the unmanned aircraft system that involves the following accident—
  (1) Any fatal or serious injury to any person; or
  (2) Damage to any property including the unmanned aircraft system itself.

(b) UAS operator shall ensure that all eligible incidents and accidents involving UAS are reported to the Authority in accordance with Rwanda Civil Aviation Safety Management requirements.

27.080 IMPORT AND EXPORT OF UAS

(a) A person shall not import a UAS or a component thereof without a permit issued by the Authority subject to necessary security clearance by the competent security agencies.

(b) A person who intends to export a Rwandan registered UAS shall notify the Authority in writing attached to the registration certificate issued and obtain a de-registration certificate prior to transportation.

SUBPART C: OPERATION OF UAS

27.085 GENERAL OBLIGATION OF UAS OWNER AND OPERATOR

(a) The UAS operator shall be responsible for the safe conduct of its operations.

(b) The UAS operator shall comply with all requirements established by the Authority regarding its operation.

(c) The UAS operator shall be responsible for contracted services from providers (e.g. communications service providers), as necessary, to carry out its operations.

(d) Responsibility for operational control shall rest with the registered owner or operator of the UAS.

(e) The UAS owner or operator shall ensure that it is registered in accordance with the provisions of these regulations.

(f) Prior to conducting controlled UAS operations whether BVLOS OR VLOS, the operator shall subscribe to any means of UAS surveillance approved by the authority. Application will be submitted through www.caa.gov.rw/uas

(g) No person shall be allowed to operate UAS under no surveillance unless otherwise authorized by the Authority.

(h) Unless otherwise specified by the Authority the request for Authorization for operation shall include the following—
  (1) Name and contact information of the operator;
  (2) UAS characteristics including type of aircraft, maximum certificated take-off mass, number of engines and wing span;
  (3) Copy of certificate of registration;
  (4) Aircraft identification to be used in radiotelephony, if applicable;
  (5) Copy of all approvals related to aircraft airworthiness;
  (6) Copy of the uas operator certificate;

(7) Copy of the remote pilot license;
(8) Copy of the aircraft radio station license, if applicable;
(9) Description of the intended operation such as to include type of operation or purpose, flight rules, mode of separation from air and ground obstacles, date of intended flight, point of departure, destination, cruising speed, cruising level, route to be followed, duration/frequency of flight;
(10) take-off and landing requirements and procedures;
(11) UAS performance characteristics, including—
  (i) Operating speeds;
  (ii) Typical and maximum climb rates;
  (iii) Typical and maximum descent rates;
  (iv) Typical and maximum turn rates;
  (v) Other relevant performance data including limitations regarding wind, icing, precipitation; and
  (vi) Maximum unmanned aircraft endurance;
(12) communications, navigation and surveillance capabilities;
  (i) Aeronautical safety communications frequencies and equipment, including—
  (ii) ATC communications, including any alternate means of communication;
  (iii) Command and control links (C2) including performance parameters and designated operational coverage area;
  (iv) communications between remote pilot and UA observer, if applicable;
  (v) navigation equipment; and
  (vi) surveillance equipment, such as SSR transponder, ADS-B;
(13) detect and avoid capabilities;
(14) emergency procedures, including but not limited to—
  (i) Communications failure with ATC;
  (ii) C2 link failure; and
  (iii) UAS pilot/UA observer communications failure, if applicable;
(15) number and location of remote pilot stations as well as handover procedures between remote pilot stations, if applicable;
(16) document attesting noise certification, if applicable;
(17) confirmation of compliance with Part 29 of the Civil Aviation Regulations;
(18) payload information/description; and
(19) Proof of adequate insurance coverage commensurate to the risk of the operation.

(g) Where documents identified in regulation 27.085 (f) above are issued in another language other than English, the UAS operator shall ensure that an English translation is included.
(h) The UAS shall meet the performance and equipment carriage requirements for the specific airspace in which the flight is to operate.
(i) Operational risk assessment including specific route(s) and site(s).
(j) Proof of operation(s) site approval from the appropriate authorities.
(k) An operator shall not engage in commercial UAS activity unless the operator holds a valid UAS operator certificate (UOC) issued by the Authority

27.090 AUTHORIZATION OF UAS ACTIVITIES

(a) A person shall not operate a UAS in Rwanda, except in accordance with these regulations and given Authorization by the Authority.
(b) UAS operations shall be authorized in accordance with the category of use, for purposes of—
  (1) Private Use: No additional Authorization other than notification to the authority is required if operating within the constraints of Subpart D (Basic Operations);
  (2) Recreation and Sports: Authorization shall be through registered clubs established in accordance with the provisions of Subpart D of these regulations;
  (3) Commercial UAS Operations: Authorization shall be issued in accordance with the provisions of Subpart F of these regulations.
(c) The Authority may grant upon application a temporary Authorization(s) to person(s) intending to operate UAS not registered in Rwanda—
  (1) For a period of fourteen (14) days' renewable once when the reason for renewal is genuine;

(2) Such application shall be submitted to the Authority and processed within four (4) weeks.

27.095 PREFLIGHT FAMILIARIZATION, INSPECTION AND ACTIONS FOR UAS OPERATION

(a) Prior to flight, the remote pilot must—
  (1) assess the operating environment, considering risks to persons and property in the immediate vicinity, both on the surface and in the air. This assessment must include—
    (i) Local weather conditions;
    (ii) Local airspace and any flight restrictions;
    (iii) The location of persons and property on the surface; and
    (iv) Other ground hazards.
  (2) ensure that all persons involved in the operation of the unmanned aircraft system receive a briefing that includes operating conditions, emergency procedures, contingency procedures, roles and responsibilities, and potential hazards;
  (3) ensure that all links between ground station and the unmanned aircraft system are working properly; and
  (4) if the unmanned aircraft system is powered, ensure that there is enough available power for the unmanned aircraft system to operate for the intended operational time and to operate after that for at least five minutes.
(b) Each person involved in the operation must perform the duties assigned by the remote pilot.

27.100 OPERATION OF UAS IN PROHIBITED OR RESTRICTED AREAS

(a) A person shall not operate a UAS—
  (1) In or around a prohibited or a restricted area or “no fly zone” the particulars of which have been duly published in the Rwanda Aeronautical Information Publication or any other relevant document, except in accordance with the conditions of the restrictions or by permission granted by the Authority;
  (2) In or around Strategic Installations, Radar Sites, high tension cables and Communication Masts, highways, stadiums, Prisons, Police Stations, Military barracks, Courts of Law, Scenes of Crime, except in accordance with the conditions of the restrictions or by permission granted by the Authority through an Authorization.

27.105 CARRIAGE OF DANGEROUS GOODS

(a) A person shall not take or cause to be taken on board a UAS or deliver or cause to be delivered for loading thereon any goods which that person knows or has reasonable cause to know to be dangerous goods unless authorized by the Authority to do so.
(b) Dangerous goods are defined as—
  (1) Chemical and/or Biological substances;
  (2) Nuclear material;
  (3) Explosives;
  (4) Arms, ammunition and munitions of war;
  (5) Corrosive substances;
  (6) Radioactive elements;
  (7) Volatile liquids;
  (8) Highly flammable liquids;
  (9) Aerosol sprays;
  (10) Illicit or unauthorized drugs;
  (11) Any such materials and/or substances that may from time to time be so classified by the Authority.

27.110 HAZARDOUS/RECKLESS OPERATION

(a) No person shall—
  (1) operate an unmanned aircraft system in a careless or reckless manner so as to unduly endanger the life or property of another; or
  (2) allow an object to be dropped from an unmanned aircraft system if such action would endanger the life or property of another.

27.115 OPERATION IN CONTROLLED AIRSPACE

(a) An unmanned aircraft system shall not operate in a controlled airspace unless the operator has prior
(b) Authorization from the appropriate Authority to operate in such airspace;
(c) An unmanned aircraft system must only operate outside any aerodrome control zone (CTR);
(d) Any person conducting unmanned aircraft system operations must ensure that the appropriate air traffic service unit(s) is advised immediately anytime the flight of an unmanned aircraft system inadvertently enters into controlled airspace.

27.120 MEDICAL CONDITION, CONSUMPTION OF ALCOHOL & DRUGS

(a) No person shall act as a remote pilot/observer/controller if he or she knows or has reason to know that he/she has a physical or mental condition that would interfere with the safe operation of an unmanned aircraft system.
(b) No UAS pilot or observer or controller shall—
  (1) consume alcohol less than 8 hours prior to reporting for duty;
  (2) commence a duty period while the concentration of alcohol in any specimen of blood taken from any part of his or her body is more than 0.04 grams per 100 milliliters;
  (3) consume alcohol or any psychoactive substance during the duty period or whilst on standby for duty; or
  (4) commence duty period/operate UAS while under the influence of alcohol or any psychoactive substance having a narcotic effect and put operation to safety risk.

27.125 INTERNATIONAL UAS OPERATION

(a) A person shall not conduct a UAS flight commencing at a place within Rwanda and terminating at a place outside Rwanda without Authorization from the State of destination or any other State over whose airspace the UAS shall fly.
(b) A person shall not conduct a UAS flight commencing at a place outside Rwanda and terminating at a place within Rwanda or over-flying the Rwanda airspace without Authorization from the Authority.

27.130 CANCELLATION, SUSPENSION OR VARIATION OF AUTHORIZATION

(a) Notwithstanding the provisions of regulation 27.090, the Authority may, in the interest of safety and national security, cancel, suspend or vary any Authorization granted under these regulations.

27.135 NOTIFICATION TO THE LOCAL AUTHORITIES

(a) No unmanned aircraft system shall be launched or recovered from any public or private property without Authorization;
(b) After reception of Authorization from the Authority, the remote pilot or the owner must notify appropriate authorities (local authorities and police), as well as inform people around the area, before starting the operations.
(c) If the flight is to be performed near any aerodrome or aircraft operating site, procedures for notification of the intended operation should be provided to air traffic services unit in the area prior to take-off and file flight plan as prescribed in regulation 27.155, 27.165 and 27.210.
(d) All UAS operations shall always be notified to local/security authorities in the area of the intended operation to avoid interruption or concerns from the public.

27.140 EMERGENCIES AND CONTINGENCIES

(a) UAS operators shall develop and implement emergency and contingency procedures acceptable to the Authority and submit it as part of their operation manual.

27.145 COMMAND AND CONTROL LINK

(a) A UAS pilot/controller shall ensure that he or she has command and/or control link of the UAS at all times during the flight.
(b) Any UAS pilot/controller who loses command and/or control link of his UAS for a period necessitating termination of the flight must report to the Authority as soon as possible within 24hours.

27.150 ISSUANCE OF AUTHORIZATION/OPERATOR CERTIFICATE

(a) A person shall not operate an unmanned aircraft system within Rwanda unless authorized by the Authority.
(b) The Authority may issue an Authorization for a single activity or a block of repeated activities to be carried out by an unmanned aircraft at a specific area of operation, and which are of specific operational profiles and conditions.
(c) A UAS Operator Certificate (UOC) is issued by the Authority if the applicant is able to ensure safe operation of unmanned aircraft, taking into account the applicant's organizational set-up, competency of the personnel especially those flying the unmanned aircraft, procedures to manage safety including the conduct of safety risk assessments, the airworthiness of the aircraft system, training and security programs in place based on category and complexity of operation.
(d) Applications for UAS Operator Certificate (UOC) or Authorization will be assessed on a case-by-case basis.
(e) Authorization applications and documents to be provided in the form and manner prescribed by the Authority.
(f) Applicable fees for issuance of activity permit and/or UAS Operator Certificate shall be determined by the Authority as published in appropriate document

27.155 OPERATION IN THE VICINITY OF AERODROMES

(a) Except with written permission of the operator of an aerodrome, the appropriate ANSP and approval from the Authority; a person shall not operate a—
    (1) UAS within ten (10) Km of an aerodrome from the aerodrome reference point of any aerodrome;
    (2) UAS on approach and take-off paths;
    (3) UAS within the vicinity of navigation aids;
    (4) UAS within the aerodrome traffic zone;
    (5) UAS within terminal traffic holding patterns.

27.160 UAS COMMUNICATION FREQUENCIES

(a) Communication between remote pilot and ATC shall be on established Radio frequencies used in aeronautical radio frequency spectrum.
(b) If applicable, the UAS operator shall seek radio license from the appropriate national agency in charge prior to operating any radio for communication.
(c) Communication between remote pilot and ATC for operations considered as basic category for UAS, Subpart D of this Regulation, will require notification to the Authority.

27.165 RESPONSIBILITY OF THE REMOTE PILOT

(a) The remote pilot is directly responsible for, and is the final authority as to the operation of the unmanned aircraft system.
(b) The remote pilot must ensure that the unmanned aircraft system will pose no undue hazard to other aircraft, people, or property in the event of a loss of control of the unmanned aircraft system for any reason.

27.170 OPERATIONS MANUAL

(a) A UAS operator shall develop and submit to the Authority for approval an operation manual as set out in the Appendix 1 to 27.170 to these regulations.
(b) An operations manual shall include each item set forth in this Appendix which is applicable to the specific operation, unless otherwise approved by the Authority.

(c) The holder of UOC establishes a safety management system commensurate with the size of the organization or entity and the complexity of its operations
(d) The safety management system shall include—
  (1) Lines of responsibility and accountability;
  (2) Safety policy;
  (3) Identification of aviation safety hazards encountered by the activities of the operator, assessment and mitigation of the associated risks, including taking actions and verifying their effectiveness;
  (4) A process to identify actual and potential safety hazards and assess the associated risks;
  (5) A process to develop and implement remedial action necessary to maintain an acceptable level of safety;
  (6) Provision for continuous and regular assessment of the appropriateness and effectiveness of safety management activities.
(e) The holder of UOC establishes a system of record-keeping that allows adequate storage and reliable traceability of all activities conducted;
(f) The format of the records is specified in the UOC holder's operations manual;
(g) Records are stored for at least 5 years in a manner that ensures protection from damage, alteration and theft.

SUBPART D: BASIC OPERATIONS OF UAS FOR PRIVATE, SPORT AND RECREATION

27.175 PRIVATE UAS OPERATIONS

(a) A person operates UAS for private purposes only after registering the UAS with the Authority, and is subject to the conditions contained in regulation 27.195.

27.180 TRAINING FOR PRIVATE UAS OPERATIONS

(a) The UAS pilots will be trained in accordance with training requirements provided and approved by the authority.

27.185 RECREATIONAL AND SPORTS UAS OPERATIONS

(a) UAS operations for recreation and sports purposes shall be conducted within registered clubs which are approved by the Authority as set out in the Appendix 1 to 27.185 of these regulations. Such recognition shall be valid for twelve (12) months.
(b) The Authority shall develop a system for approval of clubs including requirements for composition, documentation and club rules and regulations.
(c) The clubs referred to in regulation 27.185 (a) shall provide the Authority with details of their operation areas and times for approval.
(d) UAS operators shall comply with requirements to operate within the designated airspaces determined by the appropriate authorities.

27.190 TRAINING REQUIREMENTS FOR RECREATIONAL AND SPORTS UAS OPERATIONS

(a) Clubs referred to in regulation 27.185 herein shall prescribe minimum training requirements for UAS operation under the club.
(b) Training requirements referred to in regulation 27.190 (a) above shall be documented and submitted to the Authority for acceptance.

27.195 BASIC UAS OPERATING LIMITATIONS

(a) A remote pilot must comply with all of the following operating limitations when operating an unmanned aircraft system under the Basic Classification of UAS operations—
  (1) The airspeed of the unmanned aircraft system shall not exceed 87 knots (100 miles per hour) calibrated airspeed at full power in level flight;
  (2) The maximum take-off weight of a UAS under the Basic Classification shall be 1 kg.

(3) A person shall not operate a UAS at a height above 400 feet (120 meters) Above Ground Level (AGL) and a lateral distance of 100 m away from any person, vessel, vehicle or structure which is not under the control of the person in charge of the UAS except when approved by the Authority.
(4) The lateral distance between the unmanned aircraft system and the remote pilot shall be in such a way that the remote pilot will maintain continuous visual contact with the unmanned aircraft system;
(5) The unmanned aircraft system shall not be flown over or within any congested area of a city, town or settlement unless approved by the Authority;
(6) the minimum flight visibility, as observed from the location of the ground control station must be no less than 3 statute miles (5 kilometers);
(7) the minimum distance of the unmanned aircraft system from clouds must be no less than—
(i) 500 feet (150 meters) below the cloud; and
(ii) 2,000 feet (600 meters) horizontally away from the cloud.
(8) Notwithstanding the provisions of regulation 27.195 (a) (3), operations of UAS may be conducted at such higher heights and lateral distances as the Authority may approve.
(9) Operating UAS fitted with cameras and/or imaging devices at heights or lateral distances where such cameras and/or imaging devices capture information, pictures or videos extending beyond the prescribed area of approved operation is prohibited.
(10) Unless approved by the Authority on a case by case basis, a person shall not operate a UAS—
(i) In conditions other than Visual Meteorological Conditions (VMC);
(ii) At night;
(iii) In controlled airspace under this category.

27.200 DAYLIGHT OPERATION

(a) All operations of an unmanned aircraft system under basic regulations must be between the hours of official sunrise and sunset.
(b) Night operations are not permitted under these regulations, except by approval under the “Specific” or “Complex” classification of operations.

27.205 VISUAL LINE-OF-SIGHT (VLOS) UAS OPERATION

(a) The remote pilot of a UAS must maintain continuous unaided visual contact with the unmanned aircraft system sufficient to—
(1) Maintain operational control of the unmanned aircraft system,
(2) Know the unmanned aircraft system’s location;
(3) Determine the unmanned aircraft system’s attitude, altitude, and direction;
(4) Observe the airspace for other air traffic or hazards; and
(5) Determine that the unmanned aircraft system does not endanger the life or property of another.
Note 11. - The use of a trained UA Observer may satisfy this condition for VLOS aircraft operation.

SUBPART E: SPECIFIC OPERATIONS

27.210 FLIGHT PLAN

(a) All UAS flights flown under Subpart E or F shall file flight plans as specified in the conditions here under—
(1) Flights in controlled airspace shall file flight plans as prescribed for in the Aeronautical Information Publication (AIP).
(2) Flights in uncontrolled air space shall file flight plans as follows —
(i) Operations within 5 kilometers out of launch area to notify the nearest ATC and fulfil regulation 27.195 (a) (1), (3), (4), (5), (6), (7), (8), (9), (10);
(ii) Operations beyond 5 Km out of launch shall file flight plans as stipulated in regulation 27.210 (a) above and fulfil regulation 27.195 (a) (1), (3), (4), (5), (6), (7), (8), (9), (10);
(3) while filing a Flight Plan, UAS operator shall abide by the appropriate regulations.
(b) The UAS operator shall share any UAS flight data with the authority when required.

(c) Data related to UAS flight shall be recorded, stored and retrievable as and when required by the Authority for investigation.

27.215 OPERATION NEAR AIRCRAFT; RIGHT-OF WAY RULES

(a) A remote pilot must maintain awareness so as to see and avoid other aircraft and vehicles and must yield the right-of-way to all aircraft and vehicles;
   (1) In order to maintain awareness so as to see other aircraft and vehicles, the remote pilot/controller shall maintain visual contact with his/her UAS in case of Visual Line-Of-Site (VLOS) operations or ensure continuous real time tracking of UAS in case of Beyond Visual Line-Of-Site (BVLOS) operations.
   (2) Yielding the right-of-way means that the unmanned aircraft system must give way to the aircraft or vehicle and may not pass over, under, or ahead of it unless well clear.

(b) No person may operate an unmanned aircraft system so close to another aircraft as to create a collision hazard.

27.220 OPERATION IN CONGESTED AREAS AND OVER PEOPLE

(a) A person shall not operate a UAS at lateral distance of less than 328 feet [100 meters] from any person or an open-air assembly/crowd of persons, building structure, vehicle, vessel or animal not associated with the operations of UAS unless otherwise authorized by the Authority.

(b) Subject to paragraph (a) above vertical limits shall be less than 100 feet [30 meters] AGL except when approved by the Authority.

(c) Subject to regulation 27.220(a) a person shall not operate UAS in a reckless manner thus abiding by regulation 27.110.

27.225 OPERATION IN CONTROLLED AIRSPACE

(a) An unmanned aircraft system shall not operate in a controlled airspace unless the operator has prior authorization from the appropriate Authority to operate in such airspace;

(b) An unmanned aircraft system must only operate outside any aerodrome control zone (CTR) unless otherwise authorized by the Authority;

(c) Any person conducting unmanned aircraft system operations must ensure that the appropriate air traffic service unit(s) is advised immediately anytime the flight of an unmanned aircraft system inadvertently enters into controlled airspace

27.230 ATC COMMUNICATION

(a) UAS pilots shall ensure that ATC is made aware of any operations that shall take place in areas which are likely to affect manned and controlled air traffic.

27.235 OPERATIONS AT AN AERODROME

(a) The Authority may upon approval of UAS operation at an aerodrome—
   (1) Impose operating restrictions on the approval in the interest of safety;
   (2) Publish details of the approval in the appropriate element of the Aeronautical Information Publication (AIP);
   (3) Revoke or change the conditions that apply to such approval and publish details of any revocation or change in conditions in the appropriate element of the AIP.

SUBPART F: COMPLEX COMMERCIAL OPERATIONS

27.240 UOC COMPLIANCE

(a) An operator shall not engage in commercial UAS operations unless the operator holds a valid UAS Operator's Certificate (UOC) issued by the Authority.

(b) The UOC referred to in regulation 27.240 (a) shall enable the operator to conduct UAS operations in accordance with the conditions and limitations detailed in the operations specifications attached to the UOC.

(c) The issuance of an UOC by the Authority is dependent upon the UAS operator demonstrating an adequate organization, method of control and supervision of flight operations, training program as well as ground handling and maintenance arrangements consistent with the nature and extent of the operations specified and commensurate with the size, structure and complexity of the organization and abide by appendix 1 to 27.170 regulation.
(d) A commercial UAS operator shall establish and implements a safety management system (SMS) in accordance with their operational requirements established under the Civil Aviation Law or any other regulations made there under.

27.245 UAS OPERATOR CERTIFICATE (UOC)

(a) An operator or owner of unmanned aircraft system shall have a UOC issued in accordance with these Regulations.
(b) The issuance of UOC by the Authority shall be dependent upon the unmanned aircraft system operator demonstrating method of control and supervision of flight operations and training consistent with the nature and extent of the operations specified.
(c) Application for UOC shall be sent to the Authority—
  (1) on a form and manner prescribed by the Authority; and
  (2) containing any other information the Authority requires the applicant to submit.
  (3) accompanied by proof of payment of relevant fees for UOC as determined by the Authority in appropriate document.
(d) The Authority shall issue UOC to an applicant if that applicant—
  (1) Has its principal place of business and it is registered in Rwanda;
  (2) Meets the requirements of these Regulations;
  (3) Has qualified remote pilots to safely operate the unmanned aircraft system; and
  (4) Has met any other requirements as specified by the Authority.
(e) The UOC shall contain at least the following—
  (1) The issuing authority;
  (2) The UOC number and its expiration date;
  (3) The unmanned aircraft system operator name, trading name (if different) and address of the principal place of business;
  (4) The date of issue and the name, signature and title of the authority representative;
  (5) The location where the contact details of operational management can be found;
  (6) The description of the types of operations authorized;
  (7) The type(s) or model(s) of the unmanned aircraft system authorized for use; and
  (8) The authorized areas of operation.
(f) An UOC shall be valid for a period of 12 months unless otherwise approved by the Authority
(g) The continued validity of UOC shall depend upon the unmanned aircraft system operator maintaining the requirements of regulation 27.245(b) and (c) under the supervision of the Authority.

27.250 APPLICATION FOR UAS OPERATOR CERTIFICATE

(a) An operator applying to the Authority for a UAS Operator Certificate (UOC) shall submit an application in a form and manner prescribed by the Authority and containing any other information the Authority may require.
(b) An applicant shall make the application for an initial issue or reissue of UOC at least four weeks before the date of the intended operation.

27.255 ISSUANCE OF UOC

(a) The Authority may issue UAS Operator Certificate (UOC) to an applicant if that applicant—
  (1) Meets the requirements of ownership stipulated in regulation 27.020
  (2) Meets the applicable regulations and standards for the holder of a UOC;
  (3) Is properly qualified and adequately staffed and equipped to conduct safe operations in commercial operations of the UAS;

(4) Has an approved aircraft operator security program in accordance with the Civil Aviation (Security) Regulations, and meets any other requirements as specified by the Authority.

27.260 VALIDITY AND RENEWAL OF UAS OPERATOR CERTIFICATE

(a) A UAS Operator Certificate (UOC) issued by the Authority shall be valid for 12 months from the date of issue or renewal unless—
   (1) A shorter period is specified by the Authority;
   (2) The Authority amends, suspends, revokes or otherwise terminates the certificate;
   (3) An UOC holder surrenders it to the Authority;
   (4) The UOC holder notifies the Authority of the suspension of operations.
(b) An UOC which is suspended or revoked shall be returned to the Authority.
(c) An applicant for an UOC which has expired shall make an initial application.

27.265 AMENDMENTS OF UAS OPERATOR CERTIFICATE

(a) The Authority may amend a UAS operator certificate (UOC) if the—
   (1) Authority determines that the amendment is necessary for the safety of commercial UAS operations.
   (2) UOC holder applies for an amendment and the authority determines that the amendment is necessary.
   (3) The amendment is in the interests of national security.
(b) The UOC holder shall operate in accordance with the amendment unless it is subsequently withdrawn.

27.270 CONDUCTING SURVEILLANCE, TESTS AND INSPECTIONS

(a) The Authority shall conduct surveillance, inspections and tests on the UAS operator certificate (UOC) holder to ensure continued eligibility to hold an UOC and associated approvals.

27.275 PERSONNEL REQUIRED FOR UAS COMMERCIAL OPERATIONS

(a) UAS operator shall have an accountable manager acceptable to the authority, with corporate authority for ensuring that all necessary resources are available to support activities as mentioned in the UOC specifications.
(b) The accountable manager shall have sufficient qualified and competent personnel for the planned tasks and activities to be performed in accordance with the applicable requirements.
(c) A UAS operator should establish initial and recurrent training to ensure continuing competence of its personnel.

27.280 AUTHORIZATION FOR COMMERCIAL UAS OPERATIONS

(a) UOC holder shall not undertake commercial operations of UAS except with Authorization issued by the Authority.
(b) Authorization referred to in regulation 27.280 (a) shall be specific to particular operations.

27.285 CERTIFICATION OF UAS PILOTS / INSTRUCTORS

(a) A person shall not operate a UAS, for commercial or private purposes, without a valid License issued by the authority in accordance with these regulations.
(b) An applicant for UAS Pilots License referred in Regulation 27.285 (a) above shall—
   (1) Be at least 18 years old;
   (2) Hold a current class 3 medical certificate;
   (3) Demonstrate english language proficiency at least level 4;
   (4) Demonstrate basic knowledge of radio telephony phraseologies;
   (5) Have completed remote pilot training in a training organization approved by the authority;
   (6) Have passed a knowledge and skills test;
   (7) Hold valid identification from appropriate government authority;
   (8) Hold criminal record certificate (Casier judiciaire) ;
   (9) Have proof of payment of fees as determined by the authority

(c) Where applicable, UAS Pilot shall hold an appropriate rating for the type of operations they will perform including—
   (1) Type rating;
   (2) Instrument rating;
   (3) Night rating;
(d) where applicable UAS Instructor shall hold an appropriate rating for the type of operations they will perform including—
   (1) Type rating;
   (2) Instrument rating;
   (3) Night flying rating;
   (4) Instructor rating.
(e) UAS pilots/instructors for commercial operations shall be certified by the Authority in accordance with the Appendix 1 to 27.300 to these regulations.

27.290 ELIGIBILITY REQUIREMENTS FOR A REMOTE PILOT CERTIFICATE/LICENSE

(a) A person shall not act as a remote pilot unless that person holds—
   (1) A remote pilot certificate;
   (2) A rating for the specific UAS type or is operating under the supervision of a rated remote pilot for the purpose of qualifying for the rating;
   (3) The required knowledge for the type of UAS;
   (4) A current Class 3 medical certificate.
(b) A person undergoing training to qualify for a remote pilot certificate or rating shall not—
   (1) Act as solo remote pilot of an UAS unless under the supervision of, or with the authority of, an authorized UAS instructor;
   (2) Form a part of the crew of a commercial UAS flight.

27.295 VALIDITY OF UAS PILOTS CERTIFICATE/LICENSE

(a) The UAS pilots Certificate/license shall be valid subject to validity of the holder's medical certificate.

27.300 TRAINING REQUIREMENTS FOR COMMERCIAL UAS OPERATIONS

(a) The UAS pilots shall be trained in accordance with training requirements in Appendix 1 to 27.300.

27.305 INSTRUMENTS AND EQUIPMENT REQUIREMENTS

(a) The Authority shall prescribe instrument requirements for UAS operators for specific operations depending on—
   (1) The category of the UAS
   (2) Type of operations
   (3) Special authorizations sought

27.310 ISSUANCE OF A REMOTE PILOT LICENSE WITH A UAS RATING

(a) An applicant for a remote pilot license with an unmanned aircraft system rating under these Regulations must make the application in a form and manner acceptable to the Authority.
(b) The application must include—
   (1) A knowledge test report showing that the applicant passed an initial aeronautical knowledge test, or recurrent aeronautical knowledge test; and
   (2) A certification signed by the applicant stating that the applicant does not know or have reason to know that he or she has a physical or mental condition that would interfere with the safe operation of a unmanned aircraft system;
   (3) Proof of payment of fees for remote pilot license as determined by the Authority in appropriate document.
   (4) A copy of ID/passport plus one passport photo
(c) A remote pilot license is valid for a period of twenty-four (24) months.

27.315 RESPONSIBILITY OF THE REMOTE PILOT

(a) The remote pilot is directly responsible for, and is the final authority as to the operation of the unmanned aircraft system.

(b) The remote pilot must ensure that the unmanned aircraft system will pose no undue hazard to other aircraft, people, or property in the event of a loss of control of the unmanned aircraft system for any reason.

27.320 AERONAUTICAL KNOWLEDGE RECENCY

(a) A person shall not operate an unmanned aircraft system unless that person has completed one of the following, within the previous 24 calendar months—

(1) Passed an initial aeronautical knowledge test covering the areas of knowledge specified in Regulations 27.325 (a) and 27.330. (a)

(2) Passed a recurrent aeronautical knowledge test covering the areas of knowledge specified in Regulations 27.325 (a) and 27.330(b).

27.325 KNOWLEDGE TESTS: GENERAL PROCEDURES AND PASSING GRADES

(a) Knowledge tests prescribed by or under these regulations is conducted by the Authority or by persons designated by the Authority.

(b) An applicant for a knowledge test must have proper identification at the time of application that contains the applicant's—

(1) Photograph;

(2) Signature;

(3) Date of birth, which shows the applicant meets or will meet the age requirements of these Regulations for the certificate sought before the expiration date of the applicant knowledge test report; and

(c) The minimum passing grade for the knowledge test and second chance exam sitting is 70% as specified by the Authority.

27.330 INITIAL & RECURRENT KNOWLEDGE TESTS

(a) An initial aeronautical knowledge test covers the following areas of knowledge—

(1) Applicable regulations relating to unmanned aircraft system rating privileges, limitations, and flight operation;

(2) Airspace classification and operating requirements, obstacle clearance requirements, and flight restrictions affecting unmanned aircraft system operation;

(3) Official sources of weather and effects of weather on unmanned aircraft system performance;

(4) Unmanned aircraft system loading and performance;

(5) Emergency procedures;

(6) Crew resource management;

(7) Radio communication procedures;

(8) Determining the performance of unmanned aircraft system;

(9) Physiological effects of drugs and alcohol;

(10) Aeronautical decision-making and judgment; and

(11) Airport operations.

(b) A recurrent aeronautical knowledge test covers the following areas of knowledge—

(1) Applicable regulations relating to unmanned aircraft system rating privileges, limitations, and flight operation;

(2) Airspace classification and operating requirements, obstacle clearance requirements, and flight restrictions affecting unmanned aircraft system operation;

(3) Official sources of weather;

(4) Emergency procedures;

(5) Crew resource management;

(6) Aeronautical decision-making and judgment; and

(7) Airport operations.

27.335 UAS OPERATION BEYOND VISUAL LINE-OF-SIGHT (BVLOS)

(a) To conduct BVLOS operations, the operator shall obtain Authorization from the Authority after conducting operation safety risk assessment.

(b) To conduct flights BVLOS of the remote pilot or UA observer, the remote pilot shall have a means to Detect and Avoid traffic and all other hazards such as hazardous meteorological conditions, terrain and obstacles unless otherwise approved by the appropriate authority.

(c) Prior to conducting a controlled BVLOS operation, coordination shall be effected with the ATC unit involved regarding—
   (1) Any operational performance limitations or restrictions unique to the UAS (e.g. unable to perform standard rate turns);
   (2) Any preprogrammed lost C2 link flight profile or flight termination procedures; and
   (3) direct telephone communication between the Remote Pilot Station (RPS) and the ATC unit for contingency use, unless otherwise approved by the ATC unit(s) involved.

(d) Communication between the Remote Pilot Station (RPS) and the ATC unit(s) shall be as required for the class of airspace in which operations occur and should utilize standard ATC communications equipment and procedures, unless otherwise approved by the ATC unit involved.

(e) C2 link transaction time should be minimized so as not to inhibit the remote pilot's ability to interface with the UAS compared to that of a manned aircraft.

(f) UAS operating BVLOS shall only operate within Radio line of sight (RLOS). Operation beyond Radio line of sight shall require special Authorization from the Authority after indicating all operational control functions and safety measures associated to the type of operation.

(g) Remote Pilot Station for UAS operations BVLOS will be designed in such way to match the performance of the type of C2 link (BRLOS/RLOS) with which they will be used.

(h) BVLOS operations shall be conducted only when the following conditions are met—
   (1) the State of the Operator and the State in whose airspace operation occurs have approved the operation;
   (2) The Unmanned Aircraft (UA) remains in VMC throughout the flight; and
   (3) a Detect And Avoid (DAA) capability or other mitigation is used to assure the UA remains well clear of all other traffic; or
   (4) the area is void of other traffic; or
   (5) the operation occurs in specifically delimited or segregated airspace.

(i) Operations BVLOS over heavily populated areas or over open air assemblies of people shall require special considerations such as the following—
   (1) Altitudes for safe operation;
   (2) Consequences of uncontrolled landing;
   (3) Obstructions;
   (4) Proximity to airports/emergency landing fields;
   (5) Local restrictions regarding UAS operations over heavily populated areas; and
   (6) The emergency termination of a UA flight.

(j) Take-off launch of UAS BVLOS shall be operated from established aerodromes/UAS ports or from any other location depending on operational requirements and system configuration, design and performance.

(k) Take-off/launch from aerodromes for BVLOS operations from established aerodromes may be approved after ensuring that the safety of manned aircraft operations is not jeopardized, the remote pilot/controller shall consider the following—
   (1) Regulations pertaining to UAS operations on or near an aerodrome;
   (2) Complexity and density of air traffic;
   (3) Ground operations (e.g. taxiway width, condition, other ground traffic);
   (4) C2 link continuity;
   (5) Payload considerations;
   (6) Wake turbulence;

(7) Performance and capability related to take-off distance/run available and minimum obstruction climb requirements, departure procedures and any flight restricting conditions associated with operations to or from the aerodrome; and
(8) Availability of emergency recovery areas.

27.340 HIGHLY AUTOMATED UAS OPERATIONS

(a) Increasingly complex automated aircraft require extensive performance review, risk assessment, and testing.
(b) The entity conducting the automated unmanned aircraft operations is responsible for oversight of the operations, including unmanned aircraft airworthiness and any operational requirements imposed by the government entity;
(c) Automated unmanned aircraft operations must comply with rules of air, as applicable to all aircraft in Rwanda Airspace;
(d) Approval of highly automated UAS operations must be done in consultation with the Chairperson of the National Civil Aviation Security Committee (NCASC) who will issue a Certificate of Authorization for a specific period of time that permits an entity to operate an automated aircraft, in a particular area;
(e) The NCASC shall prescribe security conditions and limitations for highly automated unmanned aircraft operations to ensure they do not jeopardize national security.

SUBPART G: SECURITY REQUIREMENTS FOR UAS OPERATIONS

27.345 SECURITY VETTING FOR UAS PILOT/CONTROLLER OR THE OWNER

(a) On receipt of an application for a remote pilot license/controller or registration of unmanned aircraft system, the Authority verifies compliance and the accuracy of the application and provides the applicant's information to competent security agencies for security vetting prior to certificate issuance;
(b) The Authority only issues pilot licenses and/or UAS Operator Certificate (UOC)s to individuals who have successfully completed a security threat assessment conducted by the competent security agencies;
(c) The security threat assessment consists of a check of intelligence-related databases, including Interpol and international databases, terrorist watch lists, and other sources relevant to determining whether an individual poses or may pose a threat to national security, and that confirms the individual's identity;
(d) If the competent security agencies determine that the applicant poses a security risk, the Authority denies the application for a certificate;
(e) A holder of a remote pilot license or the certificate of registration who will be determined to pose a security risk must have his/her certificate amended, modified, suspend, or revoke (as appropriate) based on the competent security agencies' security findings;
(f) The competent security agencies conduct background and criminal record checks every 24 months on all personnel employed in the deployment, handling, and storage of unmanned aircraft system.

27.350 SECURITY PROGRAMME REQUIREMENTS

(a) A person or a club shall not operate a UAS without operator security procedures developed in accordance with the provisions of the Civil Aviation (Security) Regulations and accepted by the Authority.
(b) A UAS operator shall specify the security measures, procedures and practices to be followed by the operator to protect pilots and facilities from acts of unlawful interference.
(c) A UAS operator shall carry out and maintain security measures including identification and resolution of suspicious activity that may pose a threat to civil aviation—
    (1) At a remote pilot station;
    (2) On an UAS; and
    (3) At any facility under the control of the UAS operations.
(d) UAS shall be subject to security inspection at any time during its operations without prior notification to the operator,
(e) The specific security measures referred to in regulation 27.350 (c) shall provide—

(1) That the premises used for preparing, storing, parking including UAS ground station shall be secured at all times against unauthorized access;
(2) For protection of critical information technology and communication systems used for operations purposes from interference that may jeopardize the security of civil aviation;
(3) For protection of flight documents;
(4) That Commercial Operators requesting to operate with a camera shall be required to include details of the camera usage in the application for Security review and approval;
(5) Requirements for checks and searches of specific areas and accessible compartments of the interior and exterior of UAS; and
(6) That persons engaged in UAS operations are subject to recurrent background checks and selection procedures and are adequately trained.

27.355 SECURITY OBLIGATIONS FOR UAS OPERATORS

(a) The operator of UAS shall be responsible for the security of UAS operations including associated facilities, personnel and equipment,
(b) The UAS operator shall ensure that the UA or any component thereof that is no longer in use is completely disabled or destroyed to prevent unauthorized use,
(c) The UAS operator shall comply with any security directives or circulars issued by the Authority.

27.360 ACTS OF UNLAWFUL INTERFERENCE

(a) The UAS operator shall ensure that the unmanned aircraft system is protected from acts of unlawful interference;
(b) The UAS operator shall have response procedures for operations, personnel for threats and incidents involving UAS operations.
(c) UAS operator or owner shall ensure that reports on acts of unlawful interference are promptly submitted to the Authority as per the Civil Aviation (Security) Regulations.

27.365 UAS OPERATOR OR OWNER'S SECURITY MEASURES

(a) The holder of an UOC issued under these Regulations shall—
    (1) Ensure that unmanned aircraft systems not in use are stored in a secure manner to prevent and detect unauthorized interference or use;
    (2) Ensure that the unmanned aircraft system is protected from acts of unlawful interference;
    (3) Ensure that the unmanned aircraft system is stored and prepared for flight in a manner that will prevent and detect tampering and ensure the integrity of vital systems;
    (4) Designate a security coordinator responsible for the implementation,
    (5) Ensure that all personnel employed in the deployment, handling, and storage of unmanned aircraft system have received security awareness training.

SUBPART H: GENERAL PROVISIONS

27.370 RECORDS

(a) A UAS operator should establish a system of record-keeping that allows adequate storage and reliable traceability of all activities developed, covering at a minimum-
    (1) operator's organization;
    (2) SMSs;
    (3) Personnel training and competence verification;
    (4) Documentation of all management system key processes;
    (5) Maintenance records; and
    (6) Security management records.
(b) Records shall be stored in a manner that ensures protection from damage, alteration and theft
(c) Records identified in this regulation shall be current and in sufficient detail to determine whether the experience and qualification requirements are met for the purpose of commercial operations

27.375 INSURANCE

(a) A person shall not operate, or cause to be operated or commit any other person to operate UAS unless there is in force a minimum insurance policy, commensurate with the risk of the operation conducted, in respect of third party risks and proof of insurance document submitted to the authority.

(b) An operator of UAS shall make available third party liability insurance certificate, in the authentic form, at the location of the UAS operator's operational management or other location specified by the Authority

(c) Notwithstanding the provisions of regulation 27.375 (a), the authority may dispense with requirement depending on the class and category of the UAS.

27.380 PRIVACY OF PERSONS AND PROPERTY

(a) Any person conducting operations using UAS fitted with cameras shall operate them in a responsible way to respect the privacy of others.

(b) No person shall use a UAS to do any of the following—

(1) conduct surveillance of—

(i) A person without the person's consent.

(ii) Private real property without the consent of the owner.

(2) Photograph or film an individual, without the individual's consent, for the purpose of publishing or otherwise publicly disseminating the photograph or film. This requirement shall not apply to news gathering, or events or places to which the general public is invited.

(c) Infrared or other similar thermal imaging technology equipment fitted on unmanned aircraft system shall only be for the sole purpose of—

(1) Scientific investigation;

(2) Scientific research;

(3) Mapping and evaluating the earth's surface, including terrain and surface water bodies and other features;

(4) Investigation or evaluation of crops, livestock, or farming operations;

(5) Investigation of forests and forest management;

(6) Other similar investigations of vegetation or wildlife;

(7) Border surveillance as approved by the Authority.

27.385 DISCHARGING OR DROPPING GOODS

(a) A person must not cause a thing to be dropped or discharged from an unmanned aircraft in a way that creates a hazard to another aircraft, a person, or property.

27.390 REPORTS OF VIOLATION

(a) Any UAS Operator or employee of the operator who knows of a violation under these regulations, shall reports it to the Authority.

(b) The Authority will determine the nature and type of any additional investigation or enforcement action that requires to be taken.

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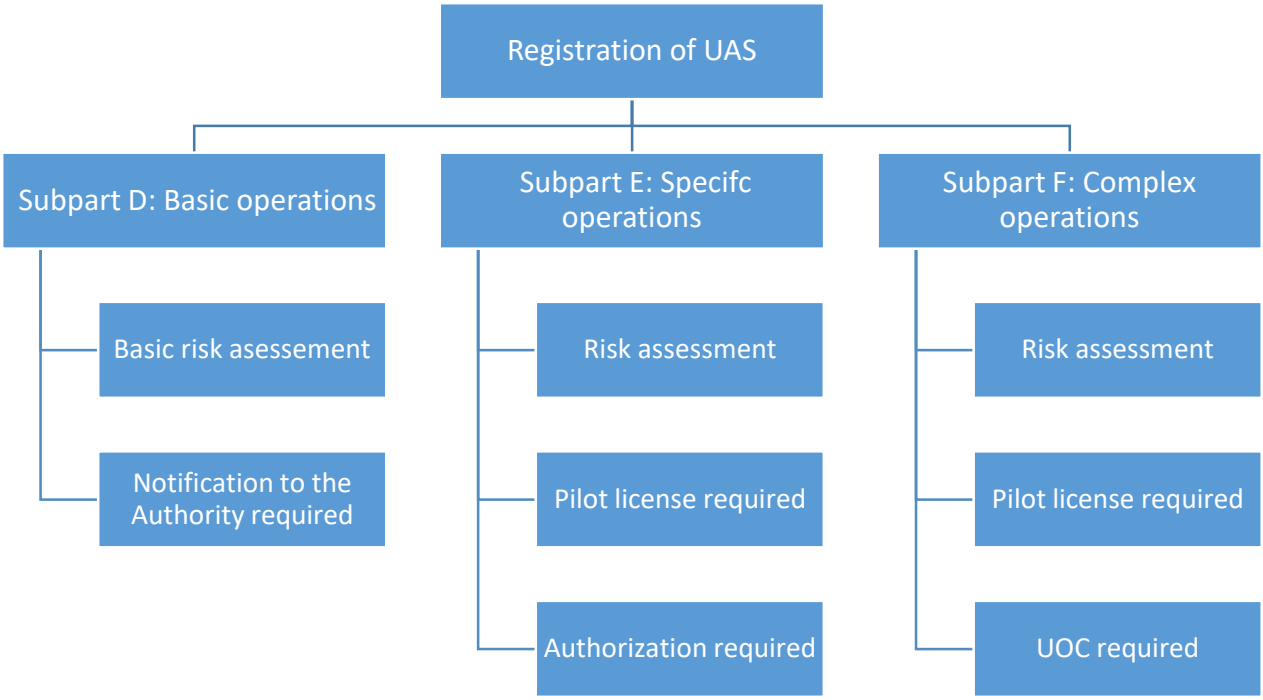
APPENDICES

APPENDIX 1 TO 27.015- PERMIT AND LICENSING FLOW CHART FOR UAS



APPENDIX 1 TO 27.170: UAS OPERATIONS MANUAL

An operations manual shall include each item set forth below which is applicable to the specific operation, unless otherwise approved by the Authority.

Part A - General

1. INTRODUCTION

1.1 Purpose and scope of manuals

1.2 A statement that the manual complies with all applicable Authority regulations and requirements and with the terms and conditions of the applicable UAS operator certificate.

1.3 A statement that the manual contains operational instructions that are to be complied with by the relevant personnel in the performance of their duties.

1.4 List of manuals comprising operations manual.

1.5 A list and brief description of the various operations manual parts, their contents, applicability and use.

1.6 Responsibility for manual content.

1.7 Responsibility for manual amendment.

1.8 List of effective pages.

1.9 Distribution of manuals and amendments

2. SAFETY MANAGEMENT SYSTEM

2.1 Safety Policy

2.2 Description of safety management system

2.3 Accident and Investigation policies

3. QUALITY SYSTEM

Description of quality system adopted

4. MANAGEMENT ORGANISATION

4.1 A description of the organizational structure including the general company organization and operations department organization. The relationship between the operations department and the other departments of the company. In particular, the subordination and reporting lines of all divisions, departments etc., which pertain to the safety of the UAS operations, shall be shown

4.2 Accountable Manager –duties and responsibilities
4.3 Nominated personnel – Functions duties and responsibilities
4.4 UAS Pilot- duties and responsibilities
4.5 Support personnel in the operation of UAS- duties and responsibilities
4.6 A description of the objectives, procedures and responsibilities necessary to exercise operational control with respect to flight safety.

5. DOCUMENTATION

5.1 Documents required in UAS operations
5.2 Document storage and retention period

Part B – UAS Operating Information

1. CREW INFORMATION

1.1 Flight team/crew composition
1.2 Qualification requirements of UAS Pilot and support crew
1.3 Medical competencies
1.4 Operations of different types of UAS

2. OPERATIONS OF UAS

2.1 Operating Limitations and conditions
2.2 Communications
2.3 Weather
2.4 On site procedures

3. UAS FLIGHT MANAGEMENT

3.1 Assembly and functional checks
3.2 Pre –flight checks
3.3 Normal flight procedures associated with relevant systems
3.4 Inflight checks associated with relevant systems
3.5 Abnormal procedures associated with relevant systems
3.6 Emergency Procedures associated with relevant systems

4. UAS USER MANUAL

Part C – Areas Routes and Aerodromes

1. Areas of Operations
2. Operating site planning and assessment
3. Authorizations including site permissions

Part D – Training

1. Training syllabi and checking programs for UAS crew
2. Training syllabi and checking programs for UAS support crew
3. Training syllabi and programs for personnel other than crew
4. Recurrent training programs
5. Additional training requirements that individual clients specify for the proposed operations.

APPENDIX 1 TO 27.185: OPERATIONAL GUIDELINES FOR UAS CLUBS

The following requirements shall apply to UAS clubs intending to operate for sport and recreation as required in these regulations.

1. GENERAL PROVISIONS

(a) A UAS club shall be registered in accordance with the provisions pertaining to the registration of clubs in Rwanda for it to be recognized and approved by the Authority.
(b) No UAS club shall operate without the approval by the Authority;
(c) The club is required to develop an operational manual that provides for—
    (1) Membership requirements;
    (2) Administration of members;

(3) Training requirements for its members;
(4) Procedures and guidelines of operations;
(5) Types of operation;
(6) Class of equipment operated;
(7) Security arrangement for operations; and
(8) Reporting mechanisms of incidents and accidents of the UAS operations.

2. ADMINISTRATION OF THE CLUB

(a) The club management shall ensure that members—
(1) Have adequate training to facilitate operations;
(2) Are informed on current regulations, policies and procedures;
(3) Adhere to safe business practices in their activities;
(4) Are knowledgeable of airspace restrictions that apply in the area of operation as approved; (5) Are conversant with and meet the training requirements of the club.

3. RESPONSIBILITY OF THE CLUB MANAGEMENT

(a) The administrator of the club shall—
(1) Obtain consent of the property owner or person in charge of the area of operation.
(2) Ensure that the club's recognition status is current with the Authority
(3) Develop and operationalize a training program and plan for their membership;
(4) A current list of members and particulars of their UAS;
(5) Maintain a record/database of all accidents and incidents that occur within their area of jurisdiction;
(6) Ensure that it has adequate personnel are properly qualified and competent to perform their allocated tasks and responsibilities;
(7) Have procedures for responding to an incident, accident, medical emergency, or if any UAS becomes uncontrollable;
(8) Immediately stop all operations if unable to meet the exemption requirements or if the safety of a person, property or other aircraft is at risk,
(9) Ensure that club activities do not interfere with civil aviation;
(10) Adhere to laws from all levels of government;
(11) Inspect their UAS on site before conduct of any flight to ensure that they are safe.

APPENDIX 1 TO 27.290: ELIGIBILITY REQUIREMENTS FOR A REMOTE PILOT CERTIFICATE/LICENSE

This appendix sets forth the eligibility and training requirements for the certification of UAS pilots.

1. KNOWLEDGE AND SKILL REQUIREMENTS

(a) An applicant for a remote pilot certificate shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of the certificate holder, in the following subjects—
(1) Air law;
(2) UAS general knowledge;
(3) Flight performance, planning and loading;
(4) Human performance;
(5) Meteorology;
(6) Navigation;
(7) Operational procedures;
(8) Principles of flight related to UAS; and
(9) Radiotelephony

(b) An applicant for a remote pilot certificate shall pass a skill test to demonstrate the ability to perform, as remote PIC of the appropriate RPA category and associated RPS, the relevant procedures and maneuvers with the competency appropriate to the privileges granted.

2. CREDIT

(a) A holder of a license issued by the Authority may be credited towards the requirements for theoretical knowledge instruction and examination requirements for the remote pilot certificate.

3. PASSING GRADE

(a) The Authority shall prescribe the minimum passing grade.

4. RETESTING AFTER FAILURE

(a) An applicant for a knowledge or practical test who fails that test, may retest after the applicant has received the necessary training from an authorized instructor who has determined that the applicant is proficient to pass the test.

5. SPECIAL CONDITIONS

(a) In the case of introduction of new UA or UAS in an operator's fleet, when compliance with the requirements established by the Authority is not possible, the Authority may consider issuing specific Authorization giving privileges for UAS instruction. Such an Authorization should be limited to the instruction flights necessary for the introduction of the new type of UAS or UA.

(b) The validity period for this Authorization shall be for the instruction sought only.

END OF RCAR PART 27

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
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Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXVIII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXVIII TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXVIII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 28
General Aviation: Corporate Operators, Turbojet & Large Airplanes

SUBPART A: GENERAL 2
28.001 CITATION & APPLICABILITY 2
28.005 DEFINITIONS 2
28.010 ACRONYMS & ABBREVIATION [RESERVED]. 2
28.015 OPERATOR IS RESPONSIBLE 2
28.017 OPERATING BASE: NOTIFICATION TO AUTHORITY 2
28.020 LIABILITY INSURANCE 3
28.025 NO REMUNERATION, COMPENSATION OR AERIAL W O R K 3

SUBPART B: OPERATOR MANUAL SYSTEM 3
28.030 APPLICABILITY 3
28.035 CONTENTS OF THE MANUAL SYSTEM 3
28.040 OPERATIONS MANUAL 3
28.045 AIRCRAFT OPERATING MANUAL 4
28.050 MINIMUM EQUIPMENT LIST 4
28.055 OPERATOR'S MAINTENANCE CONTROL MANUAL 4

SUBPART C: FORMAL PROGRAMS 5
28.060 APPLICABILITY 5
28.065 OPERATIONAL CONTROL SYSTEM 5
28.070 SAFETY MANAGEMENT SYSTEM 5
28.075 PERSONNEL TRAINING & QUALIFICATION PROGRAM 5
28.080 FATIGUE MANAGEMENT PROGRAM 6
28.085 MAINTENANCE PROGRAM 6
28.090 ELECTRONIC NAVIGATION DATA MANAGEMENT PROGRAM 7
28.095 SECURITY PROGRAM 7
28.100. AERODROME OPERATING MINIMA & MINIMUM FLIGHT ALTITUDES 7
28.105. FLIGHT RECORDERS 7

SUBPART D: PERSONNEL TRAINING & QUALIFICATIONS 8
28.110. APPLICABILITY 8
28.115. OPERATING INSTRUCTIONS & TRAINING 8
28.120. CREW MEMBER EMERGENCY DUTIES 8
28.125. FLIGHT CREW MEMBER TRAINING 8
28.130. PILOT PROFICIENCY CHECK 8
28.135. CABIN CREW MEMBER TRAINING 9
28.140. FLIGHT DISPATCHER TRAINING 9
28.145. MAINTENANCE PERSONNEL TRAINING 9

APPENDICES 10
APPENDIX 1 TO 28.040: CONTENTS OF OPERATIONS MANUAL 10

SUBPART A: GENERAL

28.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as Civil Aviation (General Aviation: Corporate Operators, Large and Turbojet Aircraft) Regulations.

(b) This Part prescribes requirements of Rwanda, in addition to those found in Part 10 of these Regulations, that apply to the general aviation operations of—
  (1) Large airplanes;
  (2) Turbojet-powered airplanes; and
  (3) Other aircraft configured for more than 9 passengers.

(c) Corporate aviation operations involving three or more aircraft that are operated by pilots employed for the purpose of flying the aircraft, at least one of which is an aeroplane, should be conducted in accordance with this Part.

(d) This Part also specifically applies to operators of the airplanes listed in (a) and (b), including their managers, licensed persons and service providers who perform the functions associated with maintenance, training, dispatch and flight operations.

(e) Civil Aviation Technical Standards published by the Authority shall also be applicable to general aviation operators of large and turbojet aircraft.

28.005 DEFINITIONS

(a) All definitions applicable to this Part are contained in Part 1 (Appendix 1 to 1.015) of these Regulations.

28.010 ACRONYMS & ABBREVIATION [RESERVED].

28.015 OPERATOR IS RESPONSIBLE

(a) The operator subject to the requirements of this Part shall ensure that the personnel employed for operations and maintenance—
  (1) Have completed all required training before being assigned to their specific functions;
  (2) Are qualified for the duties, responsibilities and functions they are assigned;
  (3) Comply with the laws, regulations and procedures applicable to their assignment;

(b) The operator shall ensure that its personnel are provided with the manuals and other reference documents necessary to the performance of their duties and responsibilities.

(c) The operator shall ensure that the owner's responsibilities for maintenance and maintenance records of this Part and Part 4 of these Regulations have been met for the aircraft that he is operating.

(d) The operator shall ensure the completion and retention of the records required for operations under this Part to demonstrate conformance with the applicable requirements.

(e) The operator shall ensure the completion, submission and retention of the reports required for operations under this Part.

28.017 OPERATING BASE: NOTIFICATION TO AUTHORITY

(a) An operator subject to the requirements of this Part shall—
  (1) Provide the Authority with the prescribed information regarding its operating bases; and
  (2) Notify the civil aviation authorities of each State in which they maintain an operating base.

(b) Upon notification, the Authority shall confirm the safety and security oversight arrangements with the State of Registry.

28.020 LIABILITY INSURANCE

(a) No person may operate or pilot an aircraft to which this Part applies unless the operator and/or pilot has: —
  (1) Current third-party liability insurance of claim levels acceptable to the Authority for the level of risk; and
  (2) Has evidence of that insurance in his personal possession at the time of flight.

28.025 NO REMUNERATION, COMPENSATION OR AERIAL W O R K

(a) The operator or pilot of an aircraft to which this Part applies shall not operate the aircraft except for—
  (1) general aviation purposes; and
  (2) business or personal travel of the owners.

(b) The operator shall not request or receive remuneration or any form of compensation from any other person or other organisation for the operation of the aircraft, including reimbursement for expenses.

(c) The operator or pilot of an aircraft to which this Part applies shall not operate the aircraft in any aviation activity that is defined in Part 1 as commercial air transport or aerial work.

SUBPART B: OPERATOR MANUAL SYSTEM

28.030 APPLICABILITY

(a) This Subpart provides the manual system requirements for operators subject to this Part.

28.035 CONTENTS OF THE MANUAL SYSTEM

(a) The operator shall provide the following manuals, programs and checklists as a part of its manual system—
  (1) Operations Manual;
  (2) Aircraft Operating Manual;
  (3) Normal, abnormal and emergency checklist for all phases of flight;
  (4) Minimum Equipment List;
  (5) Training program;
  (6) Maintenance Control Manual;
  (7) Maintenance program; and
  (8) Maintenance Task Cards;

(b) The operator shall furnish copies of all amendments to these manuals and checklists promptly to all organisations or persons to whom they have been issued.

28.040 OPERATIONS MANUAL

(a) An operator shall provide, for the use and guidance of personnel concerned, an operations manual containing all the instructions and information necessary for operations personnel to perform their duties.

(b) The operations manual shall contain the minimum requirements prescribed in Appendix 1 to 28.025 and may reference accepted and recognized industry codes of practice as the basis for the development of an operations manual as identified by the operator and Authority.

(c) The operations manual shall be amended or revised as is necessary to ensure that the

information contained therein is kept up to date.

(d) All such amendments or revisions shall be issued to all personnel that are required to use this manual.

(e) The operator shall ensure that the operations manual is carried in the cockpit of the aircraft on each flight and is immediately accessible to the flight crew

28.045 AIRCRAFT OPERATING MANUAL

(a) The operator subject to this Part shall provide operations staff and flight crew with an aircraft operating manual, for each aircraft type operated, containing the normal, abnormal and emergency procedures relating to the operation of the aircraft.

(b) The manual should be consistent with the aircraft flight manual and checklists to be used.

(c) The design of the manual should observe Human Factors principles.

(d) The manual should contain the operating instructions and provide information on aeroplane climb performance to enable the pilot-in-command to determine the climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off technique.

(e) The aircraft operating manual shall contain the procedures for conducting instrument approaches.

(f) The operator shall ensure that the aircraft operating manual and associated checklists are carried in the cockpit of the aircraft on each flight and is immediately accessible to the flight crew

28.050 MINIMUM EQUIPMENT LIST

(a) Where a master minimum equipment list (MMEL) is established for the aircraft type, the operator subject to this Part shall include in the operations manual a minimum equipment list (MEL) approved by the State of Registry of the aeroplane which will enable the pilot-in-command to determine whether a flight may be commenced or continued from any intermediate stop should any instrument, equipment or systems become inoperative.

(b) The operator shall ensure that appropriate MEL is carried in the cockpit of the aircraft on each flight and shall be immediately accessible to the flight crew

28.055 OPERATOR'S MAINTENANCE CONTROL MANUAL

(a) The operator shall provide a maintenance control manual for the use and guidance of maintenance and operations personnel.

(b) The operator's maintenance control manual, which may be issued in separate parts, shall be developed according to industry codes of practice, and should at a minimum contain information about—

(1) The means for complying with the procedures required by the operator's maintenance responsibilities;

(2) The means of recording the names and duties of the person or persons required by the operator's maintenance responsibilities;

(3) The operator's approved maintenance program;

(4) The methods used for the completion and retention of the operator's maintenance records;

(5) The procedures for complying with the service information reporting requirements;

(6) The procedures for implementing action resulting from mandatory continuing airworthiness information;

(7) A system of analysis and continued monitoring of the performance and efficiency of the

maintenance program, in order to correct any deficiency in that program;

(8) The aircraft types and models to which the manual applies;

(9) The procedures for ensuring that unserviceability's affecting airworthiness are recorded and rectified; and

(10) Procedures for advising the State of Registry of significant in-service occurrences.

SUBPART C: FORMAL PROGRAMS

28.060 APPLICABILITY

(a) This Subpart provides the formal programs requirements for operators subject to this Part.

28.065 OPERATIONAL CONTROL SYSTEM

(a) An operator subject to the requirements of this Part shall describe the operational control system in the operations manual and identify the roles and responsibilities of those involved with the system.

(b) The operator will also retain copies of the key documents associated with the operational control of specific flight operations under this Part for a period of 3 months after the flight, which include—

(1) The ATS flight plan that was filed;

(2) All preflight planning documents and calculations of fuel supply requirements;

(3) The mass, balance and performance calculations; and

(4) The aircraft journey/technical log page, including the deferral/correction of any known or suspected defects.

28.070 SAFETY MANAGEMENT SYSTEM

(a) An operator subject to the requirements of this Part shall establish and maintain a safety management system that is appropriate to the size and complexity of the operation.

(b) The safety management system should conform to the requirements of Part 30 and as a minimum include—

(1) A process to identify actual and potential safety hazards and assess the associated risks;

(2) A process to develop and implement remedial action necessary to maintain an acceptable level of safety; and

(3) Provision for continuous monitoring and regular assessment of the appropriateness and effectiveness of safety management activities.

28.075 PERSONNEL TRAINING & QUALIFICATION PROGRAM

(a) An operator shall establish, implement and maintain a qualification and training program for all personnel involved in the operations and maintenance of the aircraft that is designed to ensure that all persons who receive training acquire and maintain the competency to perform their assigned duties.

(b) This training program with the appropriate syllabus shall be included—

(1) *For flight crew personnel*, in the operations manual.

(2) *For cabin crew members*, in the operations manual or a separate cabin crew manual.

(3) *For flight dispatchers,* in the operations manual, or a separate flight dispatch manual.

(4) *For maintenance personnel*, in the maintenance control manual.

(c) This program shall include maintenance and retention of records for each employee which demonstrate the—

(1) Current assignments;

(2) Currency of required licenses;
(3) Completion of initial ground training, including—
  (i) Company policies and procedures indoctrination;
  (ii) Human factors training, and coordination with other operations personnel and crew members;
  (iii) Threat and error management;
  (iv) Dangerous goods training;
  (v) Emergency equipment drills;
  (vi) Aircraft systems and their operations and, if applicable, maintenance;
(4) Completion of initial flight training in the type of aircraft, including fleet differences;
(5) Completion of specialized training, such as ACAS II operation;
(6) Completion of recency of experience;
(7) Completion of continuation and recurrent training; and
(8) Completion of proficiency or competency checks.

(d) The operator may provide these ground and flight training programs through internal programs or through a training services provider or combinations of methods, but the specifics must be provided in the applicable training program.

(e) This training curriculum(s) and methodology shall be acceptable to Authority.

28.080 FATIGUE MANAGEMENT PROGRAM

(a) An operator shall establish and implement a fatigue management program that ensures that all operator personnel involved in the operation and maintenance of aircraft do not carry out their duties when fatigued.

(b) The program shall address flight and duty times and mandatory rest periods.

28.085 MAINTENANCE PROGRAM

(a) The operator shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance program for each aeroplane, acceptable to Authority.

(b) The design and application of the operator's maintenance shall comply with human factors principles.

(c) The maintenance program for each aeroplane shall contain the following information—
  (1) Maintenance tasks and the intervals at which these are to be performed, taking into account the anticipated utilisation of the aeroplane;
  (2) When applicable, a continuing structural integrity program;
  (3) Procedures for changing or deviating from the requirements of subparagraphs (1) and (2) as approved by Authority; and
  (4) When applicable and approved by Authority, condition monitoring and reliability program descriptions for aircraft systems, components and powerplants.

(d) Maintenance tasks and intervals that have been specified as mandatory in approval of the type design, or approved changes to the maintenance program, shall be identified as such.

(e) The maintenance program should be based on maintenance program information made available by the State of Design or by the organisation responsible for the type design, and any additional applicable experience acceptable to Authority.

(f) The operator shall furnish copies of all amendments to the maintenance program promptly to all organisations or persons to whom the maintenance program has been issued.

28.090 ELECTRONIC NAVIGATION DATA MANAGEMENT PROGRAM

(a) An operator shall have a program approved by Authority for the use of electronic navigation data products that have been processed for application in the air and on the ground that includes—
   (1) Procedures to ensure proper monitoring of the process and products.
   (2) Procedures that ensure the timely distribution and insertion of current and unaltered electronic navigation data to all aircraft that require it.

28.095 SECURITY PROGRAM

(a) The operator, including corporate operator aviation operators, shall establish, implement and maintain a written operator security program that meets the requirements of the national civil aviation security program of Rwanda.

28.100. AERODROME OPERATING MINIMA & MINIMUM FLIGHT ALTITUDES

(a) An operator shall ensure that no pilot-in-command operates to or from an aerodrome using operating minima lower than those which may be established for that aerodrome by the State in which it is located, except with the specific approval of that State.
(b) An operator shall specify, for flights which are to be conducted in accordance with the instrument flight rules, the method of establishing terrain clearance altitudes.

28.105. FLIGHT RECORDERS

(a) To ensure the continued serviceability of the records, the operator shall ensure that an on-going program of operational checks and evaluations of recordings is being conducted for both the flight data and cockpit voice recorder system.
(b) That program will provide procedures to ensure that the recorders are—
   (1) Not switched off during flight time;
   (2) Deactivated upon completion of flight time following an accident or incident; and
   (3) Not reactivated before their disposition as determined in accordance with Part 19 of these Regulations
(c) The owner of the aeroplane, or in the case where it is leased, the lessee, shall ensure, to the extent possible, in the event the aeroplane becomes involved in an accident or incident—
   (1) The preservation of all related flight recorder records; and
   (2) If necessary, the associated flight recorders, and
   (3) The retention of the records and recorders in safe custody pending their disposition as determined in accordance with Part 19 of these Regulations.

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SUBPART D: PERSONNEL TRAINING & QUALIFICATIONS

28.110. APPLICABILITY

(a) This Subpart provides the personnel training and qualifications requirements for operators subject to this Part.

28.115. OPERATING INSTRUCTIONS & TRAINING

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

(b) The operator shall ensure that all employees when abroad know that they must comply with the laws, regulations and procedures of those States in which operations are conducted.

(c) 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 aerodromes to be used and the air navigation facilities relating thereto.

(d) The operator shall ensure that other members of the flight crew are familiar with such laws, regulations and procedures referenced in paragraph (c) as are pertinent to the performance of their respective duties in the operation of the aeroplane.

28.120. CREW MEMBER EMERGENCY DUTIES

(a) An operator shall, for each type of aeroplane, assign to all crew members the necessary functions they are to perform in an emergency or in a situation requiring emergency evacuation.

(b) Continuation and recurrent training in accomplishing these functions shall be contained in the operator's training program and shall include—

(1) Instruction in the use of all emergency and life-saving equipment required to be carried; and

(2) Drills in the emergency evacuation of the aeroplane.

28.125. FLIGHT CREW MEMBER TRAINING

(a) An operator shall establish and maintain a flight crew training program that is designed to ensure that a person who receives training acquires and maintains the competency to perform assigned duties, including skills related to human performance.

(b) The training program shall include training to competency for all equipment installed.

(c) Flight simulators should be used to the maximum extent practicable for initial and annual recurrent training.

(d) This training should include all applicable requirements of Regulation 28.075 of this Part.

28.130. PILOT PROFICIENCY CHECK

(a) The operator shall ensure that piloting technique and the ability to execute emergency procedures is checked periodically in such a way as to demonstrate the pilot's competence.

(b) Where the operation may be conducted under the instrument flight rules, an operator shall ensure that the pilot's competence to comply with such rules is demonstrated to either a check pilot of the operator or a representative of Authority.

(c) The periodicity of the checks referred to in paragraph (a) of this Regulation is dependent

upon the complexity and shall be not be less than that specified in Subpart C of Part 10 of these Regulations.

28.135. CABIN CREW MEMBER TRAINING

(a) An operator shall ensure that all cabin crew members—
  (1) Complete initial and continuation training with all features of the operation which are pertinent to their duties, including human factors and coordination with flight crew and ground handling personnel; and
  (2) Maintain competency in the functions to which they are assigned.

(b) This training shall include all applicable requirements of Part 7 and Regulation 28.075.

28.140. FLIGHT DISPATCHER TRAINING

(a) An operator shall ensure that all flight dispatchers and other persons associated with operational control—
  (1) Complete initial and continuation training with all features of the operation which are pertinent to their duties, including human factors and coordination with other dispatch and flight crews; and
  (2) Maintain competency in the functions to which they are assigned.

(b) This training should include all applicable requirements of Regulation 28.075 of this Part.

28.145. MAINTENANCE PERSONNEL TRAINING

(a) The operator shall ensure that all maintenance personnel—
  (1) Complete initial and continuation training with all features of the maintenance activities which are pertinent to their duties, including human factors and coordination with other maintenance personnel and flight crew; and
  (2) Maintain competency in the functions to which they are assigned.

(b) This training should include all applicable requirements of Regulation 28.075 of this Part.

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APPENDICES

APPENDIX 1 TO 28.040: CONTENTS OF OPERATIONS MANUAL

(a) The operations manual shall include policies and procedures to ensure the—

(1) The details of the fatigue management program;

(2) The instructions and information for determination for expected aircraft performance, including runway length, climb gradient and landing. and intended takeoff technique;

(3) Procedures to ensure that the flight is not commenced unless—

(i) The aeroplane is airworthy, duly registered and that appropriate certificates with respect thereto are aboard the aeroplane;

(ii) The instruments and equipment installed in the aeroplane are appropriate, taking into account the expected flight conditions;

(iii) Any necessary maintenance has been performed in accordance with Part 4 of these Regulations;

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

(v) Any load carried is properly distributed and safely secured; and

(vi) The aeroplane operating limitations, contained in the flight manual, or its equivalent, will not be exceeded.

(4) A description of the operational control system and identify the roles and responsibilities of those involved with that system.

(5) Flight planning procedures to provide for the safe conduct of the flight based on considerations of aeroplane performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes concerned.

(6) Procedures for ensuring proper use of oxygen;

(7) Minimum oxygen supply for crew and passengers

(8) Safe refueling with passengers on board;

(9) AOM operating procedures for conducting instrument approaches;

(10) Flight recorder operations and checks

(11) Post-accident flight recorder records preservation

(12) For flights which are to be conducted in accordance with the instrument flight rules, the method of establishing terrain clearance altitudes.

(13) General requirements regarding aerodrome operating minima, including a prohibition against using operating minima lower than those which may be established for that aerodrome by the State in which it is located, except with the specific approval of that State.

(14) Procedures to ensure that all baggage carried onto an aeroplane and taken into the passenger cabin is adequately and securely stowed during takeoff and landing.

(15) Prohibitions against inflight simulation of instrument flight, abnormals or emergency when passengers are on board;

(16) Passenger briefing procedures and content to include all requirements of Regulation10.300 to these Regulations.

END OF RCAR PART 28

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Kigali, ku wa **06/02/2019**

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GATETE Claver
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Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
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Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXIX W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXIX TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº 04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXIX A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 29

Aviation Security

SUBPART A: GENERAL 4
29.001.CITATION & APPLICABILITY 4
29.005. DEFINITIONS 5
29.010. ABBREVIATIONS & ACRONYMS 9
29.015. FUNCTIONS OF AUTHORITY IN RELATION TO AVIATION SECURITY 9
29.020. POWER TO ACCESS & INSPECT AIRPORT, AIRCRAFT & OPERATOR'S PREMISES 9
29.025. POWER OF AUTHORITY TO ISSUE ORDERS, CIRCULARS & DIRECTIVES 10
29.030. AUTHORIZED PERSONS 10
29.035. AIRPORT OPERATORS 10
29.040. AIRCRAFT OPERATORS 11
29.045. AIR NAVIGATION SERVICE PROVIDERS SECURITY PROGRAMME. 11
29.050. INTERNATIONAL COOPERATION 11

SUBPART B: SECURITY PROGRAMMES 12
29.055. NATIONAL CIVIL AVIATION SECURITY PROGRAMME 12
29.060. NATIONAL CIVIL AVIATION SECURITY QUALITY CONTROL PROGRAMME 12
29.065. REGULATED AGENT SECURITY PROGRAMME 13
29.070. In-flight CATERING OPERATOR SECURITY PROGRAMME 14

SUBPART C: TRAINING PROGRAMMES 15
29.075. NATIONAL AVIATION SECURITY TRAINING PROGRAMME 15
29.080. OPERATOR AVIATION SECURITY TRAINING PROGRAMME 15
29.085. APPLICATION 15
29.090. APPROVAL OF SECURITY PROGRAMME 16
29.095. CHANGED CONDITIONS AFFECTING SECURITY 16
29.100. POWER OF AUTHORITY TO DIRECT AMENDMENT OF SECURITY PROGRAMME 16

SUBPART D: PREVENTIVE SECURITY MEASURES 17
29.105. AIRPORT SECURITY ACCESS CONTROL TO SECURITY RESTRICTED AREAS 17
29.110. AIRPORT SECURITY CONTROLS 17
29.115. SECURITY RESTRICTED AREAS & AIRPORT SECURITY PERMITS 20
29.120. AIRPORT BOUNDARY 22
29.125. CARRIAGE OF FIREARMS, EXPLOSIVES OR INCENDIARY MATERIALS IN AIRPORT PREMISES 22
29.130. CONTROL OF ACCESS BY TENANTS 23
29.135. OPERATOR & SCREENING PROCEDURES 23
29.140. INFORMING THE AIRPORT OPERATOR OF THREAT AGAINST AIRPORT 24
29.145. AIRPORT OPERATOR TO TAKE MEASURES IN EVENT OF THREAT 24
29.150. DISCOVERY OF WEAPONS, INCENDIARY DEVICES OR EXPLOSIVES AT AIRPORT 24
29.155. AIRPORT OPERATOR TO SUBMIT PLANS BEFORE RENOVATION & EXPANSION WORKS 24
29.160. RECORD KEEPING BY OPERATORS 24

29.165. RESPONSIBILITIES OF AIRCRAFT OPERATORS 25
29.170. SPECIAL PROTECTION FOR AIRCRAFT 26
29.175. CONTROL OF PROHIBITED ITEMS 26
29.180. CONTROL OF ACCESS TO FLIGHT CREW COMPARTMENT 27
29.185. CONTROL OF SPECIAL CATEGORIES OF PASSENGERS 27
29.190. AUTHORISED CARRIAGE OF WEAPONS ON BOARD AIRCRAFT 28
29.195. CONDITIONS FOR ACCEPTANCE OF GOODS FOR AIR TRANSPORTATION 28
29.200. CONDITIONS FOR ACCEPTANCE OF BAGGAGE, GOODS, COMAT & COMAIL FOR AIR TRANSPORTATION 29
29.205. SECURITY MEASURES TO BE TAKEN BY AIRCRAFT OPERATORS 29
29.210. CATERING OPERATORS AVIATION SECURITY RESPONSIBILITIES OF CATERING OPERATOR 30
29.215. CONDITIONS FOR ACCEPTANCE OF CATERING STORES & SUPPLIES FOR AIR TRANSPORTATION 31
29.220. PROTECTION OF CRITICAL INFORMATION TECHNOLOGY & COMMUNICATION SYSTEMS 32

SUBPART E: MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE 32
29.225. PREVENTION OF ACTS OF UNLAWFUL INTERFERENCE 32
29.230. AUTHORITY'S RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE 32
29.235. MANDATORY REPORTING 33
29.240. NOTIFICATION TO THE INTERNATIONAL CIVIL AVIATION ORGANIZATION 33

SUBPART F: OFFENCES & PENALTIES 33
29.245. FAILURE TO ESTABLISH & MAINTAIN SECURITY PROGRAMMES 33
29.250. OFFENCES BY BODY CORPORATE 34
29.255. POWER TO ENFORCE COMPLIANCE 34

SUBPART G: INFRINGEMENT NOTICES 34
29.260. PURPOSE & EFFECT OF INFRINGEMENT NOTICES 34
29.265. PENALTY PAYABLE UNDER INFRINGEMENT NOTICE 35
29.270. AUTHORISED PERSONS MAY ISSUE INFRINGEMENT NOTICE 35
29.275. ISSUANCE OF INFRINGEMENT NOTICE 35
29.280. SERVICE OF INFRINGEMENT NOTICE 35
29.285. TIME FOR PAYMENT OF PENALTY 36
29.290. EXTENSION OF TIME TO PAY PENALTY 36
29.295. EFFECT OF PAYMENT OF PENALTY 36
29.300. WITHDRAWAL OF INFRINGEMENT NOTICE 36
29.305. NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE 37
29.310. REFUND OF PENALTY 37

SUBPART H: FACILITATION 37
29.315. AVIATION SECURITY & NARCOTICS CONTROL MEASURES & PROCEDURES 37
29.320. TRAVEL DOCUMENTS 37
29.325. SECURITY OF TRAVEL DOCUMENTS 38
29.330. STOLEN, LOST, & REVOKED TRAVEL DOCUMENTS 38
29.335. MACHINE READABLE TRAVEL DOCUMENTS 38
29.340. BIOMETRIC DATA 38
29.345. INSPECTION OF TRAVEL DOCUMENTS 38
29.350. PROCEDURES & RESPONSIBILITIES 38

29.355. ADVANCE PASSENGER INFORMATION....39
29.360. IDENTIFICATION & ENTRY OF CREW & OTHER AIRCRAFT OPERATORS' PERSONNEL....39
29.365. ENTRY & DEPARTURE 0F CARGO & OTHER ARTICLES....39
29.370. INADMISSIBLE PERSONS....40
29.375. DEPORTEES....40
29.380. INADMISSIBLE PERSONS & DEPORTEES....40
29.385. ASSISTANCE TO AIRCRAFT ACCIDENT VICTIMS & THEIR FAMILIES....41
29.390 NATIONAL FACILITATION PROGRAMMES....41

APPENDICES....42
Attachment B: INFRINGEMENT NOTICE FORM....42

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SUBPART A: GENERAL

29.001.CITATION & APPLICABILITY

(a) This Part may be cited as Civil Aviation (Security) Regulations.

(b) These Regulations apply to—
  (1) All aerodromes in Rwanda
  (2) Civil aviation operations;
  (3) Persons at airports;
  (4) Persons working in the aviation industry;
  (5) Persons who occupy land or buildings forming part of an airport; and
  (6) Persons on land adjoining or adjacent to, or within the vicinity of airports or air navigation installations which do not form part of an airport.

(c) Notwithstanding the generality of paragraph (a), these Regulations apply to—
  (1) Operators or owners of airports;
  (2) Operators or owners of aircraft registered in Rwanda or aircraft registered in another state and operating in Rwanda
  (3) Managers of air navigation installations;
  (4) Persons permitted to have access to security restricted areas at an airport;
  (5) Persons who offers goods for transport by air; and
  (6) Any person whose conduct amounts to an act of unlawful interference or endangers aviation safety.

(d) Nothing in these Regulations applies to or affects—
  (1) A State aircraft; or
  (2) Military or police aviation operations in Rwanda.

(e) The Provisions of this Part shall apply to—
  (1) Operators of international airports in Rwanda;
  (2) Designated domestic airport operators and any other aerodrome operator specified by the Appropriate Authority;
  (3) National aircraft operators;
  (4) Foreign aircraft operators;
  (5) Aerodrome tenants and/or operators of Tenant Restricted Areas at International airports or Designated Domestic airports;
  (6) Any person in or within the vicinity of an international airport or designated domestic airport, or any other aerodrome specified by the Authority or any air navigation site or any land building installation or areas under the ownership management or control of the Authority;
  (7) Any person who offers goods for transport by air;
  (8) Air traffic service provider;
  (9) Any person who provides a service to an air navigation service provider, aircraft operator and airport operator; and
  (10) Any person on board an aircraft.

(f) Those requirements addressing persons certificated under any Part of these Regulations apply also to any person who engages in an operation governed by any Part without the appropriate certificate, licence, operations specification, or similar document required as part of the certification.

(g) Civil Aviation Technical Standards published by the Authority shall also be applicable to all organizations and individuals subject to this Part.

29.005. DEFINITIONS

(a) For the purpose of this Part, the following definitions shall apply—

Act of unlawful interference. An act or attempted act to jeopardise the safety of civil aviation and air transport, including but not limited to—

(i) Unlawful seizure of an aircraft in flight or on the ground;

(ii) Destroying an aircraft in service or causing damage to the aircraft which renders it incapable of flight or which is likely to endanger its safety in flight;

(iii) Hostage taking on board an aircraft or at an airport;

(iv) Forcible intrusion on board an aircraft at an airport or on the premises of an aeronautical facility;

(v) Introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;

(vi) Use of an aircraft in service for the purpose of causing death, serious bodily injury, or serious damage to property or the environment,

(vii) Unauthorized possession, at an airport, or unauthorized introduction on board an aircraft, of a weapon or hazardous device or material; 6

(viii) Destroying or damaging air navigation facilities or interfering with their operation, if any such act is likely to endanger the safety of aircraft in flight;

(ix) Violence against a person on board an aircraft in flight if that act is likely to endanger the safety of that aircraft;

(x) Communicating information which is known to be false, thereby endangering the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public at an airport or on the premises of a civil aviation facility;

(xi) Unlawfully and intentionally using any device, substance or weapon—

(A) To perform an act of violence against a person at an airport serving civil aviation which causes or is likely to cause serious injury or death;

(B) To destroy or seriously damage the facilities of an airport serving civil aviation or an aircraft not in service located at the airport or disrupting the services of the airport, if that act endangers or is likely to endanger safety at that airport.

Advance Passenger Information. Passport details, and in some instances contact information, which has to be provided to the authorities before a person travel.

Aerial Work. Use of an aircraft in agriculture, construction, photography, surveying, observing, protection and patrol, aviation learning, aerial advertisement and fire extinguishing.

Airport. 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, and includes an aerodrome.

Airport operator. An individual, organization or enterprise, however designated, for the time being responsible for the administration and operation of an airport.

Airport Restricted Area Permit. A document issued under Regulation 29.115.

Airside. The movement area of an airport, adjacent terrain and buildings or portions thereof, access to which is controlled.

Air Navigation Service Provider. A relevant authority designated with a responsibility for provision of air traffic services in Rwanda airspace.

Air Traffic Service Provider. See Air Navigation Service Provider

Authorized economic operator. A party involved in the international movement of goods in whatever function that has been approved by or on behalf of a national customs administration as complying with World Customs Organisation or equivalent supply chain

security standards and may include manufacturers, importers, exporters, brokers, carriers, consolidators, intermediaries, ports, airports, terminal operators, integrated operators, warehouses, distributors and freight forwarders.

Authorized person. A person designated by the Authority under regulation 8 to be an authorized person for the purposes of these Regulations.

Authorized search. A search carried out by a screening officer during the screening of persons and goods, other things in the possession or control of persons who are screened and vehicles under the care or control of persons who are screened.

Authority. The Civil Aviation Authority established by law number 7 53/2011 of 14/12/2011.

Aviation security officer. A person employed by an operator as defined in this regulation to carry out security controls.

Background check. A check of a person's identity and previous experience, including, where legally permissible, any criminal history as part of the assessment of an individual's suitability to implement a security control or for unescorted access to a security restricted area.

Behavior detection. Within an aviation security environment, the application of techniques involving the recognition of behavioural characteristics, including but not limited to physiological or gestural signs indicative of anomalous behavior, to identify persons who may pose a threat to civil aviation.

Cargo. Any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage.

Catering stores. All items, other than catering supplies, associated with passenger in-flight services, including newspapers, magazines, headphones, audio and video tapes, pillows, blankets and amenity kits.

Catering supplies. All food, beverages, other dry stores and associated equipment used in air transport.

Certification. A formal evaluation and confirmation by or on behalf of the Authority that a person possesses the necessary competencies to perform assigned functions to an acceptable level as defined by the Authority.

Civil aviation. Operations of aircraft in—

(i) Commercial air transport operations;
(ii) General aviation operations; and
(iii) Aerial work.

COMAIL. An abbreviation of commercial air transport operator company mail, shipped within its network of stations.

COMAT. An abbreviation of commercial air transport operator company materials, shipped within its network of stations.

Commercial air transport operations. Aircraft operations involving the transport of passengers, cargo or mail for remuneration or hire.

Disruptive passenger. A passenger who fails to comply with the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or aircraft crew members and thereby disturbs the good order and discipline at an airport or on board an aircraft.

Facilitation. The efficient management of the necessary control process, with the objective of expediting the clearance of persons or goods and preventing unnecessary operational delays.

General aviation operation. An aircraft operation other than a commercial air transport operation or an aerial work operation.

Goods. Includes cargo and mail.

Ground Handling Service Provider. A provider of services provided to airport users at the

airport that include baggage handling, freight and mail handling as regards the physical handling of freight and mail, whether incoming, outgoing or being transferred between the air terminal and the aircraft, fuel and oil handling and ramp handling of high-risk cargo or mail. Cargo or mail presented by an unknown entity or showing signs of tampering if in addition, it meets one of the following criteria—

(i) Specific intelligence indicates that the cargo or mail poses a threat to civil aviation; or
(ii) The cargo or mail shows anomalies that give rise to suspicion; or
(iii) The nature of the cargo or mail is such that baseline security measures alone are unlikely to detect prohibited items that could endanger the aircraft.
(iv) Regardless of whether the cargo or mail comes from a known or unknown entity, a State's specific intelligence about a consignment may render it as high risk.

High-risk cargo or mail. Cargo or mail presented by an unknown entity or showing signs of tampering if in addition, it meets one of the following criteria—

(i) Where specific intelligence indicates that the cargo or mail poses a threat to civil aviation; or
(ii) Where the cargo or mail shows anomalies that give rise to suspicion; or
(iii) Where the nature of the cargo or mail is such that baseline security measures alone are unlikely to detect prohibited items that could endanger the aircraft.

Note Regardless of whether the cargo or mail comes from a known or unknown entity, a State's specific intelligence about a consignment may render it as high risk;

Human performance. Human capabilities and limitations which have an impact on the safety, security and efficiency of aeronautical operations.

In-flight security officer. A person who is authorized by the government of the State of the Operator and the government of the State of Registration to be deployed on an aircraft with the purpose of protecting that aircraft and its occupants against acts of unlawful interference. This excludes persons employed to provide exclusive personal protection for one or more specific people travelling on the aircraft, such as personal bodyguards.

Known consignor. A consignor who originates cargo or mail for its own account and whose procedures meet common security rules and standards sufficient to allow the carriage of cargo or mail on any aircraft.

Known stores. Catering supplies and stores delivered to an aircraft operator and that have been subjected to appropriate security controls.

Landside. An area of an airport and buildings on it to which the nontraveling public has free access.

Mail. Dispatches of correspondence and other items tendered by and intended for delivery to postal services in accordance with the rules of the Universal Postal Union (UPU).

Minister. The minister responsible for civil aviation.

Necessary precautions. Verifications carried out by adequately trained staff members of the aircraft operator or the company operating on behalf of the aircraft operator, at the point of embarkation, in order to ensure that every person holds a valid travel document and, where applicable, the visa or residence permit required to enter the receiving State. These verifications are designed to ensure that any obvious irregularity including document alteration is detected.

Operator. An airport operator, an aircraft operator, a regulated agent and a catering operator.

Prohibited item. An item prescribed in Regulation 29.165 and which can be used to commit an act of unlawful interference.

Regulated agent. An agent, freight forwarder or other entity who conducts business with an operator and provides security controls that are accepted or required by the Authority.

Sabotage. An act or omission, intended to cause malicious or wanton destruction of property, endangering or resulting in unlawful interference with civil aviation and its facilities.

Screening. The application of technical or other means which are intended to identify or detect weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference.

Security. Safeguarding civil aviation against acts of unlawful interference through a combination of measures and human and material resources.

Security audit. An in-depth compliance examination of all aspects of the implementation of the National Civil Aviation Security Programme.

Security control. A means by which the introduction of weapons, explosives or other dangerous devices, articles or substances which may be used to commit an act of unlawful interference can be prevented.

Security inspection. An examination of the implementation of relevant National Civil Aviation Security Programme requirements by an airline, airport, or other entity involved in security.

Security restricted area. Airside areas of an airport which are identified as priority risk areas where, in addition to access control, other security controls are applied and includes, inter alia, all passenger departure areas between the screening checkpoint and the aircraft, the ramp, baggage make-up areas, including those where aircraft are being brought into service and screened baggage and cargo are present, cargo sheds, mail centres, airside catering and aircraft cleaning premises.

Security survey. An evaluation of security needs, including the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference and the recommendation of corrective actions.

Security test. A covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act.

Single window. A facility that allows parties involved in trade and transport to lodge standardized information and documents with a single entry point to fulfil all import, export, and transit-related regulatory requirements and where information is electronic then individual data elements should only be submitted once.

Supply chain assets. Cargo and mail, facilities, equipment, information and personnel.

Technical instructions. The ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air, Doc.9284.

Transfer. Cargo and mail. Cargo and mail departing on an aircraft other than that on which it arrived.

Travel document. A passport or other official document of identity issued by a State or organization, which may be used by the rightful holder for international travel.

Unidentified baggage. Baggage at an airport, with or without a baggage tag which is not picked by or identified with a passenger, and includes unattended baggage, unknown stores. Supplies and stores that have not have been subjected to appropriate security controls.

Unknown stores. Supplies and stores that have not have been subjected to appropriate security controls.

Unpredictability. The implementation of security controls in order to increase their deterrent effect and their efficiency, by applying them at irregular frequencies, different locations and/or with varying means, in accordance with a defined framework.

29.010. ABBREVIATIONS & ACRONYMS

(a) The following acronyms and abbreviations are used in this Part—

ANSP = Air Navigation Service providers
APIS = Advance Passenger Information System
CMC = Crew Member Certificate
COMAIL = Company Mail
COMAT = Company Materials
Doc = ICAO Technical Document
ICAO = International Civil Aviation Organization
MANPADS = Man-Portable Air Defense Systems
NCASP= National Civil Aviation Security Programme

29.015. FUNCTIONS OF AUTHORITY IN RELATION TO AVIATION SECURITY

(a) The Authority shall have responsibilities as provided for in Article 3 of the law relating to Civil Aviation Security.

(b) The Authority shall in respect of other States—
   (1) Cooperate in the development and exchange of information on National Civil Aviation Security Programmes in accordance with the laws of the Rwanda
   (2) Subject to paragraph (a), the Authority may consider requests by States to share or exchange information on the development of security programmes.

(c) The Authority shall—
   (1) Share threat information that applies to the aviation security interests in accordance with the laws of Rwanda;
   (2) Subject to paragraph (a), the Authority may consider and share threat information of aviation interests with other states as deemed necessary for the purpose of protecting civil aviation against acts of unlawful interference".

(d) The Authority shall where deemed necessary consider entering into collaborative arrangements in order to increase the sustainability of the aviation security system by avoiding unnecessary duplication of security controls. The arrangement should be based on verification of equivalence of the security outcome ensured by the application of effective security controls of origin.

(e) The authority shall make the final determination for the incorporation of security considerations into the design and construction of new facilities and alterations to existing facilities at airports serving civil aviation

(f) The Authority shall where practicable, utilize intelligence/information pertaining to the level and nature of threat to civil aviation operations as part of a regular security risk assessment for civil aviation with a view to adjusting relevant elements of the security measures established in the National Civil Aviation Security programme

(g) Ensure the safety of passengers, crew, ground personnel and the general public in all matters related to safeguarding against acts of unlawful interference with civil aviation.

(h) Develop and implement regulations, practices and procedures to safeguard civil aviation against acts of unlawful interference taking into account the safety, regularity and efficiency of flights

29.020. POWER TO ACCESS & INSPECT AIRPORT, AIRCRAFT & OPERATOR'S PREMISES

(a) The Authority shall have free and unobstructed access at all times to an airport, an aircraft operating from or within Rwanda, and the premises of an operator within Rwanda, for the purpose of inspecting security operations or to carry out security inspections and surveys, safety and security audits and testing function.

29.025. POWER OF AUTHORITY TO ISSUE ORDERS, CIRCULARS & DIRECTIVES

(a) The Authority may make and issue orders, circulars and directives prescribing any aviation security matter which, under these Regulations, is to be prescribed, and generally for the better carrying out or enhancing of the objects and purposes of these Regulations.

29.030. AUTHORIZED PERSONS

(a) The Authority may, in writing, designate qualified persons, whether by name or by title of office, to be authorized persons for the purposes of these Regulations and shall state the functions and limits of operation of the authorized persons.

29.035. AIRPORT OPERATORS

(a) An operator of an airport serving civil aviation shall be responsible for coordinating the implementation of security controls.

(b) Pursuant Aviation Security law, the primary objective of the Airport Security programme shall be to ensure the safety of passengers, crew, ground personnel and the general public in all matters related to safeguarding against acts of unlawful interference with civil aviation at the Airport.

(c) The Airport Security Programme shall be prepared in the following manner—

(1) A comprehensive written programme shall first be prepared, stating in clear, concise language what duties and responsibilities, measures and procedures are to be undertaken and by whom, for each type of security situation. Operational lines of succession shall be listed and notations made concerning aid agreements and off-airport sources of assistance. The action required of each task group shall be described under appropriate headings; and

(2) Specific component parts of the programme shall be studied by supervisors whose personnel are required to take action in each security situation. These supervisors shall be required to produce standard operating procedures (sops) or instructions.

(d) The Airport Security Programme shall provide for the incorporation of security features in the design of new airport facilities, particularly for those areas which on completion are likely to be vital to the continuity of operations.

(e) The Airport Security Programme shall contain information on the security equipment and its deployment and shall also make reference to calibration and testing procedures, which may be contained in standard operating procedures (sops).

(f) The Airport Security Programme shall also include or make reference to contingency plans of action/ emergency plans designed to deal with any situation likely to jeopardize air transport security at the airport.

(g) Once the draft Airport Security Programme is completed, it shall be reviewed and endorsed by the Airport Security Committee, established by the Prime Minister's Order N°122/03 of 30/04/2013, and then submitted for formal approval by the Authority.

(h) The approved Airport Security Programme shall be published and issued as a controlled document, with individual copy numbers and a register of authorized copy holders who shall sign to acknowledge receipt of the document.

(i) The Airport Security Programme copy holders shall be reminded of the document's security classification and the restrictions that are imposed. All amendments to the Airport Security Programme shall be approved by the Authority.

(j) The operator of an airport serving civil aviation shall ensure that airport design requirements, including architectural and infrastructure-related requirements necessary for the

implementation of the security measures in the national civil aviation security programme, are integrated into the design and construction of new facilities and alterations to existing facilities at airports.

(k) Facilities that require specific protection shall be identified as vulnerable points well in advance of an emergency, and the nature and extent of the protection shall be defined.

(l) The protection referred to in paragraph (i) shall fall into two categories:
   (1) Physical security measures and routine preventive security procedures; and
   (2) Contingency measures for a heightened threat or an emergency.

(m) Security measures and procedures shall be deployed in a manner to ensure that the most effective use is made of the available resources. Sources of additional staff and equipment resources available to assist in periods of higher than normal threat shall be identified and plans developed to access those resources when necessary.

(n) In accordance with the risk assessment carried out by relevant national or local authorities, ensure that appropriate measures on the ground or operational procedures are established to mitigate possible attacks against aircraft using Man-Portable Air Defense Systems (MANPADS) and other weapons representing a similar threat to aircraft at or near an airport.

29.040. AIRCRAFT OPERATORS

(a) The requirement for Aircraft Operator Security Programme referred to in the law relating to aviation Security shall apply to—
   (1) All commercial air transport operators providing service to and from Rwanda;
   (2) Each entity conducting general aviation operations, including corporate aviation operations, using aircraft with a maximum take-off mass greater than 5 700 kg; and
   (3) Each entity conducting aerial work operations.

(b) The Aircraft Operator Security Programme shall contain operations features specific to the type of operations conducted.

(c) All operators providing service from Rwanda and participating in codesharing or other collaborative arrangements with other operators shall notify the Authority of the nature of these arrangements, including the identity of the other operators.

(d) The Aircraft Operator Security Programme shall be in accordance with the requirements prescribed in the National Civil Aviation Security Programme.

(e) All amendments to the Aircraft Operator Security Programme shall be approved by the Authority.

29.045. AIR NAVIGATION SERVICE PROVIDERS SECURITY PROGRAMME.

(a) Air Navigation Service providers (ANSP) shall develop written security procedures on the security of their facilities and for response to acts of unlawful interference in accordance with the National Civil Aviation Security Programme

29.050. INTERNATIONAL COOPERATION

(a) The Authority shall:
   (1) Ensure that requests from authorities of other Contracting States for additional security measures in respect of a specific flight(s) by operators of such other States are met, as far as may be practicable.
   (2) Cooperate with authorities other States in the development and exchange of information concerning National Civil Aviation Security Programmes, Training Programmes and Quality Control Programmes, as necessary.
   (3) Establish and implement procedures to share with authorities of other Contracting

States threat information that applies to the aviation security interests of those States, to the extent practicable.

(4) Establish and implement suitable protection and handling procedures for security information shared by authorities of other Contracting States, or security information that affects the security interests of other Contracting States, in order to ensure that inappropriate use or disclosure of such information is avoided.

(5) Make available to other Contracting States on request a written version of the appropriate parts of national civil aviation security programme.

(6) (Consider entering into collaborative arrangements with authorities of other Contracting States in order to increase the sustainability of the aviation security system by avoiding unnecessary duplication of security controls.

(b) The authority shall ensure that a clause related to aviation security is include in each bilateral agreements on air transport, taking into account the security clause developed by International Civil Aviation Organization.

SUBPART B: SECURITY PROGRAMMES

29.055. NATIONAL CIVIL AVIATION SECURITY PROGRAMME

(a) Article 8 of the law relating to civil aviation Security establishes the National Civil Aviation Security Programme.

(b) The National Civil Aviation Security Programme shall include a minimum of the following matters—

(1) Programme objective
(2) Legislation
(3) Allocation of responsibilities
(4) Coordination and communications
(5) Protection of airports, aircraft and air navigation facilities
(6) Security control of persons and items being placed on board
(7) Security equipment
(8) Personnel
(9) Management of response to acts of unlawful interference
(10) Quality control
(11) Adjustment of the programme and contingency plans

(c) The National Civil Aviation Security Programme shall be reviewed and updated as the need may arise and at least once in each year.

29.060. NATIONAL CIVIL AVIATION SECURITY QUALITY CONTROL PROGRAMME

(a) With reference to the law relating to civil Aviation Security, a National Civil Aviation Security Programme shall be developed for purposes of—

(1) Determining and monitoring compliance with and validating the effectiveness of the National Civil Aviation Security Programme;
(2) Determining the adequacy and effectiveness of the National Aviation Security Programme through audits, tests, surveys, inspections and exercises;
(3) Ensuring that all persons who are assigned aviation security duties or responsibilities are verifiably trained and instructed to carry out those duties
(4) Ensuring that persons implementing security controls possess all competencies required to perform their duties and are appropriately trained and certified;

(5) Ensuring that each entity responsible for the implementation of relevant elements of the National Civil Aviation Security Programme periodically verifies that the implementation of security measures outsourced to external service providers is in compliance with the entity's security programme;
(6) Ensuring that acts of unlawful interference are investigated; and
(7) Reviewing and re-evaluating security measures and controls immediately following an act of unlawful interference.

(b) The National Civil Aviation Security Quality Control Programme shall contain appropriate methods, means and procedures for—
(1) Ensuring that the personnel carrying out security audits, tests, surveys and inspections are trained to appropriate standards for these tasks in accordance with the National Civil Aviation Security Programme;
(2) Ensuring that the personnel carrying out security audits, tests, surveys and inspections are afforded the necessary authority to obtain information to carry out those tasks, and to enforce corrective actions;
(3) Supplementing the National Civil Aviation Security Quality Control Programme by establishing a confidential reporting system for analyzing security information provided by sources including passengers, crew and ground personnel; and
(4) Establishing a process to record and analyse the results of the National Civil Aviation Security Quality Control Programme, to contribute to the effective development and implementation of the National Civil Aviation Security Programme, including identifying the causes and patterns of non-compliance and verifying that corrective actions have been implemented and sustained.
(5) Ensuring that security gaps identified during quality control activities are closed

(c) The National Civil Aviation Security Quality Control Programme shall—
(1) Provide for structures, responsibilities, processes and procedures that promote and establish an environment and culture of continuing improvement and enhancement of aviation security; and the means for ensuring that persons tasked with carrying out security duties do so effectively; and
(2) Provide all persons assigned aviation security duties or responsibilities with direction for the effective application of aviation security controls, to prevent acts of unlawful interference.

(d) The Authority shall ensure that the management, setting of priorities and organization of the National Civil Aviation Security Quality Control Programme is undertaken independently from the entities and persons responsible for the implementation of the measures taken under the National Civil Aviation Security Programme.

29.065. REGULATED AGENT SECURITY PROGRAMME

(a) With reference to the law relating to civil Aviation Security, a Regulated Agent Security Programme shall contain—
(1) Provisions to meet the requirements of the National Civil Aviation Security Programme and these Regulations; and
(2) Provisions to respond to orders, circulars and directives issued by the Authority under Regulation 29.025;
(3) Details of how the regulated agent plans to meet and maintain the requirements set out in the Regulated Agent Security Programme;
(4) Procedures for—
(i) Ensuring that where screening of cargo and mail is conducted, screening is carried out using an appropriate method or methods, taking into account the nature of the

consignment;

(ii) Ensuring the security of buildings, premises, transport facilities and access control;

(iii) Recruitment and training of staff involved in the implementation of security controls;

(iv) Physical separation of screened from unscreened cargo;

(v) Action to be taken in the event cargo and mail the integrity of cargo and mail is jeopardized, prior to carriage.

(vi) Measures for the protection of cargo and mail from unauthorized interference, from the point screening or other security controls are applied, until departure of the aircraft

(vii) Incident reporting;

(5) Any other matter prescribed by the Authority.

(b) Approval of Regulated Agent Security Programme shall be based on the supply chain security process, which comprises management of applicable cargo and mail policies, procedures, and technology, as stipulated in the NCASP to protect supply chain assets from acts of unlawful interference, theft, damage, or terrorism, and to prevent the introduction of unauthorized contraband, people or weapons of mass destruction into the supply chain.

(c) The regulated agent shall ensure that cargo and mail that have been confirmed and accounted for have then been issued with a security status, either in an electronic format or in writing, to accompany the cargo and mail throughout the secure supply chain.

(d) Without prejudice to Article 13 of the law relating to civil Aviation Security and Regulation 29.65(c), the authority shall have rights to disqualify, suspend and revoke the regulated agent designation in the following events—

(1) Disqualification – hall result from an inability to meet the requirements for a regulated agent at the application phase, and failure to maintain or implement security measures or procedures required by the authority after administrative warnings or fines have been imposed;

(2) Suspension – shall result from a short-term inability to implement security controls required by the authority, or a voluntary request by an entity to suspend its designation for a specified period or permanently;

(3) Revocation – shall result from continuous violations of national requirements or the entity's approved regulated agent Security Programme, or the entity may no longer be involved in the handling, processing or storage of air cargo.

(e) The Regulated Agent Security Programme shall be reviewed and updated as the need may arise and at least once a year.

29.070. In-flight CATERING OPERATOR SECURITY PROGRAMME

(a) A Catering Operator Security Programme shall contain a minimum of the following—

(1) Provisions to meet the requirements of the National Civil Aviation Security Programme and these Regulations;

(2) Details of how the catering operator intends to comply with, and maintain the requirements set out in the Catering Operator Security programme;

(3) Procedures for—

(i) Ensuring that catering, stores and supplies intended for carriage on passenger aircraft are subjected to appropriate security controls and thereafter protected until loaded onto the aircraft;

(ii) Ensuring the security of buildings, premises and transport facilities;

(iii) Recruitment and training of staff involved in the implementation of security controls;

(iv) Reporting of incidents;

(4) Any other matter prescribed by the Authority.

(b) An in-flight Catering Operator Security programme shall be set out in the manner prescribed in the National Civil Aviation Security Programme.

(c) The Catering Operator Security Programme shall be reviewed and updated as the need may arise and at least once a year.

SUBPART C: TRAINING PROGRAMMES

29.075. NATIONAL AVIATION SECURITY TRAINING PROGRAMME

(a) With reference to Article 16 of the law relating to civil Aviation Security, The Authority shall develop a National Aviation Security Training Programme for personnel of all entities involved with or responsible for the implementation of various aspects of the National Civil Aviation Security Programme including periodic security awareness training for those authorized to have unescorted access to airside.

(b) The Authority shall co-ordinate the implementation of the National Aviation Security Training Programme developed under paragraph (a).

(c) The Authority shall notify the entities concerned of the training requirements identified in the National Aviation Security Training Programme for their implementation.

(d) The Authority shall ensure the development and implementation of certification programmes for screeners and instructors in accordance with the National Civil Aviation Security Programme

(e) Person shall not operate a training center whose purpose is to provide civil aviation security training in accordance with these regulations and the National Civil Aviation Security Training Programme without an Approved Training Organization certificate issued by the Authority.

29.080. OPERATOR AVIATION SECURITY TRAINING PROGRAMME

(a) Every operator shall develop and implement an Aviation Security Training Programme to ensure the effective implementation of their respective security operations; and the training programme shall conform with the requirements of the National Aviation Security Training Programme and these Regulations.

(b) A training programme referred to in paragraph (a) shall include—

(1) Training of appropriate employees, taking into account human factors principles and human performance; and

(2) Training 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 to enable them to contribute to the prevention of acts of sabotage, unlawful seizure of aircraft or other forms of unlawful interference and to minimize the consequences of such events should they occur.

(3) A training programme referred to in paragraph (a) shall be submitted to the Authority for approval in accordance with the procedure prescribed in Regulations 29.085 and 29.090.

29.085. APPLICATION

(a) Where a Security Programme is required to be approved by the Authority for approval of security programme under Regulations 29.035, 29.040, 29.055, 29.060, 29.065, 29.070, 29.075 and 29.080 of these Regulations, the applicant shall—

(1) Submit the Programme to the Authority, ensuring that it meets the requirements of the National Aviation Security Programme, these Regulations and any other

relevant law; and

(2) Pay the fee prescribed by the Authority.

(3) A Security Programme submitted to the Authority for approval under this regulation shall be in duplicate and signed by the applicant or on behalf of the applicant.

29.090. APPROVAL OF SECURITY PROGRAMME

(a) Where the Authority is satisfied that a Security Programme submitted under Regulation 29.085, meets the requirements of these Regulations, the National Civil Aviation Security Programme and any other relevant law, the Authority shall, within thirty days after receipt of the Programme, approve the security programme.

(b) Where the Authority determines that a Security Programme submitted under Regulation 29.085 does not meet the requirements of these Regulations, the National Civil Aviation Security Programme or relevant law, the Authority shall, within thirty days after receipt of the Programme, direct the applicant to modify and resubmit the Security Programme to the Authority within thirty days after receipt of the Programme by the applicant.

(c) Where the Authority is satisfied that a Security Programme re-submitted under paragraph (b) meets the requirements of these Regulations, the National Civil Aviation Security Programme and any other relevant law, the Authority shall, within fifteen days, after receipt of the Programme, approve the security programme.

29.095. CHANGED CONDITIONS AFFECTING SECURITY

(a) Where a Security Programme has been approved under Regulation 29.090, the operator, where applicable, shall comply with the procedure prescribed by paragraph (b), whenever the operator determines that—

(1) Any description of the area set out in the Security Programme is no longer accurate;

(2) Any description of the operations set out in the Security Programme is no longer accurate, or that the procedures included, and the facilities and equipment described in the Security Programme are no longer adequate.

(b) Whenever a situation described in paragraph (a) occurs, the operator, where applicable shall

(1) Immediately notify the Authority of the changed conditions, and identify each interim measure being taken to maintain adequate security until approval is granted for an appropriate amendment of the security programme; and

(2) Within thirty days after notifying the Authority in accordance with paragraph (a), submit for approval, in accordance with the procedure prescribed by Regulation 29.085, an amendment to the Security Programme to bring it into compliance with these Regulations.

(c) The Authority shall, where an amendment to a security programme is submitted to it under paragraph (b)(2), approve the amendment in accordance with the procedure prescribed by Regulation 29.090.

29.100. POWER OF AUTHORITY TO DIRECT AMENDMENT OF SECURITY PROGRAMME

(a) Where the Authority determines that an operator's security programme requires amendment, the Authority may direct the respective operator to amend the security programme and submit it to the Authority for approval.

(b) The Authority shall, where an amended security programme is submitted to it under paragraph (a), approve the security programme in accordance with the procedure prescribed by Regulation 29.090.

SUBPART D: PREVENTIVE SECURITY MEASURES

29.105. AIRPORT SECURITY ACCESS CONTROL TO SECURITY RESTRICTED AREAS

(a) An airport operator shall ensure that identification systems are established in respect of persons and vehicles in order to prevent unauthorized access to airside areas and security restricted areas.

(b) Background checks shall be conducted on persons other than passengers granted unescorted access to security restricted areas of the airport prior to granting access to security restricted areas.

(c) Background checks referred to in paragraph (b) shall be reapplied on a regular basis to all persons granted unescorted access to security restricted areas.

(d) Identity of persons and vehicles shall be verified at designated checkpoints before access is allowed to airside areas and security restricted areas.

(e) An airport operator shall ensure that the movement of persons and vehicles to and from the aircraft is supervised in security restricted areas in order to prevent unauthorized access to aircraft.

(f) An airport operator shall ensure that persons other than passengers, together with items carried, prior to entry into airport security restricted areas serving civil aviation operations, are subject to screening and security controls.

(g) An airport operator shall ensure that vehicles being granted access to security restricted areas, together with items contained within them, are subject to screening or other appropriate security controls in accordance with the provisions of the National Civil Aviation Security Programme.

(h) An airport operator shall use of random and unpredictable security measures to contribute to the deterrent effect of security measures.

(i) An airport operator shall ensure that various components of the practical implementation of aviation security measures, including equipment, personnel and procedures are tested regularly in order to monitor the effectiveness of the security measures in place.

(j) An airport operator shall carry out periodic inspections and audits of aviation security measures to determine that the terms and provisions of approved security programmes are being correctly applied.

(k) An airport operator shall ensure that exercises, designed to test aviation security measures shall be developed and carried out to determine the effectiveness of procedures and contingency plans and for the management of response to acts of unlawful interference.

(l) The Authority shall ensure that identity documents issued to aircraft crew members provide a harmonized and reliable international basis for recognition and validation of documentation to permit authorized access to airside and security restricted areas by conforming to the prescribed specifications.

(m) Integrate behavior detection into its aviation security practices and procedures

29.110. AIRPORT SECURITY CONTROLS

(a) An airport operator shall maintain and carry out security measures and procedures including identification and resolution of suspicious activity that may pose a threat to civil aviation at the airport for the purpose of
Protecting passengers, crew members, aircraft, airports and aviation facilities and preventing acts of unlawful interference and ensuring that appropriate action is taken when an act of unlawful interference occurs or is likely to occur.

(b) Every operator of an airport serving civil aviation shall be responsible for the security of facilities and employment of security equipment, where appropriate, to the extent operationally, technically and financially practicable, to achieve civil aviation security objectives and shall—

(1) Institute and maintain measures including the use of random and unpredictable security measures to prevent weapons, explosives or any other dangerous device which may be used to commit an act of unlawful interference, the carriage or bearing of which is not authorized, from being introduced, by any means, on board an aircraft engaged in civil aviation;

(2) Ensure that—

(i) Access to airside areas at the airport is controlled in order to prevent unauthorized entry;

(ii) Security restricted areas are established at the airport, in accordance with Regulation 29.115;

(iii) Architectural and infrastructure related requirements necessary for the optimum implementation of security measures under the National Civil Aviation Security Programme are integrated into the design and construction of new facilities and alterations to existing facilities at airports;

(iv) Landside areas are identified and security measures are established to mitigate the risk of and prevent possible acts of unlawful interference in accordance with national and local risk assessments carried out by the relevant authorities;

(v) Persons engaged to implement security controls are subject to background check. However, security personnel drawn from Rwanda National Police and Rwanda Defense Forces shall be exempted from such background checks.

(vi) S and selection procedures, are capable of fulfilling their duties and are adequately trained;

(vii) Originating passengers and crew, and their baggage are screened before accessing restricted areas and before boarding an aircraft engaged in commercial air transport operations;

(viii) Originating hold baggage is screened before being loaded into an aircraft engaged in commercial air transport operations;

(ix) All hold baggage to be carried on aircraft engaged in commercial air transport is protected from unauthorized interference from the point it is screened or accepted into the care of the carrier, whichever is earlier, until departure of the aircraft on which it is to be carried; and that where the integrity of hold baggage is jeopardized, the hold baggage is re-screened before being placed on board an aircraft;

(x) Commercial air transport operators do not transport the baggage of passengers who are not on board the aircraft unless that baggage is identified as unaccompanied and subjected to additional screening subsequent to it being established as unidentified;

(xi) Transfer hold baggage is screened before being loaded into an aircraft engaged in commercial air transport operations, unless the airport operator has established a validation process and continuously implements procedures, in collaboration with the other Contracting State where appropriate, to ensure that such hold baggage has been screened at the point of origin and subsequently protected from unauthorized interference from the originating airport to the departing aircraft at the transfer airport;

(xii) Commercial air transport operators only transport items of hold baggage which have been individually identified as accompanied or unaccompanied, screened to

the appropriate standard and accepted for carriage on that flight by the air carrier and that all such baggage is recorded as meeting these criteria and is authorized for carriage on that flight;

(xiii) Transfer and transit passengers and their cabin baggage are subjected to adequate security controls to prevent unauthorized articles from being taken on board aircraft engaged in civil aviation;

(xiv) There is no possibility of mixing or contact between passengers subjected to security control and other persons not subjected to such control after the security screening points at airports
Serving civil aviation have been passed; and that where mixing or contact does take place, the passengers concerned and their cabin baggage are re-screened before boarding an aircraft;

(xv) The persons carrying out security controls are certified according to the requirements of the National Civil Aviation Security Programme;

(xvi) Luggage or personal belongings left unattended at an airport are subjected to appropriate security controls and disposal procedures;

(xvii) Persons other than passengers, together with their items being granted access to security restricted areas shall be screened or subjected to other security controls, including but not limited to proportional screening, randomness and unpredictability in accordance with a risk assessment carried out by relevant national authorities

(xviii) Vehicles being granted access to security restricted areas, together with items contained within them, shall be screened or subjected to other appropriate security controls in accordance with a risk assessment carried out by the relevant national authorities

(xix) Measures are established to ensure that merchandise and supplies introduced into security restricted areas are subjected to appropriate security controls, including screening where applicable

(xx) Where practicable, in order to improve efficiency, modern screening or examination techniques shall be used to facilitate the physical examination of goods to be imported or exported.

(3) The airport operator shall ensure that;

(i) All security equipment in use are operated in conjunction with the manufacturers' recommendations and individual standard operating procedures as contained in airport security programme.

(ii) preventive and fault maintenance schedules are instituted and implemented to guarantee that all security equipment is operating at optimum efficiency.

(iv) Suitably qualified technicians are available to carry out the necessary maintenance of equipment

(v) Daily performance testing of equipment are done as per the Airport Security programme.

(4) Situate car parking areas away from terminal buildings, critical infrastructure and aprons for at least 50meters to reduce the risk associated with Vehicle Borne Improvised Explosive Devices.

(5) Establish—

(i) Storage areas where mishandled baggage may be held after screening until forwarded, claimed or disposed of;

(ii) Bomb disposal areas where detected explosives may be disposed of;

(iii) Person and vehicle identification systems;

(6) Institute and implement adequate security controls, including background checks on

persons other than passengers granted unescorted access to security restricted areas of the airport;

(7) Provide adequate supervision over the movement of persons and vehicles to and from the aircraft in order to prevent unauthorized access to aircraft;

(8) Investigate, render safe and dispose of, if necessary, suspected sabotage devices or other potential hazards at the airport;

(9) Employ and deploy suitably trained personnel to assist in dealing with suspected or actual cases of unlawful interference with civil aviation;

(10) Conduct a full scale contingency exercise that incorporates security scenarios at least once in every three years;

(11) Conduct a table top contingency exercise at least once a year.

29.115. SECURITY RESTRICTED AREAS & AIRPORT SECURITY PERMITS

(a) The Authority, in conjunction with the airport operator and other responsible persons concerned, shall identify areas where, based on a security risk assessment carried out by the Authority, operations vital to the continued safe operation of civil aviation in Rwanda are carried out, and designate those areas as security restricted areas.

(b) A security restricted area shall—

(1) Be marked and protected through physical or personnel protective measures or through a combination of physical and personnel protective measures to prevent unauthorized access to it;

(2) Be separated from public or non-security restricted areas by an appropriate physical barrier; and

(3) Be inspected at regular intervals.

(c) Authorized access to a security restricted area at every airport and designated off airport facilities serving commercial air transport operations shall be controlled through the issuance of Airport Restricted Area Permits.

(d) A person issued with an Airport Restricted Area Permit under this regulation shall use it while on duty and properly display it at all times as prescribed in the relevant Airport Security Programme.

(e) The Airport Operator shall specify the recognized places of entry through the security restricted area barrier and ensure that the area has adequate physical protection, of at least the same quality as the barrier itself, or is enough to prevent unauthorized access.

(f) An airport operator shall keep, at the airport, a current scale map of the airport identifying security restricted areas, security barriers and security restricted area access points.

(g) An airport operator or a person in charge of any other restricted area mentioned in Regulation 29.115(c) shall not issue a restricted area permit to a person unless the person:

(1) Applies in writing;

(2) Is sponsored in writing by his/her employer;

(3) Fulfills other requirements by the Airport Operator

(h) An airport operator or a person in charge of any other restricted area mentioned in Regulation 29.115(c) shall ensure that the following information is displayed on each restricted area identity card that it issues, in addition to any other requirements deemed necessary for the security of the restricted areas:

(1) The full name of the person to whom the card is issued;

(2) The height of the person to whom the card is issued;

(3) A photograph depicting a frontal view of the face of the person to whom the card is issued;

(4) The expiry date of the card;

(5) The name of the airport where the card is issued;
(6) The name of the employer of the person to whom the card is issued if that person has a single employer;
(7) The terms "multi-employer" if the person to whom the card is issued has more than one employer;
(8) The occupation of the person to whom the card is issued if that person has a single occupation; and
(9) The terms "multi-occupation" if the person to whom the card is issued has more than one occupation.

(i) An employer shall not—
(1) Sponsor an employee who does not require ongoing access to restricted areas in the course of their employment; or
(2) Knowingly sponsor an employee for more than one restricted area identity card at a time.

(j) The employer of a person to whom a restricted area identity card has been issued shall immediately notify the airport operator or a person in charge of any other restricted area mentioned in Regulation 29.115(c) that issued the card if the person ceases to be an employee or no longer requires ongoing access to restricted areas in the course of his or her employment.

(k) An airport operator or a person in charge of any other restricted area mentioned in Regulation 29.115(c) shall not issue more than one restricted area identity card at a time to a person.

(l) Person shall not enter or remain in a restricted area unless the restricted area pass issued to the person is visibly displayed on the person's outer clothing.

(m) A person shall not enter or remain in a restricted area with a vehicle unless the said vehicle has a permit which shall—
(1) Be permanently displayed in a prominent and visible position on the vehicle; and
(2) Contain, in addition to any other requirements deemed necessary for the security of the restricted areas:
(i) The registration number of the vehicle;
(ii) The owner/operator logo of the vehicle;
(iii) The validity period;
(iv) The security restricted areas for which the permit is valid;
(v) The access gates which the vehicle is allowed to use; and
(vi) The name of the organization to which the vehicle belongs.

(n) An airport operator and the person in charge of any other restricted area referred to in Regulation 29.115(c) shall ensure that drivers of vehicles issued with restricted area vehicle permits are qualified to drive the appropriate class of vehicle and have been given instruction in all safety requirements for the operation of a vehicle airside

(o) The holder of a restricted area pass who refuses to submit to an authorized search of their person or goods or other things in their possession or control or a vehicle under their care or control when requested to do so by a screening officer shall, on demand, surrender the restricted area pass to the screening officer making the demand.

(p) Designated authorities responsible for controlling access to security restricted areas shall—
(1) Specify the recognized places of entry through the security restricted area barrier and ensure that the area has adequate physical protection, of at least the same quality as the barrier itself, or is enough to prevent unauthorized access; and
(2) Integrate behavior detection into its aviation security practices and procedures.

(q) Airport Restricted Area Permits shall be revoked under the following conditions;
(1) If the holder ceases to be an employee of an entity at the Airport.

(2) If the holder is involved in any situation or incident that could represent a security risk, which arouses suspicion, or which may compromise the safety and security of civil aviation.
(3) If the holder is suspected to be involved in Pilferage
(4) Misuse of the permit
(5) Any breach of access control procedures
(6) Provision of wrong information during application for the permit
(7) At the Airport Security's own discretion, the permit may be revoked without any explanation to the holder.

29.120. AIRPORT BOUNDARY

(a) An airport operator shall ensure that—
(1) The airport has a conspicuous physical barrier or means of indicating the airport boundary with posted signs in at least English, Kinyarwanda and French bearing a warning to prevent incursions and trespassing. The signs posted on each security barrier shall be no more than 150 metres apart.
(2) Measures are in place for the continuous protection and monitoring of the integrity of the perimeter to prevent incursions and trespassing.

29.125. CARRIAGE OF FIREARMS, EXPLOSIVES OR INCENDIARY MATERIALS IN AIRPORT PREMISES

(a) Without prejudice to Article 29 of law relating to Civil Aviation Security, an Airport Operator may allow a person to carry or have access to explosive substances or incendiary devices at an airport if—
(1) The explosive substances or incendiary devices are to be used at the Airport premises:
(i) For excavation, demolition or construction;
(ii) In fireworks displays;
(iii) By persons operating explosives detection equipment or handling explosive detection dogs;
(iv) By a police service; or
(v) By military personnel; and
(2) The Airport Operator has reasonable grounds to believe that the safety of the Airport and persons and aircraft at the Airport will not be jeopardized by the presence of the explosive substances or incendiary devices at the airport.

(b) A person who is transporting explosive substances or incendiary devices or tendering them for transportation by an air carrier may have access to them at an airport.

(c) A person may transport or tender for transportation by an air carrier on board an aircraft explosive substances or incendiary devices if the person notifies the air carrier before the explosive substances or incendiary devices arrive at the airport premises

(d) A person who is at an airport or on board an aircraft shall not falsely declare that—
(1) They are carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an Airport or aircraft or that such an item is contained in goods or other things in their possession or control or in a vehicle under their care or control that they have tendered or are tendering for screening or transportation; or
(2) Another person who is at the Airport or on board an aircraft is carrying a weapon, an explosive substance, an incendiary device or other dangerous item that could be used to jeopardize the security of an Airport or aircraft or that such an item is contained in goods or other things in that person's possession or control or in a vehicle under their care or

control and is being tendered or has been tendered for screening or transportation.

(e) Subject to Regulation 12.260 of the Civil Aviation (AOC Certification and Administration) Regulations, a person shall not transport or tender for transportation by an air carrier goods that contain a loaded firearm.

(f) Subject to paragraph (c) of this regulation, a person shall not transport or tender for transportation by an air carrier goods that contain an explosive substance or an incendiary device.

29.130. CONTROL OF ACCESS BY TENANTS

(a) The airport operator shall ensure that tenants whose premises or facilities form part of the landside or airside boundary through which access can be gained to the airside are responsible for control of access through their premises, and shall carry on business in compliance with the Airport Operator Security Programme.

(b) In paragraph (a), "tenants" means—

(1) Individuals or businesses granted a licence or other permit by the airport operator to conduct business operations at the airport, including concessionaires, cargo handlers, caterers, tour operators, taxi and bus operators, porters, aircraft maintenance organisations and fuel companies; and

(2) Government authorities and agencies at the airport, including customs, immigration, health, agriculture and meteorology.

29.135. OPERATOR & SCREENING PROCEDURES

(a) An Airport Operator shall not allow a passenger, a crew member, airport staff and other non-passengers to pass through the security screening point into a restricted area unless the said persons and all items carried by them have been screened in accordance with the Screening procedures issued by the Authority; provided that—

(1) The Authority may notify a special procedure for handling Heads of States and Heads of Foreign Mission, and diplomatic pouches; and

(2) The material that is classified by appropriate agencies of Government shall be inspected only to the extent necessary to assure the absence of weapons or dangerous articles, except that if any question regarding safety remains, said classified material shall not be admitted in the restricted area and shall not be transported by an air carrier.

(b) A person who refuses to submit to an authorized search of their person or goods or other things in their possession or control, or a vehicle under their care or control when requested to do so by a screening officer shall not enter into or remain inside a restricted area.

(c) A security officer, the manager of an Airport or a person acting on his behalf may use reasonable force to remove a person who fails to comply with a request under paragraph (b).

(d) A person who shall be screened under the National Aviation Security Programme shall not circumvent a screening of their person or goods or other things in their possession or control or a vehicle under their care or control or assist another person who shall be screened in circumventing a screening of that person or goods or other things in that person's possession or control or a vehicle under that person's care or control.

(e) A person who does not need to be screened under the National Aviation Security Programme shall not assist another person who shall undergo a screening of their person or goods or other things in their possession or control or a vehicle under their care or control in circumventing screening.

29.140. INFORMING THE AIRPORT OPERATOR OF THREAT AGAINST AIRPORT

(a) Where a person authorized to conduct any screening activity at an airport is made aware of a threat against the airport, that person shall—
  (1) Immediately notify the airport operator of the nature of the threat; and
  (2) Assist the airport operator in determining whether the threat affects the security of the airport.

29.145. AIRPORT OPERATOR TO TAKE MEASURES IN EVENT OF THREAT

(a) Where an airport operator determines that there is a threat that affects the security of the airport, the airport operator shall immediately take all measures necessary to ensure the safety of the airport and persons at the airport, including informing the relevant parties of the nature of the threat.

(b) An airport operator upon assessment and determination of a credible bomb threat shall immediately inform the Authority of the bomb threat against an airport and its facilities, or an aircraft.

29.150. DISCOVERY OF WEAPONS, INCENDIARY DEVICES OR EXPLOSIVES AT AIRPORT

(a) An airport operator shall immediately notify the Authority when there is—
  (1) Discovery, at the airport, of a weapon other than a firearm allowed under Article 22 of the law relating to civil aviation Security;
  (2) Discovery, at an airport of ammunition other than ammunition allowed under Article 22 of the law relating to civil aviation Security.
  (3) Discovery, at the airport, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed under Article 22 of the law relating to civil aviation Security; or
  (4) An explosion at the airport, unless the explosion is known to be the result of an excavation, a demolition, construction or the use of fireworks displays.

29.155. AIRPORT OPERATOR TO SUBMIT PLANS BEFORE RENOVATION & EXPANSION WORKS

(a) Notwithstanding Regulation 29.110(b)(2)(iii), an airport operator shall, before the implementation of any renovation, remodeling or expansion works at the airport, or the construction of new or additional airport facilities, submit to the Authority for its approval, the plans for the renovation and expansion works.

(b) The Authority shall, in approving the plans submitted to it under paragraph (a), assess the plans to ensure that security considerations are properly addressed and that the needs of aviation security are integrated in the configuration of the works.

29.160. RECORD KEEPING BY OPERATORS

(a) A record required to be kept under Article 25 of the law relating to civil aviation Security shall—
  (1) Be kept for a minimum of ninety days;
  (2) Be submitted to the authority within thirty days after the occurrence of the incident; and
  (3) Where relevant, include—
    (i) The number and type of weapons and incendiary devices discovered during any passenger screening process and the method of detection of each;
    (ii) The number of acts and attempted acts of unlawful interference;
    (iii) The number of bomb threats received, real and simulated bombs found and actual bombings or explosions at the airport; and
    (iv) The number of detentions and arrests and the immediate disposition of each person

detained or arrested.

(4) The Airport operator and any person designated by the airport operator or the person in charge of any other restricted area mentioned in Regulation 29.115(c) to issue restricted area passes or keys shall—

(5) Keep at the airport or at the other restricted areas mentioned in Regulation 29.105(a) updated records of the passes and keys that have been issued for use at the airport or the other restricted areas mentioned in Regulation 29.115(c), respecting—

(i) Restricted area identity cards and keys that have been issued;

(ii) The names of the persons to whom restricted area identity cards or keys have been issued;

(iii) The names of the persons to whom combination codes or personal identification codes have been assigned;

(iv) Blank restricted area identity cards in the airport operator's possession;

(v) Restricted area identity cards that have been deactivated;

(vi) Keys, combination codes or personal identification codes that have been cancelled, removed or taken back;

(vii) Deactivated restricted area identity cards that have not been retrieved by the airport operator;

(viii) Restricted area identity cards that have been reported as lost or stolen.

(ix) Steps taken to retrieve deactivated security restricted area permits; and provide the record to the authority

29.165. RESPONSIBILITIES OF AIRCRAFT OPERATORS

(a) An aircraft operator providing service from Rwanda shall not—

(1) Transport the baggage of a passenger who is not on board the aircraft unless that baggage is subjected to appropriate security controls, including screening, after determining that the person is not on board;

(2) Accept consignments of cargo, courier and express parcels or mail, inflight catering and stores, company mail and materials for carriage on passenger flights, unless the security of the consignments is accounted for by a regulated agent, or the consignments are subjected to security controls to meet the appropriate security requirements.

(3) Ensure that hold baggage transported on an aircraft belongs to bona fide passengers or crew members (person and baggage reconciliation)

(4) Hold baggage shall not be placed on board an aircraft unless:

(i) The hold baggage is properly marked externally to permit reconciliation with the relevant passenger or crew member;

(ii) The passenger or crew member to whom the baggage belongs has checked in for the flight on which it is to be carried;

(iii) Prior to loading, the hold baggage is held in an area of the airport to which only authorized persons have access; and

(iv) The hold baggage has been identified as either accompanied or unaccompanied.

(b) An aircraft operator providing service in or from Rwanda shall—

(1) Carry out and maintain, at an airport, on an aircraft and at any aviation facility under the control of the operator, security measures including identification and resolution of suspicious activity that may pose a threat to civil aviation, and any other measures prescribed in the National Civil Aviation Security Programme and the Airport Security Programme;

(2) Ensure that—

(i) All its appropriate personnel are familiar with, and comply with the requirements of

the National Civil Aviation Security Programme;

(ii) Evaluation of travel documents presented by passengers, is conducted in order to deter fraud and abuse and;

(iii) Necessary precautions are taken at the point of embarkation to ensure that passengers are in possession of valid documents prescribed by the state of transit and destination for control purposes.

(iv) All its aircraft carry a checklist of the procedures to be complied with for that type of aircraft in searching for concealed weapons, explosives or other dangerous devices.

(3) Be responsible for the security of his or her aircraft;

(4) Ensure that persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained; and

(5) Institute and implement adequate security controls, including background checks on persons other than passengers granted unescorted access to security restricted areas of the airport.

(6) Institute measures to identify and remove any items:

(i) Before departure of an aircraft engaged in commercial flights;

(ii) After passengers have disembarked from an airport engaged in commercial flights;

(iii) Left behind by passengers disembarking from transit flights."

(7) Conduct aircraft security checks and searches of originating aircraft

(8) Ensure that an aircraft subject to a security check or search is protected from unauthorized interference, from the time the aircraft check or search has commenced, until the aircraft departs.

(9) Develop procedures to ensure that an aircraft subject to a security check or search is protected from unauthorized interference, from the time the aircraft check or search has commenced, until the aircraft departs.

(10) Ensure that its security personnel with the responsibilities that require certification as per the national civil aviation security training programme are duly certified by the Authority.

(11) Protect hold baggage in security restricted areas such as baggage sorting areas and ramps, during transport to an aircraft. No baggage or cargo shall be left unattended.

29.170. SPECIAL PROTECTION FOR AIRCRAFT

(a) An aircraft operator may, notwithstanding Regulation 29.165(b)(3), request for special protection of an aircraft from an airport operator.

(b) Where special protection is offered to an aircraft operator under paragraph (a), the protection shall be on terms and conditions determined by the airport operator.

(c) Ensure that no one boards or attempts to board any aircraft without the authorization of the aircraft operator concerned or any other special authorization provided by the authority.

(d) Ensure that no one tampers or interferes with any aircraft or anything used in connection with an aircraft,

29.175. CONTROL OF PROHIBITED ITEMS

(a) No person shall, subject to Regulation 29.115, possess or have with him or her a prohibited item while—

(1) In a security restricted area;

(2) On board an aircraft; or

(3) In an air navigation installation.

(b) The prohibited items referred to in paragraph (a) include—
   (1) Firearms or articles appearing to be firearms, whether or not they can be discharged;
   (2) Nuclear, chemical or biological agents adapted, or capable of being used or causing injury to or incapacitating persons or damaging or destroying property;
   (3) Ammunition and explosives;
   (4) Articles manufactured or adapted to have the appearance of explosives, whether in the form of a bomb, grenade or otherwise;
   (5) Articles made or adapted for causing injury to or incapacitating persons or damaging or destroying property; and
   (6) Any other dangerous article or substance or other item prescribed by the Authority from time to time.

29.180. CONTROL OF ACCESS TO FLIGHT CREW COMPARTMENT

(a) An aircraft operator engaged in commercial air transport shall—
   (1) Where an aircraft is equipped with a flight crew compartment door, ensure that the door is lockable from the flight crew compartment only and remains locked during flight, except to permit access and exit by authorized persons; and
   (2) Where an aircraft is not equipped with a flight crew compartment door, ensure the implementation of measures as appropriate to prevent unauthorized persons from entering the flight crew compartment during flight

29.185. CONTROL OF SPECIAL CATEGORIES OF PASSENGERS

(a) Law enforcement officers shall inform the aircraft operator and the pilot in command when passengers are obliged to travel because they have been the subject of judicial or administrative proceedings, in order that appropriate security controls can be applied.

(b) The aircraft operator shall inform the pilot in command of the number of armed or unarmed escort persons, the individuals whom they are escorting and their seat locations in the aircraft.

(c) An air carrier shall not transport a person suffering from a mental illness that is deemed to be a threat to the safety of a flight, unless—
   (1) That person is accompanied by an attendant physically capable of coping with untoward actions by that person during the flight and skilled in administering sedatives as required and authorized by an appropriate doctor; and
   (2) If that person requires sedation prior to departure, each portion of the flight should last no longer than the effective duration of the sedative administered.

(d) The carriage of weapons on board aircraft by law enforcement officers and other authorized persons, acting in the performance of their duties, shall be in accordance Article 30 of the law relating to civil aviation Security.

(e) The Authority may—
   (1) Approve, in writing, the carriage of weapons on board aircraft by law enforcement officers and other authorized persons acting in the performance of their duties;
   (2) Consider requests by any other State to allow the travel of armed personnel on board aircraft of the requesting State, except that the Authority shall not allow the travel of armed personnel under this regulation unless there is an agreement between both States on such travel.

(f) Notwithstanding paragraph (b), an aircraft operator may allow or refuse the carriage of weapons on board an aircraft in accordance with conditions issued by the Authority.

(g) Where an aircraft operator accepts the carriage of weapons removed from passengers, the aircraft shall have provision for stowing the weapons so that they are inaccessible to

passengers during flight time and, in the case of a firearm, to ensure that it is not loaded.

(h) Where Rwanda decides to deploy in-flight security officers—
   (1) The officers shall be government personnel who are specially selected and trained, taking into account the safety and security aspects on board an aircraft; and
   (2) (b) the officers shall be deployed according to the threat assessment of the Authority.

(i) The deployment under paragraph (e) shall be done in co-ordination with concerned States and shall be kept strictly confidential.

29.190. AUTHORISED CARRIAGE OF WEAPONS ON BOARD AIRCRAFT

(a) The carriage of weapons on board aircraft by law enforcement officers and other authorized persons, acting in the performance of their duties, shall be in accordance Article 30 of the law relating to civil aviation Security.

(b) The Authority may—
   (1) Approve, in writing, the carriage of weapons on board aircraft by law enforcement officers and other authorized persons acting in the performance of their duties;
   (2) Consider requests by any other State to allow the travel of armed personnel on board aircraft of the requesting State, except that the Authority shall not allow the travel of armed personnel under this regulation unless there is an agreement between both States on such travel.

(c) Notwithstanding paragraph (b), an aircraft operator may allow or refuse the carriage of weapons on board an aircraft in accordance with conditions issued by the Authority.

(d) Where an aircraft operator accepts the carriage of weapons removed from passengers, the aircraft shall have provision for stowing the weapons so that they are inaccessible to passengers during flight time and, in the case of a firearm, to ensure that it is not loaded.

(e) Where Rwanda decides to deploy in-flight security officers—
   (1) The officers shall be government personnel who are specially selected and trained, taking into account the safety and security aspects on board an aircraft; and
   (2) The officers shall be deployed according to the threat assessment of the Authority.

(f) The deployment under paragraph (e) shall be done in co-ordination with concerned States and shall be kept strictly confidential.

29.195. CONDITIONS FOR ACCEPTANCE OF GOODS FOR AIR TRANSPORTATION

(a) A regulated agent shall, before accepting goods for transport in an aircraft—
   (1) Establish and register the name and address of the consignor;
   (2) Establish the credentials of the person who delivers the goods as an agent of the consignor;
   (3) Ensure, on the basis of appropriate security controls or security screening, that such goods do not contain any prohibited items;
   (4) Ensure the safeguarding of such goods from unauthorized interference after acceptance;
   (5) Ensure the goods are received by staff who are properly recruited and trained; designate a person to implement and supervise the screening process;
   (6) Ensure that the following categories of goods are not carried by air unless they have been subjected to screening—
      (i) Unaccompanied baggage;
      (ii) Goods from unknown consignors;
      (iii) Goods for which the contents do not coincide with the description delivered; and
   (7) Ensure that each shipment of goods is accompanied by documentation providing the statement of the security status of the shipment.

(b) A regulated agent who offers goods to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand, shipping documents, records of goods accepted and offered for air transport, employee training records and airway bills.

(c) A regulated agent shall make available to the Authority, a report of any incident where a shipping document did not provide an accurate record of the goods being offered for air transport.

(d) All cargo and mail intended for carriage on civil aviation flights shall be subjected to appropriate security controls by airport operators and regulated agents before being placed on board an aircraft.

29.200. CONDITIONS FOR ACCEPTANCE OF BAGGAGE, GOODS, COMAT & COMAIL FOR AIR TRANSPORTATION

(a) For the purpose of protecting passengers, crew members, aircraft and airports and preventing acts of unlawful interference with civil aviation, every regulated agent shall establish measures to ensure that—

(1) Only screened baggage is loaded into aircraft engaged in civil aviation;

(2) All hold baggage to be carried on commercial aircraft is protected from unauthorized interference from the point it is screened or accepted into the care of the carrier, whichever is earlier, until departure of the aircraft on which it is to be carried; and that if there are grounds to suspect that the integrity of hold baggage may be jeopardized, the hold baggage is re-screened before being placed on board an aircraft;

(3) Persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained; and

(4) The regulated agent institutes and implements adequate security controls, including background checks on persons other than passengers granted unescorted access to security restricted areas.

(5) COMAT and COMAIL are subjected to appropriate security controls prior to placement on board an aircraft engaged in passenger commercial flights.

(6) All cargo and mail to be carried on a commercial aircraft is protected from unauthorized interference from the point of screening or other security controls are applied until departure of the aircraft on which it is to be carried; and if there are grounds to suspect that the integrity of cargo and mail may be jeopardized, the cargo and mail is re-screened before being placed on board an aircraft.

(7) Enhanced security measures apply to high-risk cargo and mail to appropriately mitigate the threats associated with it.

29.205. SECURITY MEASURES TO BE TAKEN BY AIRCRAFT OPERATORS

(a) The aircraft operator is responsible for ensuring that appropriate security controls have been carried out, and in so doing, the aircraft operator shall—

(1) Not accept cargo or mail for carriage on an aircraft engaged in commercial air transport operations unless the application of screening or other security controls is confirmed and accounted for by a regulated agent, or an entity that is approved by the Authority.

(2) Ensure that cargo and mail which cannot be confirmed and accounted for by a regulated agent or an entity that is approved by the Authority shall be subjected to screening;

(3) Protect the consignment from unlawful interference while it is in the custody of the aircraft operator;

(4) Ensure that all consignments have been secured to an appropriate level before being placed in the aircraft;

(5) Ensure that where screening of cargo and mail is conducted, screening is carried out using an appropriate method or methods, taking into account the nature of the consignment; and
(6) Ensure that all consignments placed on board the aircraft are recorded on the aircraft manifest.
(7) Ensure that cargo and mail that has been confirmed and accounted for shall then be issued with a security status which shall accompany, either in an electronic format or in writing, the cargo and mail throughout the secure supply chain.
(8) Ensure that transfer cargo and mail has been subjected to appropriate security controls prior to being loaded on an aircraft engaged in commercial air transport operations departing from its territory.

(b) The aircraft operator may delegate any of the functions under paragraph (a) to a regulated agent.

(c) For the avoidance of doubt, notwithstanding the delegation of any functions to a regulated agent under paragraph (b), the aircraft operator shall remain responsible for ensuring that the appropriate security controls have been carried out.

(d) The aircraft operator or the regulated agent shall ensure that all consignments due to be loaded into an aircraft are—
(1) Delivered by an established employee of a handling agent;
(2) Covered by valid documentation that has been checked for inconsistencies and fully describes the contents;
(3) Covered by a valid consignment security declaration;
(4) Checked to establish that there is no evidence of having been tampered with;
(5) Kept secure until delivered into the aircraft operator's charge; or
(6) Subjected to the appropriate level of security screening.

(e) An aircraft operator shall make available to the Authority, a report of any incident where an airway bill or equivalent document did not provide an accurate record of the goods being offered for air transport.

(f) An aircraft operator shall require a regulated agent operator to comply with the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air, Doc. 9284.

(g) Appropriate security controls referred to in this regulation shall be as prescribed by the Authority.

29.210. CATERING OPERATORS AVIATION SECURITY RESPONSIBILITIES OF CATERING OPERATOR

(a) A catering operator shall, before accepting supplies and equipment for preparation as catering supplies for transport in an aircraft—
(1) Establish and register the name and address of the supplier of the supplies and equipment;
(2) Establish the credentials of the person who delivers the supplies and equipment as an agent of the supplier of the supplies and equipment;
(3) Ensure, on the basis of appropriate security controls or security screening, that the supplies and equipment do not contain any prohibited items;
(4) Ensure the safeguarding of the supplies and equipment from unauthorized interference after acceptance;
(5) Ensure the supplies and equipment are received by staff who are properly recruited and trained by the operator;
(6) Designate a person to implement and supervise the screening process;
(7) Ensure that catering stores and supplies are not carried by air unless they have been subjected to screening;
(8) Ensure that each shipment of catering stores and supplies is accompanied by

documentation providing the statement of the security status of the shipment;

(9) Ensure that persons engaged to implement security controls are subject to background checks and selection procedures, are capable of fulfilling their duties and are adequately trained;

(10) Institute and implement adequate security controls, including background checks on persons other than passengers granted unescorted access to security restricted areas of the airport.

(b) A catering operator who offers catering stores and supplies to an aircraft operator for transport by aircraft shall produce and make available to the aircraft operator, and the Authority on demand, shipping documents, records of supplies and equipment accepted and catering stores and supplies offered for air transport, employee training records and other accountable catering documents.

(c) A catering operator shall ensure that premises, or parts thereof, used for preparing and storing in-flight supplies intended and identified for carriage on board an aircraft are secured at all times against unauthorized access.

(d) In-flight supplies that have been screened shall be held in cages, compartments, rooms or buildings that are secured against unauthorized access, or made tamper-evident by using seals or locks, or protected by intrusion detection measures for periods when consignments are left unattended.

(e) If seals are used to secure carts, vehicles or compartments within vehicles used for storing and transporting in-flight supplies intended for carriage on an aircraft, in-flight supplies providers shall only use seals that are tamper-evident and numbered (including digital seals).

(f) In order to prevent unauthorized access to or use of tamper-evident and numbered seals, proper stock control and auditing procedures shall be implemented. Stocks of such seals shall be considered sensitive aviation security information and shall be managed and handled as such.

29.215. CONDITIONS FOR ACCEPTANCE OF CATERING STORES & SUPPLIES FOR AIR TRANSPORTATION

(a) An aircraft operator shall accept catering stores and supplies for transport on an aircraft only from a catering operator.

(b) An aircraft operator shall, before accepting catering stores and supplies for transport on an aircraft, ensure—

(1) That the catering stores and supplies have been subjected to screening;

(2) The safeguarding of the catering supplies and stores against unlawful interference until the catering supplies and stores have been placed in the aircraft;

(3) That the shipments of catering supplies and stores are recorded; and

(4) That whenever the catering supplies and stores are received, those catering supplies and stores are delivered by an authorised employee of the catering operator.

(c) An aircraft operator shall not accept any catering supplies and stores for transport by aircraft unless the documentation for those catering supplies and stores is examined for inconsistencies and is accompanied by a valid security declaration.

(d) An aircraft operator shall require a catering operator to comply with the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air, Doc. 9284.

(e) An aircraft operator shall make available to the Authority, a report of any incident where a catering or equivalent document did not provide an accurate record of the catering supplies and stores being offered for air transport.

(f) An aircraft operator shall preserve, for not less than one year, a record of acceptance checklists and inspections carried out under this Part.

29.220. PROTECTION OF CRITICAL INFORMATION TECHNOLOGY & COMMUNICATION SYSTEMS

(a) The Authority shall in accordance with the risk assessment carried out by the threat assessment committee, ensure that appropriate measures are developed in order to protect the confidentiality, integrity and availability of critical information and communications technology systems and data used for civil aviation purposes from interference that may jeopardize the safety of civil aviation.

(b) The entities involved with or responsible for the implementation of various aspects of the national civil aviation security Programme shall identify their critical information technology and communications systems and data, including threats and vulnerabilities thereto, and develop protective measures to include, inter alia, security by design, supply chain security, network separation, and remote access control, as appropriate.

SUBPART E: MANAGEMENT OF RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

29.225. PREVENTION OF ACTS OF UNLAWFUL INTERFERENCE

(a) The Authority shall take adequate measures, when reliable information exists that an aircraft may be subjected to an act of unlawful interference—

(1) If the aircraft is in flight, to provide as much prior notification as possible of the arrival of that aircraft to relevant airport authorities and air traffic services of the States and aircraft and airport operators concerned;

(2) Ensure that aircraft Operators have established measures and procedures to safeguard an aircraft under a specific threat.

(b) The Authority shall ensure that arrangements are made to investigate, render safe or dispose of, if necessary, suspected dangerous devices or other potential hazards at airports.

(c) The Authority shall ensure that authorized and suitably trained personnel are readily available for deployment at every airport serving civil aviation to assist in dealing with suspected or actual cases of unlawful interference.

(d) The Authority shall designate and appropriate entity as responsible for safeguarding the aircraft subjected to acts of unlawful interference when it is on ground and to ensure that the aircraft is searched for concealed weapons, explosives or other dangerous devices, articles or substances; and that prior notification of the search is provided to the operator concerned.

(e) Subject to sub regulation (d), the Authority shall require the designated entity to establish measures and procedures to safeguard and search the aircraft under threat.

29.230. AUTHORITY'S RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

(a) The Authority shall—

(1) Take adequate measures for the safety of passengers and crew of an aircraft which is subjected to an act of unlawful interference while on the ground until their journey can be continued;

(2) Collect all pertinent information on the flight which is the subject of an act of unlawful interference and transmit that information to all other States responsible or the Air Traffic Services units concerned, including those at the airport of known or presumed destination, so that timely and appropriate safeguarding action may be taken en-route and at the aircraft's known, likely or possible destination;

(3) Provide such assistance to an aircraft subjected to an act of unlawful seizure, including the provision of navigation aids, air traffic services and permission to land as may be necessitated by the circumstances;

(4) To the extent practicable detain on the ground an aircraft subjected to unlawful seizure unless its departure is necessitated by the overriding duty to protect human lives;

(5) Notify the State of registry of an aircraft and the State of the operator of the landing aircraft subjected to an act of unlawful interference, and shall similarly transmit, by the most expeditious means, all other relevant information to—

(i) The state of registry and the state of the operator;

(ii) Each State whose citizens suffered fatalities or injuries;

(iii) Each State whose citizens were detained as hostages;

(iv) Each state whose citizens are known to be on board the aircraft; and

(v) The International Civil Aviation Organization

(6) Re-evaluate security controls and procedures and in a timely fashion take action necessary to remedy weaknesses so as to prevent recurrence of an act of unlawful interference

29.235. MANDATORY REPORTING

(a) Every operator shall, where an act of unlawful interference occurs, immediately notify the Authority.

(b) Every aircraft operator, pilot in command, airport operator or air navigation service provider shall submit to the Authority—

(1) A preliminary written report, within fifteen days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers; and

(2) A final written report, upon completion of investigations, but within thirty days after the occurrence of an act of unlawful interference, including sabotage, threats, hijacks, incidents and disruptive passengers.

29.240. NOTIFICATION TO THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

(a) The Authority shall, where an act of unlawful interference has occurred, provide the International Civil Aviation Organization with a report on each incident, whether successful or unsuccessful as follows—

(1) A preliminary report, within thirty days after the occurrence of the act, containing all pertinent information concerning the security aspects of the occurrence; and

(2) A final report, within sixty days after completion of investigations.

(b) The Authority shall provide copies of reports submitted to the International Civil Aviation Organization under this regulation to other States which may have an interest

SUBPART F: OFFENCES & PENALTIES

29.245. FAILURE TO ESTABLISH & MAINTAIN SECURITY PROGRAMMES

(a) A person who operates without a Security Programme referred to in Regulation 29.035, 29.040, 29.055, 29.060, 29.065, 29.070, 29.075 and 29.080, or who fails to implement a Security Programme, or a training Programme will be liable to penalties as shall be determined by a ministerial order.

29.250. OFFENCES BY BODY CORPORATE

(a) Where an offence under these Regulations is committed by a body corporate and is proved to have been committed with the consent or connivance of, or is attributable to any neglect on the part of—
  (1) Any director, manager, secretary or similar officer of the body corporate; or
  (2) Any person who was purporting to act in any such capacity,
  (3) That person, as well as the body corporate, commits the offence and is liable to be proceeded against and punished accordingly.

29.255. POWER TO ENFORCE COMPLIANCE

(a) The Authority or any authorized person may, for purposes of ensuring the Implementation of the National Aviation Security Quality Control Programme, or the requirements of the National Civil Aviation Security Programme, or any other operator Security Programme, or requirements set out under these Regulations, and without prejudice to the provisions of Part VII, of these Regulations, adopt procedures for aviation security monitoring and enforcement approved by the National Aviation Security Committee.

(b) The procedures referred to in paragraph (a) shall establish enforcement to ensure rectification of any matter, including but not limited to the following—
  (1) Failure to comply with any order, circular or directive issued under these Regulations;
  (2) Failure to comply with any requirement set out under the National Civil Aviation Security Programme or the respective operator security programme;
  (3) Failure to comply with an oversight recommendation made by the Authority;
  (4) Failure to take into account unique or exceptional circumstances which, although not expressly provided under the National Civil Aviation Security Programme, or the respective operator Security Programme but may expose an airport, aircraft or catering facility to risk.

(c) The Authority or any authorized person may, without limiting the generality of this regulation, issue infringement notices set out in Subpart G of these Regulations on serious or prolonged breaches of security or failure to rectify security lapses that may endanger the safety of civil aviation.

(d) An infringement notice may require that the operations of a particular operator be halted until the breach has been rectified.

SUBPART G: INFRINGEMENT NOTICES

29.260. PURPOSE & EFFECT OF INFRINGEMENT NOTICES

(a) The purpose of this Part is to create a system of infringement notices for offences against these Regulations as an alternative to prosecution.

(b) This Part does not—
  (1) Require an infringement notice to be issued to a person for an offence;
  (2) Affect the liability of a person to be prosecuted for an offence if an infringement notice is not issued to the person for the offence;
  (3) Prevent the issue of two or more infringement notices to a person for an offence;
  (4) Affect the liability of a person to be prosecuted for an offence if the person does not comply with an infringement notice for the offence; or
  (5) Limit or otherwise affect the penalty that may be imposed by a court on a person convicted of an offence.

29.265. PENALTY PAYABLE UNDER INFRINGEMENT NOTICE

(a) The penalty for an offence payable under an infringement notice issued to the person for the offence is one- fifth of the maximum penalty that a court could impose on the person for the offence.

29.270. AUTHORISED PERSONS MAY ISSUE INFRINGEMENT NOTICE

(a) In this regulation, "infringement notice offence" means an offence against Regulations 29.235 and 29.240.

(b) Where an authorized person has reason to believe that a person has committed an infringement notice offence, the authorized person may issue a notice, called an infringement notice, to the person for the offence

29.275. ISSUANCE OF INFRINGEMENT NOTICE

(a) An infringement notice shall—
  (1) Bear a unique number;
  (2) State the name of the authorized person who issued it;
  (3) State its date of issue;
  (4) State the full name, or the surname and initials, and the address, of the person to whom it is issued;
  (5) Give brief details of the offence for which it is issued, including—
    (i) The date and time of commission of the offence;
    (ii) Where the offence was committed;
    (iii) The provision of these Regulations contravened;
  (6) State the penalty for the offence payable under the notice;
  (7) State where and how that penalty can be paid including, if the penalty can be paid by posting the payment, the place to which it should be posted;
  (8) State that if the person to whom it is issued (the recipient) pays the penalty within twenty-eight days after the day on which the notice is served, or any longer time allowed in writing by an authorized person, then, unless the infringement notice is subsequently withdrawn and any penalty paid refunded—
    (i) Any liability of the recipient for the offence will be discharged;
    (ii) The recipient will not be prosecuted in a court for the offence;
    (iii) The recipient will not be taken to have been convicted of the offence;
  (9) State the greatest penalty that a court could impose on the recipient for the offence;
  (10) State that if the recipient is prosecuted in court and found guilty of the offence, the recipient may be convicted of the offence and ordered to pay a penalty and costs, and be subject to any other order that the court makes;
  (11) State how and to whom the recipient can apply to be allowed more time to pay the penalty; and
  (12) Be signed by the authorized person who issued it.

(b) An infringement notice may contain any other information that the authorized person who issues it thinks necessary.

29.280. SERVICE OF INFRINGEMENT NOTICE

(a) An infringement notice shall be served on the person to whom it is issued.

(b) An infringement notice may be served on an individual—
  (1) By giving it to the individual;
  (2) By leaving it at, or by sending it by post, telex, fax or similar facility to, the address of

the place of residence or business (the relevant place) of the individual last known to the authorized person who issues it;

(3) By giving it, at the relevant place, to someone who—

(i) Lives or is employed, or apparently lives or is employed, there; and

(ii) Is, or the authorized person who issued it has reason to believe is, eighteen years of age and above.

(c) An infringement notice may be served on a corporation—

(1) By leaving it at, or by sending it by post, telex, fax or similar facility to the address of the head office, a registered office or a principal office of the corporation;

(2) By giving it, at an office mentioned in paragraph (c)(1), to someone who is, or the authorized person who issued it has reason to believe is, an officer or employee of the corporation.

29.285. TIME FOR PAYMENT OF PENALTY

(a) The penalty stated in an infringement notice shall be paid—

(1) Within twenty-eight days after the day on which the notice is served on the person to whom it is issued;

(2) If the person applied for a further period of time in which to pay the penalty, and that application is granted, within the further period allowed;

(3) If the person applies a further period of time in which to pay the penalty, and the application is refused, within seven days after the notice of the refusal is served on the person;

(4) If the person applies for the notice to be withdrawn, and the application is refused, within twenty-eight days after the notice of the refusal is served on the person.

29.290. EXTENSION OF TIME TO PAY PENALTY

(a) The person to whom an infringement notice is issued may apply, in writing, to the Authority for a further period of up to twenty-eight days in which to pay the penalty stated in the notice.

(b) Within fourteen days after receiving the application, the Authority shall—

(1) Grant or refuse a further period not longer than the period sought; and

(2) Notify the recipient in writing of the decision and, if the decision is a refusal, the reasons for it.

(c) Notice of the decision may be served on the recipient in any way in which the infringement notice could have been served on the recipient.

29.295. EFFECT OF PAYMENT OF PENALTY

(a) Where an infringement notice is not withdrawn, and the person to whom it is issued for an offence pays the penalty stated in the notice—

(1) Any liability of the person for the offence is discharged;

(2) The person shall not be prosecuted in a court for the offence;

(3) The person is not taken to have been convicted of the offence.

(b) Where two or more infringement notices are issued to a person for the same offence, the person's liability to be prosecuted for the offence ceases if the person pays the penalty stated in any of the notices.

29.300. WITHDRAWAL OF INFRINGEMENT NOTICE

(a) A person may apply in writing to the Authority, before the end of twenty-eight days after receiving an infringement notice, for the infringement notice to be withdrawn.

(b) The Authority shall, within fourteen days after receiving the application—
   (1) Withdraw or refuse to withdraw the notice;
   (2) Notify the person in writing of the decision and, if the decision is a refusal, the reasons for the decision.

(c) Where the Authority has not approved, or refused to approve, the withdrawal of the notice within the period allowed by paragraph (b), the Authority is taken to have refused to approve the withdrawal of the notice.

(d) The Authority shall, before withdrawing or refusing to withdraw a notice, consider—
   (1) Whether the person has been convicted previously of an offence against these Regulations;
   (2) The circumstances of the offence stated in the notice;
   (3) Whether the person has previously paid a penalty under an infringement notice issued to the person for an offence of the same type as the offence mentioned in the notice; and
   (4) Any other relevant matter.

(e) The Authority may also withdraw an infringement notice without an application having been made.

29.305. NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

(a) Notice of the withdrawal of an infringement notice may be served on a person in any way in which the infringement notice could have been served on the person.

(b) A notice withdrawing an infringement notice served on a person for an offence—
   (1) Shall include the following information—
      (i) The full name, or surname and initials, and address of the person;
      (ii) The number of the infringement notice;
      (iii) The date of issue of the infringement notice;
   (2) Shall state that the notice is withdrawn; and
   (3) If the Authority intends to prosecute the person in a court for the offence, shall state that the person may be prosecuted in a court for the offence.

29.310. REFUND OF PENALTY

(a) Where an infringement notice is withdrawn after the penalty stated in it has been paid, it must refund the amount of the penalty to the person who paid it, within sixty days after the withdrawal of the notice.

SUBPART H: FACILITATION

29.315. AVIATION SECURITY & NARCOTICS CONTROL MEASURES & PROCEDURES

(a) In developing procedures aimed at the efficient clearance of entering or departing aircraft, the Airport Operator shall take into account the application of aviation security and narcotics control measures.

(b) Without limitation to Regulation 29.110 (b), The Airport Operator shall put in place facilities and equipment for efficient control measures mentioned in paragraph (a).

29.320. TRAVEL DOCUMENTS

(a) No documents other than travel documents shall be required of visitors for the entry into and departure from the Republic of Rwanda unless otherwise stated in other applicable laws.

(b) The competent authority for border control shall ensure that Travel documents for refugees and stateless persons are machine readable, in accordance with the specifications of ICAO Doc 9303.

29.325. SECURITY OF TRAVEL DOCUMENTS

(a) The competent Authority shall—
  (1) Regularly update security features in new versions of their travel documents, to guard against their misuse and to facilitate detection of cases where such documents have been unlawfully altered, replicated or issued;
  (2) Establish controls to safeguard against the theft of their blank travel documents and the misappropriation of newly issued travel documents; and
  (3) Establish appropriate controls over the entire travel document application, adjudication and issuance processes to ensure a high level of integrity and security.

29.330. STOLEN, LOST, & REVOKED TRAVEL DOCUMENTS

(a) The competent authority shall immediately after receiving a complaint on stolen, lost or revoked travel documents issued by Rwanda report accurate information to Rwanda Investigation Bureau Interpol department for inclusion in the stolen and lost travel documents database.

29.335. MACHINE READABLE TRAVEL DOCUMENTS

(a) The competent authority shall issue machine readable travel documents using one or more optional data storage technologies to supplement the machine readable zone in accordance with the specifications of ICAO Doc 9303.

(b) All passports issued by the competent authority shall be machine readable in accordance with the specifications of ICAO Doc 9303, Part 4.

29.340. BIOMETRIC DATA

(a) Biometric data shall be incorporated into the machine readable passports, visas and other official travel documents, using one or more optional data storage technologies to supplement the machine readable zone as specified in ICAO Doc 9303.

(b) The biometric data stored on the integrated circuit chip shall be the same as that printed on the data page, that is, the data contained in the machine-readable zone plus the digitized photographic image;

(c) Fingerprint image or iris image are optional biometrics.

(d) Biometric data in the Machine Readable Passports store data in a contactless integrated circuit chip complying with ISO/IEC 14443 and programmed according to the Logical Data Structure.

29.345. INSPECTION OF TRAVEL DOCUMENTS

(a) The aircraft operators shall conduct evaluation of travel documents presented by passengers, in order to deter fraud and abuse and necessary precautions at the point of embarkation are carried out to ensure that persons are in possession of the documents prescribed by the Authority and other relevant authorities of transit and destination for control purposes.

(b) Aircraft operators shall take necessary precautions at the point of embarkation to ensure that persons are in possession of the documents prescribed by the States of transit and destination for control purposes as described in this Part.

29.350. PROCEDURES & RESPONSIBILITIES

(a) Fraudulent, falsified or counterfeit travel document and travel documents of a person impersonating the rightful holder of the travel documents shall be seized.

(b) The documents referred to under paragraph (a) shall be removed from circulation immediately

and returned to the appropriate authority of the State named as issuer or to the resident Diplomatic Mission of that State.

29.355. ADVANCE PASSENGER INFORMATION

(a) The Authority shall ensure that —
  (1) An Advance Passenger Information (API) system is established; and
  (2) International recognized standards for the transmission of Advance Passenger Information (API or APIS) are adhered to.
  (3) The information to be transmitted in the Advance Passenger Information (API) system complies with the specifications of the United Nations Rules for Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT) PAXLST messages contained in the World Customs Organization /International Air Transport Association (WCO/IATA/ICAO) Guidelines on API

29.360. IDENTIFICATION & ENTRY OF CREW & OTHER AIRCRAFT OPERATORS' PERSONNEL

(a) Crew Member Certificate (CMC) shall be issued to a crew member after a background check has been carried out.

(b) Adequate controls shall be established on the issuance of cmcs and other official crew identity documents are put in place to prevent fraud.

(c) The control referred under paragraph (b) are—
  (1) Background check and certification of employment status of an applicant prior to issuance;
  (2) Controls on blank card stock; and
  (3) Accountability requirements for issuing personnel.

29.365. ENTRY & DEPARTURE 0F CARGO & OTHER ARTICLES

(a) A risk management shall be used to determine which goods shall be examined and the extent of that examination.

(b) The following shall be ensured—
  (1) Programmes for Authorized Economic Operators that enhance security shall be introduced, in order to create an environment for facilitative Customs control measures;
  (2) Establishment of agreement or arrangement for the mutual recognition of their respective Authorised Economic Operator or equivalent programs with other States shall be encouraged;
  (3) For facilitation purposes, where feasible, the use of the available advance cargo information in subsequent import, export or transit customs procedures for the release and clearance of the goods shall be considered;
  (4) The introduction of arrangements to enable all parties involved in air cargo operations to submit all the information required by competent authority, in connection with arrival, stay and departure of an aircraft and air cargo, to a single entry point (Single Window) shall be considered;
  (5) All participants in the transport, handling and clearance of air cargo to simplify relevant procedures and documents and to cooperate or participate directly in the development of electronic air cargo community systems using internationally agreed standards with a view to enhance the exchange of information relating to such traffic and assuring interoperability between the systems of all participants shall be encouraged; and
  (6) Special procedures, which provide for the expedited release of goods on arrival or departure for authorised persons meeting specified criteria, which may include an appropriate record of compliance with official requirements and a satisfactory system for

managing their commercial records shall be established.

(c) Special procedures for authorised persons may include, but not be limited to—
   (1) Release of the goods for import or export on the provision of the minimum information necessary to identify the goods and permit the subsequent completion of the final goods declaration;
   (2) Clearance of the import or export goods at the authorised person's premises or at another place authorised by Customs;
   (3) Lodgment of a goods declaration for import or export, based on the entry into the records of the authorised person; and
   (4) Lodgment of a single goods declaration for all imports or exports in a given period where goods are imported or exported frequently by the same person.

(d) Goods not afforded the simplified or special procedures shall be released or cleared promptly on arrival, subject to compliance with customs and other requirements.

(e) As a goal, the release of all goods that do not need any examination, within three hours of their arrival and the submission of the correct documentation shall be established.

(f) The competent authority and aircraft operators and importers or their authorized agents, shall coordinate their respective functions to ensure that this goal is met.

29.370. INADMISSIBLE PERSONS

(a) Where the competent authority has reason to believe that an inadmissible person might offer resistance to his removal, it shall inform the aircraft operator concerned as far in advance as possible of scheduled departure so that the aircraft operator can take precautions to ensure the security of the flight.

29.375. DEPORTEES

(a) Where the competent authority removes a deportee from its territory it shall assume all the obligations, responsibilities and costs associated with the removal.

(b) The competent authority, when making arrangements with an aircraft operator for the removal of a deportee, shall make available the following information as soon as possible, but in any case not later than 24 hours before the scheduled time of departure of the flight-
   (1) A copy of the deportation order where applicable;
   (2) A risk assessment by the State or any other pertinent information that would help the aircraft operator assess the risk to the security of the flight; and
   (3) The names and nationalities of any escorts.

29.380. INADMISSIBLE PERSONS & DEPORTEES

(a) The competent authority shall not fine aircraft operators in the event that arriving and in-transit persons are found to be improperly documented where aircraft operators can demonstrate that they have taken necessary precautions to ensure that these persons had complied with the documentary requirements for entry into the receiving State.

(b) The competent authority shall:
   (i) Consult the aircraft operator on the time frame for removal of the person found inadmissible, in order to allow the aircraft operator a reasonable amount of time during which to effect the person's removal via its own services or to make alternative removal arrangements. However, no inadmissible person shall spend more than 8 hours at the Airport if there is an available flight.
   (ii) Shall ensure that a removal order is issued to the aircraft operator in respect of a

person found inadmissible. The removal order shall include information regarding the inbound (arriving) flight carrying such person and, if known, the name, age, gender and citizenship of the person in question.

(c) A competent authority ordering the removal of an inadmissible person who has lost or destroyed his/her travel documents shall deliver a covering letter in the format set forth in the National Air Transport Facilitation Programme in order to give information to the authorities of the State(s) of transit and/or the commencement of journey. The covering letter, the removal order and any relevant information shall be handed over to the aircraft operator or, in the case of escorted persons, the escort, who shall be responsible for delivering them to the public authorities at the State of destination.

29.385. ASSISTANCE TO AIRCRAFT ACCIDENT VICTIMS & THEIR FAMILIES

(a) The competent authority shall ensure that policies in support of assistance to aircraft accident victims and their families are put in place.

(b) The competent authority shall ensure that the clearance of unidentified, unclaimed or mishandled baggage, and its return to the aircraft operator for appropriate disposition are expedited.

(c) The Authority shall ensure that the conditions laid down by the competent authority, aircraft operator may be permitted to open such baggage if necessary to ascertain its owner.

(d) The Authority shall establish measures, with the cooperation of aircraft operator and airport operator, to expedite the inspection of crew members and their baggage, as required at departure and upon arrival.

29.390 NATIONAL FACILITATION PROGRAMMES

(a) The Authority shall develop, maintain and implement a National Air Transport Facilitation Programme

(b) A National Air Transport Facilitation Committee and Airport Facilitation Committee are established under a presidential Order for the purpose of coordinating facilitation activities between departments, agencies, and other organizations of the State concerned with, or responsible for, various aspects of civil aviation operations.

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APPENDICES

Attachment B: INFRINGEMENT NOTICE FORM

	INFRINGEMENT NOTICE (Issued pursuant to the provisions of Regulation 1.165 or the applicable law)	Serial No.

Part 1 – Details of Recipient or Offender

Full Names:

Address / Employer:

Part 2 – Details of Offence

Offence Reported or Witnessed by:	1		Tel:
	2		Tel:
Date:	Time:	Location:	

Part 3 – Offence(s) Committed

Regulation No	Provisions of the Contravened Regulation(s) of law, Regulation(s) or provision of National Civil Aviation Security Programme (NCASP)	Check (✓)
	Other offence (and/or details on above offence(s) including exact Regulation of the Act or Regulation violated):-	

Part 4 – Payment of Penalty

The penalty for the above offence payable under this notice is rwf…… Payable within twenty eight (28) days from date of receipt, to the Rwanda Civil Aviation Authority through banker's cheque, cash or Electronic Funds Transfer as per the provisions of the attached Invoice*.	To Pay: Rwf:……..

Part 5 – Notes (Terms and Conditions)

(a) If the recipient pays the penalty within twenty-eight (28) days from the day this notice is served, or any longer time allowed in writing by an authorized person, then, unless the infringement notice is subsequently withdrawn and any penalty paid refunded: -

(i) Any liability of the recipient for the offence will be discharged;

(ii) The recipient will not be prosecuted in a court for the offence;

(iii) The recipient will not be taken to have been convicted of the offence;

(b) The greatest penalty that a court could impose on the recipient for the stated offence as per applicable law is rwf. ……

(c) If the recipient is prosecuted in court and found guilty of the offence, he/she may be convicted of the offence and ordered to pay a penalty and costs, and be subject to any other order that the court may make;

(d) The recipient may apply in writing to the following in order to be allowed more time to pay the penalty: The Director General, Rwanda Civil Aviation Authority, P.O Box 1122 Kigali; Fax: +250252832609 Email: info@caa.gov.rw

(e) The recipient is asked to read and understand further details and terms and conditions related to this Infringement Notice as provided part G of the Civil Aviation Regulations and law n°21/2018 of 29/04/2018 modifying law n° 42/2011 of 31/10/2011 relating to civil aviation security

Name of RCAA Inspector / Authorized Person:	Signature:	Date of Issue:

White copy – Recipient (Corporate or Individual) *Yellow copy – Issuer* *Blue copy – RCAA Legal*

**See Attached Invoice*

END OF RCAR PART 29

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXX W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXX TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXX A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 30

Safety Management Regulations

SUBPART A: PRELIMINARY PROVISIONS 3
30.001 CITATION 3
30.005 INTERPRETATION 3
30.010 APPLICATION 5
SUBPART B: SAFETY MANAGEMENT RESPONSIBILITIES. 5
30.015 SAFETY OVERSIGHT SYSTEM 5
30.020 PRIMARY AVIATION LEGISLATION AND SPECIFIC OPERATING REGULATIONS 5
30.025 STATE SYSTEM AND FUNCTIONS 5
30.030 QUALIFIED TECHNICAL PERSONNEL 5
30.035 TECHNICAL GUIDANCE, TOOLS AND PROVISION OF SAFETY-CRITICAL INFORMATION 5
30.040 LICENSING, CERTIFICATION, AUTHORIZATION AND APPROVAL OBLIGATIONS 5
30.045 SAFETY MANAGEMENT SYSTEM OBLIGATIONS 6
30.050 ACCIDENT AND INCIDENT INVESTIGATION FOR SAFETY MANAGEMENT. 6
30.055 HAZARD IDENTIFICATION AND SAFETY RISK ASSESSMENT 6
30.060 MANAGEMENT OF SAFETY RISKS 6
30.065 SAFETY ASSURANCE OBLIGATIONS 6
30.070 ESTABLISHEMENT OF ACCEPTABLE LEVEL OF SAFETY PERFOMANCE 7
30.075 INTERNAL COMMUNICATION AND DISSEMINATION OF SAFETY INFORMATION 7
30.080 EXTERNAL COMMUNICATION AND DISSEMINATION OF SAFETY INFORMATION 7
SUBPART C: SAFETY MANAGEMENT SYSTEM (SMS) 7
30.085 SMS BY SERVICE PROVIDERS. 7
30.090 SERVICE PROVIDER REPORTING OBLIGATIONS 8
30.095 INTERNATIONAL GENERAL AVIATION — AEROPLANES 8
SUBPART D: SAFETY DATA AND SAFETY INFORMATION COLLECTION, ANALYSIS, PROTECTION, SHARING AND EXCHANGE 8
30.100 SAFETY DATA COLLECTION AND PROCESSING SYSTEMS 8
30.105 SAFETY DATA AND SAFETY INFORMATION ANALYSIS 8
30.110 SAFETY DATA AND SAFETY INFORMATION PROTECTION 8
30.110 SAFETY INFORMATION SHARING AND EXCHANGE 9

SUBAPART E: GENERAL PROVISIONS 9
30.115 CONSISTENCY OF QUALITY POLICY WITH SMS 9
30.120 ADMINISTRATIVE SANCTIONS.....9
30.125 CONSEQUENTIAL AMMENDMENTS 9

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SUBPART A: PRELIMINARY PROVISIONS

30.001 CITATION

(a) These Regulations may be cited as the Civil Aviation (Safety Management) Regulations.

30.005 INTERPRETATION

(a) In these Regulations, unless the context otherwise requires:

Accident" means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

1) A person is fatally or seriously injured as a result of: being in the aircraft, or direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or
2) The aircraft sustains damage or structural failure which: adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or
3) The aircraft is missing or is completely inaccessible.

" **Acceptable Level of Safety Performance** (ALoSP)" means the minimum level of safety performance of civil aviation in Rwanda, as defined in its State Safety Programme, or of a service provider, as defined in its safety management system, expressed in terms of safety performance targets and safety performance indicators.

"**Acceptable Performance**" means normal expected behaviour and includes unintended errors and some minor violations or deviations;

"Aeroplane" means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

"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.

"Authority" means the national institution in charge of civil aviation.

Hazard" means a condition or an object with the potential to cause or contribute to an aircraft accident or incident.

"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.

"incident" means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;

"**Industry Codes of Practice**" means guidance material developed by an industry body, for a particular sector of the aviation industry to comply with the requirements of the International Civil Aviation Organization's Standards and Recommended Practices, other aviation safety requirements and the best practices deemed appropriate.

"large aeroplane" means an aeroplane with a maximum take-off weight of more than 5 700 kg;

"mitigation" means measures to address the potential hazard or to reduce the risk probability or severity;
"**Operational Personnel**" means Personnel such as flight crews; air traffic controllers; aeronautical station operators; maintenance technicians; personnel of aircraft design and manufacturing organizations; cabin crews; flight dispatchers, apron personnel and ground handling personnel, involved in aviation activities who are in a position to report safety information.
"predictive" means capturing the system performance as it happens in real time normal operations so as to identify potential future problems;
"proactive" means actively identifying safety risks through the analysis of the organization's activities.
"reactive" means responding to events that have already happened such as incidents and accidents;
"safety" means a state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level.
"Safety data" means defined set of facts or set of safety values collected from various aviation-related sources, which is used to maintain or improve safety.
"**Safety information**" means Safety data processed, organized or analysed in a given context so as to make it useful for safety management purposes.
"safety management system (SMS)" means a systematic approach to managing safety, including the necessary organizational structures, accountabilities, responsibilities, policies and procedures.
safety oversight" means a function performed by a State to ensure that individuals and organizations performing an aviation activity comply with safety-related national laws and regulations
"Safety performance" means a State or a service provider's safety achievement as defined by its safety performance targets and safety performance indicators;
"**Safety performance indicator**" means a data-based parameter used for monitoring and assessing safety performance.
"**Safety performance target**" means the State or service provider's planned or intended target for a safety performance indicator over a given period that aligns with the safety objectives.
'safety risk" means the predicted probability and severity of the consequences or outcomes of a hazard;
"Serious injury" means an injury which is sustained by a person in an accident and which:
requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
involves injury to any internal organ; or involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or involves verified exposure to infectious substances or injurious radiation.
"**State of Design**" means the State having jurisdiction over the organization responsible for the type design;
"State of Manufacture" means the State having jurisdiction over the organization responsible for the final assembly of the aircraft;
"**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's permanent residence;
"state safety programme (SSP)" means an integrated set of regulations and activities aimed at improving safety.
"Surveillance" means the State activities through which the State proactively verifies through inspections and audits that aviation licence, certificate, authorization or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State.

30.010 APPLICATION

(a) This part shall apply to safety management functions related to, or in direct support of, the safe operation of aircraft.

(b) Except where otherwise specified, this part shall not apply to occupational safety, environmental protection, customer service or product quality.

SUBPART B: SAFETY MANAGEMENT RESPONSIBILITIES.

30.015 SAFETY OVERSIGHT SYSTEM

(a) The safety oversight system established under the law establishing regulations governing civil aviation shall be in accordance with the critical elements prescribed by the Authority.

30.020 PRIMARY AVIATION LEGISLATION AND SPECIFIC OPERATING REGULATIONS

(a) The civil aviation industry shall comply with the provisions of the law establishing regulations governing civil aviation.

30.025 STATE SYSTEM AND FUNCTIONS

(a) The Authority shall establish a safety policy and safety objectives that reflect their commitment regarding safety and facilitate the promotion of a positive safety culture in the aviation community.

(b) The safety policy and safety objectives shall be published and periodically reviewed to ensure that they remain relevant and appropriate to the State.

30.030 QUALIFIED TECHNICAL PERSONNEL

(a) The of technical personnel performing safety-related functions for or on behalf of Rwanda shall have minimum qualifications and experience requirements as prescribed by the Authority.

30.035 TECHNICAL GUIDANCE, TOOLS AND PROVISION OF SAFETY-CRITICAL INFORMATION

(a) The Authority shall provide the following technical guidance and tools to guide the industry comply with the regulatory requirements;
   (1) Rwanda Civil Aviation technical standards;
   (2) Airworthiness Directive;
   (3) Advisory circulars.
   (4) And any other safety-critical information.

(b) The Authority shall provide its technical personnel with facilities, tools and safety-critical information in carrying out safety oversight functions.

30.040 LICENSING, CERTIFICATION, AUTHORIZATION AND APPROVAL OBLIGATIONS

(a) The Authority shall implement the licensing, certification, authorization and approval obligations in accordance with its documented procedures.

30.045 SAFETY MANAGEMENT SYSTEM OBLIGATIONS

(a) The persons specified in article 40 of a law establishing regulations governing civil aviation shall establish safety management in accordance to this Part and any other applicable regulations.
(b) When maintenance activities are not conducted by an approved maintenance organization, but under an equivalent system, they shall be included in the scope of the operator's SMS.
(c) The service providers and operators shall establish safety performance indicators and targets that are acceptable to the Authority.
(d) The Authority shall establish criteria for international general aviation operators of large or turbojet aeroplanes registered in Rwanda to Implement SMS in accordance with framework and elements contained in this Part.
(e) The service provider shall be responsible for the safety of services or products contracted or subcontracted to, or *purchased* from, other organizations.

30.050 ACCIDENT AND INCIDENT INVESTIGATION FOR SAFETY MANAGEMENT.

(a) The Aviation Accident Investigation Division shall establish a process to investigate accidents and incidents in accordance with the Part 19 of the Civil Aviation Regulations, in support of management of safety in Rwanda.

30.055 HAZARD IDENTIFICATION AND SAFETY RISK ASSESSMENT

(a) The Authority shall:
    (1) establish and maintain a process to identify hazards from collected safety data, and
    (2) develop and maintain a process that ensures the assessment of safety risks associated with identified hazards is conducted.

30.060 MANAGEMENT OF SAFETY RISKS

(a) The Authority:
    (1) Shall establish mechanisms for the resolution of safety issues including enforcement measures to resolve identified safety concerns.
    (2) May develop and maintain a process to manage safety risks.

30.065 SAFETY ASSURANCE OBLIGATIONS

(a) The Authority shall implement a documented surveillance programme by by defining and planning inspections, audits and monitoring activities on a continuous basis, to proactively assure that aviation licence, certificate, authorization and approval holders continue to meet the established requirements.
(b) The surveillance of the service provider shall take into consideration the safety performance as well as the size and complexity of its aviation products or services.
(c) The Authority shall establish procedures to prioritize inspections, audits and surveys towards those areas of greater safety concern or need.
(d) The Authority shall review the safety performance of an individual service provider annually.

30.070 ESTABLISHEMENT OF ACCEPTABLE LEVEL OF SAFETY PERFOMANCE

(a) The Authority shall establish an Acceptable Level of Safety Performance to be achieved through the SSP.
(b) The Authority shall develop and maintain a process to evaluate the effectiveness of actions taken to manage safety risks and resolve safety issues.
(c) The Authority shall evaluate the effectiveness of its SSPs to maintain or continuously improve their overall level of safety performance.

30.075 INTERNAL COMMUNICATION AND DISSEMINATION OF SAFETY INFORMATION

(a) The Authority shall promote safety awareness and the sharing and exchange of safety information to support, within the Rwanda aviation organizations, the development of a positive safety culture that fosters an effective SSP.

30.080 EXTERNAL COMMUNICATION AND DISSEMINATION OF SAFETY INFORMATION

(a) The Authority shall promote safety awareness and the sharing and exchange of safety information with the aviation community to foster the maintenance and improvement of safety and to support the development of a positive safety culture.

SUBPART C: SAFETY MANAGEMENT SYSTEM (SMS)

30.085 SMS BY SERVICE PROVIDERS.

(a) The SMS of a service provider shall:
  (1) be established in accordance with the framework elements as prescribed by the Authority in the applicable technical standards.
  (2) be commensurate with the size and complexity of the service provider's aviation products or services;
(b) The service provider shall develop SMS implementation plan acceptable to the Authority in order to facilitate the systematic SMS implementation.
(c) The SMS of an approved training organization approved in accordance with Part 09 of the Civil Aviation Regulations, that is exposed to safety risks related to aircraft operations during the provision of its services shall be acceptable to the Authority.
(d) The SMS of a certified operator of aeroplanes or helicopters authorized to conduct international commercial air transport certified in accordance with Part 06 the Civil Aviation regulations, shall be acceptable to the Authority.
(e) The SMS of an approved maintenance organization providing services to operators of aeroplanes or helicopters engaged in international commercial air transport, in accordance with Part 05 of the Civil Aviation Regulations, shall be made acceptable to the Authority.
(f) The SMS of an organization responsible for the type design or the manufacturer of aircraft, engines or propellers, in accordance with Part 03 the civil aviation regulations, shall be made acceptable to the Authority.
(g) The SMS of an ATS provider certified in accordance with Part 22 the civil aviation regulations, shall be acceptable to Authority.
(h) The SMS of an operator of a certified aerodrome, in accordance with the Part 26 of the civil aviation regulations, shall be acceptable to the Authority.

30.090 SERVICE PROVIDER REPORTING OBLIGATIONS

(a) Air operators of civil, state, or foreign aircraft in Rwanda, aircraft maintenance organizations, air navigation service providers, aerodrome operators and any other person identified in respective Parts of the Civil Aviation Regulations, shall notify the respective AAID and the Authority through the most expeditious means (i.e. telephone call or email) and submit a written notification within 48 hours following the occurrence of accident or incident.

(b) Service providers shall establish mechanisms for identification of hazards associated with its aviation services and products and implement a non-punitive voluntary reporting system.

30.095 INTERNATIONAL GENERAL AVIATION — AEROPLANES

(a) An international general aviation operator of large aeroplane or turbojet aeroplane, shall establish and implement a Safety Management System acceptable to the Authority.

(b) The SMS of an international general aviation operator, conducting operations of large or turbojet aeroplanes, in accordance with Part 28 of the Civil Aviation Regulations, shall:

(1) be established commensurate with the size and complexity of the operation and meet the criteria established by the Authority.

(2) address the SMS framework and elements contained in the technical standards prescribed by the Authority.

SUBPART D: SAFETY DATA AND SAFETY INFORMATION COLLECTION, ANALYSIS, PROTECTION, SHARING AND EXCHANGE

30.100 SAFETY DATA COLLECTION AND PROCESSING SYSTEMS

(a) The Authority shall establish Safety Data Collection and Processing Systems (SDCPS) to capture, store, aggregate and enable the analysis of safety data and safety information.

(b) The Authority shall establish a mandatory safety reporting system that includes the reporting of incidents.

(c) The Authority shall establish a voluntary safety reporting system to collect safety data and safety information not captured by mandatory safety reporting systems.

(d) The Authority and the Aviation Accident Investigation Division shall have access to the Safety Data Collection and Processing Systems as referenced in sub regulation (a) to support their safety responsibilities, in accordance with the principles prescribed by the Authority in the applicable technical standard.

(e) The safety database shall use standardized taxonomy to facilitate safety information sharing and exchange.

30.105 SAFETY DATA AND SAFETY INFORMATION ANALYSIS

(a) The Authority shall establish and maintain a process to analyse the safety data and safety information from the SDCPS and associated safety databases.

30.110 SAFETY DATA AND SAFETY INFORMATION PROTECTION

(a) The Authority shall accord protection to safety data captured by, and safety information derived from, voluntary safety reporting systems and related sources, such as individuals and organizations, in accordance with the applicable technical standards prescribed by the Authority.

(b) The Authority shall extend the protection referred to in sub regulation (a) to safety data captured by, and safety information derived from, mandatory safety reporting system and related sources.
(c) Subject to sub regulations (a) and (b) the Authority shall not make available or use safety data or safety information collected, stored or analysed in accordance with these regulations for purposes other than maintaining or improving safety, unless the competent authority determines, in accordance with the with the applicable technical standards prescribed by the Authority that a principle of exception applies.
(d) Notwithstanding sub regulation (c), the Authority shall not be prevented from using safety data or safety information to take any preventive, corrective or remedial action that is necessary to maintain or improve aviation safety.
(e) The Authority shall take necessary measures, including the promotion of a positive safety culture, to encourage safety reporting by the service providers/operators to achieve their safety objectives.

30.110 SAFETY INFORMATION SHARING AND EXCHANGE

(a) Where the Authority, in the analysis of the information contained in its SDCPS, identifies safety matters considered to be of interest to other States, the Authority shall forward such safety information to them as soon as possible.
(b) Prior to sharing the information in sub regulation (a), the States shall agree on the level of protection and conditions on which safety information shall be shared and exchanged.
(c) The level of protection and conditions shall be in line with the applicable technical standards prescribed by the Authority.
(d) The Authority shall promote the establishment of safety information sharing or exchange networks among users of the aviation system, and shall facilitate the sharing and exchange of safety information, unless national aviation law provides otherwise.

SUBAPART E: GENERAL PROVISIONS

30.115 CONSISTENCY OF QUALITY POLICY WITH SMS

(a) A service provider shall ensure that the organization's quality policy is consistent with and supports the fulfilment of the activities of the SMS.

30.120 ADMINISTRATIVE SANCTIONS

(a) A person who fails to comply with the provisions of this Part of the Civil Aviation Regulations, is liable to administrative measures as specified in the Law establishing regulations governing civil aviation, Part 1 of Civil Aviation Regulations and or as prescribed by the Authority.

30.125 CONSEQUENTIAL AMMENDMENTS

(a) The Regulations are amended by as provided in Part 1 of the Civil Aviation Regulations as may be deemed necessary.
(b) Notwithstanding sub regulation (a) any acts done under the amended regulations shall be continued as if they were instituted under these regulations.

END OF RCAR PART 30

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXI W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXI TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXI A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 31

Aeronautical Charts

SUBPART A: GENERAL 3
31.001 APPLICABILITY 3
31.005 DEFINITIONS 3
31.010 ABBREVIATIONS & ACRONYMS 9
31.015 ISSUE OF RWANDA CIVIL AVIATION TECHNICAL STANDARDS – AERONAUTICAL CHARTS 10
31.020 AVAILABILITY 10

SUBPART B: CERTIFICATION REQUIREMENTS 10
31.025 REQUIREMENT FOR CERTIFICATE 10
31.030 APPLICATION FOR CERTIFICATE 10
31.035 ISSUE OF CERTIFICATE 10
31.040 PRIVILEGES OF CERTIFICATE HOLDER 10
31.045 DURATION OF CERTIFICATE 10
31.050 RENEWAL OF CERTIFICATE 11
31.055 AERONAUTICAL CARTOGRAPHY SERVICE ORGANIZATION MANUAL OF OPERATIONS 11
31.060 TRAINING PLAN 12
31.065 AMENDMENT OF CERTIFICATE & MANUAL OF OPERATIONS 12

SUBPART C: GENERAL SPECIFICATIONS 12
31.070 OPERATIONAL REQUIREMENTS FOR CHARTS 12
31.075 TITLES 13
31.080 MISCELLANEOUS I N F O R M A T I O N 13
31.085 SYMBOLS 13
31.090 UNITS OF MEASUREMENT 13
31.095 SCALE & PROJECTION 14
31.100 DATE OF VALIDITY OF AERONAUTICAL INFORMATION 14
31.105 SPELLING OF GEOGRAPHICAL NAMES 14
31.110 ABBREVIATIONS 14
31.115 POLITICAL BOUNDARIES 14
31.120 COLOURS 14
31.125RELIEF 14
31.130 PROHIBITED, RESTRICTED & DANGER A R E A S 15
31.135 AIR TRAFFIC SERVICES AIRSPACES 15
31.140 MAGNETIC VARIATION 15
31.145 AERONAUTICAL DATA 15
31.150 HORIZONTAL REFERENCE SYSTEM 16
31.155 VERTICAL REFERENCE SYSTEM 16
31.160 TEMPORAL REFERENCE SYSTEM 16
31.165 CHARTS TO BE PUBLISHED 16
31.170 USE OF AUTOMATION IN AERONAUTICAL CHARTING 17

SUBPART D: CHARTS 17
31.175 AERODROME OBSTACLE CHART – ICAO TYPE A 17
31.180 AERODROME OBSTACLE CHART – ICAO TYPE B 17
31.185 AERODROME TERRAIN & OBSTACLE CHART – ICAO (ELECTRONIC) 17

31.190 PRECISION APPROACH TERRAIN CHART – ICAO 18
31.195 EN-ROUTE CHART – ICAO....18
31.200 AREA CHART – ICAO....18
31.205 STANDARD DEPARTURE CHART – INSTRUMENT (SID) – ICAO....18
31.210 STANDARD ARRIVAL CHART – INSTRUMENT (STAR) – ICAO....18
31.215 INSTRUMENT APPROACH CHART – ICAO 18
31.220 VISUAL APPROACH CHART – ICAO....18
31.225 AERODROME/ HELIPORT CHART – ICAO 18
31.230 AERODROME GROUND MOVEMENT CHART – ICAO 19
31.235 AIRCRAFT PARKING/ DOCKING CHART – ICAO 19
31.240 WORLD AERONAUTICAL CHART – ICAO 1:1 000 000....19
31.245 AERONAUTICAL CHART – ICAO 1:500 000 19
31.250 AERONAUTICAL NAVIGATION CHART – ICAO SMALL SCALE 19
31.255 PLOTTING CHART – ICAO 19
31.260 ELECTRONIC AERONAUTICAL CHART DISPLAY – ICAO....20
31.265 ATC SURVEILLANCE MINIMUM ALTITUDE CHART – ICAO 20

SUBPART E: SAFETY OVERSIGHT OF AERONAUTICAL CARTOGRAPHY SERVICES . 20
31.270 SAFETY OVERSIGHT FUNCTION....20
31.275 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS 20
31.280 SAFETY REGULATORY AUDITS 20
31.285 CORRECTIVE ACTIONS....21
31.290 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS 22

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SUBPART A: GENERAL

31.001 APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Aeronautical Charts) Regulations.

(b) These Regulations shall apply to organization and persons providing an aeronautical cartographic service within designated airspaces and at aerodromes for civil aviation purposes in Rwanda.

(c) No entity shall provide an aeronautical cartographic service unless such organization has been certificated to do so by the Authority in accordance with Subpart B of these Regulations.

(d) The Civil Aviation Technical Standards (Aeronautical Charts) published by the Authority are applicable to the provision of aeronautical charts for operations in the airspace of Rwanda.

31.005 DEFINITIONS

(a) For the purpose of this Part, the following definitions shall apply—

Aerodrome. 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;

Aerodrome elevation. The elevation of the highest point of the landing area;

Aerodrome operating minima. The limits of usability of an aerodrome for—

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

(ii) landing in precision approach and landing operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H) as appropriate to the category of the operation;

(iii) landing in approach and landing operations with vertical guidance, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H); and

(iv) landing in non-precision approach and landing operations, expressed in terms of visibility and/or runway visual range, minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions;

Aerodrome reference point. The designated geographical location of an aerodrome;

Aeronautical chart. A representation of a portion of the Earth, its culture and relief, specifically designated to meet the requirements of air navigation;

Aircraft stand. A designated area on an apron intended to be used for parking an aircraft;

Air defence identification zone. Special designated airspace of defined dimensions within which aircraft are required to comply with special identification and/or reporting procedures additional to those related to the provision of air traffic services (ATS);

Air traffic service. 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);

Air transit route. A defined route for the air transiting of helicopters;

Airway. A control area or portion thereof established in the form of a corridor;

Altitude. The vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL);

Application. manipulation and processing of data in support of user requirements (ISO 19104);

Apron. A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

Area minimum altitude (AMA). The minimum altitude to be used under instrument

meteorological conditions (IMC), which provides a minimum obstacle clearance within a specified area, normally formed by parallels and meridians;

Area navigation (RNAV). 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;

Arrival routes. Routes identified in an instrument approach procedure by which aircraft may proceed from the en-route phase of flight to an initial approach fix;

ATS route. A specified route designed for channeling the flow of traffic as necessary for the provision of air traffic services;

ATS surveillance system. A generic term meaning variously, ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft;

Bare Earth. surface of the Earth including bodies of water and permanent ice and snow, and excluding vegetation and man-made objects;

Calendar. discrete temporal reference system that provides the basis for defining temporal position to a resolution of one day (ISO 19108);

Canopy. Bare Earth supplemented by vegetation height.

Change-over point. The point at which an aircraft navigating on an ATS route segment defined by reference to very high frequency Omni directional radio ranges is expected to transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft;

Clearway. A defined rectangular area on the ground or water under the control of the appropriate authority selected or prepared as a suitable area over which an aeroplane may make a portion of its initial climb to a specified height.

Contour line. A line on a map or chart connecting points of equal elevation. Specified times;

Culture. All man-made features constructed on the surface of the Earth, such as cities, railways and canals.

Cyclic redundancy check (CRC). A mathematical algorithm applied to the digital expression of data that provides a level of assurance against loss or alteration of data

Danger area. An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified time

Data product specification. Detailed description of a data set or data set series together with additional information that will enable it to be created, supplied to and used by another party (ISO 19131);

Data quality. A degree or level of confidence that the data provided meets the requirements of the data user in terms of accuracy, resolution and integrity (or equivalent assurance level), traceability, timeliness, completeness and format.

Data Resolution. A number of units or digits to which a measured or calculated value is expressed and used

Data set. Identifiable collection of data (ISO 19101);

Data set series. Collection of data sets sharing the same product specification (ISO 19115);

Datum. Any quantity or set of quantities that may serve as a reference or basis for the calculation of other quantities (ISO 19104);

Digital Elevation Model (DEM). The representation of terrain surface by continuous elevation values at all intersections of a defined grid, referenced to common datum;

Displaced threshold. A threshold not located at the extremity of a runway;

Electronic aeronautical chart display. An electronic device by which flight crews are enabled to execute, in a convenient and timely manner, route planning, route monitoring and navigation by displaying required information;

Elevation. The vertical distance of a point or a level, on or affixed to the surface of the earth, measured from mean sea level;

Ellipsoid height (Geodetic height). The height related to the reference ellipsoid, measured along the ellipsoidal outer normal through the point in question;

Feature. Abstraction of real world phenomena (ISO 19101);

Feature attribute. Characteristic of a feature (ISO 19101);

Final approach. That part of an instrument approach procedure which commences at the specified final approach fix or point, or where such a fix or point is not specified—

(i) at the end of the last procedure turn, base turn or inbound turn of a racetrack procedure, if specified; or

(ii) at the point of interception of the last track specified in the approach procedure; and

(iii) ends at a point in the vicinity of an aerodrome from which—

(iv) a landing can be made; or

(v) a missed approach procedure is initiated;

Final approach and take-off area (FATO). 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. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available;

Final approach fix or point. That fix or point of an instrument approach procedure where the final approach segment commences;

Final approach segment. That segment of an instrument approach procedure in which alignment and descent for landing are accomplished;

Flight information region. an airspace of defined dimensions within which flight information service and alerting service are provided;

Flight level. A surface of constant atmospheric pressure which is related to a specific pressure datum, 1

013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals;

Geodesic distance. The shortest distance between any two points on a mathematically defined ellipsoidal surface;

Geodetic datum. A minimum set of parameters required to define location and orientation of the local reference system with respect to the global reference system/frame;

Geoid. The equipotential surface in the gravity field of the Earth which coincides with the undisturbed mean sea level (MSL) extended continuously through the continents;

Geoid undulation. The distance of the geoid above (positive) or below (negative) the mathematical reference ellipsoid;

Glide path. A descent profile determined for vertical guidance during a final approach;

Gregorian calendar. Calendar in general use; first introduced in 1582 to define a year that more closely approximates the tropical year than the Julian calendar (ISO 19108);

Height. The vertical distance of a level, point or an object considered as a point, measured from a specific datum;

Helicopter stand. an aircraft stand which provides for parking a helicopter and where ground taxi operations are completed or where the helicopter touches down and lifts off for air taxi operations;

Heliport. 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 reference point (HRP). The designated location of a heliport or a landing location.

Holding procedure. A predetermined manoeuvre which keeps an aircraft within a specified airspace while awaiting further clearance;

Hot spot. A location on an aerodrome movement area with a history or potential risk of collision or runway incursion, and where heightened attention by pilots/drivers is necessary;

Human Factors principles. 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;

Hypsometric tints. A succession of shades or colour gradations used to depict ranges of elevation;

Initial approach segment. That segment of an instrument approach procedure between the initial approach fix and the intermediate approach fix or, where applicable, the final approach fixes or point;

Instrument approach procedure. 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;

Integrity classification (aeronautical data). Classification based upon the potential risk resulting from the use of corrupted data. Aeronautical data is classified as—

(i) routine data: there is a very low probability when using corrupted routine data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe;

(ii) essential data: there is a low probability when using corrupted essential data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe;

(iii) critical data: there is a high probability when using corrupted critical data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe;

Intermediate approach segment. That segment of an instrument approach procedure between either the intermediate approach fix and the final approach fix or point, or between the end of a reversal, racetrack or dead reckoning track procedure and the final approach fix or point, as appropriate;

Intermediate holding position. A designated position intended for traffic control at which taxiing aircraft and vehicles shall stop and hold until further cleared to proceed, when so instructed by the aerodrome control tower;

Isogonal. A line on a map or chart on which all points have the same magnetic variation for a specified epoch;

Isogriv. A line on a map or chart which joins points of equal angular difference between the North of the navigation grid and Magnetic North;

Landing area. That part of a movement area intended for the landing or take-off of aircraft;

Landing direction indicator. A device to indicate visually the direction currently designated for landing and for take-off;

Level. A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level;

Logon address. A specified code used for data link logon to an ATS unit;

Magnetic variation. The angular difference between True North and Magnetic North;

Manoeuvring area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons;

Marking. A symbol or group of symbols displayed on the surface of the movement area in order to convey aeronautical information.

Metadata. Data about data (ISO 19115);

Minimum en-route altitude (MEA). The altitude for an en-route segment that provides adequate reception of relevant navigation facilities and ATS communications, complies with the airspace structure and provides the required obstacle clearance;

Minimum obstacle clearance altitude (MOCA). The minimum altitude for a defined segment of flight that provides the required obstacle clearance;

Minimum sector altitude (MSA). The lowest altitude which may be used which will provide a minimum clearance of 300 m (1 000 ft) above all objects located in an area contained within a sector of a circle of 46 km (25 NM) radius centred on significant point, the aerodrome reference point (ARP), or the heliport reference point (HRP);

Missed approach point (MAPt). That point in an instrument approach procedure at or before which the prescribed missed approach procedure must be initiated in order to ensure that the minimum obstacle clearance is not infringed;

Missed approach procedure. The procedure to be followed if the approach cannot be continued;

Movement area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s);

Navigation specification. A set of aircraft and flight crew requirements needed to support performance- based navigation operations within a defined airspace. There are two kinds of navigation specifications—

(i) Required navigation performance (RNP) specification. 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;

(ii) Area navigation (RNAV) specification. 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;

Obstacle. All fixed (whether temporary or permanent) and mobile objects, or parts thereof, that—

(i) are located on an area intended for the surface movement of aircraft; or

(ii) extend above a defined surface intended to protect aircraft in flight; or

(iii) stand outside those defined surfaces and that have been assessed as being a hazard to air navigation;

Obstacle clearance altitude (OCA) or obstacle clearance height (OCH). 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;

Obstacle free zone (OFZ). The airspace above the inner approach surface, inner transitional surfaces, and balked landing surface and that portion of the strip bounded by these surfaces, which is not penetrated by any fixed obstacle other than a low-mass and frangibly mounted one required for air navigation purposes;

Orthometric height. Height of a point related to the geoid, generally presented as an MSL elevation;

Performance-based navigation (PBN). Area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace;

Point light. A luminous signal appearing without perceptible length;

Portrayal. Presentation of information to humans (ISO 19116);

Position (geographical). Set of coordinates (latitude and longitude) referenced to the mathematical reference ellipsoid which define the position of a point on the surface of the Earth;

Precision approach procedure. An instrument approach procedure utilizing azimuth and glide path information provided by ILS or PAR;

Procedure altitude/height. A published altitude/height used in defining the vertical profile of a flight procedure, at or above the minimum obstacle clearance altitude/height where established.

Procedure turn. Manoeuvre in which a turn is made away from a designated track followed by a turn in the opposite direction to permit the aircraft to intercept and proceed along the reciprocal of the designated track;

Prohibited area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited;

Relief. The inequalities in elevation of the surface of the Earth represented on aeronautical charts by contours, hypsometric tints, shading or spot elevations;

Reporting point. A specified (named) geographical location in relation to which the position of an aircraft can be reported;

Restricted area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions;

Reversal procedure. A procedure designed to enable aircraft to reverse direction during the initial approach segment of an instrument approach procedure. The sequence may include procedure turns or base turns;

Runway. A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft;

Runway-holding position. A designated position intended to protect a runway, an obstacle limitation surface, or an ILS/MLS critical/sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorized by the aerodrome control tower;

Runway strip. A defined area including the runway and stopway, if provided, intended—

(i) to reduce the risk of damage to aircraft running off a runway; and

(ii) to protect aircraft flying over it during take-off or landing operations;

Runway visual range (RVR). 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;

Shoulder. An area adjacent to the edge of a pavement so prepared as to provide a transition between the pavement and the adjacent surface;

Significant point. A specified geographical location used in defining an ATS route or the flight path of an aircraft and for other navigation and ATS purposes;

Stopway. A defined rectangular area on the ground at the end of take-off run available prepared as a suitable area in which an aircraft can be stopped in the case of an abandoned take-off;

Taxiing. movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing;

Taxi-route. A defined path established for the movement of helicopters from one part of a heliport to another. A taxi-route includes a helicopter air or ground taxiway which is centred on the taxi-route;

Taxiway. A defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including—

(i) Aircraft stand taxilane. A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;

(ii) Apron taxiway. A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron;

(iii) Rapid exit taxiway. A taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimizing runway occupancy times;

Terminal arrival altitude (TAA). The lowest altitude that will provide a minimum clearance of 300 m (1 000 ft) above all objects located in an arc of a circle defined by a 46 km (25 NM) radius centred on the Initial Approach Fix (IAF), or where there is no IAF on the Intermediate approach Fix (IF), delimited by straight lines joining the extremity of the arc to the IF. The combined TAAs associated with an approach procedure shall account for an area of 360 degrees around the IF;

Terrain. The surface of the Earth containing naturally occurring features such as mountains, hills, ridges, valleys, bodies of water, permanent ice and snow, and excluding obstacles;

Threshold. The beginning of that portion of the runway usable for landing;

Touchdown and lift-off area (TLOF). A load bearing area on which a helicopter may touch down or lift off;

Touchdown zone. The portion of a runway, beyond the threshold, where it is intended landing aeroplanes first contact the runway;

Track. The projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid);

Transition altitude. The altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes;

Vectoring. Provision of navigational guidance to aircraft in the form of specific headings, based on the use of an ATS surveillance system;

Visual approach procedure. A series of predetermined manoeuvres by visual reference, 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, a go-around procedure can be carried out;

Waypoint. A specified geographical location used to define an area navigation route or the flight path of an aircraft employing area navigation. Waypoints are identified as either—

(i) Fly-by waypoint. A waypoint which requires turn anticipation to allow tangential interception of the next segment of a route or procedure; or

(ii) Flyover waypoint. A waypoint at which a turn is initiated in order to join the next segment of a route or procedure.

31.010 ABBREVIATIONS & ACRONYMS

(a) The following acronyms or abbreviations are used in this Part—

AMA = Area Minimum Altitude
APCH = Approach
ATS = Air Traffic Services
DEM = Digital Elevation Model
hPa = hectopascals ()
IAF = Initial Approach Fix
IF = Intermediate Approach Fix
ILS = Instrument Landing System
I**MC** = Instrument Meteorological Conditions
ISO= International Organization for Standardization
MAPt = Missed Approach Point
MEA = Minimum En-route Altitude
MOCA = Minimum Obstacle Clearance Altitude
MSA = Minimum Sector Altitude
MSL = Mean Sea Level
OCA = Obstacle Clearance Altitude
OCH = Obstacle Clearance Height
OFZ = Obstacle Free Zone
FATO = Final Approach and Takeoff Area
PBN = Performance-Based Navigation
PAR = Precision Approach Radar
RCAR = Rwanda Civil Aviation Regulations
RCAA = Rwanda Civil Aviation Authority
RVR = Runway Visual Range
RNP = Required navigation performance
RNAV = Area Navigation
TAA = Terminal Arrival Area
TLOF = Touchdown and Lift-off area

31.015 ISSUE OF RWANDA CIVIL AVIATION TECHNICAL STANDARDS – AERONAUTICAL CHARTS

(a) The Authority shall issue Rwanda Civil Aviation Technical Standards (Aeronautical Charts) prescribing the standards for these Regulations.

31.020 AVAILABILITY

(a) The certificated cartographic service provider shall ensure that—
- (1) on the request of another State provide all information relating to its area of jurisdiction;
- (2) the availability of charts is as provided in these regulations;
- (3) for any chart or single sheet of a chart series entirely contained within the territory of the state, either—
  - (i) produce the chart or sheet itself; or
  - (ii) arrange for the production of the chart or sheet by another State or by an agency; or
  - (iii) provide another State prepared to accept an obligation to produce the chart or sheet with the data necessary for its production.
- (4) for any chart or single sheet of a chart series which includes the territory of a Contracting State, in consultation with that state having jurisdiction over the territory concerned determine the manner in which the chart or sheet will be made available.
- (5) take all reasonable measures to ensure that the information provided and the aeronautical charts made available are adequate and accurate and that aeronautical charts are maintained up to date by an adequate revision service.

SUBPART B: CERTIFICATION REQUIREMENTS

31.025 REQUIREMENT FOR CERTIFICATE

(a) No person shall provide an aeronautical cartography service for the Kigali FIR except under the authority of, and in accordance with the provisions of, an aeronautical cartography service certificate issued under these Regulations.

31.030 APPLICATION FOR CERTIFICATE

(a) An applicant for an aeronautical cartography service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority with—
- (1) the applicant's manual of operations required under Regulation 31.055; and
- (2) A payment of the appropriate application fee prescribed by the Authority.

31.035 ISSUE OF CERTIFICATE

(a) The Authority shall issue an aeronautical cartography service certificate to an applicant if the Authority is satisfied that—
- (1) the applicant meets the requirements of these Regulations and standards prescribed by the Authority; and
- (2) the granting of the certificate is not contrary to the interests of aviation safety.

31.040 PRIVILEGES OF CERTIFICATE HOLDER

(a) The aeronautical cartography service certificate shall specify the aeronautical cartography services that the certificate holder is authorised to provide.

31.045 DURATION OF CERTIFICATE

(a) An aeronautical cartography service certificate shall be granted or renewed for a period of up to

2 years.

(b) An aeronautical cartography service certificate shall remain in force until it expires or is suspended or revoked.

(c) The Authority may, by written notice given to the holder of an aeronautical cartography service certificate, suspend or revoke the certificate if there are reasonable grounds for believing that—

(1) a condition to which the certificate is subject has been breached; or

(2) the holder has failed to comply with these Regulations.

(d) Before suspending or cancelling an aeronautical cartography service certificate, the Authority shall—

(1) give to the holder a show cause notice that—

(i) sets out the facts and circumstances that, in the opinion of the Authority, would justify the suspension or cancellation; and

(ii) invites the holder to show cause, in writing, within 30 days after the date of the notice, why the certificate should not be suspended or revoked; and

(2) take into account any written submissions that the holder makes to the Authority within 30 days.

(e) The holder of an aeronautical cartography service certificate that has been suspended or revoked shall forthwith surrender the certificate to the Authority.

31.050 RENEWAL OF CERTIFICATE

(a) An application for the renewal of an aeronautical cartography service certificate shall complete an application, in a form and in the manner prescribed by the Authority, and submit it to the Authority.

(b) The application for the renewal shall be made not less than 90 days before the expiry date specified on the certificate.

31.055 AERONAUTICAL CARTOGRAPHY SERVICE ORGANIZATION MANUAL OF OPERATIONS

(a) An applicant for the grant of an aeronautical cartography service certificate shall provide the Authority with a manual of operations that contains—

(1) a list of the aeronautical cartography services to be covered by the certificate; and

(2) details of the applicant's procedures regarding—

(i) the competence of personnel; and

(ii) the control of documentation; and

(iii) the collection of data; and

(iv) the publication of aeronautical charts; and

(v) the correction of errors in published charts; and

(vi) the identification, collection, indexing, storage, maintenance, and disposal of records; and

(vii) procedures to control, amend and distribute the manual of operations.

(3) job description for Aeronautical cartography technical staff.

(4) training programme for Aeronautical cartography technical staff

(b) The applicant's manual of operations shall be approved by the Authority.

31.060 TRAINING PLAN

(a) 1The Aeronautical Cartography service provider shall establish and implement the training plan for aeronautical cartography technical staff.

(b) The Aeronautical Cartography service provider shall maintain individual training records for each of its staff.

31.065 AMENDMENT OF CERTIFICATE & MANUAL OF OPERATIONS

(a) A holder of an aeronautical cartography service certificate shall ensure that the holder's manual of operations is amended so as to remain a current description of the holder's organisation and services.

(b) The certificate holder shall ensure that any amendment made to manual of operations meets the applicable requirements of these Regulations, the standards prescribed by the Authority and complies with the amendment procedures contained in the manual of operations.

(c) The certificate holder shall forward to the Authority for approval and retention a copy of each amendment to manual of operations before incorporating the amendment into the manual of operations.

(d) If there is any change that requires an amendment to the certificate, the certificate holder shall forward the certificate to the Authority for endorsement of the change as soon as practicable.

(e) The certificate holder shall make such amendments to the manual of operations as the Authority may consider necessary in the interests of aviation safety.

SUBPART C: GENERAL SPECIFICATIONS

31.070 OPERATIONAL REQUIREMENTS FOR CHARTS

(a) The certificated aeronautical cartographic service provider shall ensure that each type of chart provides information —

(1) relevant to the function of the chart and the design of the chart observes Human Factors principles to facilitate its optimum use;

(2) for the safe and expeditious operation of the aircraft appropriate to the phase of flight as listed below—

(i) Phase 1: Taxi from aircraft stand to take off

(ii) Phase 2: Take off and climb to en-route ATS route structure

(iii) Phase 3: Enroute ATS route structure

(iv) Phase 4: Descent to approach

(v) Phase 5: Approach to land and missed approach

(vi) Phase 6: Landing and taxi to aircraft stand.

(3) that is accurate, free from distortion and clutter, unambiguous, and readable under all normal operating conditions;

(4) and that the colours or tints and type size used are such that the chart can be easily read and interpreted by the pilot in varying conditions of natural and artificial light.

(5) in a form which enables the pilot to acquire information in a reasonable time consistent with workload and operating conditions.

(6) that permits smooth transition from chart to chart as appropriate to the phase of flight.

(b) The charts shall be True North orientated.

(c) The basic sheet size of the charts shall be 210 × 297 mm (8.27 x 11.69 inches) (A4).

31.075 TITLES

(a) The aeronautical cartographic service provider shall ensure that the title of a chart or chart series prepared in accordance with these regulations intended to satisfy the function of the chart is that of the relevant part heading except that such title shall not include "ICAO" unless the chart conforms with all requirements specified in part III and any other specified for the particular chart.

31.080 MISCELLANEOUS I N F O R M A T I O N

(a) The aeronautical cartographic service provider shall ensure that—
  (1) the marginal note layout is as given in RCATS - Aeronautical Charts, Appendix 1, except as otherwise specified for a particular chart.
  (2) the following information is shown on the face of each chart unless otherwise stated in the specification of the chart concerned—
    (i) designation or title of the chart series;
    (ii) name and reference of the sheet;
    (iii) on each margin an indication of the adjoining sheet where applicable.
  (3) a legend to the symbols and abbreviations used is provided on the face or reverse of each chart except that, where it is impracticable for reasons of space, a legend may be published separately; and
  (4) the name and adequate address of the producing agency is shown in the margin of the chart except that, where the chart is published as part of an aeronautical document, this cartographic may be placed in the front of that document.

31.085 SYMBOLS

(a) The aeronautical cartographic service provider shall ensure that—
  (1) The symbols used conform to those specified in RCATS -Aeronautical Charts, Appendix 2 of these regulations, except that where it is desired to show on an aeronautical chart special features or items of importance to civil aviation for which no ICAO symbol is at present provided, any appropriate symbol may be chosen for this purpose, provided that it does not cause confusion with any existing ICAO chart symbol or impair the legibility of the chart;
  (2) the same basic symbol is used on all charts on which it appears, regardless of chart purpose to represent ground-based navigation aids, intersections and waypoints;
  (3) the symbol used for significant points is based on a hierarchy of symbols and selected in the following order—
    (i) ground-based navigation aid;
    (ii) intersection;
    (iii) waypoint symbol;
  (4) a waypoint symbol is used only when a particular significant point does not already exist as either a ground-based navigation aid or intersection; and
  (5) the symbols are shown in the manner specified in RCATS-Aeronautical Carts, Appendix 2, B, C, D.

31.090 UNITS OF MEASUREMENT

(a) The aeronautical cartographic service provider shall ensure that the—
  (1) distances are derived as geodesic distances;
  (2) distances are expressed in either kilometres or nautical miles or both, provided the units are clearly differentiated;

(3) altitudes, elevations and heights are expressed in either metres or feet or both, provided the units are clearly differentiated;
(4) linear dimensions on aerodromes and short distances are expressed in metres;
(5) order of resolution of distances, dimensions, elevations and heights are as specified for a particular chart;
(6) units of measurement used to express distances, altitudes, elevations and heights are conspicuously stated on the face of each chart; and
(7) conversion scales are provided on each chart on which distances, elevations or altitudes are shown and shall be placed on the face of each chart.

31.095 SCALE & PROJECTION

(a) The aeronautical cartographic service provider shall ensure that—
(1) the name and basic parameters and scale of the projection are indicated for charts of large areas; and
(2) for charts of small areas, a linear scale only is indicated.

31.100 DATE OF VALIDITY OF AERONAUTICAL INFORMATION

(a) The aeronautical cartographic service provider shall clearly indicate on the face of each chart the date of validity of aeronautical information.

31.105 SPELLING OF GEOGRAPHICAL NAMES

(a) The aeronautical cartographic service provider shall ensure that—
(1) the symbols of the Roman alphabet are used for all writing;
(2) the word where a geographical term is abbreviated on any particular chart are spelt out in full; and
(3) the punctuation marks are not used in abbreviations within the body of a chart.

31.110 ABBREVIATIONS

(a) The aeronautical cartographic service provider shall ensure that abbreviations are—
(1) used on aeronautical charts whenever they are appropriate; and
(2) selected from the Procedures for Air Navigation Services – ICAO document abbreviations and codes number 8400 where applicable.

31.115 POLITICAL BOUNDARIES

(a) The aeronautical cartographic service provider shall ensure that the—
(1) international boundaries are shown, but may be interrupted if data more important to the use of the chart would be obscured; and
(2) names identifying the countries are indicated where the territory of more than one State appears on a chart.

31.120 COLOURS

(a) The aeronautical cartographic service provider shall ensure that the colours used on charts conform to the Colour Guide in RCATS - Aeronautical Charts, Appendix 6.

31.125RELIEF

(a) The cartographic service provider shall ensure that—

(1) relief, where shown, is portrayed in a manner that will satisfy the chart users' need for—
   (i) Orientation and identification;
   (ii) Safe terrain clearance;
   (iii) Clarity of aeronautical cartographic when shown;
   (iv) Planning.
(2) the tints used where relief is shown by hypsometric tints, are based on those shown in the Hypsometric Tint Guide in fourth Schedule of the Regulation;
(3) the spot elevations are shown for selected critical points where spot elevations are used; and
(4) the value of spot elevations of doubtful accuracy is followed by the sign ±.

31.130 PROHIBITED, RESTRICTED & DANGER A R E A S

(a) The aeronautical cartographic service provider shall ensure that the reference or other identification are included when prohibited, restricted or danger areas are shown, except that the nationality letters may be omitted.

31.135 AIR TRAFFIC SERVICES AIRSPACES

(a) The aeronautical cartographic service provider shall ensure that the class of airspace, the type, name or call sign, the vertical limits and the radio frequency to be used is indicated when ATS airspace is shown on a chart, and the horizontal limits specified in accordance to RCATS - Aeronautical Charts, Appendix 2.

31.140 MAGNETIC VARIATION

(a) The aeronautical cartographic service provider shall ensure that—
   (1) the True North and magnetic variation are indicated and the order of resolution of magnetic variation is that as specified for a particular chart;
   (2) when magnetic variation is shown on a chart, the values shown are those for the year nearest to the date of publication that is divisible by 5; and
   (3) an interim date and value are quoted in exceptional cases where the current value would be more than one degree different, after applying the calculation for annual change.

31.145 AERONAUTICAL DATA

(a) The aeronautical cartographic service provider shall ensure that—
   (1) all necessary measures are taken to introduce a properly organized quality system containing procedures, processes and resources necessary to implement quality management at each function stage as specified in Rwanda Civil Aviation Technical Standards – Aeronautical Information Services;
   (2) the execution of such quality management is made demonstrable for each function stage, when required;
   (3) the established procedures exist in order that aeronautical data at any moment is traceable to its origin so to allow any data anomalies or errors, detected during the production and maintenance phases or in the operational use, to be corrected;
   (4) chart resolution of aeronautical data is as specified for a particular chart;
   (5) the integrity of aeronautical data is maintained throughout the data process from origination to distribution to the next intended user;
   (6) Digital data error detection techniques are used during the transmission and / or storage of aeronautical data and digital data sets.

31.150 HORIZONTAL REFERENCE SYSTEM

(a) The aeronautical cartographic service provider shall ensure that the—
  (1) World Geodetic System — 1984 is used as the horizontal reference system;
  (2) published aeronautical geographical coordinates indicating latitude and longitude are expressed in terms of the WGS-84 geodetic reference datum;
  (3) geographical coordinates which have been transformed into WGS-84 coordinates but whose accuracy of original field work does not meet the requirements in Rwanda Civil Aviation Technical Standards - Air Traffic Services and the Civil Aviation (Aerodrome) Regulations are identified by an asterisk; and
  (4) Chart resolution of geographical coordinates is as specified for a particular chart series.

31.155 VERTICAL REFERENCE SYSTEM

(a) The aeronautical cartographic service provider shall ensure that the—
  (1) mean sea level datum is used as the vertical reference system;
  (2) elevations referenced to mean sea level, for the specific surveyed ground positions, geoid undulation for the surveyed positions are published as specified for a particular chart; and
  (3) Chart resolution of elevation and geoid undulation is as specified for a particular chart series.

31.160 TEMPORAL REFERENCE SYSTEM

(a) The aeronautical cartographic service provider shall ensure that—
  (1) the Gregorian calendar and Coordinated Universal Time are used as the temporal reference system; and
  (2) When a different temporal reference system is used for charting, this shall be indicated in the Aeronautical Information Publication (AIP).

31.165 CHARTS TO BE PUBLISHED

(a) The aeronautical cartographic service provider shall publish the following charts, as applicable and in accordance to the requirements as prescribed by the Authority—
  (1) Aerodrome Obstacle Chart– ICAO Type A
  (2) Precision Approach Terrain Chart – ICAO
  (3) En-route Chart – ICAO
  (4) Area Chart – ICAO or, alternatively, Standard Departure Chart – Instrument (SID) – ICAO and Standard Arrival Chart – Instrument (STAR) – ICAO
  (5) Instrument Approach Chart – ICAO
  (6) Visual Approach Chart – ICAO
  (7) Aerodrome/Heliport Chart – ICAO
  (8) Aerodrome Ground Movement Chart – ICAO (only if not provided on the aerodrome/heliport chart)
  (9) Aircraft Parking/Docking Chart – ICAO (only if not provided on the aerodrome/heliport chart)
  (10) World Aeronautical Chart – ICAO 1: 1 000 000 or, alternatively, Aeronautical Chart – ICAO 1: 500 000 or Aeronautical Navigation Chart – ICAO Small Scale
  (11) Plotting Chart – ICAO (only where the En-route Chart – ICAO is not provided)
  (12) ATC Surveillance Minimum Altitude Chart – ICAO (only where vectoring procedures are established, but minimum vectoring altitudes cannot be shown on the Area Chart, Standard Departure Chart – Instrument (SID) or Standard Arrival Chart-Instrument (STAR).

31.170 USE OF AUTOMATION IN AERONAUTICAL CHARTING

(a) An aeronautical cartographic service provider shall ensure that an Aeronautical charting automated systems comply with the following requirements—
  (1) Provide for continuous and timely updating of the system database and monitoring of the validity and
  (2) Quality of the aeronautical information stored;
  (3) Integrate data from a wide variety of sources;
  (4) Temporally manage information and related products, to make sure that charts are always up to date;
  (5) Facilitate inspection of the aeronautical chart content, possibly through the synchronization of the
  (6) Graphical elements with the central database content via specific metadata;
  (7) Provide users with definable rules/templates to facilitate the assembling of the final chart product; and
  (8) Ensure products and services are equally available to humans and computer systems, through specific digital formats for capturing and processing the information.

SUBPART D: CHARTS

31.175 AERODROME OBSTACLE CHART – ICAO TYPE A

(a) The aeronautical cartographic service provider shall ensure that the Aerodrome Obstacle chart – ICAO Type A, provides the data necessary to enable an operator to comply with the operating limitations of the Civil Aviation (Operations of Aircraft) Regulations.

31.180 AERODROME OBSTACLE CHART – ICAO TYPE B

(a) The aeronautical cartographic service provider shall ensure that the Aerodrome Obstacle Chart – Type B provides information to satisfy the following functions—
  (1) the determination of minimum safe altitudes/heights including those for circling procedures;
  (2) the determination of procedures for use in the event of an emergency during take-off or landing;
  (3) the application of obstacle clearing and marking criteria; and
  (4) the provision of source material for aeronautical charts.

31.185 AERODROME TERRAIN & OBSTACLE CHART – ICAO (ELECTRONIC)

(a) The aeronautical cartographic service provider shall ensure that the Aerodrome Terrain and Obstacle Chart electronic portrays the terrain and obstacle data in combination with aeronautical data, as appropriate, necessary to—
  (1) enable an operator to comply with the operating limitations of the Civil Aviation (operation of aircraft) Regulations, by developing contingency procedures for use in the event of an emergency during a missed approach or take-off, and by performing aircraft operating limitations analysis; and
  (2) support the following air navigation applications—
    (i) instrument procedure design (including circling procedure);
    (ii) aerodrome obstacle restriction and removal; and
    (iii) provision of source data for the production of other aeronautical charts.

31.190 PRECISION APPROACH TERRAIN CHART – I C A O

(a) The aeronautical cartographic service provider shall ensure that the precision approach terrain chart provides detailed terrain profile information within a defined portion of the final approach so as to enable aircraft operating agencies to assess the effect of the terrain on decision height determination by the use of radio altimeters.

31.195 EN-ROUTE CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that the En-route chart provides flight crews with information to facilitate navigation along Air Traffic Service routes in compliance with air traffic services procedures.

31.200 AREA CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that the area chart provides the flight crew with information to facilitate the following phases of instrument flight—
  (1) The transition between the en-route phase and approach to an aerodrome;
  (2) The transition between take-off/missed approach and en-route phase of flight; and
  (3) Flights through areas of complex ATS routes or airspace structure.

31.205 STANDARD DEPARTURE CHART – INSTRUMENT (SID) – ICAO

(a) The aeronautical cartographic service provider shall ensure that the standard departure chart - instrument provides the flight crew with information to enable it to comply with the designated standard departure route instrument from take-off phase to the en-route phase.

31.210 STANDARD ARRIVAL CHART – INSTRUMENT (STAR) – ICAO

(a) The aeronautical cartographic service provider shall ensure that the chart provides the flight crew with information to enable the flight crew to comply with the designated standard arrival route instrument from the en-route phase to the approach phase.

31.215 INSTRUMENT APPROACH CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that the Instrument Approach chart provides flight crews with information which will enable the flight crew to perform an approved instrument approach procedure to the runway of intended landing including the missed approach procedure and, where applicable, associated holding patterns.

31.220 VISUAL APPROACH CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that the Visual Approach chart provides flight crews with information which will enable the flight crew to transit from the en-route or descent to approach phases of flight to the runway of intended landing by means of visual reference.

31.225 AERODROME/ HELIPORT CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that the—
  (1) aerodrome or heliport chart provides flight crews with information to facilitate the ground movement of aircraft -
    (i) from the aircraft stand to the runway; and
    (ii) from the runway to the aircraft stand; and
  (2) aerodrome or heliport chart provides flight crews with information to facilitate the helicopter movement—
    (i) from the helicopter stand to the touchdown and lift-off area and to the final approach and take- off area;

(ii) from the final approach and take-off area to the touchdown and lift-off area and to the helicopter stand;
(iii) along helicopter ground and air taxiways; and

(iv) along air transit routes.

(3) aerodrome or heliport chart provides essential operational information at the aerodrome or heliport.

31.230 AERODROME GROUND MOVEMENT CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that the aerodrome ground movement chart provides flight crews with detailed information to facilitate the ground movement of aircraft to and from the aircraft stands and the parking or docking of aircraft.

31.235 AIRCRAFT PARKING/ DOCKING CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that the aircraft parking chart provides flight crews with detailed information to facilitate the ground movement of aircraft between the taxiways and the aircraft stands and the parking/docking of aircraft.

31.240 WORLD AERONAUTICAL CHART – ICAO 1:1 000 000

(a) The aeronautical cartographic service provider shall ensure that the World Aeronautical chart – 1:1,000.000 provides information to satisfy the requirements of visual air navigation—
(1) as a basic aeronautical chart—
(i) when highly specialized charts lacking visual cartographic do not provide essential data;
(ii) to provide complete world coverage at a constant scale with a uniform presentation of planimetric data;
(iii) in the production of other charts required by international civil aviation;
(2) as a pre-flight planning chart.

31.245 AERONAUTICAL CHART – ICAO 1:500 000

(a) The aeronautical cartographic service provider shall ensure that the aeronautical chart - 1: 500,000 provides information to satisfy the requirements of visual air navigation for low speed, short- or medium- range operations at low and intermediate altitudes.

31.250 AERONAUTICAL NAVIGATION CHART – ICAO SMALL SCALE

(a) The aeronautical cartographic service provider shall ensure that the aeronautical navigation chart – small scale—
(1) serves as an air navigation aid for flight crews of long-range aircraft at high altitudes;
(2) provides selective checkpoints over extensive ranges for identification at high altitudes and speeds, which are required for visual confirmation of position;
(3) provides for continuous visual reference to the ground during long-range flights over areas lacking radio or other electronic navigation aids, or over areas where visual navigation is preferred or becomes necessary;
(4) provides a general purpose chart series for long-range flight planning and plotting.

31.255 PLOTTING CHART – ICAO

(a) The Aeronautical cartographic service provider shall ensure that the plotting chart provides a

means of maintaining a continuous flight record of the aircraft position by various fixing methods and dead reckoning in order to maintain an intended flight path.

31.260 ELECTRONIC AERONAUTICAL CHART DISPLAY – ICAO

(a) The Aeronautical cartographic service provider shall ensure that the Electronic Aeronautical Chart Display — ICAO, with adequate back-up arrangements and in compliance with the requirements of Civil Aviation (Operations of aircraft) Regulations for charts, enables flight crews to execute, in a convenient and timely manner, route planning, route monitoring and navigation by displaying the required information.

31.265 ATC SURVEILLANCE MINIMUM ALTITUDE CHART – ICAO

(a) The aeronautical cartographic service provider shall ensure that—
  (1) the ATC Surveillance Minimum Altitude chart provides information that will enable flight crews to

  monitor and cross-check altitudes assigned by a controller using an ATS surveillance system;
  (2) a note indicating that the chart may only be used for cross-checking of altitudes assigned while the aircraft is identified is prominently displayed on the face of the chart.

SUBPART E: SAFETY OVERSIGHT OF AERONAUTICAL CARTOGRAPHY SERVICES

31.270 SAFETY OVERSIGHT FUNCTION

(a) The Authority shall exercise safety oversight as part of its supervision of requirements applicable to aeronautical cartography services in order to monitor the safe provision of these activities and to verify that the applicable safety regulatory requirements and their implementing arrangements are met.

31.275 VERIFICATION OF COMPLIANCE WITH SAFETY REGULATORY REQUIREMENTS

(a) The Authority shall establish a process in order to verify compliance with applicable safety regulatory requirements prior to the issue or renewal of a certificate necessary to provide aeronautical cartography services including safety-related conditions attached to it.

(b) The process referred to in paragraph (a) shall—
  (1) be based on documented procedures;
  (2) be supported by documentation specifically intended to provide safety oversight personnel with guidance to perform their functions;
  (3) provide the organisations concerned with an indication of the results of the safety oversight activity;
  (4) be based on safety regulatory audits and reviews conducted;
  (5) provide competent authorities with the evidence needed to support further action.

31.280 SAFETY REGULATORY AUDITS

(a) The Authority shall conduct safety regulatory audits of all aeronautical cartography services provider.

(b) The safety regulatory audits referred to in paragraph (a) shall—
  (1) provide the Authority with evidence of compliance with applicable safety regulatory requirements and with implementing arrangements by evaluating the need for

improvement or corrective action;

(2) be independent of internal auditing activities undertaken by the service provider concerned as part of its safety or quality management systems;

(3) be conducted by qualified inspectors;

(4) apply to complete implementing arrangements or elements thereof, and to processes, products or services;

(5) determine whether—

(i) implementing arrangements comply with safety regulatory requirements;

(ii) actions taken comply with the implementing arrangements;

(iii) the results of actions taken match the results expected from the implementing arrangements;

(6) lead to the correction of any identified non-conformities

(c) Within the inspection programme, the Authority shall establish and update at least annually a programme of safety regulatory audits in order to—

(1) cover all the areas of potential safety concern, with a focus on those areas where problems have been identified;

(2) cover all the service providers, services;

(3) ensure that audits are conducted in a manner commensurate to the level of risk posed by the service providers' activities;

(4) ensure that sufficient audits are conducted over a period of 1 year to check the compliance of all these service providers with applicable safety regulatory requirements in all the relevant areas of the functional system;

(5) ensure follow up of the implementation of corrective actions.

(d) The Authority may decide to modify the scope of pre-planned audits and to include additional audits, wherever that need arises.

(e) The Authority shall decide which arrangements, elements, services, functions, products, physical locations and activities are to be audited within a specified time frame.

(f) Audit observations and identified non-conformities shall be documented. The latter shall be supported by evidence, and identified in terms of the applicable safety regulatory requirements and their implementing arrangements against which the audit has been conducted.

(g) An audit report, including the details of the non-conformities, shall be drawn up.

31.285 CORRECTIVE ACTIONS

(a) The Authority shall communicate the audit findings to audited service providers and shall simultaneously request corrective actions to address the non-conformities identified without prejudice to any additional action required by the applicable safety regulatory requirements.

(b) Audited service providers shall determine the corrective actions deemed necessary to correct non- conformities and the time frame for their implementation.

(c) The Authority shall assess the corrective actions as well as their implementation as determined by audited service providers and accept them if the assessment concludes that they are sufficient to address the non- conformities.

(d) Audited service providers shall initiate the corrective actions accepted by the Authority. These corrective actions and the subsequent follow-up process shall be completed within the time period accepted by competent authorities.

31.290 SAFETY OVERSIGHT OF CHANGES TO FUNCTIONAL SYSTEMS

(a) Aeronautical cartography services provider shall only use procedures accepted by the Authority when deciding whether to introduce a safety-related change to their functional systems.

(b) Aeronautical cartography services provider shall notify the Authority of all planned safety-related changes.

END OF RCAR PART 31

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXII TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 32

Search & Rescue

SUBPART A: GENERAL 3
32.001 CITATION & APPLICABILITY 3
32.005 DEFINITIONS 3
32.010 ACRONYMS & ABBREVIATIONS 4

SUBPART B: SEARCH & RESCUE ORGANIZATION 5
32.015 PROVISION OF SEARCH & RESCUE SERVICES 5
32.020 SEARCH & RESCUE REGION 5
32.025 RESCUE COORDINATION CENTRE 5
32.030 SEARCH & RESCUE COMMUNICATIONS 5
32.035 SEARCH & RESCUE UNITS 6
32.040 SEARCH & RESCUE EQUIPMENT 6
32.045 SEARCH & RESCUE MANUAL 6

SUBPART C: COOPERATION 7
32.050 COOPERATION BETWEEN STATES 7
32.055 COOPERATION WITH OTHER SERVICES 7
32.060 DISSEMINATION OF INFORMATION 8

SUBPART D: PREPARATORY MEASURES 8
32.065 PREPARATORY INFORMATION 8
32.070 PLANS OF OPERATIONS 8
32.075 SEARCH & RESCUE UNITS 9
32.080 TRAINING & EXERCISES 9
32.085 WRECKAGE 9

SUBPART E: OPERATING PROCEDURES 9
32.090 INFORMATION CONCERNING EMERGENCIES 9
32.095 OPERATION OF RESCUE COORDINATION CENTRES DURING EMERGENCY PHASES 10
32.100 INITIATION OF SEARCH & RESCUE ACTION IN RESPECT OF AN AIRCRAFT WHOSE POSITION IS UNKNOWN 10
32.105 AUTHORITIES IN THE FIELD 11
32.110 TERMINATION & SUSPENSION OF OPERATIONS 11
32.115 PROCEDURES AT THE SCENE OF AN ACCIDENT 11
32.120 PROCEDURES FOR A PILOT-IN- COMMAND INTERCEPTING A DISTRESS TRANSMISSION 12
32.125 SEARCH & RESCUE SIGNALS 12
32.130 MAINTENANCE OF RECORDS 12

APPENDICES: SEARCH & RESCUE SIGNALS 13
APPENDIX 1 TO 32.125: SIGNALS WITH SURFACE CRAFT 13
APPENDIX 2 TO 32.125: SURFACE CRAFT TO AIRCRAFT 13
APPENDIX 3 TO 32.125: GROUND-TO-AIR VISUAL SIGNAL CODE FOR SURVIVORS 14
APPENDIX 4 TO 32.125: GROUND-TO-AIR FOR RESCUE UNITS 14
APPENDIX 5 TO 32.125: AIR-TO-GROUND SIGNALS 15

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SUBPART A: GENERAL

32.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Search and Rescue) Regulations.

(b) This Part prescribes the requirements of the Republic of Rwanda for search and rescue preparation and conduct.

(c) These regulations shall apply to all—

(1) aircraft requiring search and rescue services;

(2) persons or organizations responsible for the maintenance and operation of search and rescue services in Rwanda; and

(3) persons performing duties on their behalf

(d) This Part is also applicable to any person who has knowledge of the possible location of a lost aircraft or is requested to participate in the search for such an aircraft.

(e) The Civil Aviation Technical Standards -Search and Rescue that may be published by the Authority are applicable to the provision of search and rescue services in the airspace of Rwanda.

32.005 DEFINITIONS

(a) When the following terms are used in this Part, they have the following meanings—

Aircraft. 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.

Alerting post. Any facility intended to serve as an intermediary between a person reporting an emergency and a rescue coordination centre or rescue sub-centre.

Alert phase. A situation wherein apprehension exists as to the safety of an aircraft and its occupants.

Annex 1. Annex 1 to the Convention.

Annex 2. Annex 2 to the Convention.

Annex 3. Annex 3 to the Convention.

Annex 11. Annex 11 to the Convention.

Annex 12. Annex 12 to the Convention.

Annex 13. Annex 13 to the Convention.

Distress phase. A situation wherein there is a reasonable certainty that an aircraft and its occupants are threatened by grave and imminent danger and require immediate assistance.

Ditching. The forced landing of an aircraft on water.

Document 9731. The ICAO document titled International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual.

Document 7030. The ICAO document titled *Regional Supplementary Procedures* as applicable to the Africa-Indian Ocean (AFI) Regions.

Emergency phase. A generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase.

Flight information region. An airspace of defined dimensions within which flight information service and alerting service are provided.

incident. An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Joint rescue coordination centre (JRCC). A rescue coordination centre responsible for both aeronautical and maritime search and rescue operations.

Operator. A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Pilot-in-command. 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.

Rescue. An operation normally coordinated by a rescue coordination centre or rescue sub Centre using available personnel and facilities to locate persons in distress.

Search. An operation normally coordinated by a rescue coordination centre or rescue sub-centre using available personnel and facilities to locate persons in distress.

Rescue coordination centre (RCC). A unit responsible for promoting efficient organization of search and rescue services and for coordinating the conduct of search and rescue operations within a search and rescue region.

Rescue sub-centre (RSC). A unit subordinate to a rescue coordination centre, established to complement the latter according to particular provisions of the responsible authorities.

Search and rescue unit. A mobile resource composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations.

Search and rescue aircraft. An aircraft provided with specialized equipment suitable for the efficient conduct of search and rescue missions.

Search and rescue facility. Any mobile resource, including designated search and rescue units, used to conduct search and rescue operations.

Search and rescue service. The performance of distress monitoring, communication, coordination and search and rescue functions, initial medical assistance or medical evacuation, through the use of public and private resources, including cooperating aircraft, vessels and other craft and installations.

Search and rescue organisation. The provider of search and rescue services within the Rwanda search and rescue region.

Search and rescue region (SRR). An area of defined dimensions, associated with a rescue coordination centre, within which search and rescue services are provided.

Uncertainty phase. A situation wherein uncertainty exists as to the safety of an aircraft and its occupants.

Vessel. Any water-navigable craft of any type, whether self-propelled or not.

State of Registry. The State on whose register the aircraft is entered.

32.010 ACRONYMS & ABBREVIATIONS

(a) When the following terms are used in this Part, they have the following meanings—

ICAO = International Civil Aviation Organization
IAMSAR = International Aeronautical and Maritime Search and Rescue
JRCC = Joint Rescue Coordination Centre
PIC = Pilot in Command
RCC = Rescue Coordination Centre
RSC = Rescue Sub-Centre
SAR = Search & Rescue
SRR = Search and Rescue Region

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SUBPART B: SEARCH & RESCUE ORGANIZATION

32.015 PROVISION OF SEARCH & RESCUE SERVICES

(a) The SAR organization shall, individually or in cooperation with other states, arrange for the establishment and prompt provision of search and rescue services within Rwanda SRR including portions of the high seas as determined in the basis of regional air navigation agreements to ensure that assistance is rendered to persons in distress.

(b) Such services shall be provided on a 24-hour basis.

(c) Basic elements of search and rescue services shall include—
  (1) legal framework, a responsible authority; and
  (2) responsible authority; and
  (3) organized available resources, communication facilities and;
  (4) a workforce skilled in coordination and operational functions.

(d) Search and rescue services shall establish processes to improve service provision, including the aspects of planning, domestic and international cooperative arrangements and training.

(e) The SAR organization shall provide assistance to aircraft in distress and to survivors of aircraft accidents regardless of the nationality or status of such persons or the circumstances in which such persons are found.

(f) The SAR organization having accepted responsibility to provide search and rescue services shall use search and rescue units and other available facilities to assist any aircraft or its occupants that are or appear to be in a state of emergency.

(g) Where separate aeronautical and maritime rescue coordination centres serve the same area, the SAR organization shall ensure the closest practicable coordination between the centres.

(h) The SAR organization shall facilitate consistency and cooperation between their aeronautical and maritime search and rescue services

32.020 SEARCH & RESCUE REGION

(a) Search and rescue region shall, in so far as practicable, be coincident with the Rwandan territorial boundaries and neighbouring regions shall be contiguous.

(b) The search and rescue operations shall include land operations and river and lake operations.

32.025 RESCUE COORDINATION CENTRE

(a) The rescue coordination centre (RCC) shall be established for promoting efficient organization of search and rescue services within the SRR.

(b) The rescue coordination centre shall be staffed 24 hours a day by trained personnel proficient in the use of the English language used for radiotelephony communications.

32.030 SEARCH & RESCUE COMMUNICATIONS

(a) The rescue coordination centre shall have means of rapid and reliable two-way communication with—
  (1) associated air traffic services units;
  (2) associated rescue subcentres;
  (3) appropriate direction-finding and position-fixing stations;
  (4) the headquarters of SAR units in the region;
  (5) a designated meteorological office or meteorological watch office;
  (6) SAR units;
  (7) alerting posts; and
  (8) the Cospas-Sarsat Mission Control Centre servicing the search and rescue region.

(b) Each rescue subcentre shall have means of rapid and reliable two-way communication with:
(1) adjacent rescue subcentres; and
(2) a meteorological office or meteorological watch office; and
(3) search and rescue units; and
(4) alerting posts

32.035 SEARCH & RESCUE UNITS

(a) The SAR organisation shall designate as search and rescue units elements of public or private services suitably located and equipped for search and rescue operations.

(b) The SAR organisation shall designate elements of public or private services that do not qualify as SAR units, as parts of the search and rescue plan of operation to participate in search and rescue operation.

32.040 SEARCH & RESCUE EQUIPMENT

(a) SAR units shall be provided with equipment for locating promptly, and for providing adequate assistance at, the scene of an accident.

(b) Each SAR unit shall have means of rapid and reliable two-way communication with other search and rescue facilities engaged in the same operation.

(c) Each search and rescue aircraft shall be equipped to be able to communicate on the aeronautical distress and on-scene frequencies and on such other frequencies as may be prescribed.

(d) Each search and rescue aircraft shall be equipped with a device for homing on distress frequencies.

(e) Each search and rescue aircraft, when used for search and rescue over maritime areas, shall be equipped to be able to communicate with vessels.

(f) Each search and rescue aircraft, when used for search and rescue over maritime areas shall carry a copy of the International Code of Signals to enable it to overcome language difficulties that may be experienced in communicating with ships.

32.045 SEARCH & RESCUE MANUAL

(a) The SAR organisation shall develop and maintain a search and rescue operations manual.

(b) The operations manual shall serve to demonstrate how the SAR organisation will comply with the requirements set out in these regulations.

(c) The contents of the operations manual shall include but not limited to the following—
(1) the information required of the SAR organisation as mentioned in this Manual; and
(2) a description of the SAR organisation that shows the role, responsibilities and job functions of the search and rescue personnel who are responsible for ensuring the compliance of the organisation with the requirements in paragraph (c)(1) above.

(d) The SAR organisation shall—
(1) keep the operations manual in a readily accessible form;
(2) ensure that SAR personnel have ready access to the operations manual; and
(3) amend the operations manual whenever necessary to keep its content up to date.

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SUBPART C: COOPERATION

32.050 COOPERATION BETWEEN STATES

(a) The SAR organisation shall coordinate their search and rescue efforts with those of neighbouring States.

(b) Subject to the SAR agreements that had been concluded between the SAR organisation of Rwanda and the SAR authorities or agencies of neighbouring States, the SAR organisation shall permit immediate entry into Rwanda for the purpose of searching for the site of aircraft accidents and rescuing survivors of such accidents.

(c) SAR units entering the territory of Rwanda for search and rescue purposes shall transmit a request, giving full details of the projected mission and the need for it, to the rescue coordination centre.

(d) The Rescue Coordination Center (RCC) shall—

(1) immediately acknowledge the receipt of such a request, and

(2) as soon as possible, indicate the conditions, if any, under which the projected mission may be undertaken.

(e) Instructions as to the control which will be exercised on entry of such aircraft and/or personnel shall be given by the RCC in accordance with the standing plan/arrangements for the conduct of search and rescue in the area.

(f) The SAR organization shall enter into agreements with neighbouring States to strengthen search and rescue cooperation and coordination, and set forth the conditions for entry of each other's search and rescue units into respective territories.

(g) The agreements shall also provide for expediting entry of such units with the least possible formalities. agreements

(h) The SAR organisation shall—

(1) request from other rescue coordination centres such assistance, including aircraft, vessels, persons or equipment, as may be needed;

(2) grant any necessary permission for the entry of such aircraft, vessels, persons or equipment into its territory; and

(3) make the necessary arrangements with the appropriate customs, immigration or other authorities with a view to expediting such entry.

(i) The SAR organisation shall provide, when requested, assistance to other rescue coordination centres, including assistance in the form of aircraft, vessels, persons or equipment.

(j) The SAR organisation shall make arrangement for joint training exercises involving its SAR units, those of neighbouring States and operators, to promote search and rescue efficiency.

32.055 COOPERATION WITH OTHER SERVICES

(a) The SAR organisation shall arrange for all aircraft, vessels and local services and facilities which do not form part of the SAR organization to cooperate fully with the latter in search and rescue and to extend any possible assistance to the survivors of aircraft accidents.

(b) The SAR organization 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.

(c) Rescue units shall when practicable, be accompanied by persons qualified in the conduct of aircraft accident

investigations.

(d) The SAR organisation shall designate a search and rescue point of contact for the receipt of Cospas-Sarsat distress data.

32.060 DISSEMINATION OF INFORMATION

(a) All information necessary for the entry of search and rescue units of other States into Rwanda shall be published and disseminated to the neighbouring States or, alternatively, include this information in search and rescue service arrangements.

(b) The rescue coordination centre shall make available the information regarding search and rescue plans of operation which contain information that could benefit the provision of search and rescue services.

(c) To the extent desirable and practicable, information shall be disseminated to the general public and emergency response authorities regarding actions to be taken when there is reason to believe that an aircraft's emergency situation may become cause for public concern or require a general emergency response.

SUBPART D: PREPARATORY MEASURES

32.065 PREPARATORY INFORMATION

(a) The RCC shall have readily available at all times up-to-date information concerning the following in respect of its search and rescue region—

(1) SAR units and alerting posts;
(2) air traffic services units;
(3) means of communication that may be used in search and rescue operations;
(4) addresses and telephone numbers of all operators, or their designated representatives, engaged in operations in the region; and
(5) any other public and private resources including medical and transportation facilities that are likely to be useful in search and rescue.

32.070 PLANS OF OPERATIONS

(a) The RCC shall prepare detailed plans of operation for the conduct of search and rescue operations within its search and rescue region in collaboration with the national coordination committee.

(b) The plans of operation shall specify arrangements for the servicing and refueling, to the extent possible, of aircraft, vessels and vehicles employed in search and rescue operations, including those made available by other States.

(c) The SAR plans of operation shall contain details regarding actions to be taken by those persons engaged in search and rescue, including—

(1) the manner in which search and rescue operations are to be conducted in the search and rescue region;
(2) the use of available communication systems and facilities;
(3) the actions to be taken jointly with other rescue coordination centres;
(4) the methods of alerting en-route aircraft;
(5) the duties and entitlement of persons assigned to search and rescue;
(6) the possible redeployment of equipment that may be necessitated by meteorological or other conditions;
(7) the methods for obtaining essential information relevant to search and rescue operations, such as weather reports and forecasts, appropriate NOTAM, etc.;
(8) the methods for obtaining, from other rescue coordination centres, such assistance, including aircraft, vessels, persons or equipment, as may be needed;
(9) the methods for assisting distressed aircraft being compelled to ditch to rendezvous with surface craft;
(10) the methods for assisting search and rescue or other aircraft to proceed to aircraft in distress; and
(11) cooperative actions to be taken in conjunction with air traffic services units and other

authorities concerned to assist aircraft known or believed to be subject to unlawful interference.

(d) Search and rescue plans of operations shall be developed jointly with representatives of the operators and other public or private services that may assist in providing search and rescue services or benefit from them, taking into account that the number of survivors could be large

(e) Search and rescue plans of operation shall be integrated with airport emergency plans to provide for rescue services in the vicinity of aerodromes.

32.075 SEARCH & RESCUE UNITS

(a) Each SAR unit shall—
  (1) be cognizant of all parts of the plans of operation prescribed in Regulation 32.070 that are necessary for the effective conduct of its duties; and
  (2) keep the rescue coordination centre informed of its Preparedness.

(b) The SAR organisation shall—
  (1) maintain in readiness the required number of search and rescue facilities; and
  (2) maintain adequate supplies of rations, medical stores, signaling devices and other survival and rescue equipment.

32.080 TRAINING & EXERCISES

(a) To achieve and maintain maximum efficiency in search and rescue, search and rescue personnel shall be provided with regular training and appropriate search and rescue exercises shall be arranged.

(b) The SAR organisation shall ensure that SAR personnel maintain a basic level of competency in recurrent / refresher training that includes knowledge about updates in ICAO provisions and other provisions pertaining to SAR.

(c) The SAR organisation shall maintain training records for their SAR personnel

32.085 WRECKAGE

(a) Wreckage resulting from aircraft accidents within Rwanda shall be removed, obliterated or charted following completion of the accident investigation if its presence might constitute a hazard or confuse subsequent search and rescue operations.

SUBPART E: OPERATING PROCEDURES

32.090 INFORMATION CONCERNING EMERGENCIES

(a) Any authority or any element of the SAR organization having reason to believe that an aircraft is in an emergency shall give immediately all available information to the RCC.

(b) RCC shall, immediately upon receipt of information concerning aircraft in emergency, evaluate such information and assess the extent of the operation required.

(c) When information concerning aircraft in emergency is received from other sources than air traffic services units, the RCC shall determine to which emergency phase the situation corresponds and shall apply the procedures applicable to that phase.

32.095 OPERATION OF RESCUE COORDINATION CENTRES DURING EMERGENCY PHASES

(a) When an uncertainty phase occurs, the RCC shall cooperate to the utmost with air traffic services units and other appropriate agencies and services in order that incoming reports may be speedily evaluated.

(b) When an alert phase occurs, the RCC shall immediately alert SAR units and initiate any necessary action.

(c) When a distress phase occurs, the rescue coordination centre shall—

(1) immediately initiate action by SAR units in accordance with the appropriate plan of operation;

(2) ascertain the position of the aircraft, estimate the degree of uncertainty of this position, and, on the basis of this information and the circumstances, determine the extent of the area to be searched;

(3) notify the operator, where possible, and keep the operator informed of developments;

(4) notify other RCCs, the help of which seems likely to be required, or which may be concerned in the operation;

(5) notify the associated air traffic services unit, when the information on the emergency has been received from another source;

(6) request at an early stage such aircraft, vessels, coastal stations and other services not specifically included in the appropriate plan of operation and able to assist to—

(i) maintain a listening watch for transmissions from the aircraft in distress, survival radio equipment or an ELT;

(ii) assist the aircraft in distress as far as practicable; and

(iii) inform the rescue coordination centre of any developments;

(7) from the information available, draw up a detailed plan of action for the conduct of the search and/or rescue operation required and communicate such plan for the guidance of the authorities immediately directing the conduct of such an operation;

(8) amend as necessary, in the light of evolving circumstances, the detailed plan of action;

(9) notify the appropriate accident investigation authorities; and

(10) notify the State of Registry of the aircraft.

(d) The order in which these actions are described shall be followed unless circumstances dictate otherwise.

(e) Where the conduct of operations over the entire search and rescue region is the responsibility of more than one SAR organisation, each involved State shall take action in accordance with the relevant plan of operations when so requested by the rescue coordination centre of the region.

32.100 INITIATION OF SEARCH & RESCUE ACTION IN RESPECT OF AN AIRCRAFT WHOSE POSITION IS UNKNOWN

(a) In the event that an emergency phase is declared in Unless otherwise decided by common agreement of the RCCs concerned, the RCC to coordinate search and rescue action shall be the centre responsible for; -

(1) the region in which the aircraft last reported its position; or

(2) the region to which the aircraft was proceeding when its last reported position was on the line separating two search and rescue regions; or

(3) the region to which the aircraft was destined when it was not equipped with suitable two-way radio communication or not under obligation to maintain radio communication; or

(4) the region in which the distress site is located as identified by the Cospas-Sarsat system.

(b) the RCC with overall coordination responsibility shall inform all RCCs that may become involved in the operation of all the circumstances of the emergency and subsequent developments.

(c) All rescue coordination centres becoming aware of any information pertaining to the emergency shall inform the rescue coordination centre that has overall responsibility.

(d) The RCC responsible for SAR action shall forward to the air traffic services unit serving the flight information region in which the aircraft is operating, information of the SAR action initiated, in order that such information can be passed to the aircraft.

32.105 AUTHORITIES IN THE FIELD

(a) The authorities immediately directing the conduct of operations or any part thereof shall—
   (1) give instructions to the units under their direction and inform the rescue coordination centre of such instructions; and
   (2) keep the rescue coordination centre informed of developments.

32.110 TERMINATION & SUSPENSION OF OPERATIONS

(a) SAR operations shall continue, when practicable, until all survivors are delivered to a place of safety or until all reasonable hope of rescuing survivors has passed.

(b) The responsible RCC shall normally be responsible for determining when to discontinue search and rescue operations.

(c) When a SAR operation has been successful or when a RCC considers, or is informed, that an emergency no longer exists, the emergency phase shall be cancelled, the SAR operation shall be terminated and any authority, facility or service that has been activated or notified shall be promptly informed.

(d) If a SAR operation becomes impracticable and the RCC concludes that there might still be survivors, the centre shall temporarily suspend on-scene activities pending further developments and shall promptly inform any authority, facility or service which has been activated or notified.

(e) Relevant information subsequently received shall be evaluated and SAR operations resumed when justified and practicable.

32.115 PROCEDURES AT THE SCENE OF AN ACCIDENT

(a) When multiple facilities are engaged in SAR operations on-scene, the RCC shall designate one or more units on-scene to coordinate all actions to help ensure the safety and effectiveness of air and surface operations, taking into account facility capabilities and operational requirements.

(b) When a pilot-in-command observes that either another aircraft or a surface craft is in distress, the pilot shall, if possible and unless considered unreasonable or unnecessary—
   (1) keep the craft in distress in sight until compelled to leave the scene or advised by the RCC that it is no longer necessary;
   (2) determine the position of the craft in distress;
   (3) as appropriate, report to the RCC or air traffic services unit as much of the following information as possible—
      (i) type of craft in distress, its identification and condition;
      (ii) its position, expressed in geographical or grid coordinates or in distance and true bearing from a distinctive landmark or from a radio navigation aid;
      (iii) time of observation expressed in hours and minutes Coordinated Universal Time (UTC);
      (iv) number of persons observed;
      (v) whether persons have been seen to abandon the craft in distress;
      (vi) on-scene weather conditions;
      (vii) apparent physical condition of survivors;
      (viii) apparent best ground access route to the distress site; and

(4) act as instructed by the RCC or the air traffic services unit.

(c) If the first aircraft to reach the scene of an accident is not a SAR aircraft, it shall take charge of on-scene activities of all other aircraft subsequently arriving until the first SAR aircraft reaches the scene of the accident.

(d) If, in the meantime, such aircraft is unable to establish communication with the appropriate RCC or air traffic services unit, it shall, by mutual agreement, hand over to an aircraft capable of establishing and maintaining such communications until the arrival of the first SAR aircraft.

(e) When it is necessary for an aircraft to convey information to survivors or surface rescue units, and two-way communication is not available, it shall, if practicable, drop communication equipment that would enable direct contact to be established, or convey the information by dropping a hard copy message.

(f) When a ground signal has been displayed, the aircraft shall indicate whether the signal has been understood or not by the means described in paragraph (d) or, if this is not practicable, by making the appropriate visual signal.

(g) When it is necessary for an aircraft to direct a surface craft to the place where an aircraft or surface craft is in distress, the aircraft shall do so by transmitting precise instructions by any means at its disposal. If no radio communication can be established, the aircraft shall make the appropriate visual signal.

32.120 PROCEDURES FOR A PILOT-IN- COMMAND INTERCEPTING A DISTRESS TRANSMISSION

(a) Whenever a distress transmission is intercepted by a pilot-in command of an aircraft, the pilot shall, if feasible—

(1) acknowledge the distress transmission;

(2) record the position of the craft in distress if given;

(3) take a bearing on the transmission;

(4) inform the appropriate RCC or air traffic services unit of the distress transmission, giving all available information; and

(5) at the pilot's discretion, while awaiting instructions, proceed to the position given in the transmission.

32.125 SEARCH & RESCUE SIGNALS

(a) The air-to-surface and surface-to-air visual signals in the Appendices 1 through 4 of 32.125 to this Part shall, when used, have the meaning indicated therein.

(b) The Signals shall be used only for the purpose indicated and no other signals likely to be confused with them shall be used.

(c) Aircraft observing the signal shall take such action as may be required by the interpretation of the signal given in Appendix 5 to 32.125.

32.130 MAINTENANCE OF RECORDS

(a) The RCC shall keep a record of the operational efficiency of the SAR organisation in its region

(b) RCC should prepare appraisals of actual SAR operations in its region. These appraisals should comprise any pertinent remarks on.

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APPENDICES: SEARCH & RESCUE SIGNALS

APPENDIX 1 TO 32.125: SIGNALS WITH SURFACE CRAFT

(a) The following manoeuvres performed in sequence by an aircraft mean that the aircraft wishes to direct a surface craft towards an aircraft or a surface craft in distress—

(1) circling the surface craft at least once;

(2) crossing the projected course of the surface craft close ahead at low altitude and—

(i) rocking the wings; or

(ii) opening and closing the throttle; or

(iii) changing the propeller pitch.

Note: Due to high noise level on board surface craft, the sound signals in (ii) and (iii) may be less effective than the visual signal in (i) and are regarded as alternative means of attracting attention.

(3) heading in the direction in which the surface craft is to be directed.

(4) Repetition of such manoeuvres has the same meaning.

(b) The following manoeuvres by an aircraft means that the assistance of the surface craft to which the signal is directed is no longer required—

(1) crossing the wake of the surface craft close astern at a low altitude and—

(i) rocking the wings; or

(ii) opening and closing the throttle; or

(iii) changing the propeller pitch.

APPENDIX 2 TO 32.125: SURFACE CRAFT TO AIRCRAFT

(a) The following replies may be made by surface craft to the signal in Appendix 1 to 32.125—

(1) for acknowledging receipt of signals—

(i) the hoisting of the “code pennant” (vertical red and white stripes) close up (meaning understood);

(ii) the flashing of a succession of “T’ s” by signal lamp in the Morse code;

(iii) the changing of heading to follow the aircraft.

(2) for indicating inability to comply—

(i) the hoisting of the international flag “N” (a blue and white checkered square);

(ii) the flashing of a succession of “N’ s” in the Morse code.

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APPENDIX 3 TO 32.125: GROUND-TO-AIR VISUAL SIGNAL CODE FOR SURVIVORS

(a) Ground-air visual signal code for use by survivors—

No.	*Message*	*Code symbol*
1	Require assistance	V
2	Require medical assistance	X
3	No or Negative	N
4	Yes or Affirmative	Y
5	Proceeding in this direction	↑

APPENDIX 4 TO 32.125: GROUND-TO-AIR FOR RESCUE UNITS

(a) Ground-air visual signal code for use by rescue units—

No.	*Message*	*Code symbol*
1	Operation completed	LLL
2	We have found all personnel	LL
3	We have found only some personnel	++
4	We are not able to continue. Returning to base	XX
5	Have divided into two groups. Each proceeding in direction indicated	⇄
6	Information received that aircraft is in this direction	→ →
7	Nothing found. Will continue to search	NN

(b) Symbols shall be at least 2.5 metres (8 feet) long and shall be made as conspicuous as possible.

Note 1: Symbols may be formed by any means such as: strips of fabric, parachute material, pieces of wood, stones or such like material; marking the surface by tramping, or staining with oil.

Note 2: Attention to the above signals may be attracted by other means such as radio, flares, smoke and reflected light.

APPENDIX 5 TO 32.125: AIR-TO-GROUND SIGNALS

(a) The following signals by aircraft mean that the ground signals have been understood—

(1) *during the hours of daylight:* by rocking the aircraft's wings;

(2) *during the hours of darkness:* flashing on and off twice the aircraft's landing lights or, if not so equipped, by switching on and off twice its navigation lights.

(b) Lack of the above signal indicates that the ground signal is not understood.

END OF RCAR PART 32

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXIII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXIII TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXIII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 33

Parachuting Operations

SUBPART A: GENERAL....3
33.001 CITATION & APPLICABILITY....3
33.005 DEFINITIONS....3
33.010 ACRONYMS....3

SUBPART B: PARACHUTE PERSONNEL....3
33.015 PARACHUTE JUMPING ELIGIBILITY REQUIREMENTS....3
33.020 AUTHORIZATION TYPES....3
33.025 SKILL REQUIREMENTS....3
33.030 GENERAL REQUIREMENTS: CONDITIONS OF AUTHORIZATION....4
33.035 DESCENT REQUIREMENTS....4
33.040 AIRCRAFT USED FOR PARACHUTE JUMPING....4
33.045 PILOT EXPERIENCE & TRAINING REQUIREMENTS....4
33.050 VALIDITY & RENEWAL REQUIREMENTS....4
33.055 VISITING FOREIGN PARACHUTING JUMPERS....5
33.060 PARACHUTE RIGGER AUTHORIZATION REQUIREMENTS....5
33.065 ISSUE OF PARACHUTE RIGGER AUTHORIZATION....5
33.070 RESTRICTIONS & LIMITATIONS OF PARACHUTE RIGGER AUTHORIZATION....5
33.075 EXPERIENCE, KNOWLEDGE & SKILL REQUIREMENTS....5
33.080 AUTHORIZATION REQUIREMENTS FOR CURRENT OR FORMER MILITARY PARACHUTE RIGGER....5
33.085 PERFORMANCE STANDARDS....6
33.090 RECORDS TO BE KEPT BY PARACHUTE RIGGER....6
33.090 PRIVILEGES....6
33.100 VALIDITY & RENEWAL REQUIREMENTS....6

SUBPART C: PARACHUTE OPERATIONS CERTIFICATE....7
33.105 GENERAL CERTIFICATE REQUIREMENTS....7
33.110 APPLICATION FOR PARACHUTE OPERATIONS CERTIFICATE....7
33.115 AMENDMENT OF A PARACHUTE OPERATIONS CERTIFICATE....7
33.120 VALIDITY OF A PARACHUTE OPERATIONS CERTIFICATE....7
33.125 PARACHUTE OPERATIONS MANUAL....8
33.130 DESIGNATION OF SAFETY & TRAINING PERSONNEL....8

SUBPART D: OPERATING RULES....9
33.135 USE OF DRUGS OR ALCOHOL....9
33.140 HAZARD....9
33.145 EXIT FROM AN AIRCRAFT....9
33.150 MINIMUM PARACHUTE ACTIVATION ALTITUDE....9
33.155 PARACHUTE DROP ZONE....9
33.160 PARACHUTE LANDING AREA....9
33.165 GROUND SIGNAL....9
33.170 CONTROLLED AIRSPACE....10
33.175 DESCENTS ONTO MANNED AERODROMES....10
33.180 DESCENTS ONTO UNMANNED AERODROMES....10
33.185 SCENTS WITHIN RESTRICTED AREAS....10
33.190 VISIBILITY & CLEARANCE FROM CLOUDS....10

33.195 DESCENTS FROM HIGHER ALTITUDES 10
33.200 PARACHUTE OPERATIONS OVER OR INTO A CONGESTED AREA OR AN OPEN-AIR ASSEMBLY OF PERSONS 11

SUBPART E: PARACHUTE EQUIPMENT & FACILITIES 11
33.205 PARACHUTES 11
33.210 ALTIMETER 11
33.215 AUTOMATIC ACTIVATION DEVICES 11
33.220 SAFETY EQUIPMENT 12
33.225 FACILITIES & EQUIPMENT REQUIREMENTS 12
33.230 AIRWORTHINESS & SAFETY DIRECTIVES 12
33.235 PARACHUTE SERVICEABILITY 12
33.240 MODIFICATION & REPAIR 12
33.245 PARACHUTE ASSEMBLY CHECK 12
33.250 SEAL 13
33.255 PARACHUTE RECORDS 13
33.260 ACCESS FOR INSPECTION 13
33.265 DRUG & ALCOHOL TESTING & REPORTING 13

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SUBPART A: GENERAL

33.001 CITATION & APPLICABILITY

(a) These regulations may be cited as Civil Aviation (Parachuting Operations) Regulations.

(b) This Part prescribes the requirements of the Republic of Rwanda for parachuting operations, certification and maintenance.

(c) These Regulations shall, apply to—

(1) parachute operations other than—

(i) emergency parachute descents; and

(ii) parachute descents which are not from aircraft; and

(2) parachute equipment; and

(3) parachute maintenance.

33.005 DEFINITIONS

(a) When the following terms are used in this Part, they have the definitions provided in Appendix 1 to 1.015

33.010 ACRONYMS

(a) When the following acronyms are used in this Part, they have the definitions provided in Appendix 1 to 1.015

SUBPART B: PARACHUTE PERSONNEL

33.015 PARACHUTE JUMPING ELIGIBILITY REQUIREMENTS

(a) An applicant for a parachute jumping authorization shall—

(1) be at least eighteen years of age;

(2) demonstrate a level of knowledge appropriate to the privileges granted to a holder of a Parachute Jumping Authorization; and

(3) comply with the provisions of these Regulations that apply to the Parachute Jumping Authorization sought.

(b) In addition to the requirements of paragraph (a), an applicant for a tandem master authorization shall hold a Class 2 Medical Certificate specified in Part 8.

33.020 AUTHORIZATION TYPES

(a) The Authority may issue the following types of parachute jumping authorizations—

(1) student jumper;

(2) jumper;

(3) jump master; or

(4) tandem master

33.025 SKILL REQUIREMENTS

(a) An applicant for—

(1) a jumper authorization shall have logged not less than 25 jumps and have demonstrated to the Authority his competency in the following areas—

(i) parachute packing;

(ii) obtaining meteorological information;

(iii) spotting the drop location from the aircraft;

(iv) hand signal communication techniques and procedures; and

(v) pre-flight briefing and "dirt diving".

(2) a jump master authorization shall have—

(i) successfully completed a jump master's course;

(ii) made 500 freefall jumps; and

(iii) (iii) satisfactorily completed a post course of jump mastering ten students under supervision of an authorized instructor.

(3) a tandem master authorization shall be an experienced jumper master, trained in tandem operation and is in control of the passenger and tandem parachute equipment.

33.030 GENERAL REQUIREMENTS: CONDITIONS OF AUTHORIZATION

(a) A holder of a parachute jumping authorization shall maintain a parachuting logbook of jumps.

(b) Parachute jumping shall be made only at locations approved by the Authority.

(c) Prior to each descent, the jumper or event organiser shall obtain permission from the Air Traffic Control Unit responsible for the area of the operation.

(d) In locations with no Air Traffic Control Unit, the jumper or event organiser shall obtain permission from the Area Control Centre responsible for the area of the operation

33.035 DESCENT REQUIREMENTS

(a) A parachute jumper shall not make or attempt to make a parachute descent unless wearing two airworthy parachutes from exit to activation.

(b) All reserve parachutes shall be inspected and packed by an authorized parachute rigger not more than four months preceding each jump.

(c) The main parachute may be packed by either the jumper or the parachute rigger.

(d) The minimum altitude from which descents are to be made shall be such that the main canopy is duly opened at an altitude of not less than 600 m (2,000 ft) above ground level.

33.040 AIRCRAFT USED FOR PARACHUTE JUMPING

(a) Parachute descents shall be made only from aircraft types that have been authorized by the Authority.

33.045 PILOT EXPERIENCE & TRAINING REQUIREMENTS

(a) A pilot for the aircraft to be used for parachute jumping shall—

(1) be a qualified pilot and have a minimum of 200 hours of pilot-in-command time; and

(2) demonstrate competence to the Authority by performing at least one drop of parachute jumpers.

(b) The demonstration referred to in paragraph (a)(2) shall be conducted under supervision of an experienced parachuting pilot who is present in the aircraft during the check flight to ascertain the competence in the dropping operation.

33.050 VALIDITY & RENEWAL REQUIREMENTS

(a) A parachute jump master and tandem master authorization shall be valid for a period of twelve months from the date of issue or renewal.

(b) A holder of a parachute jump master and tandem master authorization may apply for renewal of the authorization if the holder has jump mastered 10 static line students and 5 free fall students within the six months preceding the date of application for renewal.

(c) A holder of a student and jumper authorization shall not require renewal.

33.055 VISITING FOREIGN PARACHUTING JUMPERS

(a) A person who holds a parachute jumping authorization issued by another Contracting State and who wishes to engage in parachute jumping in Rwanda may apply to the Authority for recognition and acceptance of his qualification.

(a) Where the Authority recognizes an authorization tendered under paragraph (a), the holder shall be exempted from Regulations 33.015 to 33.050 of these Regulations.

(b) A holder of an authorization under this regulation shall not be engaged in instructing students in parachute jumping or tandem operations.

33.060 PARACHUTE RIGGER AUTHORIZATION REQUIREMENTS

(a) An applicant for a parachute rigger authorization shall—

(1) apply to the Authority on the prescribed form;

(2) be at least eighteen years of age; and

(3) be able to read, speak, write and understand the English. Language.

33.065 ISSUE OF PARACHUTE RIGGER AUTHORIZATION

(a) Where the Authority is satisfied that an applicant for a parachute rigger authorization under Regulation 33.060 meets the requirements for issue of such authorization, the Authority may issue the authorization.

33.070 RESTRICTIONS & LIMITATIONS OF PARACHUTE RIGGER AUTHORIZATION

(a) A person shall not pack, maintain or modify any personnel-carrying parachute intended for emergency use in connection with an aircraft registered in Rwanda unless that person holds an appropriate authorization on the type issued under these Regulations.

(b) Except as provided for by paragraph (c), a person shall not pack, maintain or modify any main parachute of a dual parachute pack to be used for intentional jumping from a civil aircraft registered in the Rwanda unless that person has an appropriate parachute rigger authorization issued under these Regulations.

(c) A person who does not hold an appropriate parachute rigger authorization may pack the main parachute of a dual parachute pack that is to be used by him for intentional jumping.

33.075 EXPERIENCE, KNOWLEDGE & SKILL REQUIREMENTS

(a) Except as provided in Regulation 33.085, an applicant for a parachute rigger authorization shall—

(1) present evidence satisfactory to the Authority of having packed at least twenty parachutes of each type for which the applicant seeks authorization in accordance with the manufacturer's instructions and under the supervision of an authorized parachute rigger holding an authorization for that type or a person holding an appropriate military rating;

(2) provide the Authority with evidence of having passed a knowledge and practical test, to the satisfaction of the Authority by demonstrating the ability to pack and maintain one type of parachute for which he seeks authorization.

33.080 AUTHORIZATION REQUIREMENTS FOR CURRENT OR FORMER MILITARY PARACHUTE RIGGER

(a) Notwithstanding Regulation 33.060, the Authority may issue to an applicant for a parachute rigger authorization if he passes a knowledge test on the Regulations pertaining to parachute and parachute rigging and presents satisfactory documentary evidence that the applicant—

(1) is an employee or former employee of Rwanda Military and within the twelve months preceding the date of application for an authorization has performed as a parachute rigger; and
(2) has the experience required by Regulation 33.075.

33.085 PERFORMANCE STANDARDS

(a) A holder of a parachute rigger authorization shall not—
(1) pack, maintain or modify any parachute unless he is authorized for that type;
(2) pack a parachute that is not safe for emergency use;
(3) pack a parachute that has not been thoroughly dried and aired;
(4) alter a parachute in a manner that is not specifically authorized by the Authority or the manufacturer;
(5) pack, maintain or modify a parachute in any manner that deviates from procedures approved by the Authority or the manufacturer of the parachute; or
(6) exercise the privileges of the authorization unless he—
(i) understands the current manufacturer's instructions for the operation involved; and
(ii) has performed duties under the authorization for at least ninety days within the preceding twelve months or demonstrated to the Authority the ability to perform those duties.

33.090 RECORDS TO BE KEPT BY PARACHUTE RIGGER

(a) A holder of parachute rigger authorization shall keep a record of the packing, maintenance and modifications of parachutes performed or supervised.

(b) An authorized parachute rigger who packs a parachute shall enter on the parachute packing record attached to the parachute, the date and place of the packing, a notation of any defects found during any inspection, and shall sign that record with name and authorization number.

(c) The record required by paragraph (a) shall contain, with respect to each parachute worked on, a statement of—
(1) type and make;
(2) serial number;
(3) the name and address of the owner or user of the parachute;
(4) the kind and extent of the work performed;
(5) the date when, and the place where the work was performed; and
(6) the results of any drop tests made with it.

(d) A person who makes a record under paragraph (a) shall keep that record for at least two years after the date the record is made.

33.090 PRIVILEGES

(a) A holder of a parachute rigger authorization may—
(1) pack, maintain or modify any type of parachute for which he is authorized; and
(2) supervise other persons in packing, maintaining or modifying any type of parachute for which the holder of authorization is authorized.

33.100 VALIDITY & RENEWAL REQUIREMENTS

(a) A parachute rigger authorization shall be valid for a period of twenty-four months from the date of issue or renewal.

(b) A holder of a parachute rigger authorization may apply for renewal of the authorization if the holder has packed at least thirty-six reserves parachutes within the 12 months preceding the

date of application for renewal.

SUBPART C: PARACHUTE OPERATIONS CERTIFICATE

33.105 GENERAL CERTIFICATE REQUIREMENTS

(a) A person shall not conduct parachute operations unless that person—
  (1) holds a parachute operations certificate;
  (2) complies with the privileges and limitations of the authorization referred to in paragraph (a)(1);
  (3) complies with operational standards and procedures contained in the parachute Operations Manual approved by the Authority; and
  (4) complies with the currency requirements determined by the Authority.

(b) A person shall not conduct parachute operations unless there is available for use a Parachute Operations Manual approved by the Authority.

(c) In this Part, "person" includes an association, organization or club.

33.110 APPLICATION FOR PARACHUTE OPERATIONS CERTIFICATE

(a) An applicant for a parachute operations certificate shall complete and submit an application form prescribed by the Authority which shall include the following information—
  (1) the radius of the drop zone around the target expressed in kilometres or nautical miles;
  (2) the location of the centre of the drop zone in relation to the nearest airport, town or city;
  (3) each altitude above mean sea level at which the aircraft will be operated when parachutists or objects exist the aircraft;
  (4) the name, address, and telephone number of the person who requests the authorization or gives notice of the parachute operation;
  (5) the name of the air traffic control facility with jurisdiction of the airspace at the first intended exit altitude to be used for the parachute operation.

(b) The Authority may issue a parachute operations certificate if an applicant meets the requirements of these Regulations.

33.115 AMENDMENT OF A PARACHUTE OPERATIONS CERTIFICATE

(a) A parachute operations certificate may be amended—
  (1) on the Authority's own initiative, under applicable laws and regulations; or
  (2) upon application by the holder of that authorization.

(b) A holder of an authorization shall submit an application to amend an authorization by completing a form prescribed by the Authority.

(c) An applicant for an amendment under this regulation shall file the application to amend an authorization before the date of the proposed commencement of that operation.

(d) The Authority shall grant a request to amend an authorization if it determines that it is in interest of flight safety or in public interest.

33.120 VALIDITY OF A PARACHUTE OPERATIONS CERTIFICATE

(a) A parachute operations certificate shall be valid for a period specified in the certificate from the date of issue but in any case not more than twelve months, unless—
  (1) a shorter period is specified by the authority;
  (2) the Authority amends, suspends, revokes or otherwise terminates the certificate;
  (3) the certificate holder surrenders it to the Authority; or
  (4) the certificate holder suspends operations.

(b) The holder of a certificate that is suspended or revoked shall return it to the Authority.

33.125 PARACHUTE OPERATIONS MANUAL

(a) A parachute operations certificate holder shall issue to the parachute members and persons assigned parachute operational functions, an Operations Manual which shall contain at least the following—
   (1) introduction and common abbreviations;
   (2) basic safety requirements;
   (3) student training syllabus;
   (4) skills programme;
   (5) formation parachuting rules;
   (6) artistic events;
   (7) canopy formation;
   (8) camera persons;
   (9) tandem operations;
   (10) extra ordinary activities;
   (11) wing suits;
   (12) jump master certification course syllabus;
   (13) rigging rules;
   (14) drop zone and landing area operating procedures;
   (15) briefings for new jumpers;
   (16) miscellaneous forms.

(b) The operations manual referred to in paragraph (a) shall be amended or revised as is necessary to ensure that the information contained therein is kept up to date, and all such amendments or revisions shall be issued to all personnel that are required to use the Operations Manual

(c) A parachute operations certificate holder shall submit to the Authority a copy of the authorization holder's entire Operations Manual for the time being in force or of such parts thereof as the Authority may specify.

(d) A parachute operations certificate holder shall make such amendments or additions to the operations manual as the Authority may require for the purpose of ensuring the safety of parachute jumpers and parachute passengers carried, efficiency or regularity of air navigation.

33.130 DESIGNATION OF SAFETY & TRAINING PERSONNEL

(a) A parachute operations certificate holder shall, designate for each drop zone operation, in writing, a safety and training personnel who shall be in-charge of all operations with the following minimum qualifications—
   (1) a qualified experienced jump master with a minimum of 1000 free fall jumps and at least 2 years experience in parachute operations; and
   (2) must have successfully completed a training in safety and parachute operating procedures recognized by the Authority.

SUBPART D: OPERATING RULES

33.135 USE OF DRUGS OR ALCOHOL

(a) A person shall not engage in parachute jumping, and no pilot in command of an aircraft may allow a person to engage in parachute jumping from that aircraft, if that person is or appears to be under the influence of—
  (1) alcohol, or
  (2) any drug that affects that person's faculties in any way contrary to safety.

33.140 HAZARD

(a) A person shall not make a parachute descent if such descent constitutes, or is likely to constitute, a safety hazard to air traffic, persons or property in the air or on the ground, the aircraft concerned or its occupants.

33.145 EXIT FROM AN AIRCRAFT

(a) A person shall not exit from an aircraft to make a parachute descent unless authorized to do so by—
  (1) the pilot-in-command; or
  (2) a person nominated by a pilot-in-command for that purpose.

33.150 MINIMUM PARACHUTE ACTIVATION ALTITUDE

(a) A person making a parachute descent shall activate the main parachute at a height not less than 760 m (2,500 ft) above ground level, except for—
  (1) a student parachutist, who shall activate the main parachute at not less than 900 m (3,000 ft) above ground level; or
  (2) a tandem jump master carrying out a tandem parachute descent, who shall activate the main parachute at not less than 1,500 m (5,000 ft) above ground level.

33.155 PARACHUTE DROP ZONE

(a) All parachute descents, except emergency and display parachute descents shall be made within a parachute drop zone designated by the parachute operations certificate holder and approved by the Authority.

33.160 PARACHUTE LANDING AREA

(a) A person making a parachute descent shall land on a parachute landing area designated by the parachute operations certificate holder and approved by the Authority.

(b) Simultaneous parachute and aircraft movements may be conducted at aerodromes if the parachute landing area is located clear of—
  (1) any movement area in use;
  (2) the strip area of any runway in use;
  (3) a taxiway which is in use; and
  (4) the approach and take-off areas of any runway or heliport in use.

(c) A person shall not make a parachute descent into water unless—
  (1) the parachute landing area has a clearly defined perimeter; and
  (2) adequate arrangements have been made to retrieve all parachutists.

33.165 GROUND SIGNAL

(a) A person shall not make a parachute descent unless a ground signal, consisting of a white

circle with an attached cone pointing into the wind is displayed or a sensitive and conspicuous calibrated windsock shall be used.

33.170 CONTROLLED AIRSPACE

(a) A person shall not make a parachute descent in a controlled airspace unless he—
  (1) obtains an air traffic control clearance; and
  (2) descends in accordance with that clearance.

33.175 DESCENTS ONTO MANNED AERODROMES

(a) A person shall not make a parachute descent onto an aerodrome unless he—
  (1) has prior approval from the owner or operator of the aerodrome;
  (2) obtains clearance from the air traffic control unit at the aerodrome; and
  (3) lands within the parachute landing area.

33.180 DESCENTS ONTO UNMANNED AERODROMES

(a) A person shall not make a parachute descent onto an unmanned aerodrome unless he—
  (1) has prior approval from the owner or operator of the aerodrome;
  (2) observes other aerodrome traffic operating within the parachute descent zone for the purpose of avoiding collision;
  (3) conforms with or avoids the pattern of traffic formed by other aircraft operating within the parachute descent zone at the aerodrome; and
  (4) lands within the parachute landing area.

33.185 SCENTS WITHIN RESTRICTED AREAS

(a) A person shall not make a parachute descent within a restricted area unless he has prior approval of the controlling authority specified for that area.

33.190 VISIBILITY & CLEARANCE FROM CLOUDS

(a) Except as provided in paragraph (b) a person shall not make a parachute descent unless he remains clear of cloud.

(b) A person shall not make a parachute descend through cloud in a controlled airspace unless he has obtained an air traffic control clearance to do so.

33.195 DESCENTS FROM HIGHER ALTITUDES

(a) A person shall not make a parachute descent from an un-pressurized aircraft unless—
  (1) when between altitudes of 3,050 m (10,000 ft) above mean sea level and 3,950 m (13,000 ft) above mean sea level for longer than 30 minutes, use supplementary oxygen until immediately prior to exiting the aircraft; and
  (2) when between altitudes of 3,950 m (13,000 ft) above mean sea level and 6,100 m (20,000 ft) above mean sea level, use supplementary oxygen until immediately prior to exiting the aircraft.

(b) A person shall not make a parachute descent from a pressurized aircraft when between altitudes of 3,950 m (13,000 ft) above mean sea level and 6,100 m (20,000 ft) above mean sea level unless he uses supplementary oxygen during the period from immediately prior to depressurisation to immediately prior to exiting the aircraft.

(c) A person shall not make a parachute descent from altitudes above 3,950 m (13,000 ft) above mean sea level unless he has satisfactorily completed a training course for high altitude descents.

(d) A person shall not make a parachute descent from altitudes above 6,100 m (20,000 ft)

above mean sea level unless he uses supplementary oxygen from immediately prior to depressurisation, or from immediately after disconnection from any aircraft mounted supplementary oxygen system, until descent below an altitude of 3,950 m (13,000 ft) above mean sea level.

33.200 PARACHUTE OPERATIONS OVER OR INTO A CONGESTED AREA OR AN OPEN-AIR ASSEMBLY OF PERSONS

(a) A person shall not conduct a parachute jumping operation, and no pilot in command of an aircraft shall allow a parachute operation to be conducted from that aircraft, over or into a congested area of a city, town, or settlement, or an open-air assembly of persons unless an approval for that parachute jumping operation has been issued under these Regulations.

SUBPART E: PARACHUTE EQUIPMENT & FACILITIES

33.205 PARACHUTES

(a) A person or tandem pair shall not make a parachute descent unless equipped with a main parachute that complies with the technical standards order of the parachute manufacturer.

(b) A person or tandem pair shall not make a parachute descent unless equipped with a reserve parachute assembly which—
  (1) complies with the technical standards of a parachute organization; and
  (2) has been inspected, re-packed and certified as airworthy within the previous six months by a parachute rigger in accordance with the technical standards of a parachute organization.

(c) A tandem rider shall not make a parachute descent unless he wears a harness which—
  (1) complies with the technical standards of a parachute organization; and
  (2) is properly secured to a marching tandem master harness.

33.210 ALTIMETER

(a) A person or tandem pair shall not make a free-fall descent of more than 10 seconds unless—
  (1) he is equipped with, and use, a serviceable altimeter of a type suitable for parachuting; and
  (2) prior to take-off, zero the altimeter to the parachute landing area height.

33.215 AUTOMATIC ACTIVATION DEVICES

(a) A person or tandem pair shall not make a parachute descent unless equipped with an automatic activation device on the reserve parachute, that has been—
  (1) certified as compatible with the reserve parachute assembly on the parachute assembly packing- record by a parachute rigger authorized by the parachute organization or institution designated by the Authority;
  (2) calibrated in accordance with the manufacturer's operating instructions;
  (3) set to operate the reserve parachute at a minimum height above the parachute landing area (PLA)—
    (i) for an individual parachute descent, 300 m (1 000 ft) above ground level or such lower altitude as predetermined and set within the automatic activation device by the manufacturer of such device for the category of use; and
    (ii) for a tandem parachute descent, 600 m (2 000 ft) above ground level or such lower altitude as predetermined and set within the automatic activation device by the manufacturer of such device for use on tandem descents;
  (4) inspected by the parachute rigger in accordance with the manufacturer's instructions; and
  (5) check-calibrated within the previous six months.

33.220 SAFETY EQUIPMENT

(a) A person shall not make a parachute descent into water unless he wears suitable floatation equipment capable of supporting that person's head clear of the water.

(b) A student parachutist shall not make a parachute descent within 1 nautical mile of a water hazard unless he wears suitable floatation equipment capable of supporting that person's head clear of the water.

(c) A student parachutist shall not make a parachute descent unless he wears a serviceable, rigid, protective helmet of a type approved by the parachute organization.

(d) A tandem pair shall not make a parachute descent unless equipped with protective head gear approved by the parachute organization.

SUBPART F: PARACHUTE MAINTENANCE

33.225 FACILITIES & EQUIPMENT REQUIREMENTS

(a) The holder of a parachute rigger authorization shall not exercise the privileges of his authorization unless he has at least the following facilities and equipment available—

(1) a smooth surface;
(2) suitable housing that is adequately lighted and ventilated for drying and airing parachutes;
(3) enough packing tools and other equipment to pack and maintain the types of parachutes serviced; and
(4) adequate housing facilities to perform applicable duties and to protect tools and equipment.

33.230 AIRWORTHINESS & SAFETY DIRECTIVES

(a) A person who intends to use a parachute for jumping shall ensure that the parachute complies with—

(1) applicable airworthiness directives issued by the Authority;
(2) applicable safety directive issued by the parachute operations certificate holder; and
(3) mandatory modifications or instructions issued by the manufacturer.

33.235 PARACHUTE SERVICEABILITY

(a) Each person who finds a parachute assembly to be unserviceable or not airworthy shall have the assembly—

(1) re-inspected and returned to a serviceable and airworthy condition; or
(2) withdrawn from service.

(b) A person shall not return to service a parachute assembly that has been marked as unserviceable untill it has been re-inspected and returned to serviceable and airworthy condition before use.

33.240 MODIFICATION & REPAIR

(a) A person shall not use a parachute, or harness and container system that has been modified or repaired, in a manner that may affect the airworthiness of the parachute assembly, unless it is re-inspected and re- assessed by a parachute rigger in accordance with the technical standards order of the manufacturer

33.245 PARACHUTE ASSEMBLY CHECK

(a) Except as provided by provisions of paragraphs (b) and (c), no person shall make a parachute descent unless he has checked the state of serviceability of the parachute assembly by—

(1) reference to the assembly packing record for the parachute assembly;
(2) a comprehensive external check;
(3) checking that all the equipment is properly set to operate;
(4) ensuring that no item being carried will interfere with the proper functioning of the parachute assembly; and
(5) ensuring that the seal is not broken or interfered with.

(b) For student parachutists, the person authorized by the parachute organization to directly supervise the descent of the student shall inspect the equipment being worn by the student in accordance with paragraph (a).

(c) For tandem riders, the tandem master shall inspect the equipment being worn by the tandem passenger in accordance with paragraph (a).

33.250 SEAL

(a) An authorized parachute rigger shall have a seal with an identifying mark and a seal press prescribed by the Authority.

(b) After packing a parachute, the parachute rigger shall seal the pack with a seal referred to paragraph (a) in accordance with the manufacturer's recommendation for that type of parachute.

33.255 PARACHUTE RECORDS

(a) Each owner of a parachute assembly shall maintain a permanent record of which shall be kept in the assembly at all times, in—
(1) a logbook; or
(2) a separable log page, approved by the parachute operations certificate holder.

(b) The owner referred to in paragraph (a) shall make the record available for inspection when required by an authorized officer, inspector or authorized person.

33.260 ACCESS FOR INSPECTION

(a) A holder of a parachute operations certificate shall for the purpose of inspection to determine compliance with applicable regulations and requirements—
(1) grant the Authority unrestricted access to any of its organization's, facilities and aircraft; and
(2) ensure that the Authority is granted unrestricted access to any organization or facilities that it has contracted for services associated with parachute operations and maintenance.

SUBPART G: GENERAL

33.265 DRUG & ALCOHOL TESTING & REPORTING

(a) A person who performs any function requiring a licence, rating, qualification or authorization prescribed by these Regulations directly or by contract may be tested for drug or alcohol usage.

(b) A person who refuses to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority shall—
(1) be denied any licence, certificate, rating, qualification, or authorization issued under these Regulations for a period of up to one year from the date of that refusal; or
(2) have their licence, certificate, rating, qualification, or authorization issued under these

Regulations suspended or revoked.

(c) A person who refuses to submit to a test to indicate the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or psychoactive substances in the body, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority shall—

(1) be denied any licence, certificate, rating, qualification, or authorization issued under these Regulations for a period of up to one year from the date of that refusal; or

(2) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.

(d) Any person who is convicted for the violation of any local or national statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or psychoactive substances, shall—

(1) be denied any Licence, certificate, rating, qualification, or authorization issued under these Regulations for a period of up to one year after the date of conviction; or

(2) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.

END OF RCAR PART 33

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXIV W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXIV TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXIV A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 34

Sport Aviation Operations

SUBPART A: GENERAL 4
34.001 CITATION & APPLICABILITY 4
34.005 DEFINITIONS 4
34.010 ACRONYMS & ABBREVIATIONS [RESERVED} 4
SUBPART B: GYROGLIDERS & PARASAILS 5
34.015 APPLICABILITY 5
34.020 REGISTRATION 5
34.025 RESTRICTED AREAS 5
34.030 LOW FLYING ZONES 5
34.035 CONTROLLED AIRSPACE 5
34.040 HAZARD & RISK MINIMISATION 5
34.045 DROPPING OF ARTICLES 5
34.050 AERODROMES 5
34.055 AIRSPACE 6
34.060 METEOROLOGICAL LIMITATIONS 6
34.065 NIGHT OPERATIONS 6
34.070 AIRWORTHINESS 6
34.075 SAFETY EQUIPMENT 6
34.080 PRE-FLIGHT BRIEFING 6
34.085 EMERGENCY TOWLINE RELEASE 6
34.090 OPERATING PROCEDURES 7
34.095 WIND SPEED 7
34.100 PASSENGER AGE LIMITATION 7
SUBPART C: MICROLIGHT AIRCRAFT 7
34.105 APPLICABILITY 7
34.110 PILOT REQUIREMENTS 7
34.115 FLIGHT INSTRUCTION 7
34.120 FLIGHT RADIO OPERATOR LICENSE REQUIREMENTS 8
34.125 REGISTRATION 8
3.130 DOCUMENTS TO BE CARRIED 8
34.135 PLACARDS 8
34.140 FUEL REQUIREMENTS 8
34.145 MAXIMUM OPERATING ALTITUDE 8
34.150 MINIMUM ALTITUDE 8
34.155 FLIGHT CRITERIA 9
34.160 TOWING HANG GLIDERS 9

34.165 CARRIAGE OF PASSENGERS 10
34.170 REQUIREMENT FOR FLIGHT PERMIT 10
34.175 APPLICATION FOR FLIGHT PERMIT 10
34.180 ISSUE OF FLIGHT PERMIT 10
34.185 MODIFICATION 10
34.190 MAINTENANCE & INSPECTION REQUIREMENTS 10
34.195 INSTRUMENT & EQUIPMENT REQUIREMENTS 11
34.200 HANG GLIDER TOWING AIRCRAFT 12
SUBPART D: GLIDERS 12
34.205 PURPOSE 12
34.210 PILOT REQUIREMENTS 12
34.215 TEST FLIGHTS 13
34.220 FLIGHT MANUALS 13
34.225 SIMULATED INSTRUMENT FLIGHT 13
34.230 GROUND SIGNAL 13
34.235 RIGHT OF WAY RULES 13
34.240 INSTRUMENT METEOROLOGICAL CONDITIONS 13
34.245 CLEARANCE BELOW CLOUD 13
34.250 FUEL REQUIREMENTS 13
34.255 MAXIMUM OPERATING ALTITUDE 14
34.260 MINIMUM ALTITUDE 14
34.265 VFR CRUISING ALTITUDE & FLIGHT LEVEL 14
34.270 AIRCRAFT EQUIPMENT 14
34.275 GENERAL MAINTENANCE REQUIREMENTS 14
34.280 MAINTENANCE INSPECTIONS 15
34.285 MAINTENANCE PROGRAMMES 15
34.290 AUTHORISATION & APPROVAL OF MAINTENANCE PROGRAMME 15
34.295 TECHNICAL LOG 15
34.300 PILOT MAINTENANCE 16
SUBPART E: HANG GLIDERS 16
34.305 APPLICABILITY 16
34.310 PILOT REQUIREMENTS 16
34.315 AIRCRAFT AIRWORTHINESS 16
34.320 REGISTRATION 16
34.325 AIRCRAFT DOCUMENTS 17
34.330 FUEL REQUIREMENTS 17
34.335 AIRCRAFT EQUIPMENT 17
34.340 AIRCRAFT MAINTENANCE 17
34.345 SAFETY EQUIPMENT 17

34.350 RIGHT-OF-WAY RULES....17
34.355 C L E A R A N C E BELOW CLOUD....17
34.360 M A X I M U M OPERATING ALTITUDE....17
34.365 M I N I M U M ALTITUDE....17
34.370 C O N D I T I O N S FOR FLIGHT....17
34.375 L A U N C H SITES....18
34.380 CALLSIGNS....18
34.385 TOWING A HANG GLIDER IN FLIGHT....18

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SUBPART A: GENERAL

34.001 CITATION & APPLICABILITY

(a) These regulations may be cited as Civil Aviation (Sport Aviation Operations) Regulations.

(b) This Part prescribes the requirements of the Republic of Rwanda for aircraft operated for sport aviation purposes and includes—

(1) regulations, additional to Civil Aviation Regulations (Operations of Aircraft, Air Operator Certification and Administration, and Instruments and Equipment) ; and

(2) exceptions from Civil Aviation Regulations (Operations of Aircraft, Air Operator Certification and Administration, and Instruments and Equipment), for specific sport aviation activities and

(3) the airworthiness and maintenance requirements for sport aviation aircraft.

(c) This Part is applicable to all persons and organizations participating in sport aviation operations.

(d) The following aircraft are identified for use in sport aviation—

(1) parasails;

(2) gyrogliders;

(3) microlight aircraft;

(4) gliders;

(5) hang gliders; and

(6) any other aircraft designated by the Authority as sport aviation.

(e) When another type of sport aviation operation is designated by the Authority, interim standards for that activity will be published and will have the same legal basis as this Part.

(f) The Civil Aviation Technical Standards (Sport Aviation) published by the Authority are applicable to the of the operations of sport aviation aircraft in the airspace of Rwanda.

34.005 DEFINITIONS

(a) When the following terms are used in this Part, they have the following meanings—

Class 1 microlight aircraft means a 1- seat aircraft with maximum take-off weight of 510kg.

Class 2 microlight aircraft means a 2 seat aircraft with maximum take-off weight of 600kg.

Danger area means a designated portion of airspace notified to operators that there is a potential danger to aircraft flying in the area. Glider—

(i) means a non-power-driven heavier-than-air aircraft that derives its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

(ii) includes a powered glider whether the engines are operating or not.

Gyro glider means a ground or water towed non-power-driven heavier-than air aircraft supported in flight by the reaction of the air on one or more rotors which rotate freely on substantially vertical axes, capable of carrying a person or persons.

Hang glider means a glider, including a powered glider, that is capable of being launched and landed solely by the use of the pilot's legs, and includes paragliders.

Low flying zones means a designated a portion of airspace where pilot training in low level manoeuvres may be conducted.

Microlight aircraft means a basic low performance aircraft designed to carry not more than 2 persons which meets low momentum parameters that are acceptable to the Authority.

Parasail means an aerodyne, having the general form of an open, circular parachute carrying a person or persons towed behind a vehicle or motorboat to sustain flight:

34.010 ACRONYMS & ABBREVIATIONS [RESERVED}

SUBPART B: GYROGLIDERS & PARASAILS

34.015 APPLICABILITY

(a) This Subpart prescribes regulations governing the operation of gyrogliders and parasails.

34.020 REGISTRATION

(a) A person must not operate a gyroglider or parasail unless it has been registered by the Authority.

34.025 RESTRICTED AREAS

(a) A person must not operate a gyroglider, or parasail within a restricted area unless the person has approval to do so from the administering authority responsible for the restricted area.

(b) A person must not operate a gyroglider or parasail within a designated military operating area unless the person has approval to do so from the administering authority responsible for the military operating area.

(c) A person must not operate a gyroglider or parasail within a designated danger area unless the person has established that the activity associated with the danger area will not affect the safety of the gyroglider or parasail.

34.030 LOW FLYING ZONES

(a) A person must not operate a gyroglider or parasail within a designated low flying zone.

34.035 CONTROLLED AIRSPACE

(a) A person must not operate a gyroglider, or parasail in controlled airspace without prior authorisation from the ATC unit responsible for that airspace.

34.040 HAZARD & RISK MINIMISATION

(a) No person may operate a gyroglider, or parasail over any congested area of a city, town, or settlement, or over any open air assembly of persons.

(b) A person operating a gyroglider, or parasail must take all practicable steps to minimize hazards to persons, property and other aircraft.

34.045 DROPPING OF ARTICLES

(a) A person operating a gyroglider, or parasail must not allow any object to be dropped in flight if such action creates a hazard to other persons or property.

34.050 AERODROMES

(a) A person must not operate a gyroglider or parasail on an aerodrome or within 5 km of an aerodrome boundary unless—

(1) at an uncontrolled aerodrome, the gyroglider or parasail is operated—

(i) in accordance with an aerodrome operator; and agreement with the

(ii) at a height not exceeding 400 feet AGL; or

(2) at a controlled aerodrome, the gyroglider or parasail is operated in accordance with an authorisation from the aerodrome air traffic control service.

(b) A person must not operate a gyroglider or parasail—

(1) on or over any aircraft movement area of an aerodrome; or

(2) on or over any active runway or runway strip area of an aerodrome.

34.055 AIRSPACE

(a) A person shall operate a gyroglider or parasail above a height of 500 feet AGL and must—
  (1) ensure that the gyroglider or parasail remains more than 5 km from any aerodrome boundary; and
  (2) operate in Class G airspace; and
  (3) provide the following information to the ATC unit responsible for that airspace and the NOTAM office at least 24 hours before the operation:
    (i) the name, address, and telephone number of the operator;
    (ii) the date, time, and duration of the operation;
    (iii) a brief description of the gyroglider or parasail (including size and predominant colour); and
    (iv) the height to which the gyroglider or parasail will be operated.

34.060 METEOROLOGICAL LIMITATIONS

(a) A person operating a gyroglider or parasail must—
  (1) not operate closer than 500 feet below cloud; and
  (2) limit operations to an area where the ground visibility is at least 5 km.

34.065 NIGHT OPERATIONS

(a) A person must not operate a gyroglider or parasail at night.

34.070 AIRWORTHINESS

(a) A person who operates a gyroglider or parasail must ensure that it is fit for the intended purpose and is maintained in an airworthy condition in accordance with the manufacturer's instruction.

34.075 SAFETY EQUIPMENT

(a) A person operating a gyroglider or parasail must ensure that each person carried by the gyroglider or parasail—
  (1) when flying over water, or within gliding distance of water, wears a positive buoyancy aid; and
  (2) wears a rigid protective helmet; and
  (3) is secured to the gyroglider or parasail by a harness.

34.080 PRE-FLIGHT BRIEFING

(a) A person operating a gyroglider or parasail must ensure that each person carried by the gyroglider or parasail receives a pre-flight briefing on—
  (1) the nature of the flight; and
  (2) the standard operating procedures; and
  (3) the emergency procedures including:
    (i) the location and use of emergency equipment;
    (ii) the procedures to be followed in the event of a water landing, or towline separation; and
    (iii) the method for communicating with the gyroglider or parasail operator if an emergency occurs.

34.085 EMERGENCY TOWLINE RELEASE

(a) A person must not release the towline of a gyroglider or a parasail in flight except in an emergency.

34.090 OPERATING PROCEDURES

(a) A person operating a gyroglider or parasail must do so in accordance with the operating procedures and limitations recommended by the manufacturer.

34.095 WIND SPEED

(a) A person operating a parasail must—
  (1) use a method or device to accurately determine and monitor the wind speed at the location where the parasailing operation is being conducted; and
  (2) not conduct a parasailing operation in conditions where the sustained wind speed exceeds 20 knots.

34.100 PASSENGER AGE LIMITATION

(a) A person operating a parasail must not—
  (1) perform a parasailing operation with an extended towline length of more than 300 feet, as measured from the winch drum to the parasail canopy yoke, when carrying any solo passenger who is below 12 years old; and
  (2) (perform a parasailing operation with a passenger carried by a parasail who is less than 12 years old unless the passenger is accompanied by another passenger who is at least 18 years old, and is able to assist the younger passenger if an emergency occurs.

SUBPART C: MICROLIGHT AIRCRAFT

34.105 APPLICABILITY

(a) This Subpart prescribes—
  (1) regulations, additional to Civil Aviation Regulations (Operations of Aircraft, Air Operator Certification and Administration, and Instruments and Equipment) for the operation of microlight aircraft; and
  (2) exceptions from Civil Aviation Regulations (Operations of Aircraft, Air Operator Certification and Administration, and Instruments and Equipment), for the operation of microlight aircraft; and
  (3) the airworthiness and maintenance requirements for microlight aircraft.

34.110 PILOT REQUIREMENTS

(a) Each person shall not act as the pilot of a microlight aircraft unless—
  (1) holds an appropriate current microlight pilot certificate with an appropriate type rating; or
  (2) holds a current pilot licence issued under Civil Aviation (Personnel Licensing) Regulations with an appropriate type rating; or
  (3) operates under the direct supervision of the holder of a microlight pilot instructor certificate

(b) (Each pilot shall comply with the privileges and limitations of the licence or certificate, and any applicable ratings.

34.115 FLIGHT INSTRUCTION

(a) No person shall exercise the privileges of a microlight flight instructor unless that person holds a type rating for the microlight aircraft being used, and holds the qualification being taught, and—
  (1) that person—
    (i) holds a microlight pilot instructor certificate; and
    (ii) complies with the procedures established in the operations manual of the

microlight operator controlling the operation; or

(2) that person—

(i) holds an instructor rating issued under Civil Aviation (Personnel Licensing) Regulations; and

(ii) has demonstrated competence in the piloting of a microlight aircraft to a microlight pilot instructor specified in (a).

34.120 FLIGHT RADIO OPERATOR LICENSE REQUIREMENTS

(a) A person operating a microlight aircraft must not use an aeronautical radiotelephone transceiver unless the person holds a pass in the flight radiotelephony written examination required under Civil Aviation (Personnel Licensing) Regulations, Regulation 7.240.

34.125 REGISTRATION

(a) A person must not operate a microlight aircraft unless it has been registered by the Authority

(b) Each applicant for the grant of a certificate of registration under Civil Aviation (Aircraft Registration and Marking) Regulations for a microlight aircraft shall provide the Authority with evidence that the aircraft meets a type design standard.

(c) Each operator of a microlight aircraft accepted for registration shall ensure that the aircraft continues to conform to the requirements of paragraph (b).

3.130 DOCUMENTS TO BE CARRIED

(a) The requirements of Civil Aviation (Operations of Aircraft) Regulations, Regulation 10.050 shall not apply to a person operating a microlight aircraft provided these documents are available to the pilot for pre-flight planning.

(b) No person shall operate a Class 2 microlight aircraft or a Class 1 microlight helicopter unless the flight permit required by Regulation 34.160(b) is carried in the aircraft.

34.135 PLACARDS

(a) Each operator of a Class 2 microlight aircraft shall ensure that a legible placard is installed in clear view of the pilot stating—

(1) the certificated or design gross weight, whichever is the lesser; and

(2) the maximum and minimum payload for the aircraft.

(b) Each operator of a Class 2 microlight aircraft shall ensure that a legible placard is installed in clear view of the seated passenger—

(1) with a title advising that the placard is a passenger warning; and

(2) stating that the aircraft does not require an airworthiness certificate.

34.140 FUEL REQUIREMENTS

(a) A person shall not commence a flight unless the aircraft carries sufficient fuel and oil including any reserve carried for contingencies to ensure that it can safely complete the flight taking into account both the meteorological conditions and any delays that are expected in flight.

34.145 MAXIMUM OPERATING ALTITUDE

(a) The pilot of a glider shall not operate a glider a maximum operating altitude of more than 3,000 feet AGL.

34.150 MINIMUM ALTITUDE

(a) A pilot of a microlight aircraft may operate a microlight aircraft below 500 feet AGL for the purpose of—

(1) microlight gyroplane circuit training, provided such operations are not carried out below 200 feet AGL; and

(2) practice for, and participation in, microlight aircraft competition flying, provided such operations are—

(i) conducted with the knowledge and approval of a microlight organisation; and

(ii) carried out in accordance with any conditions imposed by a microlight organisation; and

(iii) not carried out below 200 feet AGL.

34.155 FLIGHT CRITERIA

(a) A pilot shall only operate a microlight aircraft—

(1) by day; and

(2) in VFR meteorological minima.

(b) A pilot of a microlight aircraft shall not operate—

(1) over any congested area of a city, town, or settlement; or

(2) in controlled airspace or within 3 nautical miles (5.5 km) of an aerodrome unless—

(i) the pilot has gained a pass in the air law examination required by Civil Aviation (Personnel Licensing) Regulations, Regulation 7.280(a)); or

(ii) the pilot is under the direct supervision of the holder of a microlight pilot instructor certificate who meets the requirement of paragraph (b)(2)(i).

(c) A pilot shall not operate in accordance with paragraph (b)(2)(ii), and the supervising instructor shall not permit such an operation, unless—

(1) the instructor fully briefs the pilot on compliance with the regulations for the applicable airspace in which the aircraft will be operated; and

(2) a pre-flight briefing for the operation is obtained from ATS.

34.160 TOWING HANG GLIDERS

(a) Each pilot of a microlight aircraft towing a hang glider in flight shall hold at least an advanced microlight pilot certificate or a licence issued under Civil Aviation (Personnel Licensing) Regulations, and a microlight tow rating issued by a microlight organisation in the form of a statement of competence in their pilot logbook.

(b) The holder of an advanced microlight pilot certificate or a licence issued under Civil Aviation (Personnel Licensing) Regulations, is eligible for the issue of a microlight tow rating if the pilot—

(1) has at least 100 hours' flight time experience including—

(i) at least 80 hours as pilot-in-command of a microlight; and

(ii) at least 20 hours as the pilot of the type of microlight aircraft being used; and

(2) has been briefed on hang glider towing emergencies and procedures by the holder of a hang glider instructor certificate issued by the Authority operating within a hang glider organisation; and

(3) has been briefed on microlight towing emergencies and procedures by the holder of a microlight pilot instructor certificate.

(c) A pilot of a microlight aircraft shall not tow a hang glider in flight unless—

(1) the towing aircraft is of a type that is capable of controlled flight at speeds below the maximum

(2) permissible aero-tow speed prescribed in the specifications of the towed hang glider; and

(3) the towing aircraft complies with the equipment requirements of Regulation 34.200; and

(4) release mechanisms on both aircraft have been checked for serviceability prior to the first flight of the day.

34.165 CARRIAGE OF PASSENGERS

(a) A pilot must not carry another person in a microlight aircraft unless—
  (1) the pilot has been authorised by the Authority to do so; and
  (2) the aircraft is a Class 2 microlight aircraft;

34.170 REQUIREMENT FOR FLIGHT PERMIT

(a) The requirements of Civil Aviation (Operations of Aircraft) Regulations, Regulation 10.355(a)(1) do not apply to a person operating a microlight aircraft.
(b) A person must not fly a Class 2 microlight aircraft unless there is in force for the aircraft, a flight permit issued in accordance with these regulations.

34.175 APPLICATION FOR FLIGHT PERMIT

(a) Each applicant for a flight permit for a Class 2 microlight aircraft shall submit the information required by Regulation 34.170 to the Authority with a payment of the appropriate fee prescribed by the Authority.

34.180 ISSUE OF FLIGHT PERMIT

(a) The Authority may issue a microlight flight permit for Class 2 microlight aircraft if—
  (1) the applicant for the flight permit provides documented evidence that—
    (i) a microlight flight permit, or equivalent document acceptable to the Authority, has been issued for the type by the competent authority of an ICAO Contracting State; or
    (ii) the aircraft conforms to a type design complies with 1 of the following standards—
      (A) European Aviation Safety Agency (EASA): CS-VLA
      (B) LAMAC and Transport Canada: DS 10141E Issue 002;
      (C) any other equivalent standard acceptable to the Authority; or
    (iii) 6 or more aircraft of the type have been operated and the aircraft type has achieved a documented satisfactory airworthiness history of at least 150 hours of flight including at least 50 hours of flight on one aircraft; or
  (2) the applicant provides—
    (i) satisfactory evidence that the aircraft complies with every applicable requirement prescribed under Civil Aviation Regulations (Aircraft Registration and Marking, Operations of Aircraft), and these regulations; and
    (ii) a statement of hours flown by the aircraft both in total and since any previous flight permit or equivalent document was issued; and)
    (iii) a statement that any inspection, replacement, overhaul, or other maintenance of the microlight aircraft or its engine or engine components that is considered mandatory by the manufacturer has been complied with; and
  (3) the aircraft has been inspected by a person authorised by the Authority and that person has certified that the aircraft has no hazardous design features.
(b) A microlight flight permit remains in force for 1 year.

34.185 MODIFICATION

(a) Where a Class 2 microlight is modified in any manner that may affect the airworthiness of the aircraft, the operator shall ensure Regulation 34.170 before further flight.

34.190 MAINTENANCE & INSPECTION REQUIREMENTS

(a) An operator of a microlight aircraft must ensure that—
  (1) the aircraft is maintained in an airworthy condition; and
  (2) every applicable airworthiness directive is complied with; and

(3) between required inspections, every defect is rectified.

(b) An operator of a microlight aircraft that meets a type design standard listed in Regulation 34.170(a)(1), must ensure that the aircraft is maintained in accordance with the designer or kitset manufacturer maintenance requirements.

(c) Subject to paragraphs (d) and (f), a person must not operate a microlight aircraft unless—

(1) an annual inspection of the conditions of the aircraft has been carried out within the preceding 12 months; and

(2) the requirements of Regulation 34.180(a)(2) are complied with

(d) The annual condition inspection required by paragraph (c)(1) must be—

(1) performed by—

(i) a person authorised by a microlight organisation to perform annual condition inspections; or

(ii) the Authority; or

(iii) a person who holds a current aircraft maintenance engineer licence with appropriate aircraft and engine group ratings issued in accordance with JAR Part 66; and

(2) acceptable to the Authority with regard to the items and components inspected.

(e) The person who performs the annual condition inspection required by paragraph (c)(1) must, if the person finds the aircraft to be in an airworthy condition, —

(1) certify in an inspection form that the aircraft is airworthy; and

(i) permanently affix the inspection form required under (a) to the aircraft in a prominent place adjacent to the point of entry; and

(ii) retain a copy of the inspection form required under (a) as a record of the certification; and

(iii) for a class 2 microlight aircraft, enter the details of the certification in the applicable maintenance record.

(f) The aircraft inspection form required under paragraph (e)(1) must include the—

(1) aircraft registration markings; and

(2) aircraft type; and

(3) due date for the next annual condition inspection; and

(4) date, signature, and licence or certificate number of the engineer or inspector who carried out the annual condition inspection.

(g) If the annual condition inspection that is required under paragraph (c)(1) shows that the aircraft is not airworthy, the operator of the aircraft must not permit the aircraft to be flown until it has been reinspected and certified as airworthy in accordance with paragraphs (d), (e), and (f).

34.195 INSTRUMENT & EQUIPMENT REQUIREMENTS

(a) Each operator of a microlight aircraft shall equip the aircraft with—

(1) instruments and equipment required—

(i) to conform with the aircraft type design; and

(ii) by the aircraft designer or kit manufacturer; and

(2) the means of indicating—

(i) airspeed; and

(ii) altitude in feet; and

(iii) magnetic heading.

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34.200 HANG GLIDER TOWING AIRCRAFT

(a) Each person operating a microlight aircraft towing a hang glider in flight shall, in addition to Regulation 34.195, ensure that—

(1) the aircraft is equipped with—

(i) a towing installation enabling the tow pilot to release the tow rope at any time, comprising a tow hook and attachment assembly which meets the aircraft's design standard; and

(ii) a rear vision mirror; and

(iii) a tow line, which has a weak link incorporated at the tow plane end, with a breaking strength of not more than 100 kg; and

(2) the hang glider is equipped with a quick release mechanism for hang glider pilot activation with a simple and positive releasing action with tow rope loads of up to 100 kg rearward from the tow hook within a cone of 45 degrees upwards, 30 degrees downwards, and 30 degrees sideways.

SUBPART D: GLIDERS

34.205 PURPOSE

(a) This Subpart prescribes—

(1) regulations, additional to Civil Aviation (Operations of Aircraft) Regulations, for the operation of gliders; and

(2) regulations, additional to Civil Aviation (Airworthiness) Regulations, for the maintenance of gliders; and

(3) exceptions from Civil Aviation (Operations of Aircraft)

(4) Regulations for the operation of gliders; and

(5) exceptions from Civil Aviation (Airworthiness) Regulations for the maintenance of gliders.

(b) This Subpart does not apply to hang gliders.

34.210 PILOT REQUIREMENTS

(a) A pilot of a glider must—

(1) hold—

(i) a current glider pilot certificate; or

(ii) a current private pilot licence (glider) issued in accordance with Civil Aviation (Personnel Licensing) Regulations; or

(iii) a current commercial pilot licence (glider) issued in accordance with Civil Aviation (Personnel Licensing) Regulations; and

(2) be—

(i) at least 21 years of age; or

(ii) individually authorised for each flight by glider instructor; and

(3) comply with the privileges and limitations of the pilot licence or pilot certificate, and any applicable rating; and

(4) comply with the operational standards and procedures of a gliding organisation.

(b) Notwithstanding paragraph (a), a person may act as a pilot of a glider without complying with paragraph (a)(1), (2), and (3) if the person acts as a pilot of the glider under the direct supervision of the holder of an instructor rating issued by the Authority.

(c) No person may operate a glider over any congested area of a city, town, or settlement, or over any open air assembly of persons.

34.215 TEST FLIGHTS

(a) The holder of a current glider pilot certificate and an applicable type rating may act as pilot-in-command of a glider that is operated in accordance with Civil Aviation (Airworthiness) Regulations, Regulation 4.085 for the purpose of demonstrating the eligibility of the glider for the issue, renewal, or reinstatement of an airworthiness certificate.

(b) The holder of a glider pilot certificate and an applicable type rating may perform an operational flight check of a glider under Civil Aviation (Airworthiness) Regulations, Regulation 4.085 if the glider requires an operational flight check.

34.220 FLIGHT MANUALS

(a) A person may operate a glider without carrying a flight manual in the glider if—
  (1) the flight manual is available to the pilot for pre-flight planning; and
  (2) cockpit decals provide the reference information necessary for a pilot to safely operate the glider.

34.225 SIMULATED INSTRUMENT FLIGHT

(a) The holder of a glider pilot certificate may act as a safety pilot in a glider for the purpose of simulated instrument flight.

34.230 GROUND SIGNAL

(a) If a ground signal is used to indicate that gliding operations are taking place, that signal shall consist of a large white arrow pointing in the direction of take-off and landing.

34.235 RIGHT OF WAY RULES

(a) The pilot of a glider soaring on a ridge, where the ridge is to the right of the glider, shall not be required to turn right when approaching another glider head on.

(b) The pilot of a glider overtaking another glider soaring on a ridge shall pass on the ridge side of the glider being overtaken.

(c) Where two gliders are on final landing approach, the pilot of the higher performance glider shall give way to the lower performance glider.

34.240 INSTRUMENT METEOROLOGICAL CONDITIONS

(a) The pilot of a glider may fly in IMC if the flight is conducted within—
  (1) a restricted area designated for cloud flying; or
  (2) Class G airspace and the pilot confirms with the appropriate ATS unit at intervals not exceeding 15 minutes that there is no known IFR traffic in or near the proposed area of cloud flying.

34.245 CLEARANCE BELOW CLOUD

(a) The pilot of a glider shall fly no closer than 500 feet below cloud within Class E or G airspace.

34.250 FUEL REQUIREMENTS

(a) A person shall not commence a flight unless the aircraft carries sufficient fuel and oil including any reserve carried for contingencies to ensure that it can safely complete the flight taking into account both the meteorological conditions and any delays that are expected in flight.

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34.255 MAXIMUM OPERATING ALTITUDE

(a) The pilot of a glider shall not operate a glider at a maximum operating altitude of more than 3,000 feet AGL.

34.260 MINIMUM ALTITUDE

(a) The pilot of a glider may operate the glider below a height of 500 feet above the surface—
  (1) for ridge soaring, if the flight does not create a hazard to a person or property on the ground; or
  (2) if a gliding instructor is conducting launch failure training.

34.265 VFR CRUISING ALTITUDE & FLIGHT LEVEL

(a) The pilot of a glider shall not be required to maintain the cruising altitude or flight level for their magnetic track.

34.270 AIRCRAFT EQUIPMENT

(a) A person shall not operate a glider unless the following equipment and operative instruments are installed—
  (1) an airspeed indicator; and
  (2) a pressure sensitive altimeter adjustable for barometric pressure; and
  (3) a magnetic compass; and
  (4) a safety harness for each seat; and
  (5) a first aid kit; and
  (6) for powered gliders—
    (i) a quantity gauge for each main fuel tank; and
    (ii) an oil pressure gauge or warning device for each engine other than a two-stroke engine; and
    (iii) a tachometer, RPM indicator, or engine governor light for each engine; and
  (7) for IMC flight—
    (i) a variometer; and
    (ii) a turn and slip indicator or artificial horizon; and
    (iii) a radio communications transceiver that is capable of communication with the appropriate ATS unit.

34.275 GENERAL MAINTENANCE REQUIREMENTS

(a) An operator of a glider must ensure that—
  (1) the glider is maintained in an airworthy condition; and
  (2) every applicable airworthiness directive is complied with; and
  (3) the glider is inspected in accordance with—
    (i) these regulations; and
    (ii) the applicable requirements; and
  (4) mandatory replacement times, inspection intervals, and related procedures specified in the airworthiness limitations of the manufacturer's maintenance manual or instructions for continued airworthiness issued for the glider are complied with; and
  (5) between required inspections, a defect is rectified in accordance with Civil Aviation (Airworthiness) Regulations.

34.280 MAINTENANCE INSPECTIONS

(a) A person must not operate a glider unless, within the preceding 12 months, the glider—
  (1) has been inspected in accordance with a maintenance programme required under Regulation 34.270 and has been certified for released-to-service in accordance with Civil Aviation (Airworthiness) Regulations; or
  (2) has passed an inspection for the issue of an airworthiness certificate.

34.285 MAINTENANCE PROGRAMMES

(a) An operator of a glider must maintain the glider, including the airframe, any engine or propeller, component, survival equipment, and emergency equipment, in accordance with the applicable requirements prescribed in Civil Aviation (Operations of Aircraft) Regulations, Subpart B and—
  (1) the current maintenance schedule recommended by the manufacturer; or
  (2) a maintenance programme—
    (i) Authorised by a gliding organisation in accordance with Regulation 34.275 and the applicable procedures in the gliding organisation's exposition; or
    (ii) Approved by the Authority in accordance with Regulation 34.275.

34.290 AUTHORISATION & APPROVAL OF MAINTENANCE PROGRAMME

(a) An operator of a glider who wishes to maintain the glider in accordance with a maintenance programme under Regulation 34.275 must submit the programme in writing to a gliding organisation for authorisation or, to the Authority for approval.

(b) The programme required under Regulation 34.285(a) must include the following information:
  (1) A statement as to whether or not the glider is to be used for a training operation:
  (2) A schedule for performing the inspections proposed by the programme expressed in terms of the time in service, calendar time, or any combination of these:
  (3) Instructions and procedures for the conduct of maintenance for the particular make and model of the glider, including necessary tests and checks. The instructions and procedures must detail the parts and areas of the airframe, engine, propeller and component, including survival and emergency equipment, required to be inspected.

(c) If the operator of a glider amends the maintenance programme that is authorised or approved under paragraph (a), the operator must apply the time-in-service or calendar times accumulated under the previous programme when determining inspection due times under the new programme.

(d) An operator of a glider who maintains the glider in accordance with a maintenance programme required under 34.285(a)(2) must amend the maintenance programme in accordance with any instruction issued by the gliding organisation that authorised the programme, or the Authority, if the gliding organisation or the Authority determines that an amendment is required to ensure the continued adequacy of the programme.

34.295 TECHNICAL LOG

(a) Each operator of a glider shall provide a technical log for the aircraft which has provision for recording—
  (1) The name and address of the operator; and
  (2) The identity of the maintenance programme to which the glider is maintained; and
  (3) A statement of the inspection status of the glider including the identity of the next due inspection and the date of that inspection; and
  (4) The date the last annual review of airworthiness was performed; and
  (5) The daily hours flown including the total time in service; and
  (6) The pilot daily inspection signature; and

(7) The first and second control check signatures after rigging; and
(8) Any defects found by the pilot during or following a flight; and
(9) Details of rectification of defects occurring between scheduled inspections and the certificate of release to service for that rectification; and
(10) Details of any deferred rectification including any inoperative equipment allowed to be inoperative under Civil Aviation (Operations of Aircraft) Regulations, Regulation 10.030.

(b) The operator shall record the information specified in paragraph (a) in the technical log and ensure that the information is current, except that the daily hours flown, and total time in service, may be recorded in daily flying sheets that are of a permanent nature.

34.300 PILOT MAINTENANCE

(a) Notwithstanding Civil Aviation (Airworthiness) Regulations, Regulation 4.125, a person who holds a current glider pilot certificate may perform the maintenance listed in Appendix 1 to 4.140 of the Civil Aviation (Airworthiness) Regulations on a glider if the person is the owner or operator of the glider.

(b) A person who performs maintenance on a glider under paragraph (a) may certify the glider for release-to- service after performing the maintenance.

SUBPART E: HANG GLIDERS

34.305 APPLICABILITY

(a) This Part prescribes—
(1) Regulations; additional to Civil Aviation (Operations of Aircraft) Regulations, for the operation of hang gliders; and
(2) exceptions from Civil Aviation (Operations of Aircraft) Regulations, for the operation of hang gliders.

34.310 PILOT REQUIREMENTS

(a) A pilot of a hang glider must—
(1) be a bonafide member of a hang gliding organisation; and
(2) hold an appropriate hang glider pilot certificate; and
(3) comply with the privileges and limitations of his or her pilot certificate and any applicable ratings; and
(4) comply with the operational standards and procedures of the hang gliding organisation.

(b) Despite paragraph (a)(2), a person who does not hold an appropriate hang glider pilot certificate may operate a hang glider under the direct supervision of the holder of a hang glider instructor certificate issued by a hang gliding organisation referred to in paragraph (a)(1).

34.315 AIRCRAFT AIRWORTHINESS

(a) Hang gliders and their component parts and equipment are not required to meet the airworthiness certification standards specified for aircraft or to have certificates of airworthiness.

34.320 REGISTRATION

(a) A person must not operate a hang glider unless it has been registered by the Authority.

(b) A pilot shall not operate a hang glider unless it is identified by a hang glider identification mark.

34.325 AIRCRAFT DOCUMENTS

(a) The requirements of Civil Aviation (Operations of Aircraft) Regulations, Regulation10.020 shall not apply to a person operating a microlight aircraft provided these documents are available to the pilot for pre-flight planning.

34.330 FUEL REQUIREMENTS

(a) A person shall not commence a flight unless the aircraft carries sufficient fuel and oil including any reserve carried for contingencies to ensure that it can safely complete the flight taking into account both the meteorological conditions and any delays that are expected in flight.

34.335 AIRCRAFT EQUIPMENT

(a) Each person operating a hang glider shall be equipped with an altimeter that shows height above the ground to an accuracy of 100 feet.

34.340 AIRCRAFT MAINTENANCE

(a) Each person operating a hang glider shall ensure that the hang glider is maintained in an airworthy condition at all times and the hang glider has a current certificate of fitness issued by a qualified person.

34.345 SAFETY EQUIPMENT

(a) Each pilot and passenger of a hang glider shall wear a—
  (1) serviceable rigid protective helmet conforming to the standards of a hang glider manufacture; and
  (2) a harness of a type conforming to the standards of a hang glider manufacturer.

34.350 RIGHT-OF-WAY RULES

(a) A pilot of a hang glider soaring on a ridge, where the ridge is to the right of the hang glider, is not required to turn right when approaching another hang glider head on.

(b) A pilot of a hang glider overtaking another hang glider soaring on a ridge shall pass on the ridge side of the hang glider being overtaken.

34.355 C L E A R A N C E BELOW CLOUD

(a) A person shall fly a hang glider no closer than 500 feet below cloud in—
  (1) Class G airspace; or
  (2) Class E airspace, except in transponder-mandatory airspace.

34.360 M A X I M U M OPERATING ALTITUDE

(a) The pilot of a glider shall not operate a glider a maximum operating altitude of more than 3,000 feet AGL.

34.365 M I N I M U M ALTITUDE

(a) A person may fly a hang glider below a height of 500 feet for ridge soaring, if such flight does not hazard persons or property on the ground.

34.370 C O N D I T I O N S FOR FLIGHT

(a) A person shall not fly a hang glider at night.

34.375 L A U N C H SITES

(a) Each pilot of a hang glider shall only launch the hang glider from a launch site authorised by the Authority.

(b) No person may operate a hang glider over any congested area of a city, town, or settlement, or over any open air assembly ofpersons.

34.380 CALLSIGNS

(a) Each pilot of a hang glider shall use their pilot identification number for all two-way radio communications with ATS.

34.385 TOWING A HANG GLIDER IN FLIGHT

(a) A person, other than the pilot of a microlight aircraft, must not tow a hang glider in flight.

END OF RCAR PART 34

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº 04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXV W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXV TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXV A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 35
Registration of Interest in Mobile Equipment on Matters Specific to Aircraft Equipment

SUBPART A: GENERAL 4
35.001 CITATION & APPLICABILITY 4
35.005 DEFINITIONS 4
35.010 THE INTERNATIONAL INTEREST 6
35.013 SPHERE OF APPLICATION 7
35.015 WHERE DEBTOR OR SELLER IS SITUATED 7
35.020 INTERPRETATION AND APPLICABLE LAW 7
35.023 APPLICATION TO SALE AND PROSPECTIVE SALE 8
35.025 REPRESENTATIVE CAPACITIES 8
35.030 COMPLETION OF DOCUMENTS & POWER OF ATTORNEY 8
35.035 REGISTER OF AIRCRAFT MORTGAGES 8
35.040 DESCRIPTION OF AIRCRAFT OBJECTS 9
35.045 CHOICE OF LAW 9
SUBPART B: CONSTITUTION OF AN INTERNATIONAL INTEREST; CONTRACTS OF SALE 9
35.050 FORMAL REQUIREMENTS 9
35.055 FORMALITIES AND EFFECTS OF CONTRACTS OF SALE 10
SUBPART C: DEFAULT REMEDIES 10
35.060 REMEDIES OF CHARGEE 10
35.065 VESTING OF AIRCRAFT OBJECT IN SATISFACTION; REDEMPTION 10
35.070 REMEDIES OF CONDITIONAL SELLER OR LESSOR 11
35.075 ADDITIONAL REMEDIES OF CREDITOR 11
35.080 ADDITIONAL REMEDIES UNDER APPLICABLE LAW 12
35.085 MEANING OF DEFAULT 12
35.090 DEBTOR PROVISIONS 12
35.095 STANDARD FOR EXERCISING REMEDIES 12
35.100 RELIEF PENDING FINAL DETERMINATION 12
35.105 PROCEDURAL REQUIREMENTS; NON–JUDICIAL REMEDIES 13
35.110 DEROGATION 13
35.115 REMEDIES ON INSOLVENCY 13
35.120 INSOLVENCY ASSISTANCE 14
35.125 DEREGISTRATION AND EXPORT REQUEST AUTHORISATION 14
SUBPART D: REGISTRATIONS IN THE INTERNATIONAL REGISTRATION SYSTEM 15
35.130 MEANS AND EFFECT OF REGISTRATION 15
SUBPART E: MODALITIES OF REGISTRATION 15
35.135 VALIDITY AND TIME OF REGISTRATION 15

35.140 CONSENT TO REGISTRATION 16
35.145 DURATION OF REGISTRATION 16
35.150 SEARCHES 16
35.155 EVIDENTIARY VALUE OF CERTIFICATES 17
35.160 DISCHARGE OF REGISTRATION 17
SUBPART F: RECOGNITION OF CERTAIN PRIVILEGES AND IMMUNITIES OF THE SUPERVISORY AUTHORITY AND THE REGISTRAR 17
35.165 LEGAL PERSONALITY; IMMUNITY 17
SUBPART G: RECOGNITION OF LIABILITY OF THE REGISTRAR 18
35.170 STANDARD AND EXTENT OF LIABILITY 18
SUBPART H: EFFECTS OF AN INTERNATIONAL INTEREST AS AGAINST THIRD PARTIES 18
35.175 PRIORITY OF COMPETING INTERESTS 18
35.180 EFFECTS OF INSOLVENCY 19
SUBPART I: ASSIGNMENTS OF ASSOCIATED RIGHTS AND INTERNATIONAL INTERESTS; RIGHTS OF SUBROGATION 19
35.185 EFFECTS OF ASSIGNMENT 19
35.190 FORMAL REQUIREMENTS OF ASSIGNMENT 19
35.195 DEBTOR'S DUTY TO ASSIGNEE 20
35.200 DEFAULT REMEDIES IN RESPECT OF ASSIGNMENT BY WAY OF SECURITY 20
35.205 PRIORITY OF COMPETING ASSIGNMENTS 20
35.210 ASSIGNEE'S PRIORITY WITH RESPECT TO ASSOCIATED RIGHTs 20
35.215 EFFECTS OF ASSIGNOR'S INSOLVENCY 21
35.220 SUBROGATION 21
SUBPART J: NON–CONSENSUAL RIGHT OR INTEREST 21
35.225 PRIORITY NON–CONSENSUAL RIGHT OR INTEREST 21
35.230 REGISTRABLE NON– CONSENSUAL RIGHT OR INTEREST 21
SUBPART K: JURISDICTION 21
35.235 CHOICE OF FORUM 21
35.240 JURISDICTION UNDER REGULATION 21 22
35.245 JURISDICTION TO MAKE ORDERS AGAINST THE REGISTRAR 22
35.250 WAIVERS OF SOVEREIGN IMMUNITY 22
35.255 JURISDICTION IN RESPECT OF INSOLVENCY PROCEEDINGS 22
SUBPART L: RELATIONSHIP WITH OTHER LEGISLATION 22
35.260 LEGISLATION IMPLEMENTING THE UNITED NATIONS CONVENTION ON THE INTERNATIONAL TRADE 22
35.265 LEGISLATION IMPLEMENTING THE CONVENTION ON THE INTERNATIONAL RECOGNITION 23
35.270 LEGISLATION IMPLEMENTING THE CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO THE PRECAUTIONARY ATTACHMENT OF AIRCRAFT 23
35.275 LEGISLATION IMPLEMENTING THE UNIDROIT CONVENTION ON INTERNATIONAL FINANCIAL LEASING 23

SUBPART M: FINAL PROVISIONS 23
35.280 REGISTRATION OF INTEREST CERTIFICATE 23
35.285 FEES 23
35.290 TRANSITIONAL PROVISIONS 23

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SUBPART A: GENERAL

35.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Registration of Interest in Mobile Equipment on Matters Specific to Aircraft Equipment) Regulations Part 35.

(b) This Part prescribes the requirements for with the aim to reduce the cost of raising finance by—

(1) providing for the creation and registration of an "international interest" (such as a mortgage or lease).

(2) remedies available to creditors should there be a default by an airline or other business.

(c) These Regulations shall apply when, at the time of the conclusion of the agreement creating or providing for the international interest or a contract of sale, the debtor or seller, as applicable, is situated in a Member State.

(d) The fact that the creditor or buyer is situated in a non–Member State shall not affect the applicability of these Regulations.

(e) Civil Aviation Technical Standards (Registration of Interest) published by the Authority shall also be applicable to the operational control of aircraft operations.

35.005 DEFINITIONS

In these regulations a word or expression to which a meaning has been assigned in the Law Establishing Regulations Governing Civil Aviation, shall have the meaning so assigned to it, and unless the context otherwise indicates—

"agreement" means a security agreement, a title reservation agreement or a leasing agreement;

"aircraft" means aircraft as defined for the purposes of the Chicago Convention which are either airframes with aircraft engines installed thereon or helicopters;

"aircraft engines" means aircraft engines (other than those used in military, customs or police services) powered by jet propulsion or turbine or piston technology and:

(i) in the case of jet propulsion aircraft engines, have at least 1750 lb of thrust or its equivalent; and

(ii) in the case of turbine-powered or piston-powered aircraft engines, have at least 550 rated take-off shaft horsepower or its equivalent, together with all modules and other installed, incorporated or attached accessories, parts and equipment and all data, manuals and records relating thereto;

"aircraft objects" means airframes, aircraft engines and helicopters;

"aircraft register" means a register maintained by a State or a common mark registering authority for the purposes of the Chicago Convention;

"airframes" means airframes (other than those used in military, customs and police services) that, when appropriate aircraft engines are installed thereon, are type certified by the competent aviation authority to transport:

(i) at least eight (8) persons including crew; or

(ii) goods in excess of 2750 kilograms, together with all installed, incorporated or attached accessories, parts and equipment (other than aircraft engines), and all data, manuals and records relating thereto;

"assignment" means a contract which, whether by way of security or otherwise, confers on the assignee associated rights with or without a transfer of the related international interest;

"associated rights" means all rights to payment or other performance by a debtor under an agreement which are secured by or associated with the aircraft object;

"authorised party" means the party referred to in Regulation 25.125(c);

"Chicago Convention" means the Convention on International Civil Aviation, signed at Chicago on 7 December 1944, as amended, and its Annexes;

"commencement of the insolvency proceedings" means the time at which the insolvency proceedings are deemed to commence under the applicable insolvency law;

"common mark registering authority" means the authority maintaining a register in accordance with Article 77 of the Chicago Convention as implemented by the Resolution adopted on 14 December 1967 by the Council of the International Civil Aviation Organization on nationality and registration of aircraft operated by international operating agencies;

"conditional buyer" means a buyer under a title reservation agreement;
"conditional seller" means a seller under a title reservation agreement;
"contract of sale" means a contract for the sale of an aircraft object by a seller to a buyer which is not an agreement as defined under agreement above;
"court" means a court of law or an administrative or arbitral tribunal established by a Contracting State;
"creditor" means a chargee under a security agreement, a conditional seller under a title reservation agreement or a lessor under a leasing agreement;
"debtor" means a chargor under a security agreement, a conditional buyer under a title reservation agreement, a lessee under a leasing agreement or a person whose interest in an aircraft object is burdened by a registrable non-consensual right or interest;
"de-registration of the aircraft" means deletion or removal of the registration of the aircraft from its aircraft register in accordance with the Chicago Convention;
"guarantee contract" means a contract entered into by a person as guarantor;
"guarantor" means a person who, for the purpose of assuring performance of any obligations in favour of a creditor secured by a security agreement or under an agreement, gives or issues a suretyship or demand guarantee or a standby letter of credit or any other form of credit insurance;
"helicopters" means heavier-than-air machines (other than those used in military, customs or police services) supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes and which are type certified by the competent aviation authority to transport:

(i) at least five (5) persons including crew; or
(ii) goods in excess of 450 kilograms,

together with all installed, incorporated or attached accessories, parts and equipment (including rotors), and all data, manuals and records relating thereto;
"insolvency administrator" means a person authorised to administer the reorganisation or liquidation, including one authorised on an interim basis, and includes a debtor in possession if permitted by the applicable insolvency law;
"insolvency proceedings" means bankruptcy, liquidation or other collective judicial or administrative proceedings, including interim proceedings, in which the assets and affairs of the debtor are subject to control or supervision by a court for the purposes of reorganisation or liquidation;
"insolvency-related event" means:

(i) the commencement of the insolvency proceedings; or
(ii) the declared intention to suspend or actual suspension of payments by the debtor where the creditor's right to institute insolvency proceedings against the debtor or to exercise remedies under this Convention is prevented or suspended by law or State action;

"interested persons" means:

(i) the debtor;
(ii) any guarantor;
(iii) any other person having rights in or over the aircraft object;

"internal transaction" means a transaction of a type listed in Article 2(2)(a) to (c) where the centre of the main interests of all parties to such transaction is situated, and the relevant aircraft object under Article 3(4) is located, in the same Contracting State at the time of the conclusion of the contract and where the interest created by the transaction has been registered in a national registry in that Contracting State which has made a declaration under Article 66(1);
"international interest" means an interest held by a creditor to which Article 2 applies;
"International Registry" means the international registration facilities established for the purposes of this Convention;
"leasing agreement" means an agreement by which one person (the lessor) grants a right to possession or control of an aircraft object (with or without an option to purchase) to another person (the lessee) in return for a rental or other payment;
"national interest" means an interest held by a creditor in an aircraft object and created by an internal transaction covered by a declaration under Article 66(1);
"non-consensual right or interest" means a right or interest conferred under the law of a Contracting State which has made a declaration under Article 52 to secure the performance of an obligation, including an obligation to a State, State entity or an intergovernmental or private organisation;

"notice of a national interest" means notice registered or to be registered in the International Registry that a national interest has been created;
"pre-existing right or interest" means a right or interest of any kind in or over an aircraft object created or arising before the effective date of this Convention as defined by Article 76(2)(a);
"primary insolvency jurisdiction" means the Contracting State in which the centre of the debtor's main interests is situated, which for this purpose shall be deemed to be the place of the debtor's statutory seat or, if there is none, the place where the debtor is incorporated or formed, unless proved otherwise;
"proceeds" means money or non-money proceeds of an aircraft object arising from the total or partial loss or physical destruction of the aircraft object or its total or partial confiscation, condemnation or requisition;
"prospective assignment" means an assignment that is intended to be made in the future, upon the occurrence of a stated event, whether or not the occurrence of the event is certain;
"prospective international interest" means an interest that is intended to be created or provided for in an aircraft object as an international interest in the future, upon the occurrence of a stated event (which may include the debtor's acquisition of an interest in the aircraft object), whether or not the occurrence of the event is certain;
"prospective sale" means a sale which is intended to be made in the future, upon the occurrence of a stated event, whether or not the occurrence of the event is certain;
"RCATS" means Rwanda Civil Aviation Standards issued by the Rwanda Civil Aviation Authority;
"registered" means registered in the International Registry pursuant to Subpart E;
"registered interest" means an international interest, a registrable non-consensual right or interest or a national interest specified in a notice of a national interest registered pursuant to Subpart E;
"registrable non-consensual right or interest" means a non-consensual right or interest registrable pursuant to a declaration deposited under Article 53;
"Registrar" means the person or body appointed under Articles 27(4)(b) and 28;
"registry authority" means the national authority or the common mark registering authority, maintaining an aircraft register in a Contracting State and responsible for the registration and de-registration of an aircraft in accordance with the Chicago Convention;
"regulations" means regulations made or approved by the Supervisory Authority pursuant to this Convention;
"sale" means a transfer of ownership of an aircraft object pursuant to a contract of sale;
"secured obligation" means an obligation secured by a security interest;
"security agreement" means an agreement by which a chargor grants or agrees to grant to a chargee an interest (including an ownership interest) in or over an aircraft object to secure the performance of any existing or future obligation of the chargor or a third person;
"security interest" means an interest created by a security agreement;
"State of registry" means, in respect of an aircraft, the State on the national register of which an aircraft is entered or the State of location of the common mark registering authority maintaining the aircraft register;
"Supervisory Authority" means the Supervisory Authority referred to in Regulation 35.165;
"title reservation agreement" means an agreement for the sale of an aircraft object on terms that ownership does not pass until fulfilment of the condition or conditions stated in the agreement;
"unregistered interest" means a consensual interest or non-consensual right or interest (other than an interest to which Article 52 applies) which has not been registered, whether or not it is registrable under this Convention; and
"writing" means a record of information (including information communicated by teletransmission) which is in tangible or other form and is capable of being reproduced in tangible form on a subsequent occasion and which indicates by reasonable means a person's approval of the record.

35.010 THE INTERNATIONAL INTEREST

(a) These Regulations provide for the constitution and effects of an international interest in aircraft objects and associated rights.

(b) For the purposes of these Regulations, an international interest in aircraft objects is an interest, constituted under regulation 35.050, in airframes, aircraft engines or helicopters:

(1) granted by the chargor under a security agreement;

(2) vested in a person who is the conditional seller under a title reservation agreement; or

(3) vested in a person who is the lessor under a leasing agreement.

(c) An interest falling within paragraph (b)(1) shall not also fall within paragraph (b)(2) or b (3).

(d) An international interest in an aircraft object extends to proceeds of that aircraft object.

35.013 SPHERE OF APPLICATION

(a) This Part applies when, at the time of the conclusion of the agreement creating or providing for the international interest, the debtor is situated in a Contracting State.

(b) The fact that the creditor is situated in a non-Contracting State does not affect the applicability of this Part.

(c) Without prejudice to paragraph (a) of this Article, this Regulation shall also apply in relation to a helicopter, or to an airframe pertaining to an aircraft, registered in an aircraft register of a Contracting State which is the State of registry, and where such registration is made pursuant to an agreement for registration of the aircraft it is deemed to have been effected at the time of the agreement.

(d) For the purposes of the definition of internal transaction in Regulation 35.005 of this Part:

(1) an airframe is located in the State of registry of the aircraft of which it is a part;

(2) an aircraft engine is located in the State of registry of the aircraft on which it is installed or, if it is not installed on an aircraft, where it is physically located; and

(3) a helicopter is located in its State of registry,

at the time of the conclusion of the agreement creating or providing for the interest.

35.015 WHERE DEBTOR OR SELLER IS SITUATED

(a) For the purposes of Regulation 35.013(a), the debtor or seller is situated in any Contracting State:

(1) under the laws of which it is incorporated or formed;

(2) where it has its registered office or statutory seat;

(3) where it has its centre of administration; or

(4) where it has its place of business.

(b) A reference in sub regulation (a) (4) to the debtor's place of business shall, if it has more than one place of business, mean its principal place of business or, if it has no place of business, its habitual residence.

35.020 INTERPRETATION AND APPLICABLE LAW

(a) In the interpretation of this Part, consideration shall be made to its purposes as set forth in the preamble to the Cape Town Convention, to its international character and to the need to promote uniformity and predictability in its application.

(b) Questions concerning matters governed by these Regulations which are not expressly settled in it are to be settled in conformity with the general principles on which it is based or, in the absence of such principles, in conformity with the applicable law.

(c) Any references to the applicable law shall mean domestic rules applicable by virtue of rules of private international law of the forum State.

35.023 APPLICATION TO SALE AND PROSPECTIVE SALE

(a) The following provisions of this Part apply as if references to an agreement creating or providing for an international interest were references to a contract of sale and as if references to an international interest, a prospective international interest, the debtor and the creditor were references to a sale, a prospective sale, the seller and the buyer, respectively:

(1) Regulation 35.013 and 35.015;

(2) Regulation 35.135(d);

(3) Regulation 35.140(a) {as regards registration of a contract of sale or a prospective sale};

(4) Regulation 35.160(b) {as regards a prospective sale}; and

(5) Regulation 35.180.

(b) In addition, the general provisions of Regulation 35.005, Regulation 35.020, Subparts D to G, Regulation 35.175 (other than Regulation 35.175(c) and (d), Subpart K (other than Regulation 35.270), Subpart L and Subpart M shall apply to contracts of sale and prospective sales.

35.025 REPRESENTATIVE CAPACITIES

(a) A person may enter into an agreement or a sale, and register an international interest in, or a sale of, an aircraft object, in an agency, trust or other representative capacity provided that, in such a case that person is entitled to assert rights and interests under this Part.

35.030 COMPLETION OF DOCUMENTS & POWER OF ATTORNEY

(a) All documents shall be signed in black ink of durable quality.

(b) All documents and copies thereof shall be completed in clearly legible writing, printing or typescript of good quality.

(c) All copies of the documents to be submitted to the Authority shall be certified true copies.

(d) The Authority may refuse to accept any document or copy thereof which does not comply with any provision of this regulation.

(e) The relevant power of attorney shall be submitted to the Authority in every case where—

(1) a partner has been authorised to act on behalf of a partnership; or

(2) an officer has been authorised to act on behalf of a company, close corporation, organisation or other juristic person.

35.035 REGISTER OF AIRCRAFT MORTGAGES

(a) The register of aircraft mortgages referred to in the Law Establishing Regulations Governing Civil Aviation shall contain the following particulars—

(1) In respect of the recording of a deed of mortgage—

(i) The full name of the mortgagor;

(ii) The identity or registration number of the mortgagor;

(iii) The full business of residential address of the mortgagor;

(iv) The postal address of the mortgagor;

(v) The full name of the mortgagee;

(vi) The identity or registration number of the mortgagee;

(vii) The full business or residential address of the mortgagee;

(viii) The date of the mortgage;

(ix) A description of the mortgaged aircraft, including its type,

(x) Nationality and registration marks and aircraft serial number; and

(xi) The sum secured by the mortgage and where the sum secured is a

(xii) Fluctuating amount, the upper and lower limits, if any;

(2) In the case of the recording of a discharge of an aircraft mortgage, the date on which the Authority cancels the deed of mortgage;

(3) In the case of the recording of a deed of cession of aircraft mortgage—
  (i) The full name of the transferee;
  (ii) The identity or registration number of the transferee;
  (iii) The full business or residential address of the transferee; and
  (iv) The postal address of the transferee;

(4) In the case of the recording of a declaration of transmission of rights in aircraft mortgage—
  (i) The full name of the declarant;
  (ii) The identity number of the declarant;
  (iii) The full business or residential address of the declarant;
  (iv) The postal address of the declarant; and
  (v) The date on which the interest has been transmitted; and

(5) In the case of the issuing of a certificate of mortgage—
  (i) The full name of the person who is to enter into the mortgage on behalf of the registered owner;
  (ii) The full business or residential address of the person referred to in subparagraph (i);
  (iii) The full name of the registered owner;
  (iv) The full business or residential address of the registered owner;
  (v) A description of the aircraft to be mortgaged;
  (vi) The maximum amount of the mortgage, if it is intended to fix any such maximum;
  (vii) The country where the relevant power of attorney is to be exercised; and
  (viii) The limit of time within which the power of attorney may be exercised.

(b) The particulars referred to in paragraph (a)(1) shall be recorded in the register within 7 days from the date of receipt thereof by the Authority.

(c) The register shall be kept in a safe place at the office of the Authority.

35.040 DESCRIPTION OF AIRCRAFT OBJECTS

(a) A description of an aircraft object shall contain its manufacturer's serial number, the name of the manufacturer and its model designation necessary and sufficient to identify the aircraft object for the purposes of Regulations 35.055(a)(3) and 35.060(a)(3) of this Part.

35.045 CHOICE OF LAW

(a) The parties to an agreement, or a contract of sale, or a related guarantee contract or subordination agreement may agree on the law which is to govern their contractual rights and obligations, wholly or in part.

(b) Unless otherwise agreed, the reference in sub regulation (a) to the law chosen by the parties is to the domestic rules of law of the designated State or, where that State comprises several territorial units, to the domestic law of the designated territorial unit.

SUBPART B: CONSTITUTION OF AN INTERNATIONAL INTEREST; CONTRACTS OF SALE

35.050 FORMAL REQUIREMENTS

(a) An interest is constituted as an international interest under this Part where the agreement creating or providing for the interest:

  (1) Is in writing;

  (2) Relates to an aircraft object of which the chargor, conditional seller or lessor has power to dispose;

  (3) Enables the aircraft object to be identified; and

  (4) In the case of a security agreement, enables the secured obligations to

(5) Be determined, but without the need to state a sum or maximum sum secured.

35.055 FORMALITIES AND EFFECTS OF CONTRACTS OF SALE

(a) For the purposes of this Part, a contract of sale is the one which:

(1) Is in writing;

(2) Relates to an aircraft object of which the seller has power to dispose; and

(3) Enables the aircraft object to be identified in conformity with the provisions of this Part.

(b) A contract of sale transfers the interest of the seller in the aircraft object to the buyer according to its terms.

SUBPART C: DEFAULT REMEDIES

35.060 REMEDIES OF CHARGEE

(a) In the event of default as provided in Regulation 35.085, the charge may, to the extent that the chargor has at any time so agreed, exercise any one or more of the following remedies:

(1) Take possession or control of any aircraft object charged to it;

(2) Sell or grant a lease of any such aircraft object;

(3) Collect or receive any income or profits arising from the management or use of any such aircraft object.

(b) The chargee may alternatively apply for a court order authorising or directing any of the acts referred to in the preceding sub regulation.

(c) A chargee proposing to sell or grant a lease of an aircraft object under sub regulation (a) shall give reasonable prior notice in writing of the proposed sale or lease to:

(1) The debtor and any guarantor as interested persons defined in regulation 35.005; and

(2) Any other person having rights in or over the aircraft object as interested persons defined in regulation 35.005 who have given notice of their rights to the chargee within a reasonable time prior to the sale or lease.

(d) A chargee giving ten or more working days' prior written notice of a proposed sale or lease to interested persons shall be deemed to satisfy the requirement of providing "reasonable prior notice" specified in sub regulation (c) provided that the foregoing shall not prevent a chargee and a chargor or a guarantor from agreeing to a longer period of prior notice.

(e) Any sum collected or received by the chargee as a result of exercise of any of the remedies set out in sub regulation (a) or (b) shall be applied towards discharge of the amount of the secured obligations.

(f) Where the sums collected or received by the chargee as a result of the exercise of any remedy set out in sub regulation (a) or (b) exceed the amount secured by the security interest and any reasonable costs incurred in the exercise of any such remedy, then unless otherwise ordered by the court the chargee shall:

(1) distribute the surplus among holders of subsequently ranking interests which have been registered or of which the chargee has been given notice, in order of priority, and

(2) pay any remaining balance to the chargor.

35.065 VESTING OF AIRCRAFT OBJECT IN SATISFACTION; REDEMPTION

(a) At any time after default as provided in Regulation 35.085, the chargee and all the interested persons may agree that ownership of (or any other interest of the chargor in) any aircraft object covered by the security interest shall vest in the chargee in or towards satisfaction of the secured obligations.

(b) The court may on the application of the chargee order that ownership of (or any other interest

of the chargor in) any aircraft object covered by the security interest shall vest in the chargee in or towards satisfaction of the secured obligations.

(c) The court shall grant an application under sub regulation (b) only if the amount of the secured obligations to be satisfied by such vesting is commensurate with the value of the aircraft object after taking account of any payment to be made by the chargee to any of the interested persons.

(d) At any time after default as provided in Regulation 35.085 and before sale of the charged aircraft object or the making of an order under sub regulation (b), the chargor or any interested person may discharge the security interest by paying in full the amount secured, subject to any lease granted by the chargee under Regulation 35.060(a)(2) or ordered under paragraph (b), provided that, where, after such default, the payment of the amount secured is made in full by an interested person other than the debtor, that person is subrogated to the rights of the chargee.

(e) Ownership or any other interest of the chargor passing on a sale under regulation 35.060(a)(2) or passing under sub regulation (a) or (b) is free from any other interest over which the chargee's security interest has priority under the provisions of Regulation 35.175.

35.070 REMEDIES OF CONDITIONAL SELLER OR LESSOR

(a) In the event of default under a title reservation agreement or under a leasing agreement as provided in regulation 35.085, the conditional seller or the lessor, as the case may be, may:

(1) terminate the agreement and take possession or control of any aircraft object to which the agreement relates; or

(2) apply for a court order authorising or directing either of these acts.

35.075 ADDITIONAL REMEDIES OF CREDITOR

(a) In addition to the remedies specified in regulations 35.060, 35.070, 35.085 and 35.105, the creditor may, to the extent that the debtor has at any time so agreed and in the circumstances specified in such provisions:

(1) procure the de–registration of the aircraft; and

(2) procure the export and physical transfer of the aircraft object from the territory in which it is situated.

(b) The creditor shall not exercise the remedies specified in the preceding sub regulation without the prior consent in writing of the holder of any registered interest ranking in priority to that of the creditor.

(c) The registry authority shall, subject to any applicable safety laws and regulations, honour a request for de–registration and export if:

(1) the request is properly submitted by the authorised party under a recorded irrevocable deregistration and export request authorisation; and

(2) the authorised party certifies to the registry authority, if required by that authority, that all registered interests ranking in priority to that of the creditor in whose favour the authorisation has been issued have been discharged or that the holders of such interests have consented to the deregistration and export.

(d) A chargee proposing to procure the deregistration and export of an aircraft under sub regulation (a) otherwise than pursuant to a court order shall give reasonable prior notice in writing of the proposed deregistration and export to:

(1) the debtor and any guarantor as interested persons defined in regulation 35.005; and

(2) any other person having rights in or over the aircraft object as interested persons defined in regulation 35.005 who have given notice of their rights to the chargee within a reasonable time prior to the deregistration and export.

35.080 ADDITIONAL REMEDIES UNDER APPLICABLE LAW

(a) Any additional remedies permitted by the applicable law, including any remedies agreed upon by the parties, may be exercised to the extent that they are not inconsistent with the mandatory provisions of this Part as set out in regulation 35.110.

35.085 MEANING OF DEFAULT

(a) The debtor and the creditor may at any time agree in writing as to the events that constitute a default or otherwise give rise to the rights and remedies specified in regulations 35.060, 35.065, 35.070, 35.075 and 35.100.

(b) Where the debtor and the creditor have not so agreed, "default" for the purposes of regulations 35.060, 35.065, 35.070, 35.075 and 35.100 shall mean a default which substantially deprives the creditor of what it is entitled to expect under the agreement.

35.090 DEBTOR PROVISIONS

(a) In the absence of a default within the meaning of Regulation 35.085, the debtor shall be entitled to the quiet possession and use of the aircraft object in accordance with the agreement as against:

(1) its creditor and the holder of any interest from which the debtor takes free pursuant to regulation 35.175(c) or, in the capacity of buyer, under regulation 35.175(c), unless and to the extent that the debtor has otherwise agreed; and

(2) the holder of any interest to which the debtor's right or interest is subject pursuant to regulation 35.175(d) or, in the capacity of buyer, under regulation 35.175(d), but only to the extent, if any, that such holder has agreed.

(b) Nothing in this Part shall affect the liability of a creditor for any breach of the agreement under the applicable law in so far as that agreement relates to an aircraft object.

35.095 STANDARD FOR EXERCISING REMEDIES

(a) Any remedy given by this Part in relation to an aircraft object shall be exercised in a commercially reasonable manner.

(b) A remedy shall be deemed to be exercised in a commercially reasonable manner where it is exercised in conformity with a provision of the agreement except where such a provision is manifestly unreasonable.

35.100 RELIEF PENDING FINAL DETERMINATION

(a) A creditor who adduces evidence of default by the debtor shall, pending final determination of its claim and to the extent that the debtor has at any time so agreed, be entitled to obtain from a court speedy relief in the form of one or more of the following orders as the creditor requests:

(1) preservation of the aircraft object and its value;

(2) possession, control or custody of the aircraft object;

(3) immobilisation of the aircraft object;

(4) lease or, except where covered by sub–regulation (a)(1) to (3) management of the aircraft object and the income therefrom; and

(5) if at any time the debtor and the creditor specifically agree, sale and application of proceeds therefrom.

(b) For the purposes of sub regulation (a), "speedy" in the context of obtaining relief means, in respect of the relief specified in sub-regulation (a)(1)– (3), the number of working days equivalent to not more than ten calendar days, and in respect of the relief specified in sub regulation (a)(4)–(5), the number of working days equivalent to not more than thirty calendar days, in each case from the date the application for relief is filed.

(c) Ownership or any other interest of the debtor passing on a sale under sub regulation (a)(5) is

free from any other interest over which the creditor's international interest has priority under the provisions of Regulation 35.020 of this Part.

(d) In making any order under sub regulation (a), the court may impose such terms as it considers necessary to protect the interested persons in the event that the creditor:

(1) in implementing any order granting such relief, fails to perform any of its obligations to the debtor under this Part; or

(2) fails to establish its claim, wholly or in part, on the final determination of that claim.

(e) The creditor and the debtor or any other interested person may agree in writing to exclude the application of the sub regulation (d).

(f) Before making any order under sub regulation (a), the court may require notice of the request to be given to any of the interested persons.

(g) With regard to the remedies in regulation 35.075(a):

(1) they shall be made available by the registry authority and other administrative authorities, as applicable, in no later than five working days after the creditor notifies such authorities that the relief specified in Regulation 35.080(a) is granted or, in the case of relief granted by a foreign court, recognised by Republic of Rwanda court, and that the creditor is entitled to procure those remedies in accordance with these regulations; and

(2) the applicable authorities shall expeditiously co–operate with and assist the creditor in the exercise of such remedies in conformity with the applicable aviation safety laws and regulations.

(h) Nothing in the preceding sub regulations affects the application of Regulation 35.095 or limits the availability of forms of interim relief other than those set out in sub regulation (a).

(i) Sub-regulations (b) and (g) shall not affect any applicable aviation safety laws and regulations.

35.105 PROCEDURAL REQUIREMENTS; NON–JUDICIAL REMEDIES

(a) Subject to sub regulation (b), any remedy provided by this Part shall be exercised in conformity with the procedure prescribed by the law of the place where the remedy is to be exercised.

(b) Any remedy available to the creditor under any provision of this Part which is not there expressed to require application to the court may be exercised without leave of the court.

35.110 DEROGATION

(a) Any two or more of the parties referred to in this Part may at any time, by agreement in writing, exclude the application of regulation 35.115 and, in their relations with each other, derogate from or vary the effect of any of the preceding provisions of this part, except as stated in regulations 35.060(c) to (f), 35.065(c) and (d), 35.075(b), 35.095 and 35.105.

35.115 REMEDIES ON INSOLVENCY

(a) This regulation applies where the Republic of Rwanda is the primary insolvency jurisdiction.

(b) Upon the occurrence of an insolvency–related event, the insolvency administrator or the debtor, as applicable, shall, subject to sub regulation (g), give possession of the aircraft object to the creditor no later than the earlier of:

(1) the end of the waiting period; and

(2) the date on which the creditor would be entitled to possession of the aircraft object if this regulation did not apply.

(c) For the purposes of this regulation, the "waiting period" shall be the period of thirty calendar days commencing on the date of the insolvency–related event.

(d) References in this regulation to the "insolvency administrator" shall be to that person in its official, not in its personal, capacity.

(e) Unless and until the creditor is given the opportunity to take possession under sub regulation (b):

(1) the insolvency administrator or the debtor, as applicable, shall preserve the aircraft object and maintain it and its value in accordance with the agreement; and

(2) the creditor shall be entitled to apply for any other forms of interim relief available under the applicable law.

(f) Sub regulation (e) (1) shall not preclude the use of the aircraft object under arrangements designed to preserve the aircraft object and maintain it and its value.

(g) The insolvency administrator or the debtor, as applicable, may retain possession of the aircraft object where, by the time specified in sub regulation (b), it has cured all defaults other than a default constituted by the opening of insolvency proceedings and has agreed to perform all future obligations under the agreement provided that a second waiting period shall not apply in respect of a default in the performance of such future obligations.

(h) With regard to the remedies in regulation 35.075(a):

(1) they shall be made available by the registry authority and the administrative authorities, as applicable, no later than five working days after the date on which the creditor notifies such authorities that it is entitled to procure those remedies in accordance with this Part; and

(2) the applicable authorities shall expeditiously co–operate with and assist the creditor in the exercise of such remedies in conformity with the applicable aviation safety laws and regulations.

(i) No exercise of remedies permitted by this Part may be prevented or delayed after the date specified in sub regulation (b).

(j) No obligations of the debtor under the agreement may be modified without the consent of the creditor.

(k) Nothing in sub regulation (j) shall be construed to affect the authority, if any, of the insolvency administrator under the applicable law to terminate the agreement.

(l) No rights or interests, except for a priority non–consensual right or interest to the extent specified in regulation 35.225, shall have priority in insolvency proceedings over registered interests.

(m) The provisions of this Part shall apply to the exercise of any remedies under this regulation.

35.120 INSOLVENCY ASSISTANCE

(a) This regulation applies where the Republic of Rwanda is not the primary insolvency jurisdiction.

(b) Where an aircraft object is situated in the Republic of Rwanda, its courts shall, in accordance with the laws of the Republic of Rwanda, co–operate to the maximum extent possible with foreign courts and foreign insolvency administrators in carrying out the provisions of regulation 35.115.

35.125 DEREGISTRATION AND EXPORT REQUEST AUTHORISATION

(a) This regulation applies where an airframe pertaining to an aircraft, or a helicopter, is registered in the National Aircraft Register.

(b) Where the debtor has issued an irrevocable deregistration and export request authorisation substantially in the form shown in the RCATS 35.125 and has submitted such authorisation for recordation to the registry authority, that authorisation shall be so recorded.

(c) The person in whose favour the authorisation has been issued (the “authorised party”) or its certified designee shall be the sole person entitled to exercise the remedies specified in regulation 35.075(a) and may do so only in accordance with the authorisation and applicable

aviation safety laws and regulations provided that, such authorisation may not be revoked by the debtor without the consent in writing of the authorised party; and provided further that the registry authority shall remove an authorisation from the registry at the request of the authorised party.

(d) The registry authority and other administrative authorities shall expeditiously co–operate with and assist the authorised party in the exercise of the remedies specified in Regulation 35.075.

SUBPART D: REGISTRATIONS IN THE INTERNATIONAL REGISTRATION SYSTEM

35.130 MEANS AND EFFECT OF REGISTRATION

(a) Registration in the International Registry shall be the only means of establishing the priority of a right or interest in an aircraft object, such priority being determined in accordance with regulation 35.175, except only in respect of a priority non–consensual right or interest, whose priority is determined in accordance with regulation 35.225(a).

(b) Only those registrations with the International Registry and complying with this Part shall, when made, be valid for purposes of determining priority.

(c) Such permitted registrations are:

(1) international interests, prospective international interests and registrable non–consensual rights and interests;

(2) assignments and prospective assignments of international interests;

(3) acquisitions of international interests by legal or contractual subrogations under the applicable law;

(4) "notices of a national interest", as defined in the Cape Town Convention, under the laws of a Contracting State permitting such notice through a declaration thereunder made by that State, the Republic of Rwanda not having made such a declaration;

(5) subordinations of interests referred to in any of the preceding sub–sub regulations; and

(6) sales and prospective sales.

(d) All information required for the registrations referred to in sub regulation (b) and (c) in relation to a helicopter, or to an airframe pertaining to an aircraft, registered for nationality purposes in the National Aircraft Register may be transmitted directly to the International Registry or through the National Aircraft Register, as the designated entry point in the Republic of Rwanda.

(e) Other than payment of a nominal processing fee, as determined by the National Aircraft Register, no additional conditions or legal requirements may be imposed on the use of the National Aircraft Register as a conduit for the transmission to the International Registry of information required for registration.

(f) For the purposes of this Subpart and Subpart E, the term "registration" includes, where appropriate, an amendment, extension or discharge of a registration.

SUBPART E: MODALITIES OF REGISTRATION

35.135 VALIDITY AND TIME OF REGISTRATION

(a) A registration shall be valid only if made in conformity with regulation 35.140.

(b) A registration, if valid, shall be complete upon entry of the required information into the International Registry database so as to be searchable.

(c) A registration shall be searchable for the purposes of the preceding sub regulation at the time when:

(1) the International Registry has assigned to it a sequentially ordered file number; and

(2) the registration information, including the file number, is stored in durable form and may be accessed at the International Registry.

(d) If an interest first registered as a prospective international interest or prospective sale becomes an international interest or a sale, respectively, that international interest or sale shall be treated as registered from the time of registration of the prospective international interest or prospective sale provided that the registration was still current immediately before the international interest or contract of sale was constituted as provided by Regulation 35.050 or 35.055.

(e) The provision of sub regulation (d) shall apply, with necessary modifications, to the registration of a prospective assignment of an international interest.

(f) A registration pertaining to an aircraft object shall be searchable in the International Registry data base according to the name of its manufacturer, its manufacturer's serial number and its model designation, as further specified in the regulations.

35.140 CONSENT TO REGISTRATION

(a) An international interest, a prospective international interest, an assignment or prospective assignment of an international interest may be registered, and any such registration amended or extended prior to its expiry by either party with the consent in writing of the other.

(b) The subordination of an international interest to another international interest may be registered by or with the consent in writing at any time of the person whose interest has been subordinated.

(c) A registration may be discharged by or with the consent in writing of the party in whose favour it was made.

(d) The acquisition of an international interest by legal or contractual subrogation may be registered by the subrogee.

(e) A registrable non–consensual right or interest may be registered by the holder thereof.

35.145 DURATION OF REGISTRATION

(a) Registration of an international interest shall remain effective until discharged or expiry of the period specified in the registration.

(b) Registration of a contract of sale shall remain effective indefinitely.

(c) Registration of a prospective sale shall remain effective unless discharged or expiry of the period, if any, specified in the registration.

35.150 SEARCHES

(a) Any person may, in the manner prescribed by this Part and the regulations, make or request a search of the International Registry by electronic means concerning interests or prospective interests international registered therein.

(b) Any person may request and receive from the Registrar, in the manner prescribed by the regulations, a registry search certificate by electronic means with respect to any aircraft object:

(1) stating all registered information relating thereto, together with a statement indicating the date and time of registration of such information; or

(2) stating that there is no information in the International Registry relating thereto.

(c) A search certificate issued under sub regulation (b) shall indicate that the creditor named in the registration information has acquired or intends to acquire an international interest in the object but shall not indicate whether what is registered is an international interest or a prospective international interest, even if this is ascertainable from the relevant registration information.

35.155 EVIDENTIARY VALUE OF CERTIFICATES

(a) A document in the form prescribed under these regulations which purports to be a certificate issued by the International Registry shall be prima facie proof:

(1) that it has been so issued; and

(2) of the facts recited in it, including the date and time of a registration.

35.160 DISCHARGE OF REGISTRATION

(a) Where the obligations secured by a registered security interest or the obligations giving rise to a registered non–consensual right or interest have been discharged, or where the conditions of transfer of title under a registered title reservation agreement have been fulfilled, the holder of such interest shall, without undue delay, procure the discharge of the registration after written demand by the debtor delivered to or received at its address stated in the registration.

(b) Where a prospective international interest, a prospective assignment of an international interest, or a prospective sale has been registered, the intending creditor, intending assignee, or intending buyer shall, without undue delay, procure the discharge of the registration after written demand by the intending debtor, assignor or seller which is delivered to or received at its address stated in the registration before the intending creditor, assignee or buyer has given value or incurred a commitment to give value.

(c) For the purpose of sub regulation (b) and in the circumstances there described, the holder of a registered prospective international interest or a registered prospective assignment of an international interest or the person in whose favour a prospective sale has been registered shall take such steps as are within its power to procure the discharge of the registration no later than five working days after the receipt of the demand described in such sub regulation.

(d) Where a registration ought not to have been made or is incorrect, the person in whose favour the registration was made shall, without undue delay, procure its discharge or amendment after written demand by the debtor delivered to or received at its address stated in the registration.

SUBPART F: RECOGNITION OF CERTAIN PRIVILEGES AND IMMUNITIES OF THE SUPERVISORY AUTHORITY AND THE REGISTRAR

35.165 LEGAL PERSONALITY; IMMUNITY

(a) The Republic of Rwanda shall recognise that:

(1) the Supervisory Authority has international legal personality;

(2) the Supervisory Authority and its officers and employees shall enjoy such immunity from legal and administrative process as is provided under the rules applicable to them as an international entity or otherwise;

(3) the assets, documents, databases and archives of the International Registry shall be inviolable and immune from seizure or other legal or administrative process.

(4) for the purposes of any claim against the Registrar under regulation 35.170(a) or regulation 35.245, the claimant shall be entitled to access to such information and documents as are necessary to enable the claimant to pursue its claim; and

(5) the Supervisory Authority may waive the inviolability and immunity conferred by paragraph (3).

SUBPART G: RECOGNITION OF LIABILITY OF THE REGISTRAR

35.170 STANDARD AND EXTENT OF LIABILITY

(a) The Republic of Rwanda recognises that the Registrar shall be liable for compensatory damages for loss suffered by a person directly resulting from an error or omission of the Registrar and its officers and employees or from a malfunction of the international registration system except where the malfunction is caused by an event of an inevitable and irresistible nature, which could not be prevented by using the best practices in current use in the field of electronic registry design and operation, including those related to back–up and systems security and networking.

(b) The Registrar shall not be liable under paragraph (a) for factual inaccuracy of registration information received by the Registrar or transmitted by the Registrar in the form in which it received that information nor for acts or circumstances for which the Registrar and its officers and employees are not responsible and arising prior to receipt of registration information at the International Registry.

(c) Compensation under paragraph (a) may be reduced to the extent that the person who suffered the damage caused or contributed to that damage.

SUBPART H: EFFECTS OF AN INTERNATIONAL INTEREST AS AGAINST THIRD PARTIES

35.175 PRIORITY OF COMPETING INTERESTS

(a) A registered interest shall have priority over any other interest subsequently registered and over an unregistered interest.

(b) The priority of the first–mentioned interest under sub regulation (a) shall apply:

(1) even if the first–mentioned interest was acquired or registered with actual knowledge of the other interest; and

(2) even as regards value given by the holder of the first–mentioned interest with such knowledge.

(c) A buyer of an aircraft object under a registered sale shall acquire interest in that object free from an interest subsequently registered and from an unregistered interest, even if the buyer has actual knowledge of the unregistered interest.

(d) A buyer of an aircraft object shall acquire its interest in that object subject to an interest registered at the time of its acquisition.

(e) A conditional buyer or lessee shall acquire its interest in or right over an aircraft object:

(1) subject to an interest registered prior to the registration of the international interest held by its conditional seller or lessor; and

(2) free from an interest not so registered at that time even if it has actual knowledge of that interest.

(f) The priority of competing interests or rights under this regulation may be varied by agreement between the holders of those interests, but an assignee of a subordinated interest is not bound by an agreement to subordinate that interest unless at the time of the assignment a subordination had been registered relating to that agreement.

(g) Any priority given by this regulation to an interest in an aircraft object shall extend to proceeds.

(h) This Part:

(1) shall not affect the rights of a person in an item, other than an aircraft object, held prior to its installation on an aircraft object if under the applicable law those rights continue to exist after the installation; and

(2) shall not prevent the creation of rights in an item, other than an aircraft object, which has

previously been installed on an aircraft object where under the applicable law those rights are created.

(i) Ownership of or another right or interest in an aircraft engine shall not be affected by its installation on or removal from an aircraft.

(j) The provisions of sub regulation (h) shall apply to an item, other than an aircraft object, installed on an airframe, aircraft engine or helicopter.

35.180 EFFECTS OF INSOLVENCY

(a) In insolvency proceedings against the debtor or seller an international interest or sale, as applicable, shall be effective if prior to the commencement of the insolvency proceedings that interest or sale was registered in conformity with this Part.

(b) Nothing in this regulation shall impair the effectiveness of an international interest or sale in the insolvency proceedings where that interest is effective under the applicable law.

(c) Nothing in this regulation shall affect any rules of law applicable in insolvency proceedings relating to the avoidance of a transaction as a preference or a transfer in fraud of creditors or, except as provided in Regulation 35.115, any rules of procedure relating to the enforcement of rights to property which is under the control or supervision of the insolvency administrator.

SUBPART I: ASSIGNMENTS OF ASSOCIATED RIGHTS AND INTERNATIONAL INTERESTS; RIGHTS OF SUBROGATION

35.185 EFFECTS OF ASSIGNMENT

(a) Except as otherwise agreed by the parties, an assignment of associated rights made in conformity with regulation 35.190 shall transfer to the assignee:

(1) the related international interest; and

(2) all the interests and priorities of the assignor under this Part.

(b) Nothing in this Part prevents a partial assignment of the assignor's associated rights provided that, in the case of such a partial assignment the assignor and assignee may agree as to their respective rights concerning the related international interest assigned under sub regulation (a) but not so as adversely to affect the debtor without its consent.

(c) Subject to sub regulation (d), the applicable law shall determine the defences and rights of set–off available to the debtor against the assignee.

(d) The debtor may at any time by agreement in writing waive all or any of the defences and rights of set–off referred to in sub regulation (c) other than defences arising from fraudulent acts on the part of the assignee.

(e) In the case of an assignment by way of security, the assigned associated rights shall revert to the assignor, to the extent that they are still subsisting, when the obligations secured by the assignment have been discharged.

35.190 FORMAL REQUIREMENTS OF ASSIGNMENT

(a) An assignment of associated rights shall transfer the related international interest only if it:

(1) is in writing;

(2) enables the associated rights to be identified under the contract from which they arise; and

(3) in the case of an assignment by way of security, enables the obligations secured by the assignment to be determined in accordance with these Regulations but without the need to state a sum or maximum sum secured.

(b) An assignment of an international interest created or provided for by a security agreement shall not be valid unless some or all related associated rights are also assigned.

(c) This Part shall not apply to an assignment of associated rights which is not effective to transfer the related international interest.

35.195 DEBTOR'S DUTY TO ASSIGNEE

(a) To the extent that associated rights and the related international interest have been transferred in accordance with regulations 35.185 and 35.190, the debtor in relation to those rights and that interest shall be bound by the assignment and shall have a duty to make payment or give other performance to the assignee, if but only if:

(1) the debtor has been given notice of the assignment in writing by or with the authority of the assignor;

(2) the notice identifies the associated rights; and

(3) the debtor has consented in writing, whether or not the consent is given in advance of the assignment or identifies the assignee.

(b) Irrespective of any other ground on which payment or performance by the debtor discharges the latter from liability, payment or performance shall be effective for this purpose if made in accordance with sub regulation (a).

(c) Nothing in this regulation shall affect the priority of competing assignments.

35.200 DEFAULT REMEDIES IN RESPECT OF ASSIGNMENT BY WAY OF SECURITY

(a) In the event of default by the assignor under the assignment of associated rights and the related international interest made by way of security, regulations 35.060, 35.065 and 35.075 to 35.105 shall apply in the relations between the assignor and the assignee (and, in relation to associated rights, apply in so far as those provisions are capable of application to intangible property) as if references:

(1) to the secured obligation and the security interest were references to the obligation secured by the assignment of the associated rights and the related international interest and the security interest created by that assignment;

(2) to the chargee or creditor and chargor or debtor were references to the assignee and assignor;

(3) to the holder of the international interest were references to the assignee; and

(4) to the aircraft object were references to the assigned associated rights and the related international interest.

35.205 PRIORITY OF COMPETING ASSIGNMENTS

(a) Where there are competing assignments of associated rights and at least one of the assignments includes the related international interest and is registered, the provisions of regulation 35.175 shall apply as if the references to a registered interest were references to an assignment of the associated rights and the related registered interest and as if references to a registered or unregistered interest were references to a registered or unregistered assignment.

(b) The provision of regulation 35.180 shall apply to an assignment of associated rights as if the references to an international interest were references to an assignment of the associated rights and the related international interest.

35.210 ASSIGNEE'S PRIORITY WITH RESPECT TO ASSOCIATED RIGHTs

(a) The assignee of associated rights and the related international interest whose assignment has been registered shall have priority under regulation 35.205(a) over another assignee of the associated rights:

(1) if the contract under which the associated rights arise states that they are secured by or associated with the object; and

(2) to the extent that the associated rights are related to an aircraft object.

(b) For the purpose of sub regulation (a)(2) , associated rights shall relate to an aircraft object to the extent that they consist of rights to payment or performance that relate to:

(1) a sum advanced and utilised for the purchase of the aircraft object;

(2) a sum advanced and utilised for the purchase of another aircraft object in which the assignor holds another international interest if the assignor transferred that interest to the assignee and the assignment has been registered;

(3) the price payable for the aircraft object;

(4) the rentals payable in respect of the aircraft object; or

(5) other obligations arising from a transaction referred to in any of the preceding paragraphs.

(c) In all other cases, the priority of the competing assignments of the associated rights shall be determined by the applicable law.

35.215 EFFECTS OF ASSIGNOR'S INSOLVENCY

(a) The provisions of regulation 35.180 shall apply to insolvency proceedings against the assignor as if references to the debtor were references to the assignor.

35.220 SUBROGATION

(a) Subject to sub regulation (b), nothing in this Part shall affect the acquisition of associated rights and the related international interest by legal or contractual subrogation under the applicable law.

(b) The priority between any interest within sub regulation (a) and a competing interest may be varied by agreement in writing between the holders of the respective interests but an assignee of a subordinated interest is not bound by an agreement to subordinate that interest unless at the time of the assignment a subordination had been registered relating to that agreement.

SUBPART J: NON–CONSENSUAL RIGHT OR INTEREST

35.225 PRIORITY NON–CONSENSUAL RIGHT OR INTEREST

(a) A priority non–consensual right or interest, to the extent it had priority over an interest in an aircraft object equivalent to that of the holder of a registered international interest prior to the effective date of this Part, shall retain that priority over a registered international interest hereunder, whether in or outside of insolvency proceedings.

35.230 REGISTRABLE NON– CONSENSUAL RIGHT OR INTEREST

(a) A registrable non–consensual right or interests relating to any aircraft object may be registered under this Part as if the right or interest were an international interest and shall be regulated accordingly.

SUBPART K: JURISDICTION

35.235 CHOICE OF FORUM

(a) Subject to regulations 35.240 or 35.245, the courts of a Contracting State chosen by the parties to a transaction shall have jurisdiction in respect of any claim brought under this Part, whether or not the chosen forum has a connection with the parties or the transaction provided that, such jurisdiction shall be exclusive unless otherwise agreed between the parties.

(b) Any such agreement shall be in writing or otherwise concluded in accordance with the formal requirements of the law of the chosen forum.

35.240 JURISDICTION UNDER REGULATION 21

(a) The courts of a Contracting State chosen by the parties in conformity with regulation 35.235 and the courts of the Contracting State on the territory of which the aircraft object is situated or in which the aircraft is registered shall have jurisdiction to grant relief under regulation 35.100(a)(1), (2), (3), and regulation 35.100(h) in respect of that aircraft object or aircraft.

(b) Jurisdiction to grant relief under regulation 35.100(a)(4) and (5) or other interim relief by virtue of regulation 35.100(h) may be exercised either:

(1) by the courts chosen by the parties; or

(2) by the courts of a Contracting State on the territory of which the debtor is situated, being relief which, by the terms of the order granting it, is enforceable only in the territory of that State.

(c) A court has jurisdiction under the preceding sub regulations even if the final determination of the claim referred to in regulation 35.100(a) will or may take place in a court of another Contracting State or by arbitration.

35.245 JURISDICTION TO MAKE ORDERS AGAINST THE REGISTRAR

(a) The courts of the place in which the Registrar has its centre of administration shall have exclusive jurisdiction to award damages or make orders against the Registrar.

(b) Where a person fails to respond to a demand made under regulation 35.160 and that person has ceased to exist or cannot be found for the purpose of enabling an order to be made against it requiring it to procure discharge of the registration, the courts referred to in the sub regulation (a) shall have exclusive jurisdiction, on the application of the debtor or intending debtor, to make an order directed to the Registrar requiring the Registrar to discharge the registration.

(c) Where a person fails to comply with an order of a court having jurisdiction under this Part, the courts referred to in sub regulation (a) may direct the Registrar to take such steps as will give effect to that order.

(d) Except as otherwise provided by sub regulations (a), (b), and (c), no court may make orders or give judgments or rulings against or purporting to bind the Registrar.

35.250 WAIVERS OF SOVEREIGN IMMUNITY

(a) Subject to sub regulation (b), a waiver of sovereign immunity from jurisdiction of the courts specified in regulation 35.235 or 35.240 or relating to enforcement of rights and interests relating to an aircraft object under this Part shall be binding and, if the other conditions to such jurisdiction or enforcement have been satisfied, shall be effective to confer jurisdiction and permit enforcement, as the case may be.

(b) A waiver under sub regulation (a) shall be in writing and contain a description of the aircraft object.

35.255 JURISDICTION IN RESPECT OF INSOLVENCY PROCEEDINGS

(a) The provisions of this Part are not applicable to insolvency proceedings.

SUBPART L: RELATIONSHIP WITH OTHER LEGISLATION

35.260 LEGISLATION IMPLEMENTING THE UNITED NATIONS CONVENTION ON THE INTERNATIONAL TRADE

(a) This Part shall prevail over any legislation implementing the United Nations Convention on the Assignment of Receivables in International Trade, opened for signature in New York on 12 December 2001, as relates to the assignment of receivables which are associated rights related to international interests in aircraft objects.

35.265 LEGISLATION IMPLEMENTING THE CONVENTION ON THE INTERNATIONAL RECOGNITION

(a) This Part shall supersede any legislation implementing the Convention on the International Recognition of Rights in Aircraft, signed at Geneva on 19 June 1948, as it relates to aircraft, as defined in these Regulations, and to aircraft objects. However, in that event, with respect to rights or interests not covered or affected by these Regulations, any such legislation shall not be superseded.

35.270 LEGISLATION IMPLEMENTING THE CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO THE PRECAUTIONARY ATTACHMENT OF AIRCRAFT

(a) This Part shall supersede any legislation implementing the Convention for the Unification of Certain Rules Relating to the Precautionary Attachment of Aircraft, signed at Rome on 29 May 1933, as it relates to aircraft, as defined in this Part.

35.275 LEGISLATION IMPLEMENTING THE UNIDROIT CONVENTION ON INTERNATIONAL FINANCIAL LEASING

(a) This Part shall supersede any legislation implementing the UNIDROIT Convention on International Financial Leasing, signed at Ottawa on 28 May 1988, as it relates to aircraft objects.

SUBPART M: FINAL PROVISIONS

35.280 REGISTRATION OF INTEREST CERTIFICATE

(a) An application for a certificate of mortgage shall be made on a form prescribed in RCATS 35.040.01.

(b) A certificate of mortgage shall contain the following particulars—

(1) The full name and address of the person who is to enter into the mortgage on behalf of the registered owner;

(2) the maximum amount of the mortgage, if it is intended to fix any such maximum;

(3) the place where the relevant power of attorney is to be exercised or, if no place is specified, a declaration that it may be exercised anywhere, subject to the provisions of these regulations; and

(4) the limit of time within which the relevant power of attorney may be exercised

(c) An application for a new certificate of mortgage shall be made on a form prescribed in RCATS 35.040.02.

35.285 FEES

(a) The application for registration of interest in aircraft shall be accompanied by a fee prescribed by the Authority.

35.290 TRANSITIONAL PROVISIONS

(a) This Part shall not apply to a pre–existing right or interest, which retains the priority it enjoyed under the applicable law before the effective date of these Regulations.

(b) Nothing in sub regulation (a) or otherwise in this Part shall prevent parties to an agreement and related documents, by affirmative act, from re–constituting a pre–existing right or interest as an international interest and otherwise bringing it within the scope of these Regulations.

(c) A priority non–consensual right or interest shall retain its priority over an international interest, to the extent specified in regulation 35.225(a), which is registered prior to the effective date.

END OF RCAR PART 35

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**.

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXVI W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXVI TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº 04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXVI A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 36

Economic Regulations

SUBPART A GENERAL 4
36.001 CITATION AND APPLICABILITY 4
36.005 DEFINITIONS 4
SUBPART B ECONOMIC REGULATION OF AERODROMES 7
36.010 FUNCTIONS OF THE AUTHORITY 7
36.015 SCHEDULE OF AERODROMES SUBJECT TO ECONOMIC REGULATION 7
36.020 AERODROME IMPROVEMENT FEE 7
36.025 REQUIREMENT TO LEVY CHARGES 8
36.030 CONDITIONS AND LIMITATIONS 9
36.035 MANDATORY CONDITIONS FOR SCHEDULED AERODROMES 10
36.040 INVESTIGATIONS BY AUTHORITY 11
36.045 DISCRETIONARY CONDITIONS 12
36.050 PROVISIONS SUPPLEMENTARY TO REGULATION 36.045 13
36.055 ENFORCEMENT OF CONDITIONS OTHER THAN ACCOUNTS CONDITIONS 14
36.060 VALIDITY AND EFFECT OF COMPLIANCE ORDER 14
36.065 BREACH OF ACCOUNTS CONDITIONS AND PENALTIES 15
36.070 SUPPLEMENTARY PROVISIONS CONCERNING CONDITIONS 15
36.075 SLOT MANAGEMENT 16
SUBPART C CONSUMER/AIR CARRIER RIGHTS AND OBLIGATIONS 17
36.080 CONSUMERS RIGHTS AND OBLIGATIONS 17
36.085 AIR CARRIERS RIGHTS AND OBLIGATIONS 17
36.090 DENIED BOARDING 18
36.095 CANCELLATION OF FLIGHT 19
36.100 DELAY OF FLIGHT 20
36.105 NO –SHOW OF PASSENGER 21
36.110 PERSONS WITH DISABILITY OR SPECIAL NEEDS 22
36.115 BAGGAGE HANDLING 22
36.120 FURTHER COMPENSATION 23

36.125 RIGHT TO CARE 23
36.130 Right to redress 23
36.135 EXCLUSION OF WAIVER 23
36.140 PASS-OFF BY AIR CARRIERS 24
36.145 CONSUMER COMPLAINT HANDLING PROCEDURES 24
36.150 COMPLAINTS BY PERSONS WITH DISABILITY AND SPECIAL NEEDS 25
36.155 COMPLAINTS HANDLING PROCEDURES OF THE AUTHORITY 25
36.160 JURISDICTION 25
36.165 EXONERATION OF AIR CARRIER 25
36.170 REPORTING 25
36.175 TRANSITIONAL PROVISION 26
SUBPART D AIR NAVIGATION SERVICES 26
36.180 CONDITIONS FOR ESTABLISHING AIR NAVIGATION SERVICES CHARGE 26
36.185 MANDATORY CONSULTATION BETWEEN ANSPS AND USERS IN THE ESTABLISHMENT OF AIR NAVIGATION SERVICES CHARGES 27
36.190 CHARGEABLE AIR NAVIGATION SERVICES 27
36.195 DETERMINING COSTS 28
SUBPART E. REGULATORY FEES 29
36.200 FEES TO BE CHARGED 29
36.205 EXPENSES FOR SERVICES OR INSPECTIONS OUTSIDE RWANDA 29
36.210 FEES FOR LICENCE OR PERMIT TO OPERATE AIR SERVICES 29
36.215 OVERSIGHT CHARGES 29
36.220 FEES FOR EXEMPTION FROM ANY OF THE CIVIL AVIATION REGULATIONS 29
36.225 EXEMPTION FROM FEES AND CHARGES 29
36.230 NOTICE OF THE FEES AND CHARGES 29
36.235 PENALTIES 30
36.240 PERSONS LIABLE FOR THE FEES AND CHARGES 30
36.245 DEFAULT 30
36.250 PURCHASE OF AERONAUTICAL INFORMATION PUBLICATIONS AND OTHER PUBLICATIONS 30
36.255 RENT CHARGES ON AUTHORITY'S FACILITIES 30
SUBPART F. AIR SERVICE AGREEMENTS 31
36.260 GUIDELINES FOR NEGOTIATING AIR SERVICE AGREEMENTS 31

36.265 REGISTRATION OF AGREEMENTS 31
36.270 RIGHT TO TAKE ACTION FOLLOWING NON COMPLIANCE 31
36.275 SCHEDULED INTERNATIONAL AIR OPERATIONS 31
36.280 COMPOSITION OF THE AIR SERVICE AGREEMENT DELEGATION OR NEGOTIATING TEAM 32
36.285 FREEDOMS OF THE AIR IN RESPECT OF SCHEDULED INTERNATIONAL AIR SERVICES 32
SUBPART G. PROVISIONS APPLICABLE TO ALL SUBPARTS 33
36.290 MISCELLANEOUS PROVISIONS 33
36.295 OBLIGATION FOR CONFIDENTIALITY 33
36.300 RIGHT TO APPEAL 33
36.285 FREEDOMS OF THE AIR IN RESPECT OF SCHEDULED INTERNATIONAL AIR SERVICES 32
SUBPART G. PROVISIONS APPLICABLE TO ALL SUBPARTS 33
36.290 MISCELLANEOUS PROVISIONS 33
36.295 OBLIGATION FOR CONFIDENTIALITY 33
36.300 RIGHT TO APPEAL 33

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SUBPART A GENERAL

36.001 CITATION AND APPLICABILITY

(a) This Part may be cited as Civil Aviation (Economic) Regulations.
(b) The Authority may issue technical standards generally for giving effect to the provisions and purposes of this regulation.
(c) Technical Standards issued under sub regulation (b) shall be subject to affirmative resolution
(d) Any action, award, decision made or granted by the Authority before the commencement of these Regulations shall remain valid.

36.005 DEFINITIONS

(a) When the following terms are used in this Part for Economic regulation, they have the following meanings: —

Aerodrome operator. means a person operating an aerodrome licensed or certificated under Part 26 -Civil Aviation (Aerodrome) Regulations;

Air Carrier. - A person, organization or enterprise engaged in or offering to engage in an aircraft operation. For the purposes of this Part, the term also includes air operators operating under code sharing and wet-leasing arrangements, aerodrome operator and ground handling service provider;

Air operator. - means an entity carrying or authorized to carry out specified commercial air transport operations;

Air navigation services. - include air traffic management (ATM); communications, navigation and surveillance systems (CNS); meteorological services for air navigation (MET); search and rescue (SAR); and aeronautical information services (AIS);

Air Service. - means any services performed by means of an aircraft for reward

Air navigation services provider (ANSP). - Any entity providing ATM and/or other of the air navigation services

Authority. - Means Rwanda Civil Aviation Authority

Baggage. - means such articles, effects and other personal property of a consumer as are necessary or appropriate for wear, use, comfort or convenience in connection with the trip. Unless otherwise specified, it includes both checked and unchecked baggage of the consumer;

Cancellation of flight. - means the non-operation of a flight which was previously planned and on which at least one place was reserved;

Cancellation by Air Carrier. - Except when its due to safety or Security reasons, means the non-operation of a flight which was previously planned on which one seat was reserved"

Cancellation by Consumer. - voluntary decision by consumer not to accept the services offered by an air operator.

Care to a passenger. - means support at no cost to a passenger or a service or services offered, at no cost to the passenger, by an air carrier such as but not limited to, meals and refreshments in reasonable relation to the waiting time, transport between the aerodrome and place of accommodation, hotel accommodation and such other assistance;

Compensation. - means the monetary value offered to the consumer for damages resulting from violations of the air carrier or air operator.

Complaint. - means a statement of dissatisfaction with an air carrier's customer care services, safety and security operations of an air carrier made by a consumer;

Consumer. – means:

(a) Any natural person, except members of the operating crew, carried or to be carried in an aircraft with the consent of the air operator.
(b) Corporate person with whom the air carrier has an air service contract.

Consumer Protection Department. - means the competent department in RCAA, which supervises consumer protection affairs in accordance with this Part, and the Civil Aviation Law.
Delay of flight. - means the result of not being able to board a flight and take off or 15 minutes before or after ETD.
Denied boarding. - means a refusal to carry a consumer on a flight, although they have presented themselves for boarding under the conditions laid down in Regulation 36.090 of this Part except where there are reasonable grounds to deny them boarding.
Domestic Aerodrome. - means a defined area on land or water intended to be used either partly or wholly in part for the arrival and departure of an aircraft within Rwanda.
Disruption. - means a state during the execution of air operations where the deviation from the plan is sufficiently large to impose a substantial change in the provision of air carriage.
Economic oversight. -The function by which the authority supervises commercial and operational practices of an airport, an ANSP or other service providers.
ETD. - means the date and time contained in a ticket indicating when an aircraft is expected to depart from an aerodrome.
Extraordinary Circumstances. - includes an unexpected event which could not have been avoided even if all reasonable measures had been taken, and provided the air carrier simultaneously proves:

1. The existence and the link between the extra-ordinary circumstances and the delay or cancellation, and
2. The fact that this delay or cancellation could not have been avoided although it took all reasonable measures.

Consequently, an extra-ordinary circumstance may include, on a case-by-case assessment, Acts of Sabotage or Terrorism, Acts of God or Nature, Political or Civil unrest, Latent manufacturing defects, Wars or acts of foreign enemies, strikes or lock-outs.
Ground handling service provider. - means an entity providing services, either terminal or airside services, to an aircraft while on the ground;
Infringement notice. - means a notice as prescribed under the Civil Aviation Law;
Infringement notice offence. - means an offence committed under any of the regulations where a penalty or fine is stipulated;
Minister. - means the Minister in charge of civil aviation
No show of passenger. - means a passenger who fails to present themselves or presents themselves at a later date or time other than the check-in time indicated by the air carrier.
Person with Disability. - means any person whose mobility is reduced due to a physical incapacity (sensory or locomotor), an intellectual deficiency, age, illness or any other cause of disability when using transport and whose situation needs special attention and the adaptation to the person's needs of the services made available to all passengers;
Person with Special Needs. -means person other than a person with disability that requires attention and the adaptation to the person's needs of the services made available to all passengers;
Providers. - Refers to entities providing and operating airports or air navigation services
Reservation. - means legal contract whereby an airline undertakes, in exchange for a certain amount of money, to provide a seat to a specific passenger by plane on a specific flight from one specified aerodrome to another.
Service animals. - means animals, normally being dogs or other animals for the purpose of accompanying persons with disabilities with the objective of providing them with physical or/and emotional support, being under the control of the person with disabilities and provided that their presence on board an aircraft:

1. does not endanger the safety of flight operations;
2. is not reasonably considered as a threat to other passengers; and
3. does not cause health concerns related to hygiene.

Ticket. - means the document, issued by or on behalf of a carrier giving entitlement to transport, and includes the Conditions of Contract and notices and the flight and passenger coupons contained therein.
Ticket arrangement. in these regulations means a plan under the air carrier's conditions of carriage relating to passengers travelling free of charge or at reduced fares not available directly or indirectly to the public.
Unfair trade practices. - consist of using various deceptive, fraudulent or unethical methods to obtain business and include misrepresentation, false advertising, tied selling and other acts that are declared unlawful by statute
Unconscionable Act. - means an act that shows no regard for conscience and it affronts the sense of justice, decency of reasonableness
Users. - This term refers to aircraft operators as users of airports and air navigation facilities and services. The term "end-users" refers to ultimate consumers in general (for example, passengers and shippers).36.006 Acronyms and abbreviations
ETD-the date and time contained in a ticket indicating when an aircraft is expected to depart from an aerodrome

RCAA- Rwanda Civil Aviation Authority established under the Law establishing Rwanda Civil Aviation Authority and determining its mission, organisation and functioning
RCATS- Rwanda Civil Aviation Technical Standards
SDR- Special Drawing Rights

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SUBPART B ECONOMIC REGULATION OF AERODROMES

36.010 FUNCTIONS OF THE AUTHORITY

(a) The Authority shall perform its functions under this regulation in such a manner as it considers best calculated to-
   1) Further the reasonable interests of users of aerodromes within Rwanda and to provide economical and reliable services to those users by establishing a system for the regulation of aerodromes that takes account of those interests;
   2) Promote the efficient, economic and profitable operation of aerodromes;
   3) Ensure compliance with such international obligations of Rwanda as may be notified to the Authority by the minister;
   4) Create an enabling environment for potential investors in aerodromes;
   5) Encourage investment in new facilities at aerodromes in time to satisfy demands by users of the aerodromes;
   6) Impose such restrictions on the aerodrome operator as are consistent with the performance by the authority of its functions;
   7) Further such vital public interests as may be notified to the Authority by the minister from time to time; and
   8) Ensure that the aerodrome is operated in accordance with performance standards and service levels consistent with Part 26 – Rwanda Civil Aviation (Aerodromes) Regulations.

(b) In making a decision in the exercise of its functions under this regulation, the Authority shall observe reasonable standards of procedural fairness, act in a timely fashion and observe the rules of natural justice, and, without prejudice to the generality of the foregoing, the Authority shall-
   1) Consult with persons who are or are likely to be affected by the decision;
   2) Give to such persons an opportunity to make submissions and to be heard by the Authority;
   3) Have regard to the evidence adduced at any such hearing and to the matters contained in any such submission;
   4) Give reasons in writing for each decision;
   5) Give notice of each decision in the prescribed manner.

36.015 SCHEDULE OF AERODROMES SUBJECT TO ECONOMIC REGULATION

(a) The Authority: -
   1) shall, in so far as considered appropriate, publish a schedule indicating aerodromes subject to economic regulation under this Part.
   2) may amend the schedule subject to affirmative resolution.
   3) shall designate a person to operate an aerodrome or parts thereof as an approved aerodrome operator for the purposes of this regulation.

36.020 AERODROME IMPROVEMENT FEE

(a) Subject to approval by the Authority, an aerodrome operator may levy an aerodrome improvement fee to be paid by each passenger using an aerodrome for the purpose of travel from Rwanda.

(b) The Authority may, upon application made by or on behalf of any person who has paid or is liable for payment of the aerodrome improvement fee under this regulation, waive or cause the aerodrome operator to remit or refund such fee in whole or in part if, in the circumstances of the case the Authority deems it expedient to do so and any such waiver, remission or refund shall be subject to such special conditions as may be agreed between the aerodrome operator and the Authority.

(c) The Authority shall upon approval of an application by the aerodrome operator under sub regulation (a) publish the modalities for the payment and collection of the aerodrome improvement fee.

(d) Fees collected by way of aerodrome improvement fee shall be paid into a special fund which shall be established by the aerodrome operator for that purpose and be applied to purposes conducive to capital improvements at an aerodrome on such terms and conditions as are specified under regulation 36.001.

36.025 REQUIREMENT TO LEVY CHARGES

(a) No aerodrome charges shall be levied at a scheduled Aerodrome unless-
    1) they are levied by the approved aerodrome operator; and
    2) the Authority has granted permission for and has approved the levying of such charges.

(b) An approved aerodrome operator shall apply to the Authority for permission to levy aerodrome charges.

(c) An application under sub regulation (b) shall-
    1) contain such particulars with respect to such matters as prescribed and published by the Authority.
    2) be accompanied by the prescribed fee.

(d) Where an application is made under sub regulation (b), then as from the date of the application or the date when the aerodrome becomes a scheduled aerodrome under this Part, whichever is the later, there shall, by virtue of this sub regulation, be deemed for all purposes to be a permission in force under this regulation in respect of any existing aerodrome charges levied at that aerodrome until-
    1) the Authority grants permission in relation to the application; or
    2) the application is withdrawn or the Authority notifies the applicant in writing that the permission is refused.

(e) Any permission granted under this regulation in relation to an aerodrome shall come into force on the later of the following dates, namely-
    1) the date on which it is granted; or
    2) the date on which the aerodrome becomes a scheduled aerodrome under this regulation and such permission shall remain in force until it is revoked pursuant to regulation 36.060,

(f) Where the Authority grants permission to an approved aerodrome operator to levy any aerodrome charges, that approved aerodrome operator shall, before levying such charges-
    1) consult with such categories of persons as may be Prescribed; and
    2) obtain the approval of the Authority for the levying of such charges.

(g) In determining whether to approve aerodrome charges the Authority shall take into account-
    1) the objectives referred to in regulation 36.010;
    2) the efficiency of the operations;
    3) compliance with quality and performance standards;
    4) performance by the operator in terms of commitments undertaken under the conditions by which he was approved as an aerodrome operator;
    5) whether the proposed charges would be reasonable in light of the services provided;
    6) whether the proposed charges can be justified taking into account revenues from the operations of the aerodrome from all sources including aeronautical and so much of the non-aeronautical revenues as the Authority deems appropriate.

(h) In the event that Local air quality (LAQ) emissions related charges are to be levied by aerodrome operators, the following principles shall apply:
    1) Any State imposing LAQ emissions-related charges on aircraft that are in international operation should annually report the existence of such charging schemes to ICAO. The charging authority should maintain records regarding the fees collected and the use of funds to be made available to all users.

LAQ emissions-related charges should be levied only at airports with a defined LAQ problem, either existing or projected, and should be designed to recover no more than the costs of measures applied to the mitigation or prevention of the damage caused by the aircraft.

2) The cost basis for charges should be established in a transparent manner, and the share directly attributable to aircraft should be properly assessed.
3) Consultations with stakeholders should take place before any such charges are imposed on users.
4) LAQ emissions-related charges should be designed to address the LAQ problem in a cost-effective way.
5) LAQ emissions-related charges should be designed to recover the costs of addressing the LAQ problem at airports from the users in a fair and equitable manner, should be non-discriminatory between users, and not be established at such levels as to be prohibitively high for the operation of certain aircraft.
6) It is recommended that in levying LAQ emissions-related charges special consideration be given to the need to reduce the potential impact on the developing world.
7) LAQ emissions-related charges could be associated with the landing charges, possibly by means of surcharges or rebates, or in the form of separate charges but should be subject to the proper identification of costs.
8) It is recommended that the aircraft emissions charges scheme be based on data that most accurately reflect the actual operations of aircraft. In the absence of such data, ICAO standardized landing/take off (LTO) cycle times-in-mode should be used (Annex 16 — Environmental Protection to the Convention on International Civil Aviation, Volume II — Aircraft Engine Emissions).
9) Any State imposing LAQ emissions-related charges on aircraft that are in international operation should annually report the existence of such charging schemes to ICAO. The charging authority should maintain records regarding the fees collected and the use of funds to be made available to all users.

(i) A permission granted under this regulation shall remain in force notwithstanding any change in the approved aerodrome operator.

(j) When considering any application made under sub regulation (b), the Authority shall:
   1) process the application in accordance with national and international standards;
   2) process the application within 30 days of receipt of the application.

(k) The Authority may reject an application if requirements stated in this regulation are not complied with.

36.030 CONDITIONS AND LIMITATIONS

(a) Every approved aerodrome operator to whom permission is granted under this Part shall comply with such conditions and limitations as are imposed by the Authority in relation to the grant of such permission.

(b) The Authority shall impose such conditions and limitations as it considers necessary for the proper performance of its functions under this regulation.

(c) Pre-funding of projects through charges should not be used to fully recover costs in advance of commissioning of new aerodrome facilities or infrastructure but may be accepted in specific circumstances, after having allowed for possible contributions from non-aeronautical revenues, where this can assist in financing long term, large-scale investment, provided that strict safeguards are in place, including the following:
   1) Effective and transparent economic oversight of charges and the related provision of services, including performance management;

2) Comprehensive and transparent accounting, with assurances that resulting charges are, and will remain, earmarked for civil aviation services or projects;
3) Advance, transparent and substantive consultation by providers and, to the greatest extent possible, agreement with users regarding significant projects being pre-funded; and
4) Application for a limited period of time with users benefiting from lower charges and from smooth.

36.035 MANDATORY CONDITIONS FOR SCHEDULED AERODROMES

(a) Where an aerodrome becomes a scheduled aerodrome for the purposes of this Part, the Authority shall, at the time when it grants permission under regulation 36.025(d), impose any conditions as to the accounts and aerodrome charges in relation to the aerodrome within the period of twelve months beginning with the date on which the aerodrome becomes a scheduled aerodrome.

(b) The conditions as to accounts referred to in sub regulation (a) are-
1) such conditions as the Authority considers appropriate to ensure that the approved aerodrome operator's accounts disclose-
(i) any subsidy given (whether by the making of loans on non-commercial terms or otherwise) by any person or authority to the approved aerodrome operator in connection with his business consisting of the carrying on of operational activities relating to the aerodrome and the identity of any such person or authority;
(ii) any subsidy so given to that business by the approved aerodrome operator out of funds attributable to any other activities carried on by him;
(iii) the approved aerodrome operator's aggregate income and expenditure attributable to the levying by him of aerodrome charges at the aerodrome;
(iv) the approved aerodrome operator's aggregate income and expenditure attributable to operational activities relating to the aerodrome (whether carried on by that aerodrome operator or any other person) being income and expenditure which are taken into account by him in fixing aerodrome charges; and
(v) where the approved aerodrome operator has for the time being the management of two or more aerodromes, the aerodrome operator's aggregate income and expenditure attributable to the business carried on by him at each of those aerodromes; and
2) Where the approved aerodrome operator's accounts are not required to be delivered to the registrar of companies in accordance with the company's law, such conditions as the Authority considers appropriate with respect to the publication of those accounts.

(c) The approved aerodrome operator shall deliver to the Authority copies of accounts delivered to the registrar of companies in accordance with the company law or published in accordance with sub regulation (b) (2).

(d) The conditions as to aerodrome charges referred to in sub regulation (a) are such conditions as the Authority considers appropriate for regulating the maximum amounts that may be levied by the approved aerodrome operator by way of aerodrome charges at the aerodrome during the period of five years beginning with such date as may be specified by the Authority when imposing the conditions, being not later than the end of the period of twelve months after the date on which the conditions are imposed.

(e) Subject to sub regulation (k), the Authority shall make such modifications in the conditions imposed pursuant to sub regulation (d) as it thinks appropriate for regulating during the succeeding period of five years, the maximum amounts that may be levied by the approved aerodrome operator by way of aerodrome charges at the aerodrome:
1) at the end of the period of five years specified in sub regulation (d); and
2) at the end of each succeeding period of five years.

(f) Notwithstanding the provisions of sub regulation (e), the period of review referred to therein may be modified to take into account any agreement between the approved aerodrome operator which has been approved by the Authority.

(g) Any reference in this part to the making of modifications in any such conditions includes a reference to the making of a modification the effect of which is merely to extend the application of a particular condition or conditions for a further period of five years.

(h) Without prejudice to the generality of sub regulations (d) and (e), conditions imposed or modified pursuant to those sub regulations may-

1) provide for-
   (i) an overall limit on the amount that may be levied by the approved aerodrome operator by way of aerodrome charges at the aerodrome;
   (ii) limits to apply to particular categories of charges; or
   (iii) a combination of any such limits;
2) operate to restrict increases in any such charges or to require reductions in them, whether by reference to any formula or otherwise;
3) provide for different limits to apply in relation to different periods of time within the period of five years for which the conditions are in force.

(i) Notwithstanding the foregoing provisions of this regulation, if exceptional circumstances arise during a five-year period which may justify reconsideration of aerodrome charges, the approved aerodrome operator may submit an application to the authority which shall, after conducting an investigation under regulation 36.040, consider that application, taking into account the provisions under regulation 36.025(e) and (f).

(j) The Authority may, if it thinks fit and after consultation with the approved aerodrome operator concerned, determine, at any time during the period of five years for which conditions under sub regulation (d) are in force, that such period shall be extended by such period (not exceeding twelve months) as may be specified; and accordingly, any reference in this part to that period shall be construed as a reference to the period as extended pursuant to this sub regulation.

(k) Where the Authority makes any such determination in the case of conditions providing for different limits to apply in relation to different periods of time, any limit applying to the last of those periods shall apply also in relation to the additional period referred to in sub regulation (j) unless the Authority and the approved aerodrome operator agree that some other limit shall apply instead.

(l) Before imposing any conditions pursuant to sub regulation (d) or making any modifications pursuant to sub regulation (e) in relation to an aerodrome, the Authority shall act in accordance with regulation 36.040 unless the minister otherwise directs.

36.040 INVESTIGATIONS BY AUTHORITY

(a) For the purposes of regulation 36.035 (l), the Authority shall investigate-

1) the question as to what are the maximum amounts that should be capable of being levied by the approved aerodrome operator by way of aerodrome charges at the aerodrome during such period of five years as the Authority may determine; and
2) the matters specified in sub regulation (b).

(b) The matters referred to in sub regulation (a) (2) are-

1) whether the approved aerodrome operator has, at any time during the period determined by the authority, pursued a course of conduct which might be expected to operate against the public interest, in relation to-
   (i) any aerodrome charges levied by him at the aerodrome;
   (ii) any operational activities carried on by him and relating to the aerodrome; or
   (iii) the granting of a right by virtue of which any such operational activities may be carried on by any other person; and

2) whether the effects averse to the public interest which that course of conduct has had or might be expected to have, could be remedied or prevented by the imposition of any conditions in relation to the aerodrome or by the modification of any conditions already in force in relation to that aerodrome.

(c) In determining whether any particular matter has operated or might be expected to operate, against the public interest, in the case of a matter relating to the granting of a right by virtue of which any operational activities may be carried on by any person, the Authority shall have regard to the objective of furthering the reasonable interests of persons granted such rights.

(d) The Authority shall submit to the Minister a report of its findings in respect of an investigation under sub regulations (a) -(c) and shall give a copy thereof to the approved aerodrome operator concerned.

(e) In making a report in relation to an investigation the Authority-

1) shall include definite conclusions on the matters specified in sub regulation (a) together with an account of the reasons for those conclusions as, in the Authority's opinion, is expedient for facilitating proper understanding of those matters and of the conclusions;
2) where the Authority concludes-
   (i) that any course of conduct specified has operated or might be expected to operate, against the public interest, it shall specify the adverse effects to the public interest which that course of conduct has had or might be expected to have; and
   (ii) that any such adverse effects could be remedied or prevented by the imposition of any conditions in relation to the aerodrome in question or by the modification of any existing conditions, it shall specify the conditions that should be imposed or modified, as the case may be.

(f) The Authority shall, subject to sub regulation (d), publish the report in such manner as the Authority considers appropriate for bringing the report to the attention of persons likely to be affected thereby.

(g) If it appears to the Minister that the publication of any matter in such a report would be against the public interest or the commercial interest of any person, he may, within twenty- one days after receiving a copy of the report, direct the Authority to exclude that matter from the report as published under sub regulation (f).

36.045 DISCRETIONARY CONDITIONS

(a) Where, at the time of granting a permission under regulation 36.025 in respect of an aerodrome or at any other time while such permission is in force, it appears to the Authority that the approved aerodrome operator is pursuing a course of conduct specified in sub regulation (b), the Authority may, if it thinks fit, impose in relation to the aerodrome such conditions as it considers appropriate for the purpose of remedying or preventing what it considers are the adverse effects of that course of conduct.

(b) The courses of conduct referred to in sub regulation (a) are-

1) the adoption by the approved aerodrome operator, in relation to any relevant activities carried on by him at the aerodrome, of any trade practice or pricing policy which-
   (i) unreasonably discriminates against any class of users of the aerodrome or any particular user; or
   (ii) unfairly exploits his bargaining position relative to users of the aerodrome generally;
2) the adoption by the approved aerodrome operator, in relation to the granting of rights by virtue of which relevant activities may be carried on at the aerodrome by any other person, of any practice which-
   (i) unreasonably discriminates against persons granted any class of such rights or any particular grantee of such a right or unfairly exploits his bargaining position relative to the grantees of such rights generally; or

(ii) unreasonably discriminates against any class of persons applying for such rights or any particular applicant, or unreasonably limits the number of such rights that are granted in the case of any particular services or facilities, or which has resulted in the adoption by any other person of a practice that does any of those things;

3) the fixing by the approved aerodrome operator of any charges levied by him at the aerodrome in relation to any relevant activities carried on by him there at levels which-
   (i) are insufficient (after taking into account such other revenues (if any) as are relevant to the fixing of such charges) to cover the costs of providing the services or facilities to which the charges relate or are, in the Authority's opinion, artificially low; and
   (ii) materially harm (or are intended to materially harm) the business carried on by an approved aerodrome operator at any other aerodrome.

(c) In sub regulation (b) (3) (i) the reference to the levels at which charges are fixed being artificially low is a reference to such levels being significantly lower than they would otherwise have been-
   1) by reason of any subsidy as described in regulation 36.035 (b) (1) (i) and (ii); or
   2) where the approved aerodrome operator is a company, by reason of any conduct by the company which, in the Authority's opinion, has resulted or is likely to result in a failure by the company-
      (i) to achieve a reasonable return on the capital employed by it in wing on operational activities relating to the Aerodrome; or
      (ii) to distribute to members of the company a reasonable proportion of the profits available for distribution; or
      (iii) to reach a level of borrowing which is appropriate having regard to its share capital.

(d) In determining for the purposes of sub regulation (c) (2) what is reasonable or appropriate, as the case may be, the Authority shall-
   1) disregard the fact that the relevant conduct by the company was in conformity with any policy for the time being of a person having control of the company;
   2) have regard to any circumstances which, in its opinion, would affect any company carrying on the business of operating the aerodrome as a commercial undertaking.

(e) Before imposing any conditions under sub regulation (a), the Authority shall notify in writing the approved aerodrome operator concerned of the course of conduct specified in sub regulation (b) which it appears to the Authority that he is pursuing and of the conditions which the Authority intends to impose.

(f) For the purposes of this regulation the Authority shall investigate whether-
   1) any course of conduct referred to in sub regulation (b) has operated or might be expected to operate against the public interest; and
   2) the adverse effects to the public interest which that course of conduct has had or might be expected to have, could be remedied or prevented by the imposition of any conditions in relation to the aerodrome or by the modification of any existing conditions.

36.050 PROVISIONS SUPPLEMENTARY TO REGULATION 36.045

(a) Nothing in regulation 36.045 (a) shall be construed as authorizing the Authority to impose a condition-
   1) Providing for any such overall limit as is mentioned in Regulation 36.035 (h)(1)(i). (limit on aerodrome charges); or
   2) Regulating the maximum amount that may be levied by an approved aerodrome operator by means of any particular category of charges levied by him at an aerodrome if the same category of charges is for the time being subject to any limit or limits imposed pursuant to regulation 36.035 (h)(1)(i) or (iii).

(b) The Authority shall take into account practices currently adopted at aerodromes outside Rwanda for the purposes of this sub regulation when determining whether-

1) An approved aerodrome operator is pursuing a course of conduct falling within Regulation 36.045 (b)(1),
2) Conditions should be imposed by it under Regulation 36.045 (b)(1) or in relation to the aerodrome in question.

(c) Where an aircraft operator makes representations to the Authority to the effect that the Authority's powers under regulation 36.045 (a) appear to be exercisable in relation to an aerodrome on the ground that the approved aerodrome operator is pursuing a course of conduct within regulation 36.045 (b)(1), the Authority shall take appropriate enforcement action following the outcome of investigation carried out in accordance with Regulation 36.045(f).

36.055 ENFORCEMENT OF CONDITIONS OTHER THAN ACCOUNTS CONDITIONS

(a) Where-
1) a complaint is made to the Authority that an approved aerodrome operator is in contravention of any condition imposed by the Authority in relation to any aerodrome; and
2) such complaint is made-
(i) by any person on whom any aerodrome charges have been levied by the approved aerodrome operator at the aerodrome (whether or not actually paid by the person); or
(ii) by any other approved aerodrome operator who claims that the business carried on by him at another aerodrome in Rwanda has been or is being materially harmed by the alleged contravention, the Authority shall investigate that complaint, unless it considers it to be frivolous.

(b) Where any such complaint is made to the Authority by a person not falling within sub regulation (a) (2), the Authority may investigate the complaint if it thinks fit.

(c) This regulation shall not apply to a condition to which regulation 36.065 applies (breach of accounts conditions).

(d) Where, upon an investigation the Authority is satisfied that an approved aerodrome operator has contravened the condition in question the Authority shall-
1) by order (hereinafter referred to as a compliance order) provide such measures as it considers appropriate for the purpose of securing compliance with that condition and for remedying any loss or damage or injury suffered by any person in consequence of the contravention; or
2) subject to sub regulation (e), modify the condition in such manner as it considers appropriate in the circumstances.

(e) A compliance order under sub regulation (d) (1)-
1) shall require the approved aerodrome operator concerned to do or to refrain from doing, such things as are specified in the order; and
2) shall, as respects any such requirement, take effect upon service of a copy on the approved aerodrome operator or at such later time as may be specified by the Authority;
3) may be revoked by the Authority at any time.

36.060 VALIDITY AND EFFECT OF COMPLIANCE ORDER

(a) An approved aerodrome operator who is aggrieved by any compliance order applying to him may, within thirty days of the service of a copy of the order on him, make an appeal according to the provisions of the Law.

(b) No criminal proceedings shall, by virtue of the making of a compliance order, lie against any person on the ground that he has committed or aided, abetted, counselled or procured the commission of any contravention of the order.

(c) The obligation to comply with a compliance order is a duty owed to any person who may be affected by a contravention of it and accordingly-
   1) any breach of the duty which causes that person to sustain loss or damage; and
   2) any Law which, by inducing a breach of that duty or interfering with its performance, causes that person to sustain loss or damage and that is done wholly or partly for the purpose of achieving that result, shall be actionable at the suit or instance of that person

(d) In any proceedings brought against any person pursuant to sub regulation (d) (1), it shall be a defense for him to prove that he took all reasonable steps and exercised all due diligence to avoid contravening the order.

(e) Without prejudice to any right which any person may have by virtue of sub regulation (d) (1) to bring civil proceedings in respect of any contravention of a compliance order, the Authority may enforce compliance with any such order by proceedings for an injunction or any other appropriate relief

(f) Where it appears to the Authority that an approved aerodrome operator has contravened a compliance order and is unlikely to comply with it in the immediate future, the Authority may, instead of proceeding under sub regulation (f), revoke the permission for the time being in force under this Part in respect of the aerodrome to which the contravention relates.

(g) Where any such permission is revoked pursuant to sub regulation (g), a permission shall not again be granted under this Part in respect of the aerodrome in question so long as that person remains the approved aerodrome operator unless the Authority is satisfied as mentioned in sub-regulation (i).

(h) Permission may be granted in respect of the aerodrome referred to in sub regulation (h) if it appears to the Authority that, if it were to impose any condition corresponding to the one the breach of which gave rise to the making of the compliance order, the approved aerodrome operator would comply with that condition.

36.065 BREACH OF ACCOUNTS CONDITIONS AND PENALTIES

(a) An approved aerodrome operator who fails to comply with any condition imposed pursuant to Regulation 36.035 (b)(1) shall be liable to administrative fines as provided for in Regulation 1.165.

(b) Where an approved aerodrome operator has failed to comply with a condition referred to in sub Regulation (a), then, whether or not proceedings are brought under that sub regulation in respect of that contravention, the Authority may impose, in relation to the aerodrome to which the contravention relates, such conditions as it considers appropriate with respect to the publication of any matter to which the contravention relates.

(c) An approved aerodrome operator who fails to comply with any condition imposed pursuant to sub Regulation (b) before the end of the period allowed for such compliance, shall be guilty of an offence and liable to administrative fines as provided for in Regulation 36.305.

(d) In any proceedings for an offence under this Regulation It shall be a defense for the person charged to show, in the case of an offence under –
   1) sub regulation (a), that he took all reasonable steps for securing compliance with the relevant condition; or
   2) sub regulation (c), that he took all reasonable steps for securing compliance with the relevant condition before the end of the period allowed for such compliance

36.070 SUPPLEMENTARY PROVISIONS CONCERNING CONDITIONS

(a) Any condition imposed by the Authority under this part otherwise than pursuant to Regulation 36.035 (d), shall remain in force for a particular period or without limit of time, as the Authority may determine, and, in imposing the condition, the Authority shall specify-
   1) the period that it is to remain in force; or
   2) that the duration thereof is unlimited.

(b) Where the Authority specifies a period under sub regulation (a) (1), it may, if it thinks fit, determine that the period shall be extended by such further period as may be specified in the determination.
(c) The Authority may at any time revoke or modify any conditions in force in relation to a scheduled aerodrome pursuant to Regulation 36.035 (b).
(d) Where any conditions referred to in Regulation 36.045 (a) are in force in relation to a scheduled aerodrome, the Authority may at any time revoke or modify those conditions.
(e) Before making any modification under sub regulation (d) for the more effective securing of the purpose for which the relevant conditions were imposed, the Authority shall in writing notify the approved aerodrome concerned of the course of conduct within Regulation 36.050 (b) which it appears to the Authority he is pursuing and of the modifications which it proposes to make.
(f) The Authority shall, in the prescribed manner, notify the relevant approved aerodrome operator of any condition imposed, revoked or modified pursuant to this part or of any extension of the period of operation of any such condition.
(g) An approved aerodrome operator shall, on the request of any person and on payment by that person of such reasonable fee as the operator may determine, provide that person with a copy of the permission granted under this Regulation in respect of the relevant scheduled aerodrome and of any conditions in force in relation to that aerodrome.

36.075 SLOT MANAGEMENT

(a) Before being designated as a coordinated aerodrome, the operator shall carry out a thorough capacity analysis in the circumstances specified and in accordance with technical standards established by the Authority.
(b) The Authority may by written notice served on the operator of an aerodrome appoint any competent body to carry out a capacity analysis, if it appears to the Authority that the operator is not willing or able to do so.
(c) The operator of an aerodrome shall bear the costs of any appointment pursuant to sub regulation (b) or shall reimburse the cost of any appointment made pursuant to sub regulation (b).
(d) The operator of an aerodrome which is designated a coordinated aerodrome shall appoint a person as coordinator for that aerodrome.
(e) No person shall be appointed pursuant to sub regulation (d) unless that appointment has been approved by the Authority.
(f) No person shall be appointed pursuant to sub regulation (d) unless the operator is satisfied that person's —
    1) functions in his capacity as a coordinator are separate or shall be separated from the functions of any interested party; and
    2) activities in his capacity as a coordinator are financed by means of a system that guarantees the coordinator's independence.
(g) The Authority may by written notice served on the operator of an aerodrome and the coordinator for that aerodrome withdraw any approval given pursuant sub regulation (e) if the Authority is satisfied that any breach of sub regulation (f) has occurred in relation to that person.
(h) The Authority shall publish in its publication entitled "Rwanda Slot Management" notice of any determination by the Authority in accordance with RCATS that an aerodrome shall be (or shall cease to be) designated a coordinated aerodrome.

SUBPART C CONSUMER/AIR CARRIER RIGHTS AND OBLIGATIONS

36.080 CONSUMERS RIGHTS AND OBLIGATIONS

(a) A consumer has the right to:
   1) receive clear and complete information about rates, terms and conditions for available and proposed products and services;
   2) buy and pay for the products and services they subscribe to that are on offer by the air carrier;
   3) personal privacy and protection against unauthorized use of personal information;
   4) to fair prompt redress in the event of a dispute in the provision of services;
   5) protection from unfair trade practices, false and misleading advertising, and unconscionable Acts;
   6) make a complaint under these Part and include complaints as per terms of the ticket;

(b) A consumer:
   1) shall not abuse air carrier services provided for by these Regulations;
   2) shall familiarize themselves with and honor their obligations under the terms and conditions contained in a ticket provided by an air carrier;
   3) shall make reasonable decisions in exercising their right of choice;
   4) shall familiarize with and abide by any safety and security requirements pertaining to the use of services provided by the air carrier; and
   5) will notify the air carrier of any special needs during booking or reservation or at least 48 hours before the scheduled time of departure whichever is earlier, which may include but not limited to:
      (i) nature and level of special assistance required while embarking, disembarking and during in-flight;
      (ii) mobility equipment and disability aids that need to be carried by the airline either in cabin and/or aircraft hold;
      (iii) Requirement of escort.

36.085 AIR CARRIERS RIGHTS AND OBLIGATIONS

(a) An air carrier shall;
   1) Issue the passenger with a ticket and boarding pass that has clear information about the travel and/or a link to its conditions of carriage;
   2) In case of disruption of services, keep the passengers updated and informed at the earliest time possible;
   3) Take reasonable and appropriate technical, organizational and any other measures to ensure the provision of the service as sold in accordance with the airline policies;
   4) Ensure all advertising and marketing information is complete, factual and accurate;
   5) Make available in accessible format, including on their website, the safety and carriage rules that apply to the carriage of persons with disability as well as any restrictions on their carriage or on the mobility equipment due to the size of aircraft. This provision shall also apply to the air carrier's agents.
   6) Keep confidential and safeguard the security of personal information received from the consumer.
   7) Ensure that the consumers' attention is drawn to their rights with regards to compensation and assistance.
   8) In case of insolvency or liquidation, require the administrators to ensure that any person or entity holding tickets, is prioritized in any arrangement

36.090 DENIED BOARDING

(a) An air carrier may overbook its flights in contemplation of the possibility of some passengers not showing up for that flight, provided that the air carrier shall ensure that as small a number of persons as possible holding confirmed reserved tickets on that flight are denied boarding involuntarily per air carrier Overbooking Policy;

(b) Rwandan air operators shall submit their Overbooking Policy and Procedures to the Authority for approval;

(c) All Foreign air carriers operating in Rwanda shall submit to the Authority their overbooking Policy adopted by the representative civil aviation authority in the country where its headquartered;

(d) Air carriers shall display in a conspicuous manner the approved overbooking policy and inform the Consumers thereof when conducting their travel procedures, either via phone call, the air carriers' website, sales offices and counters, or when boarding at the aerodrome;

(e) In addition to any provision set out in these Regulations, a foreign air carrier shall inform the Authority of any significant difference in its overbooking policy, which provides lesser consumer rights than those provided by these Regulations;

(f) When an air carrier has to deny boarding to a consumer due to overbooking and in the event that alternative seats in a section for which a higher fare is charged than that specified on the tickets is available on that same flight, then the air carrier may upgrade the consumer to the higher fare section;

(g) When an air carrier has to deny boarding to a consumer due to overbooking, and in the event that alternative seats in a section for which a higher fare is charged than that specified on the ticket are not available on that same flight, then the air carrier must announce its requests for volunteers to relinquish their space in exchange for a compensation offer provided by the air carrier;

(h) When an air carrier has to deny a consumer from boarding due to overbooking and insufficient number of volunteers coming forward, the air carrier will consider these consumers to have been involuntarily denied boarding and therefore the air carrier shall immediately provide the necessary care or compensation to the consumer involuntarily denied boarding in the following manner:

1) The air carrier must immediately provide sufficient clear information in writing to the Consumer of his/her rights upon being involuntarily denied boarding for overbooking and must provide the necessary Care and guidance in this regard;
2) In the event the seats in a section for which the lower fare is charged, on the same fight are available, the air carrier must inform the Consumer of the availability of such seats on a lower fare section, in accordance to these Regulations;
3) Subject to the above, the air carrier may grant the Consumer, the right to choose between downgrading, travelling on a different flight of the same Air, provided that the air carrier shall bear the difference in cost, if any per the air carriers policy;
4) If the Consumer decides to wait until the next flight of the air carrier, or if the soonest alternative flight requires waiting for longer than an hour and less than six hours in the aerodrome, then the air carrier must provide Care to the Consumer;
5) Downgrading the class on the same flight due to overbooking shall not be considered denied boarding, however in such event the Consumer seated in a section for which a lower fare is charged shall be entitled to a refund equal to the difference between the fare prices paid by the Consumer and the replacement fare for the segment of flight during which the downgrade was applied;
6) In the event of denied boarding, a Consumer having a connecting flight from the point of arrival to other destinations, the air carrier must ensure that the Consumer reaches the destination point at the soonest time possible with the least time of delay whether via other air carriers or a higher class fare, provided the air carrier bears the difference

in costs, if any. The consumer must provide evidence of the connection from the point of arrival;

(i) A consumer denied boarding involuntarily from an overbooked flight shall not be eligible for denied boarding compensation due to any of the following:

1) the consumer does not fully comply with the air carrier's contract of carriage or tariff provisions regarding ticketing, reconfirmation, and check in at the aerodrome in a reasonable time before the flight to complete the travel procedures, as per the air carrier's policy;
2) if the air carrier arranges comparable air transportation or an alternative means of transportation to the final destination of the consumer within 3 hours from the original arrival time;
3) In relation to a consumer who volunteers, the air carrier shall disclose all material restrictions, including but not limited to administrative fees, advance purchase or capacity restrictions, and blackout dates applicable to the offer.

(j) The air carrier shall undertake to pay consumers the relevant compensation within 30 days from the date of confirmation of the consumer's entitlement for compensation, or from the date of issuance of a decision by the Authority of the consumer's entitlement for compensation.

(k) The consumer shall be compensated by the air carrier an equivalent of 20% of the ticket price for each day, after the payment becomes due per the air carriers' overbooking policy, of delayed compensation;

(l) The air carrier shall undertake to pay consumers the relevant compensation within 30 days from the date of confirmation of the consumer's entitlement for compensation, or from the date of issuance of a decision by the Authority of the consumer's entitlement for compensation.

(m) The consumer shall be compensated by the air carrier an equivalent of 20% of the ticket price for each day, after the payment becomes due per the air carriers' overbooking policy, of delayed compensation;

36.095 CANCELLATION OF FLIGHT

(a) Subject to safety and security, the air carrier shall undertake all necessary measures to reduce the number of cancelled flights.

(b) The air carrier must as early as reasonably possible advice the consumer of the cancellation of its flight.

(c) Where the air carrier notifies the consumer of cancellation of a flight three (3) days in advance of the date of travel, the air carrier shall be exempted from the requirements of care and compensation, provided that the air carrier refunds the paid ticket value to the concerned consumer;

(d) Where the consumer is notified of cancellation of a flight less than three (3) days before the date of travel, the air carrier must offer to the concerned consumer the option of finding an alternative flight or refund of the paid ticket value for the whole flight or for the remaining part of the flight;

(e) In the event that concerned consumer chooses an alternative flight other than the cancelled flight, which resulted in extending the consumer's stay at a hotel for an additional time until the time of the alternative flight, the air carrier shall bear the hotel expenses and meals for the additional stay up to-the new travel date.

(f) In the event of cancellation of a flight for instantaneous circumstances while the consumer is at the aerodrome, and the air carrier provides the option of an alternative flight, then the consumer shall be treated as follows:

1) Where travel is to take place on a higher fare section with the same air carrier or with a different air carrier, then the air carrier shall bear the difference in cost if the cost of the ticket of the alternative flight is higher than the cost of the ticket of the same air carrier.

2) If travel was to take place on a lower fare section with the same air carrier or with a different air carrier, the air carrier shall compensate the consumer the ticket cost difference;
3) If the consumer declines the offers under this Regulation and voluntarily decides to cancel his contract with the air carrier due to the cancellation of the flight, the air carrier shall refund the ticket price;

(g) The air carrier must prepare a declaration form titled "voluntary cancellation of contract by the consumer", which must be signed by the consumer in order to be entitled to the refund of the ticket price;
(h) In the event of non-existence of the declaration form under this Regulation, then the consumer's statement shall be accepted as true;
(i) For domestic flights, the air carrier shall secure an alternative flight to the cancelled flight with the same air carrier or with a different carrier within a period that does not exceed eight (8) hours from the time of take-off of the cancelled flight, unless such is not possible due to security and safety reasons.
(j) If the departure aerodrome of a domestic flight is a domestic aerodrome, and the distance between the departure point and the arrival point or the nearest aerodrome that the consumer could depart from to the arrival point does not exceed 6 hours by road, then the air carrier may provide ground transportation means to ensure arrival of the consumer at his destination as soon as possible or refund the value of the ticket for that part of the consumer's flight.
(k) In the case of sub regulations (i) and (j) above, if the delay between the cancelled flight and the alternative flight exceeds eight (8) hours, then the air carrier must, in addition to providing the care required, compensate the Consumer an amount equivalent to 10% of the ticket value for every hour of delay. Provided that the compensation shall be capped at the total value of the ticket, and such compensation shall not be considered an alternative to providing the care services.
(l) In the cases stated in sub regulation (i) and (j), the air carrier must refund the value of the whole flight or the remaining part of the flight to the consumer if the consumer voluntarily decided to cancel his travel;
(m) Any compensation under these Regulations shall be paid in cash, by electronic bank transfer, bank orders or cheques or, with the signed agreement of the passenger, in travel vouchers and/or other services;
(n) The burden of proof concerning the questions as to whether and when the passenger has been informed of the cancellation of the flight shall rest with the operating air carrier;
(o) In addition, an air carrier will facilitate communication by providing up to a maximum of 3 minutes for voice call or 3 hours on data or fax messages or emails;
(p) An air carrier shall not be obliged to pay compensation in accordance with this Regulation if it can prove that the cancellation was caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.

36.100 DELAY OF FLIGHT

(a) Subject to security and safety, the air carrier shall undertake all efforts to reduce the number of delayed flights and the period of delay;
(b) Where the air carrier notifies the consumer of delay of the flight or change in the schedule time 3 days before the date of travel, the air carrier shall be exempted from the requirements of care and compensation;
(c) The air carrier will not be liable for damages occasioned by delay if it could prove that the air carrier and its employees and agents took measures that could reasonably be required to avoid the damage or that it was impossible for it or them to take such measures;

(d) Subject to safety and security, the air carrier must undertake all efforts to provide the consumer with advance notice as early as possible of the delay of the flight, and the notification shall include the new estimated time for take-off;

(e) Where the air carrier does not announce the new estimated time for takeoff through the mode of announcement available at the aerodrome, then the air carrier must, in addition to providing the care required, compensate the consumers an amount equivalent to 20% of the ticket value for each hour of delay, provided that such compensation is capped at the total value of the ticket per passenger.

(f) Subject to provisions of sub regulations (e) and (l), where boarding of an aircraft is delayed, an air carrier shall provide the following care for consumers:
   1) Refreshment for the first hour from the original time of departure.
   2) A hot meal or an equivalent meal voucher if the expected delay period exceeds three (3) hours from the time of the originally scheduled departure.
   3) Hotel accommodation if the expected delay period exceeds 6 hours from the ETD. Provided also that the duration of delay falls at any period of night time

(g) Aerodrome operators must support the air carrier by providing the infrastructure and the necessary facilities to provide the care services under these Regulations.

(h) Where an air carrier is unable to provide the care services stated in Regulation 36.095 due to the unavailability of the infrastructure in the aerodrome in which the delay took place, the consumer shall be compensated by the air carrier in accordance with Regulation 36.085(a)(7) and the air carrier shall have the right to claim half the cost of the care and compensation value provided by the air carrier to the consumer from such third parties directly responsible for the act or omission.

(i) Where there is a delay of an international flight before the consumer arrives at the aerodrome facilities, the air carrier shall bear the cost of extending the consumer's hotel accommodation until the new take off time, provided that the air carriers responsibility does not exceed 50 SDR units, provided the consumer provides evidence of his incurring such costs;

(j) The provisions of Regulation 36.090 shall apply to the cases in which the air carrier needs to change the route of the flight during the flight;

(k) Where there is delay of a flight or expected delay thereof for a period that exceeds eight hours, the consumer may request that the air carrier considers the flight as cancelled in accordance with the provisions of a flight cancellation included in the Regulations;

(l) Where further delay is incurred beyond the expected delay in arrival as announced by the air carrier, such that the total time delay exceeds eight (8) hours, the air carrier must in addition to the care required, compensate the consumer an amount equivalent to 10% of the Ticket value for every hour of delay. Provided that compensation shall be capped at the total value of the ticket and such compensation shall not be considered an alternative to providing the care services.

(m) In addition, passengers shall be offered free of charge two telephone calls or fax messages, or e-mails;

(n) The burden of proof concerning the questions as to whether and when the passenger has been informed of the cancellation of the flight shall rest with the operating air carrier;

36.105 NO –SHOW OF PASSENGER

(a) A Passenger who shows-up on a later date or time other than the scheduled date or time of departure on his or her ticket may be considered for wait-listing on another flight subject to seat availability after meeting the airlines requirement(s).

36.110 PERSONS WITH DISABILITY OR SPECIAL NEEDS

(a) An air carrier is not permitted to deny boarding to a consumer with special needs, unless such denial is for purposes of security and safety on board the aircraft or for maintenance of the health of the consumer;

(b) No air carrier shall refuse to carry persons with special needs and their assistive aids/devices, escorts, provided such persons or their representatives, at the time of booking for travel, inform the airlines of their requirements.

(c) The air carrier, aerodrome operator, and ground handling service provider must take into consideration and make advance arrangements to ensure that the needs of consumers with special needs, including without limitation;

1) Providing assistive aids, wheelchairs and clear guidance signs in the aerodrome before departure, during the flight or intermediate stops and on arrival as well as during boarding and embarking/disembarking;
2) Undertaking the necessary measures to ensure notification of consumers with special needs (particularly in the case of blindness or deafness) regarding times, cancellations, or delay of flights. The air carrier shall bear the liability for failure to provide sufficient notification;
3) Undertaking the necessary care required by the consumer during cancellation, delay, or rerouting of flights.
4) Equipping the sales counters and aerodrome facilities by the aerodrome operators to receive consumers with special needs.

(d) The air carrier shall ensure that a consumer with special needs, upon payment of a ticket, reaches the aircraft from the departure lounge, and at the end of the journey from the aircraft to the arrival lounge exit, without incurring any further expenditure;

(e) In the event that a consumer with special needs is denied boarding after his ticket has been issued, or in the event that the air carrier, aerodrome operator, or ground handling service providers fails to provide the necessary services to a consumer with special needs, such parties shall be required to submit their justification for their failure within five days from the date of the failure to provide the service, or from the date the Authority becomes aware of their failure to provide service or else such will be considered an acknowledgement that the relevant consumer is entitled to compensation in accordance with this Part.

(f) The air carrier shall formulate a detailed procedure for carriage of persons with special needs and publish the same on their website;

(g) The air carrier shall develop emergency evacuation procedures and training of their staff for handling persons with special needs and include the same in their safety manuals and operation manuals for approval by the Authority. The training program shall include detailed procedures of handling, evacuation and develop awareness towards persons with special needs;

(h) Where an air carrier is in breach of this Regulation or fails to provide the services or necessary facilities after his or her ticket has been issued the consumer with special needs shall be compensated an equivalent of 150% of the value of the travel Ticket in addition to any entitlements provided for under these Regulations.

36.115 BAGGAGE HANDLING

(a) An air carrier shall commit and undertake to provide the necessary care and diligence to ensure that a consumer's baggage is not delayed, lost or damaged;

(b) The air carrier shall compensate the consumer up to a maximum of one (1000) thousand SDR Units for the loss, damage, or delay of a consumer's baggage;

(c) If a consumer wishes to increase the level of compensation as a result of the baggage containing high value items, the consumer must disclose to the air carrier the valuable items and the value thereof before boarding the aircraft, using baggage declaration forms prepared for such purposes by the air carrier;

(d) The air carrier shall provide to the Authority its lost, delayed or damaged baggage compensation policy within ninety (90) days from the date of commencement of this part, failure to which the air carrier shall compensate the consumer based on the maximum limit for each claim;
(e) The Authority will be entitled to decline or require amendment of an air carrier's compensation policy to conform to this part;
(f) The air carrier shall commit to disclosing its compensation policy for delayed, lost and damaged baggage on its website as well as in a visible place in the sales offices and aerodromes;
(g) The air carrier shall: -
   1) Compensate the consumer for damage of the baggage within ten (10) days from the date on which the baggage is deemed damaged in accordance with the procedures of the air carrier;
   2) Compensate the consumer for loss of the baggage within ten (10) days from the date on which the air carrier admits the loss of the checked baggage or if the checked baggage has not arrived at the expiration of twenty-one (21) days after the date on which it ought to have arrived;
   3) Be liable for damage caused by the delay in the carriage of baggage;
(h) The air carrier is not liable under this Regulation if it proves that the carrier or the carrier servants or agents had taken all necessary measures to avoid the damage, loss or delay or it was not possible for the carrier or the carrier servants or agents to have taken those measures;
(i) If the air carrier and or any other service provider proves that the damage was caused or contributed to by the negligence of the passenger the air carrier may be wholly or partly exonerated from liability.
(j) The air carrier shall be entitled for the compensation from the Aerodrome operator or any other service provider in case the delay damage or loss of baggage originated from the aerodrome operator or any other service provider who caused the delay, damage or loss.

36.120 FURTHER COMPENSATION

(a) These Regulations shall apply without prejudice to a passenger's rights to further compensation under any contractual, international or any other applicable law. The compensation granted under this Part may be deducted from such compensation.

36.125 RIGHT TO CARE

(a) In applying this Regulation, the air carrier, aerodrome operator, service provider shall pay particular attention to the needs of persons with special needs and any persons accompanying them, as well as to the needs of unaccompanied minors.

36.130 Right to redress

(a) In cases where an air carrier pays compensation or meets the other obligations incumbent on it under these Regulations, no provision of these Regulations may be interpreted as restricting its right to seek compensation from any person, including third parties, in accordance with the law applicable.

36.135 EXCLUSION OF WAIVER

(a) Air carrier, aerodrome operator or any other service providers' obligations vis-à-vis consumers pursuant to these Regulations may not be limited or waived, notably by a derogation or restrictive clause in any contract of carriage.
(b) If, nevertheless, such a derogation or restrictive clause is applied in respect of a consumer, or if the consumer is not correctly informed of his or her rights and for that reason has accepted compensation which is inferior to that

provided for in these Regulations, the consumer shall still be entitled to take the necessary proceedings before the Authority or the competent courts or bodies in order to obtain additional compensation or pursue available remedies.

36.140 PASS-OFF BY AIR CARRIERS

(a) All air carriers shall ensure that consumers have clear transparent access to all pertinent information regarding the characteristics of the air transport products that are being sold prior to purchasing the ticket including the following:
    1) the identity of the air carrier actually operating the flight and advise on any change occurring after the purchase of the Ticket as soon as possible;
    2) general conditions applying to the operations and fares;
    3) total price including the applicable air fare, taxes, charges, surcharges and fees;

36.145 CONSUMER COMPLAINT HANDLING PROCEDURES

(a) All complaints shall first be filed with the respective air carrier, aerodrome operator, service provider or its representative in Rwanda. However, where the consumer is not clear on the place of lodging a complaint, the complaint will be filed with the Authority in the prescribed format for directions.
(b) An air carrier, aerodrome operator, service provider will be required to provide clear and concise information about its complaint handling procedures as required by the Authority.
(c) A consumer who wishes to lodge a complaint shall do so in writing and lodge it as follows:
    1) If to the Authority at the earliest time possible but within one (1) year reckoned from the date of arrival at the destination or from the date on which the aircraft ought to have arrived, or from the date on which the carriage stopped;
    2) If to the air carrier, at the earliest time possible in accordance with the complaints handling procedure of the air carrier and as prescribed in sub regulation (a);
(d) An air carrier, aerodrome operator, service provider carrier shall acknowledge in writing the receipt of a complaint filed by the consumer.
(e) An air carrier, aerodrome operator, service provider will where possible, advise a consumer at the time of making the complaint on the expected action, timing for investigation and resolution of the complaint. in the event that the air carrier considers the complaint as frivolous or vexatious, the consumer shall be informed accordingly in writing.
(f) An air carrier, aerodrome operator, service provider shall resolve all complaints made by its consumers within a reasonable time but not longer than 30 days from the date of receipt of the complaint.
(g) An air carrier, aerodrome operator, service provider will be required to put in place a process to provide consumers with sufficient information and the means to inquire on the progress of complaints.
(h) An air carrier, aerodrome operator, service provider shall inform the consumer in writing of the outcome of the investigation of their complaint, and the decision made by the air carrier.
(i) A consumer shall have the right to make an appeal to the Authority under these Regulations.
(j) The air carrier, aerodrome operator, service provider complaint handling processes shall be at no cost.
(k) An air carrier, aerodrome operator, service provider shall file, with the Authority, such information and statistics on all complaints reported, including those resolved and those outstanding, on a quarterly basis in the manner prescribed by the Authority from time to time.

36.150 COMPLAINTS BY PERSONS WITH DISABILITY AND SPECIAL NEEDS

(a) An air carrier, aerodrome operator, service provider shall ensure that persons with disability and special needs can easily access its complaint handling processes.
(b) An air carrier, aerodrome operator, service provider shall provide reasonable assistance to persons with disability and special needs who specifically requests for assistance when lodging complaints.
(c) An air carrier, aerodrome operator, service provider shall take such measures as may be prescribed by the Authority to ensure that the requirements and interests of persons with disability and special needs are fully addressed.

36.155 COMPLAINTS HANDLING PROCEDURES OF THE AUTHORITY

(a) A complainant may make a complaint as prescribed in the schedules hereto in writing with the Authority against an air carrier in relation to the breach of consumer rights as provided in these Regulations provided that the consumer must have notified the air carrier of such a breach and the complaint remains unresolved.
(b) Every complaint shall be accompanied by the relevant supporting documents such as:
    1) a copy of the airline ticket;
    2) A copy of the formal complaint to the air carrier stating breach of consumer rights;
    3) A response from or correspondence with the air carrier (if any);
    4) Any other relevant document(s).
(c) The Authority shall from time to time develop procedures to facilitate the prompt resolution of complaints. These procedures shall take into account the international nature of air transport and the best practices in complaint resolution.
(d) In the event that either of the interested parties are dissatisfied with the determination of the Authority, they may make an appeal as outlined in these Regulations.

36.160 JURISDICTION

(a) An action for damages may be brought at the option of the consumer in Rwanda or the domicile of the air carrier or its principal place of business or where it has a place of business through which the contract has been made or before the court at the place of destination.

36.165 EXONERATION OF AIR CARRIER

(a) If the air carrier proves that the damage was caused or contributed to by the negligence or other wrongful acts or omission of the person claiming compensation, or the person from whom he or she derives his or her rights, the air carrier shall be wholly or partly exonerated from its liability to the claimant to the extent that such negligence or wrongful act or omission caused or contributed to the damage. This Regulation applies to all liability provisions in this Part.

36.170 REPORTING

(a) An air carrier, aerodrome operator, service provider shall undertake to submit monthly reports on delay, cases of denied boarding, cancelled flights, and on a quarterly basis the complaints received from the consumers and the manner and result of its handling.
(b) Failure to submit the monthly and quarterly reports specified in paragraph (a) as required by the Authority shall be considered a declaration:
    (1) By the air carrier that it and its employees did not undertake the necessary measures to avoid the damage incurred by the consumers.
    (2) that the air carrier deserves the upper limit of the fines and penalties prescribed in the Law establishing Regulations governing civil aviation.

(c) The Authority may lodge an investigation on its own motion into an air carriers' consumer related conduct and activities in case of persistent failure by an air carrier to resolve complaints under this Part.

36.175 TRANSITIONAL PROVISION

(a) Any action, complaint, investigation relating to consumer protection undertaken under any Authority prior to the commencement of this Regulation shall be taken over by the designated officers.

SUBPART D AIR NAVIGATION SERVICES

36.180 CONDITIONS FOR ESTABLISHING AIR NAVIGATION SERVICES CHARGE

(a) Providers of Air Navigation Services may charge air carriers for the services provided subject to principles and recommendations of particular relevance in the context of the cost basis for air navigation services charges, charging systems and the collection of charges are that:
   1) the cost to be allocated is the full cost of providing the air navigation services, including appropriate amounts for cost of capital and depreciation of assets, as well as the costs of maintenance, operation, management and administration.
   2) the cost to be allocated is the full cost of providing the air navigation services, including appropriate amounts for cost of capital and depreciation of assets, as well as the costs of maintenance, operation, management and administration.
   3) when charging systems are introduced or significantly revised, ANSP shall take into account the economic and financial impact on both the users and the provider State or States.
   4) charges shall be levied in such a way that: -
      (i) no facility or service is charged for twice with respect to the same utilization.
      (ii) In cases where certain facilities or services have a dual role (for example, approach and aerodrome control as well as en-route air traffic control), their cost should be equitably allocated for charging purposes.
   5) a balance between the respective interests of airports and ANSPs on one hand and of aircraft operators on the other, particularly in view of the importance of an air transport system to Rwanda and its influence in fostering economic, cultural and social interchanges between States.
   6) The administrative cost of collecting charges shall not exceed a reasonable proportion of the charges collected.
   7) charges shall not be imposed in such a way as to discourage the use of facilities and service necessary for safety and efficiency or the introduction of new aids and techniques.

(b) The Authority shall set ANS charging standards to;
   1) minimize the risk of ANSPs engaging in anti-competitive practices or abusing any dominant position they may have;
   2) ensure non-discrimination and transparency in the application of charges;
   3) ascertain that investments in capacity meet current and future demand in a cost-effective manner; and
   4) protect the interests of passengers and other end-users.
   5) ensure that the purpose, creation and criteria for differential charges are transparent.

(c) Pre-funding of projects through charges should not be used to fully recover costs in advance of commissioning of new air navigation facilities or infrastructure but may be accepted in specific circumstances, after having allowed for possible contributions from non-aeronautical revenues, where this can assist in financing long term, large-scale investment, provided that strict safeguards are in place, including the following:
   (i) Effective and transparent economic oversight of charges and the related provision of services, including performance management;

(ii) Comprehensive and transparent accounting, with assurances that resulting charges are, and will remain, earmarked for civil aviation services or projects;
(iii) Advance, transparent and substantive consultation by providers and, to the greatest extent possible, agreement with users regarding significant projects being pre-funded; and
(iv) Application for a limited period of time with users benefiting from lower charges and from smooth.

36.185 MANDATORY CONSULTATION BETWEEN ANSPS AND USERS IN THE ESTABLISHMENT OF AIR NAVIGATION SERVICES CHARGES

(a) When a revision of existing charges or the imposition of new charges is contemplated by an ANSP or another competent entity, ANSPs or another competent entity shall consult users in the establishment of air navigation services charges and development plans in order to ensure adequate disclosure of costs and transparency in the economic and financial underpinnings of rate and service proposals.
(b) Consultation process starts with advance notice of proposals given to users, either directly or through their representative organizations, at least four months in advance, in accordance with these Regulations;
(c) Consultation documents shall make clear the nature of the proposals, the parties most likely to be affected, the specific questions on which feedback is requested, and the time schedule for response.
(d) In any revision of charges or imposition of new charges, the users shall be provided with transparent and appropriate financial, operational and other relevant information to allow them to make informed comments.
(e) All interested parties shall be given the opportunity to present their views on the proposals.
(f) The written submissions by users or their representative organizations and any feedback obtained through associated consultative discussions shall be considered, as far as possible, before reaching a decision.
(g) Both ANSPs and users are to provide sufficient information to each other for meaningful consultations, while market-sensitive data shall be protected properly.
(h) Decision documents shall provide appropriate rationale for the decision taken.
(i) where users' views have not been accepted, justification for the decision is necessary.
(j) With respect to the revision of charges or imposition of new charges, it is required that reasonable advance notice of the final decision, of at least one month, be given to the users.

36.190 CHARGEABLE AIR NAVIGATION SERVICES

a) Separate air navigation services charges may be applied to cover different types of services including but not limited to:
   1) Approach and aerodrome control service, which may be levied either as a combined charge or levied separately.
   2) Centralized approach control service, which may apply a combined or separate charges.
   3) Centralized approach/terminal area control service, which may apply a combined or separate charges.
   4) Area control service for the domestic FIR(s), which may have a single charge covering all those air navigation services properly attributable to en-route services. It may be considered appropriate, however, to have separate charges for individual FIRs.
   5) Oceanic control service, where Rwanda has accepted the responsibility of providing air navigation services over the high seas under specific delegation by ICAO, separate route air navigation services charges for these services shall apply.
b) The Authority may accept, upon application by the ANSP, an alternative categorization of services for cost allocation purposes developed in line with ICAO standards.

36.195 DETERMINING COSTS

(a) In determining costs, ANSP shall use generally recognized rules, standards or conventions accepted in accounting and costing principles to permit the costs of service operations to be recorded and analyzed in accordance with their nature and origin.

(b) In order to establish the full costs of air navigation services, ANSP include all the costs incurred such as the costs of those that may be provided, wholly or in part, by any other department or agency of the government or any other entity without any corresponding charge being made to the charging entity.

(c) The costs for safety, security and economic oversight provided by the Authority or regional oversight organization, which are directly related to the provision of air navigation services, shall be included in the ANSP cost basis for charges, provided that such costs are imposed on the providers of services.

(d) The Authority may take appropriate steps to ensure that the relevant cost data are made available to them for the costing task.

(e) Computation of total air navigation services costs attributable to en-route operations;
   1) may include costs of any facilities and services located physically at an airport but serving en-route traffic,
   2) ensure that such costs are not counted doubly as an airport cost as well and, hence, improperly included in the cost base for charges levied for the use of facilities required for airport operations.

(f) The cost base for air navigation services charges shall;
   1) consider the differences between costs recorded in an entity's accounts and costs applied for determining the cost basis for charges as well as costs attributable to non-aeronautical utilization.
   2) exclude the costs of any air navigation services provided exclusively for military or other State functions
   3) determine and include the cost share allocable to civil aviation operation and exclude military functions where civil or military facilities serve both civil and military functions.

(g) Once the costs of all the air navigation services provided have been established, the portions attributable to en-route utilization and approach and aerodrome control utilization may be identified.

(h) Pursuant to the provisions of sub regulation (g),
   1) the principle of equity shall apply where more than one type of utilization is involved and the intent is to recover the costs of the air navigation services from users.
   2) if different route charges are involved (different charges in different FIRs), the share of the en-route costs attributable to each of the FIRs concerned would need to be established.
   3) The total approach and aerodrome control cost portion may need to be allocated to each airport served, particularly where the approach and/or aerodrome control services are being provided under contract with the airport(s) concerned.

(i) Allocation of en-route costs may include following parameters:
   1) Number of flights;
   2) Distance flown;
   3) Time in the System; and
   4) Aircraft weight

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SUBPART E. REGULATORY FEES

36.200 FEES TO BE CHARGED

(a) The fees to be charged in connection with the issue, validation, renewal, extension or variation of any certificate, license, permit, authorization, or other aviation 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 the Rwanda Civil Aviation Regulations, shall be payable as prescribed by the Authority.

36.205 EXPENSES FOR SERVICES OR INSPECTIONS OUTSIDE RWANDA

(a) An operator requesting services or inspection from the Authority at any place outside Rwanda shall bear the expenses of the Authority in connection therewith, in addition to the payment of fees and charges stated in 36.200.

36.210 FEES FOR LICENCE OR PERMIT TO OPERATE AIR SERVICES

(a) In respect of the issue, renewal or variation of a licence or permit to operate air services into, or from, or within Rwanda for the transportation of passengers, mail or cargo for hire and reward, fees shall be payable as prescribed by the Authority.

36.215 OVERSIGHT CHARGES

(a) The Authority shall, in consultation with concerned stakeholders, charge an oversight fee on every departing passenger, both international and domestic, as shall be prescribed by the Authority, which charge shall be collected by the carrier at the point of sale of the relevant flight ticket or the aerodrome operator and remitted to the Authority.
(b) In the case of scheduled air services, the airline shall include the charge in the cost of the airline ticket, and in the case of chartered or private flights the aerodrome operator shall be responsible for the collection and payment of the full amount, which shall be the equivalent of the charge multiplied by the number of passengers on board, excluding the crew.
(c) The air carrier or aerodrome operator shall transfer the full amount due on a monthly basis into the Authority bank account in a manner approved by the Authority.

36.220 FEES FOR EXEMPTION FROM ANY OF THE CIVIL AVIATION REGULATIONS

(a) The application for exemption from any of the Civil Aviation Regulations shall be accompanied by a technical evaluation fee prescribed by the Authority.

36.225 EXEMPTION FROM FEES AND CHARGES

(a) In any case where it may consider it to be in the public interest to do so, the Authority may, on application being made to it for that purpose, exempt any person from payment of any fee that would otherwise be payable in accordance with Regulations 36.200 and 36.205.

36.230 NOTICE OF THE FEES AND CHARGES

(a) Fees payable under Regulations 36.200, 36.205, 36.210, 36.215 and 36.220 shall be payable immediately upon application or receipt of an invoice.
(b) The Authority shall, within a reasonable time, send an invoice to a person liable for the fees and charges payable under this Subpart.

(c) The fees and charges payable in accordance with this Subpart shall be paid in Rwanda Francs or in any other convertible currency at such place and time as may be approved by the Authority.

36.235 PENALTIES

(a) Any fee or charge payable under Subpart shall be paid within 15 days from the date of the invoice issued in respect thereof and failure to make such payment shall attract interest at the rate of 2 per cent per month from the due date of payment.

(b) The Authority may, without prejudice to any legal action that may be taken to recover any outstanding amount, suspend or revoke any certificate, licence, permit, authorization, or other document issued under the Rwanda Civil Aviation Regulations, for non-payment of any fee or charge due under this Subpart.

36.240 PERSONS LIABLE FOR THE FEES AND CHARGES

(a) The operator of an aircraft, aerodrome, aircraft maintenance organization, aviation training organization or any other organization as determined by the Authority, shall primarily be responsible for the fees and charges payable in accordance with this Subpart.
(b) Chattel Mortgagor of an aircraft shall be responsible for the fees and charges payable in accordance with registration of interest in aircraft or components thereof.

36.245 DEFAULT

(a) For purposes of this Part, a person shall be in default if an invoice or any part thereof issued in accordance with this Subpart remains unpaid for a period of ninety (90) days from the date of issue.

36.250 PURCHASE OF AERONAUTICAL INFORMATION PUBLICATIONS AND OTHER PUBLICATIONS

a) The purchase of Rwanda Aeronautical Information Publication and other publications shall be in accordance with the fees prescribed by the Authority.

36.255 RENT CHARGES ON AUTHORITY'S FACILITIES

(a) The Authority shall draw up a scheme prescribing charges to be paid to the Authority in respect of rent for its facilities.

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SUBPART F. AIR SERVICE AGREEMENTS

36.260 GUIDELINES FOR NEGOTIATING AIR SERVICE AGREEMENTS

a) The principles and techniques in negotiating international air services agreements to ensure planning and development of international air transport shall include but not limited to: -
   1) Insure the safe and orderly growth of international civil aviation throughout the world;
   2) Encourage the arts of aircraft design and operation for peaceful purposes;
   3) Encourage the development of airways, aerodromes, and air navigation facilities for international civil aviation;
   4) Meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;
   5) Prevent economic waste caused by unreasonable competition;
   6) Insure that the rights of contracting States are fully respected and that every contracting State has a fair opportunity to operate international airlines;
   7) Avoid discrimination between contracting States;
   8) Promote safety of flight in international air navigation;
   9) Alignment with an African Union initiative to create a single unified air transport market and the liberalization of civil aviation in Africa.
   10) Promote generally the development of all aspects of international civil aeronautics.

(b) Air Service Agreements shall consider the following key issues: -
   1) Balancing benefits in a liberalizing environment;
   2) The shortcomings of air service agreement regulatory structure, such as lack of transparency and inadequacy of dispute resolution mechanisms;
   3) Bilateral relations involving groups of States;
   4) Application of competition law to air transport.

36.265 REGISTRATION OF AGREEMENTS

(a) All aeronautical agreements, including Air Service Agreements, which are in existence on the coming into force of the Convention on International Civil Aviation, and which are between Rwanda and any other State or between an airline of a contracting State and any other State or the airline of any other State, shall be forthwith registered with the ICAO Council.

36.270 RIGHT TO TAKE ACTION FOLLOWING NON COMPLIANCE

(a) Rwanda reserves the right to withhold or revoke a certificate or permit to an air carrier of another State in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of a Contracting State, or in case of failure of such air carrier to comply with the laws of the State over which it operates, or to perform its obligations under Air Service Agreement.

36.275 SCHEDULED INTERNATIONAL AIR OPERATIONS

(a) No scheduled international air service may be operated over or into the territory of Rwanda, except with the special permission or other authorization of Rwanda, and in accordance with the terms of such permission or authorization.

(b) Rwanda shall have the right to refuse permission to the aircraft of other contracting States to take on in its territory passengers, mail and cargo carried for remuneration or hire and destined for another point within its territory, unless otherwise authorized under sub regulation (a).

(c) Rwanda undertakes not to enter into any arrangements which specifically grant any such privilege on an exclusive basis to any other State or an airline of any other State, and not to obtain any such exclusive privilege from any State.

36.280 COMPOSITION OF THE AIR SERVICE AGREEMENT DELEGATION OR NEGOTIATING TEAM

(a) The delegation or negotiating team shall be composed: -
   1) Rwanda Civil Aviation Authority,
   2) Foreign affairs officials, where necessary,
   3) Representatives of the national airline(s) and
   4) Other interested parties including representatives of aerodrome and tourism agency may be included on request.

(b) The delegation shall be chaired by a designated Authority official. When the consultation takes place outside the home territory, an embassy official is likely to be on the team.

36.285 FREEDOMS OF THE AIR IN RESPECT OF SCHEDULED INTERNATIONAL AIR SERVICES

(a) Rwanda may grant to the other Contracting States the following Freedoms of the air in respect of scheduled international air services:
   1) First Freedom of the Air - the right or privilege, in respect of scheduled international air services, granted by one State to another State or States to fly across its territory without landing (also known as a First Freedom Right).
   2) Second Freedom of the Air - the right or privilege, in respect of scheduled international air services, granted by one State to another State or States to land in its territory for non-traffic purposes (also known as a Second Freedom Right).
   3) Third Freedom of the Air - the right or privilege, in respect of scheduled international air services, granted by one State to another State to put down, in the territory of the first State, traffic coming from the home State of the carrier (also known as a Third Freedom Right).
   4) Fourth Freedom of the Air - the right or privilege, in respect of scheduled international air services, granted by one State to another State to take on, in the territory of the first State, traffic destined for the home State of the carrier (also known as a Fourth Freedom Right).
   5) Fifth Freedom of the Air - the right or privilege, in respect of scheduled international air services, granted by one State to another State to put down and to take on, in the territory of the first State, traffic coming from or destined to a third State (also known as a Fifth Freedom Right).
   6) Sixth Freedom of the Air - the right or privilege, in respect of scheduled international air services, of transporting, via the home State of the carrier, traffic moving between two other States (also known as a Sixth Freedom Right). Characterized by ICAO as the so-called Sixth Freedom of the Air.
   7) Seventh Freedom of the Air - the right or privilege, in respect of scheduled international air services, granted by one State to another State, of transporting traffic between the territory of the granting State and any third State with no requirement to include on such operation any point in the territory of the recipient State, i.e the service need not connect to or be an extension of any service to/from the home State of the carrier.
   8) Eighth Freedom of the Air - the right or privilege, in respect of scheduled international air services, of transporting cabotage traffic between two points in the territory of the granting State on a service which originates or terminates in the home country of the foreign carrier or (in connection with the so-called Seventh Freedom of the Air) outside the territory of the granting State (also known as an Eighth Freedom Right or "consecutive cabotage").
   9) Ninth Freedom of the Air - the right or privilege of transporting cabotage traffic of the granting State on a service performed entirely within the territory of the granting State (also known as a Ninth Freedom Right or "stand alone" cabotage).

SUBPART G.PROVISIONS APPLICABLE TO ALL SUBPARTS

36.290 MISCELLANEOUS PROVISIONS

(a) The Authority may, in writing, designate qualified persons, whether by name or by title of office, to be authorized persons for the purposes of these Regulations and shall state the functions and limits of operations of the authorized persons.

(b) The Authority shall cause aerodrome operators and ANSPs to publish all their airport and air navigation services charges in an Aeronautical Information Publication (AIP).

36.295 OBLIGATION FOR CONFIDENTIALITY

(a) Every person having an official duty or being employed in the administration of this Regulation shall-

1) regard and deal with as confidential all information relating to applicants and applications for permission under this Regulation and the management and operation of approved aerodrome operators; and

2) upon assuming such duty or employment, make and subscribe a declaration to that effect to the appropriate legal authorities.

(b) Every person referred to in sub regulation (a) having possession of or control over any documents, information or records, who at any time communicates or attempts to communicate anything contained in such documents or records or any such information to any person-

1) other than the Authority, or any other person to whom he is authorized by the Authority to communicate it;

2) without the written consent of the applicant or the approved aerodrome operator or service provider; or

3) otherwise than pursuant to a court order or for the purposes of this Regulation, shall be guilty of an offence and liable on summary conviction before a judge to a penalty as prescribed in the appropriate law establishing Regulations governing civil aviation.

(c) Any person to whom information is communicated pursuant to sub regulation (b) shall regard and deal with such information as confidential.

(d) A person referred to in sub regulation (c) who at any time communicates or attempts to communicate any information referred to in that sub regulation to any person other than for the purposes of this Regulations, shall be guilty of an offence and liable on summary conviction before a judge to a penalty as prescribed in the appropriate law establishing Regulations governing civil aviation.

(e) Subject to the provisions of this Part, an operator shall undertake to keep confidential all information received and relating to the customer including personal information.

36.300 RIGHT TO APPEAL

(a) Where a party is not satisfied with an award by the Authority, such party may appeal to the Minister within twenty-one days of the award by the Authority.

END OF RCAR PART 36

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXVII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXVII TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXVII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 37

Licensing of Air Services

SUBPART A: GENERAL 3
37.001 APPLICABILITY 3
37.005 DEFINITIONS 3
37.010 ABBREVIATIONS & ACRONYMS 4

SUBPART B: LICENSING OF DOMESTIC AIR SERVICES 4
37.015 DOMESTIC AIR SERVICES TO BE LICENSED 4
37.020 AIR SERVICE TO BE LICENSED 5
37.025 APPLICATION FOR A LICENCE 5
37.030 GRANT OF LICENCE 5
37.035 CONDITIONS ATTACHED TO LICENCE FOR DOMESTIC SCHEDULED AIR SERVICES 6
37.040 CONDITIONS ATTACHED TO LICENCE FOR DOMESTIC AIR SERVICE 6
37.045 MATTERS TO BE TAKEN INTO ACCOUNT 7
37.050 UNIVERSAL SERVICE OBLIGATIONS 7

SUBPART C: LICENSING OF INTERNATIONAL AIR SERVICE 8
37.055 INTERNATIONAL AIR SERVICES TO BE LICENSED 8
37.060 LICENCE FOR INTERNATIONAL SCHEDULED AIR SERVICE 8
37.065 NON-SCHEDULED FLIGHT BY FOREIGN AIRCRAFT NOT POSSESSING NATIONALITY OF A CONTRACTING STATE 9
37.070 NON-SCHEDULED FLIGHT BY FOREIGN OPERATORS 9
37.075 MATTERS TO BE TAKEN INTO ACCOUNT 10
37.080 CONDITIONS ATTACHED TO LICENCES FOR INTERNATIONAL AIR SERVICE 10

SUBPART D: GENERAL PROVISIONS RELATING TO LICENCES 10
37.085 FINANCIAL FITNESS 10
37.090 DIRECTORS INTEGRITY 11
37.095 NOTIFICATION OF OPERATIONAL & ORGANIZATIONAL CHANGES 12
37.100 OWNED OR LEASED AIRCRAFT 12
37.105 AIRCRAFT LEASE APPROVAL 12
37.110 VALID AOC A REQUIREMENT 12
37.115 REASONS FOR DECISION 12
37.120 CONDITIONS FOR ISSUE OF LICENCE 13
37.125 SIX MONTH LAPSE 13
37.130 INSOLVENCY 13
37.135 AMENDMENT, VARIATION, SUSPENSION OR REVOCATION OF LICENCE 13
37.140 ACTION TO VARY, SUSPEND OR REVOKE LICENCE 14
37.145 PROVISIONAL LICENCE 14
37.150 GRANT & DURATION OF LICENCE 14
37.155 CONDITIONS, LIMITATIONS OR REFUSAL TO EXERCISE TRAFFIC RIGHTS 14
37.160 FORM OF LICENCE 15
37.165 TRANSFER OF LICENCE 15
37.170 CONFIDENTIAL INFORMATION 15
37.175 CARRIAGE OF MAIL 15
37.180 RETURNS 15
37.185 SURRENDER & CANCELLATION OF LICENCE 15

37.190 RECORDS 16
37.195 PASSENGER MANIFESTS 16
37.200 INSURANCE 16

SUBPART E: PROVISIONS FOR FRANCHISING IN AIR TRANSPORT 17
37.205 FRANCHISEE TO BE LICENCED 17
37.210 FOREIGN FRANCHISEE 17
37.215 CONDITION FOR FRANCHISING 17
37.220 APPLICATION FOR FRANCHISE LICENCE 17
37.225 DISCLOSURE OF INFORMATION OF FRANCHISE 17
37.230 STANDARDS FOR FRANCHISE 18
37.235 RETROSPECTIVE APPLICATION 18
37.240 CONTENT OF FRANCHISE AGREEMENT 18
37.245 NO CABOTAGE IN FRANCHISE OPERATION 18

SUBPART F: TARIFFS & COMPETITION 19
37.250 APPROVAL OF TARIFFS 19
37.255 COMPATIBLE WITH UNIVERSAL SERVICE OBLIGATION 19
37.260 JURISDICTION OF AUTHORITY 19

APPENDICES 20
APPENDIX 1 TO 37.030: PARTICULARS TO BE FURNISHED IN CONNECTION WITH AN APPLICATION FOR A LICENCE 20
APPENDIX 1 TO 37.085: INFORMATION FOR USE IN ASSOCIATION WITH FINANCIAL FITNESS OF AIR CARRIERS 22
APPENDIX 1 TO 37.180: PARTICULARS TO BE GIVEN BY HOLDER OF LICENCES AND OPERATING AUTHORIZATIONS IN MONTHLY RETURNS (EXCEPT WHERE OTHERWISE SPECIFIED) 23
APPENDIX 1 TO 37.200: INSURANCE REQUIREMENTS FOR AIR CARRIERS & AIRCRAFT OPERATORS 25
APPENDIX 2 TO 37.200: EXAMPLE DOCUMENTATION OF INSURANCE COVERING AIR CARRIER LIABILITY TO PASSENGERS, LUGGAGE, CARGO & THIRD PARTY LIABILITY ... 26
APPENDIX 1 TO 37.225: INFORMATION TO BE DISCLOSED FOR FRANCHISES: DISCLOSURE DOCUMENT 28

SUBPART A: GENERAL

37.001 APPLICABILITY

(a) This Part may be cited as the Civil Aviation (Licensing of Air Services) Regulations.

(b) This Part prescribes the requirements and manner for obtaining licensing for air services in the Republic of Rwanda.

(c) The provisions of this Part shall apply to—

(1) Rwanda operators engaged in commercial air transport; and

(2) Foreign operators engaged in commercial air transport to and from Rwanda.

(d) Those requirements addressing persons certificated under any Part of these Regulations apply also to any person who engages in an operation governed by any Part without the appropriate certificate, licence, operations specification, or similar document required as part of the certification.

(e) These Regulations do not apply in respect of any of the following air services—

(1) aerial advertising services;
(2) aerial fire-fighting services;
(3) aerial survey services;
(4) aerial movie services;
(5) aerial photography services;
(6) aerial reconnaissance services;
(7) aerial sightseeing services;
(8) aerial traffic reporting services;
(9) aerial sport and game reporting services;
(10) aerial fish spotting services;
(11) aerial spreading services;
(12) agricultural air operations;
(13) aerial weather altering services;
(14) transportation services for the retrieval of human organs for human transplants;
(15) aircraft demonstration or exhibition services;
(16) rotorcraft external load operations;
(17) aerial banner towing services;
(18) glider towing services;
(19) hot air balloon services; and
(20) parachute jumping services.

(f) An operator of an air service referred to in paragraph (c) who carries on board an aircraft persons who are not part of the air crew, but who are required for the conduct of the air service is exempt from having to obtain a domestic licence or a non-scheduled international licence for the transportation of those persons.

37.005 DEFINITIONS

(a) For the purpose of this Part, the following definitions shall apply—

Air service. Any service performed by means of an aircraft for hire or reward and includes air transport service, aerial work and flight training;

Designation. Authorization granted by the Aeronautical Authority to an airline, whose principal place of business and place of registration is in Rwanda, to carry out international scheduled air service;

Domestic air service. An air service operated within the territory of the airspace of Rwanda, and includes an air service which passes through the airspace over the territory of another State without providing

an air service in the territory of that other State, and the route or journey of which started and ended within the territory of Rwanda.

Franchise. The rights granted by a franchisor authorizing the franchisee to use various of the franchisors corporate identity elements and marketing symbols including trademarks, service marks, trade names, logotypes, flight designator code, livery, subject to standards and control intended to maintain the quality desired by the franchisor;

Franchisee. The airline granted a franchise;

Franchise licence. Approval granted by Authority to an airline to operate franchise business;

Franchisor. The airline granting a franchise;

Inclusive tour. A tour which is sold as a package consisting of—

(i) such fixed accommodation and other land arrangements of services as may be appropriate for such persons in Rwanda; and

(ii) the transport of persons by air to and from any destination in Rwanda.

International air service. An air service which passes through the airspace over the territory of Rwanda and at least one other State; provided that an air service which passes through the airspace over the territory of another State without providing an air service in the territory of that other State, and the route or journey of which started and ended within the territory of Rwanda, shall not be an international air service;

International non-scheduled air transport service. An international air transport service other than an international scheduled air transport service undertaken with a specific flight or a specific series of flights.

International scheduled air transport service. International air transport service where flights are undertaken—

(i) between the same two or more airports;

(ii) according to a published flights timetable;

(iii) with each flight being open to use by members of the public;

(iv) with regularity and frequency consisting of a systematic series of flights;

Note: The flights may have slight variation on the route and times while serving the same two or more airports.

Scheduled air service. One of a series of flights which are operated between the same two places and which together amount to a systematic service operated in such a manner that the benefits thereof are available to members of the public from time to time seeking to take advantage of them;

Seat. Any area in an aircraft designed to be occupied by a passenger, other than the area occupied by the luggage of such passenger;

Short-term licence. A licence to be in force for a period not exceeding seven days.

37.010 ABBREVIATIONS & ACRONYMS

(a) No abbreviations or acronyms are used in this Part.

SUBPART B: LICENSING OF DOMESTIC AIR SERVICES

37.015 DOMESTIC AIR SERVICES TO BE LICENSED

(a) No person shall use an aircraft within Rwanda for the provision of any air service except under and in accordance with the terms of a licence granted by the Authority under these Regulations to that person.

(b) No air operator whose principal place of business and place of registration is in Rwanda shall use an aircraft for the provision of an air service anywhere in the world except under

and in accordance with the terms of a licence granted by the Authority under these regulations.

37.020 AIR SERVICE TO BE LICENSED

(a) An application for a licence shall be made to the Authority where an applicant—
  (1) intends to commence any air service;
  (2) intends to continue with any air service whose licence is due to expire;
  (3) wishes to amend the type of air service or category of aircraft or base of operation specified on the current licence;
  (4) in the case of a partnership, wishes to amend the particulars of any member associated in the partnership or amend its legal status;
  (5) in the case of a company, wishes to amend the controlling shareholding of the company or amend its legal status; or
  (6) wishes to amend the particulars of the prescribed personnel appointed by the licencee to be responsible and accountable for the safety and reliability of the air service.

37.025 APPLICATION FOR A LICENCE

(a) Every application for a licence shall be made to the Authority on a form to be obtained from it on demand and shall contain the particulars contained in Appendix 1 to 37.025 and any other particulars prescribed by the Authority.

(b) Every application for a licence shall be signed by the person applying for the licence and if made by a corporate body or partnership firm shall be signed by a person authorized in that behalf by such body or by a partner of the partnership firm.

(c) Every application for a licence, other than a licence to remain in force for a period not exceeding seven days, shall be sent to the Authority so as to reach it on a date not less than ninety days, and for a licence to remain in force for a period not exceeding seven days on a date not less than three days, before the date on which it is desired that the licence shall take effect, but the Authority may accept and deal with any application for a licence received by it after the specified date.

(d) Where an application is made to the Authority for a licence to remain in force for a period not exceeding seven days, and the Authority is satisfied that it is in the public interest, that the application should be determined with expedition, it may so determine the application and grant a licence accordingly.

37.030 GRANT OF LICENCE

(a) An application shall be granted and a licence issued or amended if the applicant satisfies the Authority that—
  (1) the air service will be operated in a safe and reliable manner;
  (2) if he is a natural person, he is a citizen or resident of East African Community or if not a natural person, is incorporated in the East African Community and 51% of the voting rights in respect of such person is held by citizens and/or residents of the East African Community;
  (3) is duly registered under the applicable laws of the Republic of Rwanda
  (4) the aircraft which will be used in operating the air service shall be registered in any of the East Africa Community Partner States, and
  (5) The Authority may, after considering an application, accept such other foreign registered aircraft subject to the conditions deemed fit regarding the operations and maintenance of the aircraft concerned.

37.035 CONDITIONS ATTACHED TO LICENCE FOR DOMESTIC SCHEDULED AIR SERVICES

(a) An undertaking whose principal place of business is within Rwanda shall establish a scheduled air service within Rwanda if it is licensed and meets the following requirements—
  (1) has reservation premises and facilities for ticket sales in each area to be served;
  (2) have toilet facilities on board aircraft operating on a sector with duration of 90 minutes or more flight time;
  (3) submits flight timetable for approval by the Authority and adheres to it;
  (4) files regular traffic statistics including tariffs;
  (5) has qualified for self-passenger handling or has engaged a qualified passenger handling entity at each airport of operation;
  (6) produces business plan for proposed routes;
  (7) has acceptable staffing levels, organization structure and training programme; provided that—
    (i) ownership of aircraft shall not be a condition for establishing a scheduled air service but aircraft used by an air carrier shall be registered in Rwanda unless otherwise expressly authorized by the Authority.
    (ii) in case of a leased aircraft, the agreement must be for a minimum duration of six months.

37.040 CONDITIONS ATTACHED TO LICENCE FOR DOMESTIC AIR SERVICE

(a) The Authority may attach to a licence any condition which it considers desirable in the public interest, in the interest of safety, or in order to prevent uneconomic competition, and may impose conditions—
  (1) that the aircraft to be operated under the licence shall or shall not be used over specified routes or in specified areas;
  (2) that certain classes or descriptions of passengers or goods shall or shall not be carried;
  (3) that passengers or goods shall be carried between specified places;
  (4) that intermediate landings may or shall be made at specified places for the purpose of landing or loading passengers or goods;
  (5) that the schedule of air services from time to time approved by the Authority shall be observed;
  (6) as to the number and type of aircraft to be used;
  (7) limiting the loading of an aircraft over the whole or any portion of the route on which it is to be operated;
  (8) specifying any charges that may be made for the air service;
  (9) as to the conditions and hours of employment of any person employed in connection with the air service.

(b) It shall be a condition of every licence that the holder of the licence and any person having a financial interest in the business of the holder of the licence shall refrain from stipulating that any other person shall refuse booking facilities to any other holder of a licence or shall refuse booking facilities to any other holder of a licence or shall grant such facilities to such other holder only on onerous terms.

(c) The Authority may where one air carrier licensed by it has started to operate a scheduled passenger air service with aircraft of no more than 80 revenue seats on a new route between airports in Rwanda with a capacity not exceeding 30,000 seats per year, refuse a scheduled air service by another air carrier for a period of 2 years.

37.045 MATTERS TO BE TAKEN INTO ACCOUNT

(a) In exercising its discretion under Regulation 37.030, the Authority shall have regard to the co-ordination and development of air services generally with the object of ensuring the most effective service to the public while avoiding uneconomical overlapping, and generally to the interests of the public, including those of persons requiring or likely to require facilities for air transport, as well as those of persons providing such facilities and in particular the Authority shall have regard to the following matters—

(1) the existence of other air services in the area through which the proposed air service is to be operated;

(2) the possibilities of air transport in that area;

(3) the degree of efficiency and regularity of the air services, if any, already provided in that area, whether by the applicant or by other operators;

(4) the period for which such services have been operated by the applicant or by other operators;

(5) the extent to which it is probable that the applicant will be able to provide a satisfactory service in respect of continuity, regularity of operation, frequency, punctuality, reasonableness of charges and general efficiency;

(6) the financial resources of the applicant;

(7) the type of aircraft proposed to be used on the service;

the competence of the applicant, having regard to his previous conduct and experience, his equipment, organization, staffing, maintenance and other arrangements, to secure the safe operation of aircraft of the types specified in the application on flights of the description and for the purposes so specified.

37.050 UNIVERSAL SERVICE OBLIGATIONS

(a) The Authority may, after consultation with the Minister with regard to incentives thereof and after having informed air carriers operating on a route, include in an air service licence a universal service obligation in respect of scheduled air services to an airport serving a peripheral region in Rwanda or on a thin route to any regional airport in Rwanda, any such route being considered vital for—

(1) the availability of services to all consumers including low income, rural and disadvantaged passengers and shippers; and

(2) economic development of the region in which the airport is located,

to the extent necessary to ensure on that route the adequate provision of scheduled air services satisfying fixed standards of continuity, regularity, capacity and pricing, which standards air carriers would not assume if they were solely considering their commercial interest.

(b) The adequacy of scheduled air service shall be assessed by the Authority having regard to—

(1) the public interest;

(2) the possibility, in particular for the regions, of having recourse to other forms of transport and the ability of such forms to meet the transport needs under consideration;

(3) the airfares and conditions which can be quoted to users; and

(4) the combined effect of all air carriers operating or intending to operate on the route.

(c) In instances where other forms of transport cannot ensure an adequate and uninterrupted service, the Authority may include in the universal service obligation the requirement that any air carrier intending to operate the route gives a guarantee that it will operate the route for certain period, to be specified, in accordance with the other terms of the universal service obligation.

(d) If no air carrier has commenced or is about to commence scheduled air service on a route in accordance with the universal service obligation which has been imposed on that route, then

the Authority may limit access to that route to only one air carrier for a period of up to three years, after which the situation shall be reviewed.

(e) If the route is to be operated by a private undertaking or a person, the right to operate such services shall be offered by public tender either singly or for a group of such routes to air carrier entitled to operate such services.

(f) The capacity limitations shall not apply to air services covered by this Regulation.

SUBPART C: LICENSING OF INTERNATIONAL AIR SERVICE

37.055 INTERNATIONAL AIR SERVICES TO BE LICENSED

(a) No person shall use an aircraft for the provision of any international air service, to, from or in transit through, Rwanda, except under and in accordance with the terms and conditions of a licence or authorization granted and issued to the person.

(b) Notwithstanding the provisions of paragraph (a), no licence shall be required in respect of an international scheduled air transport service operated by an airline of another State under and in accordance with—

(1) any bilateral or multilateral agreement concluded between the Government of Rwanda and such other State or States; and

(2) the requirements of Regulation 20.001 of the Civil Aviation (Foreign Operators) Regulations.

(c) International scheduled air transport service established under such bilateral or multilateral agreement or arrangement shall remain valid only while the relevant agreement or arrangement remains in force and the Authority may amend, suspend or revoke the operating authorization only in accordance with the terms and conditions of that agreement or arrangement.

(d) An undertaking whose principal place of business is within Rwanda shall not establish a scheduled air transport service between Rwanda and any State or territory except under and in accordance with the terms and conditions of a licence granted and issued to the undertaking.

(e) An application for such a licence shall contain the particulars set out in paragraph (1) of Appendix 1 to 37.030 and any other particulars prescribed by the Authority.

(f) An undertaking whose principal place of business is within Rwanda shall not be designated in order to establish a scheduled air transport service between Rwanda and any other State or territory except if—

(1) he is a natural person; he is a citizen or resident of Rwanda; or

(2) not a natural person, is incorporated in Rwanda and 51% of the voting rights in respect of such person are held by citizens and/or residents of Rwanda;

provided that if an applicable bilateral or multilateral agreement provides otherwise, the bilateral or multilateral agreement shall prevail.

37.060 LICENCE FOR INTERNATIONAL SCHEDULED AIR SERVICE

(a) A licence for international scheduled air service shall be granted subject to the provisions of these Regulations, if the applicant satisfies the Authority that—

(1) it is able to meet the requirements of the Authority for an air operator's certificate for the type of service and category of aircraft;

(2) it has interlining and co-operative arrangements with other air carriers on the established route network;

(3) it is a member of IATA (International Air Transport Airlines Association) and is connected to a Computer Reservations System;

(4) it meets the requirements of any law relating to safety, security, public health, environmental protection and business operations in general;

(5) it has duly been designated for the service by the Minister or by the entity designated by him.

37.065 NON-SCHEDULED FLIGHT BY FOREIGN AIRCRAFT NOT POSSESSING NATIONALITY OF A CONTRACTING STATE

(a) A foreign aircraft which does not possess the nationality of a Contracting State shall not fly in transit nonstop across Rwanda or land in Rwanda for non-traffic purposes in the course of a non-scheduled flight except in accordance with the provisions of a licence or permission issued in accordance with—

(1) these Regulations;

(2) the requirements of Regulation 20.001; and

(3) the requirements of Regulation 11.001.

(b) In granting a licence or permission under paragraph (a), the Authority may impose such conditions and requirements as to the flight as it thinks fit, including such conditions and requirement as it considers necessary to ensure compliance with the general principles contained in the Chicago Convention, and the aircraft shall comply with such conditions and requirements

37.070 NON-SCHEDULED FLIGHT BY FOREIGN OPERATORS

(a) Subject to the Civil Aviation (Aerial Work) Regulations, an aircraft which possesses the nationality of a Contracting State may, subject to observance of the terms of the Chicago Convention and the provisions of any written law, fly in transit non-stop across Rwanda or land in Rwanda for non-traffic aircraft possessing nationality of a Contracting State purposes, in the course of a non-scheduled flight, without the necessity of obtaining a licence but the Authority may refuse to grant any of the rights specified in this paragraph.

(b) Where an aircraft which possesses the nationality of a Contracting State makes a non-scheduled flight into Rwanda it shall not take on or discharge passengers, cargo or mail in Rwanda (being passengers, cargo or mail that has been, or is to be carried for reward) except in accordance with a licence or permission issued under these Regulations and the Civil Aviation (Foreign Operators) Regulations.

(c) The Authority shall cause to be published in an aeronautical information publication or aeronautical information circular or notice to airmen the procedure to be followed and the particulars to be supplied by applicants and the applicable fee for a licence or permit referred to in this Regulation.

(d) In considering an application for a licence or permit referred to in paragraph (b) the Authority shall have regard to—

(1) the public interest;

(2) the need to provide reasonable protection for the operators of scheduled air services between Rwanda and other States so as to ensure the maintenance of regular air services for the carriage of passengers, cargo and mail between Rwanda and other States; and

(3) any resolution or decision of the International Civil Aviation Organization approved by Rwanda or of the International Air Transport Association that has been approved by the Authority and is relevant to the matter.

(e) The Authority in granting a licence or permit referred to in paragraph (b) may attach such conditions thereto as it sees fit.

(f) Notwithstanding anything contained in the provisions of this regulation, where it appears to the Authority that an aircraft which possesses the nationality of a Contracting State is intended in the course of a non- scheduled flight over Rwanda to proceed over regions which

are without adequate air navigation facilities of safety, direct that the aircraft shall follow an established air route that the flight shall be conducted in accordance with such conditions as he may require and the aircraft shall comply with such direction.

37.075 MATTERS TO BE TAKEN INTO ACCOUNT

(a) An application shall be granted or a permit issued or a licence varied, subject to the provisions of these regulations, if the applicant satisfies the Authority that—

(1) the international air service concerned will be operated in such a manner that it will in all material respect, comply with the applicable international conventions which have been implemented in Rwanda;

(2) the applicant is fit and able to operate the international air service and the Authority may require the applicant to submit any of the prescribed documents in support hereof;

(3) the applicant is in possession of a valid foreign licence which pertains to the international air service for which application is being made and which has been granted to the applicant by the appropriate authority in any State or territory from which such international air service will be operated;

(4) benefits may arise from the provision of an air service over the same route by two or more air service operators;

(5) the proposed air service will not contravene any provision of any air service agreement in force and having a bearing on the application;

37.080 CONDITIONS ATTACHED TO LICENCES FOR INTERNATIONAL AIR SERVICE

(a) An applicant who has been granted and issued with a licence or authorization or variation thereof to operate international air service by the Authority shall—

(1) not take on any passengers, cargo or mail at any point in service Rwanda, for discharge at any other point in Rwanda, except those passengers who, or cargo or mail which, he originally brought into Rwanda on the same flight;

(2) furnish the Authority with any statistics which may be requested by the Authority, within 30 days after the date of request;

(3) have sufficient and appropriate experience in the operation of the air service concerned;

(4) make the necessary arrangements so that the specific flights to be undertaken in the operation of the air service can be accommodated at the terminal airport in Rwanda at the time of arrival and departure;

(5) for inclusive tour charters, transport only passengers who are part of an inclusive tour, unless the Authority specifically authorizes transport of other certain passengers;

(6) for non-scheduled air service for carrying passengers, cargo or mail or combination thereof between Rwanda and another State or territory, not cause unreasonable economic overlapping with established scheduled air service operated between Rwanda and the other State or territory.

SUBPART D: GENERAL PROVISIONS RELATING TO LICENCES

37.085 FINANCIAL FITNESS

(a) An applicant for an air service licence to be granted for the first time and whose principal place of business and place of registration is within Rwanda must be able to demonstrate to the reasonable satisfaction of the Authority that he—

(1) can meet at any time its actual and potential obligations, established under realistic assumptions, for a period of 24 months from the start of operations; and

(2) can meet its fixed and operational costs incurred from operations according to its business plan and established under realistic assumptions, for a period of three months from the start of operations without relying on revenue generated by the operations.

(b) For the purpose of paragraph (a), each applicant shall submit a business plan for, at least, the first two years of operation, which shall also detail the applicant's financial links with any other commercial activities in which the applicant is engaged either directly or through related undertakings;

(c) The applicant shall also provide all relevant information, in particular the data referred to in paragraph (a) of the Appendix 1 to 37.085, and any other information prescribed by the Authority.

(d) In respect of air carriers of other States, the Authority shall accept as sufficient evidence, unless otherwise proved to the contrary, the production of licences, certificates and documents issued by competent authorities in the States of origin regarding the competence, technical and financial fitness of the air carriers.

(e) An air carrier whose principal place of business and place of registration is within Rwanda shall provide to the Authority every financial year without undue delay the audited accounts relating to the previous financial year.

(f) Upon request by the Authority, an air carrier shall provide the information relevant for the purposes of paragraph (d), and in particular the data referred to in paragraph (c) of the Appendix 1 to 37.085, and any other information prescribed by the Authority.

(g) Paragraphs (a), (b) and (c) shall not apply to air carriers exclusively engaged in operations with aircraft of less than ten tones MTOW (maximum take-off weight) and/or less than twenty seats; such air carriers shall at all times be able to demonstrate that their net capital is at least fifty million (50,000,000) Francs or to provide when required by the Authority the information relevant for the purposes of paragraph (f).

(h) The Authority may apply the provisions of paragraphs (a), (b), (c), (d) and (f) to air carriers licensed by it that operate scheduled air service or whose turnover exceeds twenty billion (20,000,000,000) Francs per year.

37.090 DIRECTORS INTEGRITY

(a) The Authority may require, for the purpose of issuing an air service licence, proof that the persons who will continuously and effectively control the operations of the undertaking are of good repute or that they have not been declared bankrupt;

(b)The Authority shall accept as sufficient evidence in respect of nationals of other States the production of documents issued by competent authorities in the States of origin or the State from which the foreign national comes showing that those requirements are met.

(1) Where the competent authorities of the State of origin or of the State from which the foreign national comes do not issue the documents referred to in the paragraph (a), such documents shall be replaced by a declaration on oath or, where there is no provision for declaration on oath, by a solemn declaration – made by the person concerned before a competent judicial or administrative officer or, where appropriate, a notary or qualified professional body of the State of origin or the State from which the person comes;

(2) such authority or notary shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration.

37.095 NOTIFICATION OF OPERATIONAL & ORGANIZATIONAL CHANGES

(a) An air carrier shall notify in advance the Authority plans for—
  (1) operation of a new scheduled service or a non-scheduled service to a region not previously served;
  (2) changes in the type or number of aircraft used or a substantial change in the scale of its activities; and
  (3) any intended mergers or acquisitions or franchises.

(b) An air carrier shall notify the Authority within fourteen days of any change in the ownership of any single shareholding which represents 10% or more of the total shareholding of the air carrier or of its parent or ultimate holding company.

(c) The submission of a 12 months' business plan two months in advance of the period to which it refers shall constitute sufficient notice under this regulation for the purpose of changes to current operations and/or circumstance which are included in that business plan.

(d) If the Authority deems the changes notified under paragraph (b) to have a significant bearing on the finances of the air carrier, it shall require the submission of an application to revise the licence and upon request by the Authority, an air carrier shall provide the information relevant for the purposes of this regulation, and in particular the data referred to in paragraph (b) of the Appendix 1 to 37.085, and any other information prescribed by the Authority.

37.100 OWNED OR LEASED AIRCRAFT

(a) Ownership of aircraft shall not be a condition for granting or maintaining a licence but the Authority shall require, in relation to air carriers licensed by it that they have one or more aircraft at their disposal and operational control, through ownership or appropriate form of lease agreement.

(b) Without prejudice to paragraph (a), aircraft used by an air carrier shall be registered in its national register.

(c) In the case of short-term aircraft lease agreements to meet temporary needs of the air carrier or otherwise in exceptional circumstances, the Authority may grant waivers to the requirement of the paragraphs.

37.105 AIRCRAFT LEASE APPROVAL

(a) For the purposes of ensuring safety and liability standards an air carrier using an aircraft from another undertaking or providing it to another undertaking shall obtain prior approval for the operation from the Authority;

(b) The conditions of the approval shall be part of the lease agreement between the parties.

(c) The Authority shall not approve agreements leasing aircraft with crew to an air carrier to which it has granted an air service licence unless safety standards equivalent to those imposed under the requirement for a valid air operator certificate are met.

37.110 VALID AOC A REQUIREMENT

(a) The validity at any time of an air service licence shall be dependent upon the possession of a valid air operator certificate specifying the activities covered by the air service licence

37.115 REASONS FOR DECISION

(a) In any case in which the Authority refuses to grant or amend a licence or grants or amends a licence which differs from the licence or variation for which application has been made, or imposes conditions to which the applicant objects, the Authority, shall, if required by the applicant so to do, state in writing the reasons for its decision upon the payment of the

applicable fee as may be notified from time to time; provided that where the reasons for the decision relate to matters of national safety and security, the Authority shall not be obliged to disclose the same.

37.120 CONDITIONS FOR ISSUE OF LICENCE

(a) A licence shall be issued on condition that—

(1) the licencee shall not commence or continue with an air service, unless he is in possession of a valid air operator certificate issued by the Authority or competent authority of another State and acceptable by the Authority;

(2) the licencee shall commence with the air service and the operation of that air service shall not be interrupted for a period exceeding six conservative months;

(3) the licence shall lapse as soon as the estate of the licensee is sequestrated or wound up as the case may be; and

(4) the licencee is insured as prescribed in relation to the type of air service and the category of aircraft prescribed on the licence and in respect of 3rd party liability insurance.

(b) It shall be a condition of every licence that the requirements of any law relating to aviation for the time being in force in Rwanda and of any air traffic control procedure for the time being in force in Rwanda shall be complied with at all times during the currency of the licence in connection with all flights performed under the licence.

(c) The right to embark and disembark air traffic within Rwanda shall be subject to national laws and rules relating to safety, security, and protection of the environment, customs, immigration and public health.

37.125 SIX MONTH LAPSE

(a) When an air carrier has ceased operations for six consecutive months or has not started operations for six consecutive months after the granting of a licence, the licencee shall resubmit its application for approval by the Authority and operations may commence according to the directions given by the Authority.

37.130 INSOLVENCY

(a) An air carrier against which insolvency or similar proceedings are opened shall not be permitted by the Authority to retain its licence if the Authority is convinced that there is no realistic prospect of a satisfactory financial reconstruction within a reasonable time.

37.135 AMENDMENT, VARIATION, SUSPENSION OR REVOCATION OF LICENCE

(a) The Authority may, during the currency of a licence, of its own motion or on the application of the holder of the licence, vary or revoke any of the terms or conditions of the licence or add any new terms and conditions which it may consider necessary.

(b) The Authority may, at any time and in any event whenever there are clear indications that problems exist with an air carrier licensed by it and whose principal place of business and place of registration is within Rwanda, assess its financial performance and may suspend or revoke the licence if the Authority is no longer satisfied that the air carrier can meet its actual and potential obligations for a twelve-months period.

(c) A licence may also be revoked or suspended by the Authority on the ground—

(1) that the licence holder has been convicted of an offence under Regulation 37.080 in respect of his licence; or

(2) that any condition subject to which the licence was granted has not been observed.

(d) The Authority may amend a licence to correct errors of administrative nature during the currency of a licence.

(e) The Authority shall not vary, revoke or suspend the licence or terms or conditions of the licence unless satisfied that, having regard to the fact constituting the offence under these Regulations, or necessitating the variation, or revocation of terms or conditions, or owing to the frequency of the failures on the part of the holder to comply with conditions or to the failure having been willful, the licence should be varied, revoked or suspended.

37.140 ACTION TO VARY, SUSPEND OR REVOKE LICENCE

(a) The Authority may—
  (1) direct a licensee to comply with such conditions as it may specify within the period determined by the Authority; or
  (2) vary the licence concerned; or
  (3) suspend the licence concerned for a period not exceeding two years; or
  (4) cancel the licence concerned.

(b) In any case where a licence is revoked or suspended the Authority shall, if required by the holder of the licence to do so, state in writing the reasons for its decision.

37.145 PROVISIONAL LICENCE

(a) The Authority may consider a request to grant and issue a temporary licence immediately after the receipt of, and pending determination of an application for a licence, for a period that it may determine but for the period not exceeding 90 days.

(b) There shall be paid in respect of the grant of a provisional licence the fee as shall be notified by the Authority in respect of each type of air service for a category of aircraft.

37.150 GRANT & DURATION OF LICENCE

(a) The Authority may grant licences in accordance with the provisions of these Regulations and such licences shall, subject to Regulation 37.135, continue in force for such period, not exceeding seven years from the date on which any licence is expressed to take effect, as may be specified by the Authority, provided that if, on the date of the expiration of a licence, an application has been made for the grant of a new licence in substitution for the existing licence held by the applicant, such existing licence shall continue to be in force until such application has been determined.

(b) A licence shall lapse as soon as the estate of the licencee is sequestrated or wound up as the case may be.

37.155 CONDITIONS, LIMITATIONS OR REFUSAL TO EXERCISE TRAFFIC RIGHTS

(a) When physical constraints or environmental problems exist, the Authority may, subject to this Regulation, impose conditions, limit or refuse the exercise of traffic rights in particular when other modes of transport can provide satisfactory levels of service.

(b) Action taken by the Authority in accordance with paragraph (a) shall—
  (1) be non discriminatory on grounds of identity of air carriers;
  (2) have a limited period of validity, not exceeding three years, after which it shall be reviewed;
  (3) not unduly affect the objectives of these Regulations;
  (4) not distort competition between air carriers; and
  (5) not be more restrictive than necessary in order to relieve the problems.

37.160 FORM OF LICENCE

(a) A licence and an operating authorization shall be in such form as the Authority considers suitable to meet the requirements of any particular application approved by the Authority and, if the Authority considers it convenient, it may grant to the operator of more than one service a licence or operating authorization in a consolidated form.

(b) Where a licence is granted in a consolidated form, the provisions of these Regulations relating to the payment of fees and to the imposition and variation of conditions shall apply in respect of each separate service authorized under the licence as if the licence in its application to that service were a separate licence.

37.165 TRANSFER OF LICENCE

(a) A licence shall not be capable of being transferred or assigned; but in the event of the death, incapacity, bankruptcy, sequestration or liquidation of the holder of a licence, or of the appointment of a receiver or manager or trustee in relation to the business of the holder, the person for the time being carrying on that business shall, if within fourteen days application is made for a new licence, be entitled to perform the air service authorized by the licence subject to the conditions and the obligations thereof until the application is determined.

37.170 CONFIDENTIAL INFORMATION

(a) Nothing in these Regulations shall require a disclosure by the applicant for a licence to any person, other than the Authority, of information as to his financial resources, and any such information received by the Authority from an applicant shall be treated as confidential.

37.175 CARRIAGE OF MAIL

(a) The holder of a licence shall perform all such reasonable services as the Iposita Department of Rwanda may from time to time require in regard to the conveyance of mails (and of any persons who may be in charge thereof) upon air services operated under the licence.

(b) The remuneration for any services performed in pursuance of this regulation shall be such as may from time to time be determined by agreement between the Iposita Department of Rwanda and the licence holder.

37.180 RETURNS

(a) The holder of a licence or operating authorization shall make a monthly return in writing to the Authority giving, in respect of the month to which the return relates, the particulars set out in the Appendix 1 to 37.180 with regard to all air services authorized by the licence or operating authorization, and any other particulars that the Authority may prescribe.

(b) The returns to be made in accordance with paragraph (a) shall be sent to the Authority not later than two months after the expiration of the month to which the return relates.

37.185 SURRENDER & CANCELLATION OF LICENCE

(a) In the event of the holder of a licence ceasing to operate the air service authorized thereby he shall forthwith notify the Authority and return the licence to it for cancellation; provided that where, owing to the death, incapacity, bankruptcy, sequestration or liquidation of the holder of a licence or to the appointment of a receiver or manager or trustee in relation to the business of the holder, he ceases to operate the air service authorized by the licence, then if the business of the holder is being carried on by some other person, that person shall forthwith notify the Authority and unless application has been made within fourteen days for a new licence, shall return the licence to it for cancellation.

(b) A licence may at any time be surrendered by the holder to the Authority for cancellation.

(c) If a licence ceases to have effect, otherwise than by the effluxion of time, or is suspended or

revoked, the holder thereof shall send or deliver the licence to the Authority for retention during the time of suspension or cancellation, and the Authority shall on the removal of a suspension return the licence to the holder.

37.190 RECORDS

(a) The Authority shall keep a record of all applications for licences showing whether the licence was granted or refused, and an entry shall be made in such record whenever a licence is revoked or suspended or expired and the record shall contain such particulars as will enable the application to be identified and shall show—
  (1) the date from which any licence is expressed to operate;
  (2) the date on which it is expressed to expire;
  (3) any condition attached to the licence under the provisions of these Regulations;
  (4) in the case of a scheduled air service, the terminal places and the intermediate landing places to which the application relates; and
  (5) in the case of an air service other than a scheduled air service, a detailed description of the type of air service and the area of operation.

(b) In this regulation the term licence includes operating authorization.

37.195 PASSENGER MANIFESTS

(a) The holder of a licence shall before each flight compile or cause to be compiled a passenger list in respect of the flight and shall keep such list in a safe place for a period of at least 12 months as from the date on which the flight to which it relates has taken place.

(b) A passenger list compiled in terms of paragraph (a) shall at least contain the name of each passenger.

(c) On the written request of the Authority, a licensee shall, subject to the provisions of paragraph (a), forthwith furnish Authority with copies of any passenger lists compiled by the licensee for such period as may be determined by the Authority.

37.200 INSURANCE

(a) No licensee shall operate a domestic air service or an international air service unless, for every accident or incident related to the operation of that service, it has—
  (1) liability insurance covering risks of injury to or death of passengers, damage to or loss of luggage and cargo in an amount that is not less than the amount determined in Appendix 1 to 37.200; and
  (2) insurance covering risks of third party liability in an amount that is not less than the amount determined in Appendix 1 to 37.200.

(b) The insurance coverage required by paragraph (a)(1) need not extend to any passenger who is an employee of an air carrier if workers' compensation legislation governing a claim for damages against that air carrier by the employee is applicable.

(c) No licensee shall take out liability insurance to comply with paragraph (a) that contains an exclusion or waiver provision reducing insurance coverage for any accident or incident below the applicable minima determined pursuant to that paragraph, unless that provision
  (1) consists of standard exclusion clauses adopted by the international aviation insurance industry dealing with—
    (i) war, hijacking and other perils,
    (ii) noise and pollution and other perils, or
    (iii) aviation radioactive contamination;
  (2) is in respect of chemical drift;
  (3) is to the effect that the insurance does not apply to liability assumed by the air carrier

under any contract or agreement unless such liability would have attached to the air carrier even in the absence of such contract or agreement; or

(4) is to the effect that the entire policy shall be void if the air carrier has concealed or misrepresented any material fact or circumstance concerning the insurance or the subject thereof or if there has been any fraud, attempted fraud or false statement by the air carrier touching any matter relating to the insurance or the subject thereof, whether before or after a loss.

(d) An air carrier may have a comprehensive single limit liability coverage where liability risks are covered by a single policy or a combination of primary and excess policies, but no single limit liability coverage of that air carrier shall be for an amount that is less than the applicable combined insurance minima determined pursuant to paragraphs (a)(1) and (2).

(e) Every applicant for a licence or for an amendment to or renewal of a licence, and every licensee, shall file with the Authority, in respect of the service to be provided or being provided, as the case may be, a valid certificate of insurance in the form set out in Appendix 2 to 37.200.

(f) A person referred to in paragraph (e) who files a certificate of insurance electronically shall, on the request of the Authority, file forthwith a certified true copy of the certificate.

SUBPART E: PROVISIONS FOR FRANCHISING IN AIR TRANSPORT

37.205 FRANCHISEE TO BE LICENCED

(a) No airline registered in Rwanda shall operate as a franchisee or enter into a franchise agreement except under and in accordance with the terms of a franchise license granted by the Authority in accordance with these Regulations.

37.210 FOREIGN FRANCHISEE

(a) No foreign registered airline shall operate as a franchisee within Rwanda except under and in accordance with the terms of a franchise licence granted by the Authority in accordance with these Regulations.

37.215 CONDITION FOR FRANCHISING

(a) It shall be a condition to the grant of a franchise licence that the prospective franchisee and the prospective franchisor shall be a holder of, in the case of an airline registered in Rwanda, an air service licence and in the case of a foreign registered airline, an operating authorization issued in accordance with these Regulations.

37.220 APPLICATION FOR FRANCHISE LICENCE

(a) Every application for a franchise licence shall be made to the Authority and shall contain the particulars of Appendix 1 of 37.220 and those prescribed by the Authority.

(b) The Authority may grant franchise licences in accordance with these Regulations and impose such conditions as the Authority may deem appropriate.

(c) In exercising its discretion, the Authority shall have regard to all relevant factors including—

(1) the need to ensure safety in air transport;

(2) the need to protect the interests and welfare of the public; and

(3) the prevention of unfair competition.

37.225 DISCLOSURE OF INFORMATION OF FRANCHISE

(a) The disclosure document shall be updated within (60) days of the end of the franchisors fiscal year.

(b) Where there has been a material change in the information required to be disclosed under the Appendix 1 to 37.225 the disclosure document shall be updated within (30) days of the occurrence of that material change.

(c) If the disclosure document contains a misrepresentation of a material fact or if there is an omission of a material fact required to be disclosed under the Appendix 1 to 37.225 the Authority without prejudice to any other action may revoke or suspended the franchise license.

(d) The franchisee shall ensure that every marketing, promotional and/or advertisement of its business shall contain a clear, unequivocal and prominent disclosure that the franchisee is the actual operator.

(e) The franchisee shall cause to be disclosed to the public at the time of booking, ticketing, check-in and in the aircraft the identity of the actual operator of the flight.

37.230 STANDARDS FOR FRANCHISE

(a) Whenever the Conditions of Carriage for the franchisor contain more favorable terms to a passenger/ shipper than the Conditions of Carriage of the franchisee, then those favorable terms in the conditions of carriage of the franchisor (including liability limitation) shall apply to operations by the franchisee.

37.235 RETROSPECTIVE APPLICATION

(a) Airlines that already operate a franchise prior to the publication of these Regulations shall within a period of twelve months of the coming into effect of these Regulations apply to the Authority for grant of a franchise licence in accordance with these Regulations.

37.240 CONTENT OF FRANCHISE AGREEMENT

(a) The franchise arrangement shall be subject to the existing competition policy, rules and legislation as may be amended or modified from time to time provided that the Authority may approve the franchise if the public interest benefits of the arrangement outweigh the possible loss of competition.

(b) All franchise agreements involving foreign franchisors and local franchisees shall have a provision therein to the effect that the terms of such agreements shall be governed by the laws of Rwanda.

37.245 NO CABOTAGE IN FRANCHISE OPERATION

(a) The approval of a franchise operation involving a foreign franchisor and local franchisee shall not imply in any way that the franchisor is licensed to operate domestic services between any such two points within Rwanda.

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SUBPART F: TARIFFS & COMPETITION

37.250 APPROVAL OF TARIFFS

(a) Except if exempted by any bilateral or multilateral air services agreement to which Rwanda is a party or by a permission of the Minister granted under the Civil Aviation (Commercial Air Transport Operations by Foreign Air Operator in and out of Rwanda) Regulations, undertakings entrusted with the provision of air service shall submit their tariffs for approval at least thirty working days prior to the proposed date of application.

(b) The Authority shall consider the proposed tariff and may, if it thinks fit, approve or disapprove it; in case no disapproval is issued, after expiry of thirty working days after submission of proposal, approval shall be presumed.

(c) A decrease in tariff shall be applied without need for approval, except if otherwise prescribed in any bilateral or multilateral air services agreement to which Rwanda is a party.

(d) In considering request for approval of tariff, the Authority shall prevent application of tariffs that may be discriminatory, excessively high or low due to abuse of dominant position or due to direct or indirect State subsidy.

(e) For the purposes of this regulation, "tariff" means a condition as to any of the following matters—

(1) the price to be charged for the carriage of passengers, baggage or cargo on flights;

(2) any additional goods, services or other benefits to be provided in connection with such carriage;

(3) the prices, if any, to be charged for any such additional goods, services or benefits; and

(4) the commission, or rates of commission, to be paid in relation to the carriage of passengers, baggage or cargo;

and includes any condition as to the applicability of any such price, the provision of any such goods, services or benefits or the payment of any such commission or of commission at any such rate.

37.255 COMPATIBLE WITH UNIVERSAL SERVICE OBLIGATION

(a) Undertakings entrusted with the operation of services of general economic interest or having the character of revenue producing monopoly shall be subject to the provisions for fair competition in so far as the application of such provisions do not obstruct the performance, in law and in fact, for the particular tasks assigned to them and the development of air services trade must not be affected to such an extent as would be contrary to the public interest.

37.260 JURISDICTION OF AUTHORITY

(a) The Authority shall have jurisdiction to review agreements, decisions or practices that may affect competition in air service and may examine books, other business records, take copies from extracts, ask for oral explanations and enter any premises, land and aircraft used by concerned parties.

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APPENDICES

APPENDIX 1 TO 37.030: PARTICULARS TO BE FURNISHED IN CONNECTION WITH AN APPLICATION FOR A LICENCE

1. SCHEDULED AIR SERVICES

(1) Name and address of applicant, nationality of applicant,
(2) Names of places between which the air service is to be operated
(3) Names of the regular stage stopping places for the purpose of taking on or setting down passengers, or goods
(4) Times and frequencies of air service
(5) Number and type or types of aircraft to be used.
(6) Type of load to be carried.
(7) Maximum and minimum fares to be charged to passengers or for goods in respect of the total journey or any portion of the journey for which separate charges are made.
(8) Date of commencement of air service
(9) Period for which licence is required.
(10) If air service is already in operation—
  (i) period for which the air service has been operated;
  (ii) details as per monthly return for a period of operation or last 12 months, whichever be the less.
(11) List of other air services operated by the applicant at the time of application, past and present.
(12) Particulars of any working arrangement with any other company operating an air service.
(13) Particulars or any financial interest which the applicant has in any other undertaking providing passenger transport facilities or controlling the business of any person who provides such facilities.
(14) The nature of the person making the application, whether an individual, partnership firm or corporate body, public or private, with or without limited liability, and if a company, public or private—
  (i) the nominal and issued capital;
  (ii) the names and nationality of the directors;
  (iii) the names and state of incorporations of any other companies holding shares in the applicant's business;
  (iv) the names and state of incorporation of any subsidiary companies of the applicant.

2. CHARTER & AERIAL WORK, OTHER THAN SCHEDULED AIR SERVICES & INSTRUCTION

(1) Name and address of applicant;
(2) Numbers and types of aircraft and engines to be used.
(3) Types of work to be carried out and the areas in which it is proposed to operate each type of service.
(4) Maximum charges to be made for such type of work.
(5) Date of commencement of air service.
(6) Period for which licence is required
(7) If air service is already in operation—
  (i) The period for which the air service has been operated;
    (A) Details as per monthly return for period of operation or last 12 months whichever be the less.
    (B) List of other air services operated by applicant at the time of application, past

and present.

(ii) Particulars of working arrangements with other air service companies.

(iii) Particulars or any financial interest which the applicant has in any other undertaking providing passenger transport facilities or controlling the business or any person who provides such facilities.

(iv) The nature of the person making the applicant, whether individual, partnership firm or corporate body, public or private, with or without limited liability, and if a company, public or private—

(A) the nominal and issued capital;

(B) the names and nationality of the directors;

(C) the names and state of incorporation of any other companies holding shares in the applicant's business;

(D) the names and state of incorporation of any other subsidiary companies of the applicant.

(v) Such particulars of the accounts of the applicant's business during the last 12 months as the Authority shall require.

3. INSTRUCTIONAL

(1) The names and address of applicant;

(2) The numbers and types of aircraft and engines to be used;

(3) The types of instruction to be carried out and place where it is proposed to operate;

(4) Maximum charges to be made for each type of instruction;

(5) Date of commencement of air service;

(6) Period for which licence is required;

(7) If air service is already in operation—

(i) Period for which the air service has been operated;

(ii) Details as per monthly return for period of operation or last 12 months, whichever be the less.

(iii) List of other air services operated by the applicant at the time of application, past and present.

(8) Particulars of working arrangements with other air service companies.

(9) Particulars of any financial interest which the applicant has in any other undertaking providing instructional facilities or controlling the business of any person who provides such facilities.

(10) The nature of the person making the application, whether an individual, partnership firm or corporate body, public or private, with or without limited liability, and if a company, public or private—

(i) the nominal and issued capital;

(ii) the names and nationality of the directors;

(iii) the names and state of incorporation of any other companies holding shares in the applicant's business;

(iv) the names and state of incorporation of any subsidiary companies of the applicant.

(11) (I) Such particulars of the accounts for the applicant's business during the last 12 months as the Authority shall require.

4. DOCUMENTS TO BE SUBMITTED WITH APPLICATION

(1) A plan setting out in detail the manner in which the applicant will ensure that a safe and reliable air service is operated.

(2) A certified true copy of the existing foreign licence held by foreign applicant.

(3) Certified true copy of the memorandum and articles of association or any other founding document of the applicant.

(4) A valid guarantee or security of the applicant and insurance policy which may arise from the operation of the air service.
(5) Any other document in support of the applicant's ability to operate the air service.

APPENDIX 1 TO 37.085: INFORMATION FOR USE IN ASSOCIATION WITH FINANCIAL FITNESS OF AIR CARRIERS

(a) Information to be provided by a first-time applicant from a financial fitness point of view—
(1) The most recent internal management accounts and, if available, audited accounts for the previous financial year.
(2) A projected balance sheet, including profit and loss account, for the following two years.
(3) The basis for projected expenditure and income figures on such items as fuel, fares and rates, salaries, maintenance, depreciation, exchange rate fluctuations, airport charges, insurance, etc. Traffic/revenue forecasts.
(4) Details of the start-up costs incurred in the period from submission of application to commencement of operations and an explanation of how it proposes to finance these costs.
(5) Details of existing and projected sources of finance.
(6) Details of shareholders, including nationality and type of shares to be held, and the Articles of Association. If part of a group of undertakings, information on the relationship between the group.
(7) Projected cash-flow statements and liquidity plans for the first two years of operation
(8) Details of the financing of aircraft purchase, leasing including, in the case of leasing, the terms and conditions of contract.

(b) Information to be provided for assessment of the continuing financial fitness of existing licence holders planning a change in their structures or in their activities with a significant bearing on their finances—
(1) If necessary, the most recent internal management balance sheet and audited account for the previous financial year.
(2) Precise details of all proposed changes e.g. change of type of service, proposed takeover or merger; modifications in share capital, changes in shareholders, etc.
(3) A projected balance sheet, with a profit and loss account, for the current financial year, including all proposed changes in structure or activities with a significant bearing on finances.
(4) Past and projected expenditure and income figures on such items as fuel, fares and rates, salaries, maintenance, depreciation, exchange rate fluctuations, airport charges, insurance, etc., Traffic/ revenue forecasts.
(5) Cash-flow statements and liquidity plans for the following year, including all proposed changes in structure or activities with a significant bearing on finances.
(6) Details of the financing of aircraft purchase/leasing including, in the case of leasing, the terms and conditions of contract.

(c) Information to be provided for assessment of the continuing financial fitness of existing licence holders.
(1) Audited accounts not later than six months after the end of the relevant period and, if necessary, the most recent internal management balance sheet.
(2) A projected balance sheet, including profit and loss account for the forthcoming year.

APPENDIX 1 TO 37.180: PARTICULARS TO BE GIVEN BY HOLDER OF LICENCES AND OPERATING AUTHORIZATIONS IN MONTHLY RETURNS (EXCEPT WHERE OTHERWISE SPECIFIED)

1. SCHEDULED AIR SERVICES

(1) A list of the service numbers of all flights operated giving the names of the places between which services are operated, the names of the regular staging points on the route, the types of aircraft used and the number of flights operated by each type.

(2) A copy of the current timetable

(3) A copy of current tariffs

(4) For services operated under an international airline licence or an operating authorization for each service number—

(i) Total passengers, goods and mail, terminating and in transit, arriving in Rwanda by point of discharge within Rwanda (showing in addition the point of discharge of passengers outside Rwanda for each point of uplift)

(ii) Total passengers, goods and mail, originating and in transit, departing from Rwanda by point of uplift within Rwanda (showing in additions the point of discharge of passengers outside Rwanda for each point of uplift).

(iii) In transit passengers at each staging point in Rwanda on international services not included above, i.e. those whose airports of uplift and discharge are both within Rwanda.

(iv) Total number of passenger seats offered and the number filled, on flights arriving in and/or departing from Rwanda.

(v) Total capacity of commercial cargo offered and the weight carried on flights arriving in and/or departing from Rwanda.

(vi) Total passengers, goods and mail carried only within Rwanda by points of uplift and discharge separately for traffic between each airport in each direction.

(5) For services operated under an international airline licence and on sectors not wholly within Rwanda—

(i) For each staging point outside Rwanda, the passengers, goods and mail in transit.

(ii) For each sector—

(A) the total passenger-miles offered, and carried; and

(B) the total commercial cargo load-miles offered, and carried.

(6) For services operated under the local licence the following shall be submitted for each period of four weeks commencing 1st January each year, and in for each 13 weeks period throughout the year, the last complete four-week and 13-week periods in the year shall, however, be extended to include 31st December, or for such periods as shall be determined from time to time—

(i) By service number—

(A) the total passenger-miles offered and carried;

(B) the total load miles offered and carried.

(ii) The Passengers, goods and mail carried in each direction, between all combinations of staging points.

2. CHARTER, AERIAL WORK & NON-SCHEDULED FLIGHTS

(1) Numbers and type or types of aircraft and engines operated during the month, actual dates of any changes made to be given.

(2) Average daily service ability of aircraft complete.

(3) Total number of miles flown on each class of work.

(4) Total number of flights made on each class of work.

(5) Passenger miles and total number of passengers carried.

(6) Ton-miles and total weight of goods carried.

(7) Number of flights commenced but not completed, giving cause.

(8) Total number of requests for air service made.
(9) Total number of requests for air service made which were not accepted given reasons.
(10) Number of pilots, navigators, radio operators, flight engineers, stewards, photographers and any other personnel employed on flying duties, and their salaries by grade.
(11) Copy of current schedule of charges for air services.

3. INSTRUCTIONAL

(1) The numbers and types of aircraft and engines operated during the month, the actual dates of any changes to be given.
(2) The average daily service ability of aircraft complete
(3) The total number of hours flown;
  (i) dual instruction; and
  (ii) solo; and
  (iii) the total number of hours of not-flying instruction, per type of instruction.
(4) The total number of flights made;
  (i) dual instruction;
  (ii) solo.
(5) The number of instructors employed and their salaries by grade.
(6) A copy of the current schedule for instructional charges.
(7) The total number of pupils under instruction, according to the class of pilot licence for which instruction is being given.
  (i) The total number of pilot licences, per class, gained during the month.
  (ii) The total number of pilot licences, per class, held by pupils or members of the club.
  (iii) The total number of pupils or members.

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APPENDIX 1 TO 37.200: INSURANCE REQUIREMENTS FOR AIR CARRIERS & AIRCRAFT OPERATORS

(a) In addition to the 3rd Party requirements listed below, the following minimum insurance covers are required—

(1) Passengers at 250,000 SDRs per passenger or in respect of non-commercial operations with aircraft with MTOM of less than 2,700 kg, not less than 100,000 SDRs per passenger.

(2) Baggage at 1,000 SDRs per passenger.

(3) Cargo at 17 SDRs per kg.

CATEGORY	MTOM (KG)	MINIMUM INSURANCE (MILLION SDRS)
1	Up to 499 ^	0.75
2	500 – 999	1.5
3	1,000 - 2,699	3
4	2,700 - 5,999	7
5	6,000 - 11,999	18
6	12,000 - 24,999	80
7	25,000 - 49,999	150
8	50,000 - 199,999	300
9	200,000 - 499,999	500
10	500,000 plus	700

(b) The minimum combined single limit (CSL) liability cover for each aircraft will be calculated as follows—

(1) Third (3rd) Party for relevant category (see table)

(2) + 250,000 SDRs x maximum number of passengers carried on that aircraft or in respect of noncommercial operations with aircraft with MTOM of less than 2,700 kg, not less than 100,000 SDRs per passenger.

(3) + 1,000 SDRs x maximum number of passengers

(4) + 17 SDRs x kilograms of cargo carried

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APPENDIX 2 TO 37.200: EXAMPLE DOCUMENTATION OF INSURANCE COVERING AIR CARRIER LIABILITY TO PASSENGERS, LUGGAGE, CARGO & THIRD PARTY LIABILITY

CERTIFICATE OF INSURANCE

(a) This is to certify that—

_____

_____

_____

_____ (insurer)(Name, address and participation percentages of insurer or

insurers) has/have issued the policies listed in this certificate covering risks of liability to passengers, luggage, cargo and third party liability to

_____

_____

_____ (air carrier) (Name and address of air carrier)

effective from_____(day)_____(month)_____(year)

to_____(day)_____(month)____

_____(year).

(b) The insurer has assumed, under the policies listed in this certificate, liability insurance covering risks of injury to or death of passengers, damage to or loss of luggage and cargo, and insurance covering risks of third party liability in accordance with the requirements of Regulation 37.200 of the Civil Aviation (Licensing of Air Services) Regulations.

(c) The air carrier has been insured against the risks described in paragraph (b) for each incident or accident related to the operation of a (a domestic, an international, or domestic and international) service in the following amounts—

Type of Liability	Amount	Policy No
Passenger		
Luggage		
Cargo		
Third Party		
Single limit coverage		

(d) The policies listed in this certificate insure (fill in the appropriate service in either (1) or (2))—

(1) all aircraft operated by the air carrier in (domestic, international, or domestic and international) services; or

(2) (domestic, international, or domestic and international) services operated by the air carrier with the following aircraft—

REGISTRATION MARKING	AIRCRAFT TYPE & MODEL

(e) The Insurer undertakes to notify the Director-General of the Civil Aviation Authority of Rwanda forthwith in writing when—

(1) (a) the air carrier's coverage has been cancelled or is intended to be cancelled;
(2) (b) the air carrier's coverage has been altered or is intended to be altered in a manner that results in the failure by the air carrier to comply with the requirements of Regulation 37.200 of the Civil Aviation (Licensing of Air Services) Regulations; or
(3) (c) the air carrier's operations have been changed or are intended to be changed in a manner that results in the failure by the air carrier to comply with the requirements of Regulation 37.200 of the Civil Aviation (Licensing of Air Services) Regulations.

(f) The insurer (circle (1) or (2))—
(1) is registered and/or licensed in Rwanda to issue aircraft insurance policies; or
(2) is licensed or approved by a foreign government to issue aircraft insurance policies.

DATE	ON BEHALF OF INSURER
	(*Signature, name and title of authorized person or agent*)

FILING DIRECTIONS:

(1) An original of this certificate and any notification made pursuant to Regulation 5 are to be filed with the Director-General, Rwanda Civil Aviation Authority, P.O. 1112, Kigali, Rwanda
(2) An air carrier may file a certificate that contains one or more of the three conditions and the table set out in the attachment hereto.

ATTACHMENT

NAME OF AIR CARRIER:

_____

_____

The Air Carrier has been insured against the risks described in Regulation 2 under Policy no., which is issued on one or more of the following conditions:

(1) the aircraft are as described, and are insured for the amounts shown, in the table below;
(2) the number of passengers carried does not exceed the number of passenger seats insured for each aircraft as shown in the table below; and

(3) the aircraft will be used for the following purposes—

Registration Marking	Type & Model	No. of Passenger Seats Insured	Amount of Passenger Liability	Amount of Luggage Liability	Amount of Cargo Liability	Amount of Third Party Liability

APPENDIX 1 TO 37.225: INFORMATION TO BE DISCLOSED FOR FRANCHISES: DISCLOSURE DOCUMENT

(a) The franchisor/franchisee shall provide the following information in the disclosure document—

(1) the legal name, legal form and legal address of the franchisor and the address of the principal place of business of the franchisor:

(2) any name other than the legal name under which the franchisor carries on or intends to carry on business.

(3) the address of the franchisor's principal place of business in Rwanda;

(4) a description of the airline experience of the franchisor including the length of time during which the franchisor has offered franchises;

(5) details of shareholding, directorship and senior management of franchisor/franchisee.

(6) the names, business addresses, positions held, business experience and qualifications of any person who has senior management responsibilities for the franchisor's business operations in relation to the franchise;

(7) relevant details relating to any criminal convictions or any finding of liability in a civil action involving franchises or other businesses relating to fraud, misrepresentation, or similar acts or practices of—

(i) the franchisor;

(ii) any affiliate of the franchisor who is engaged in franchising; and

(iii) any of the persons indicated in sub-paragraph (a)(5)

(8) relevant details concerning any bankruptcy, insolvency or comparable proceeding involving the franchisor for the previous five years;

(9) the total number of franchises in the franchisor network.

(10) the names and business addresses of all the franchisees.

(11) information about the franchisees that have ceased to be franchisees of the franchisor during the five proceeding fiscal years, with an indication of the reasons for which the franchisees have ceased to be franchisees of the franchisor.

(12) Disclosure of the following categories would fulfill the disclosure requirement: voluntarily terminated or not renewed;

(13) reacquired by purchase by the franchisor; otherwise reacquired by the franchisor; refused renewal by the franchisor; terminated by the franchisor;

(14) the following information regarding the franchisor's intellectual property relevant for the franchise, in particular trademarks, service arks, trademarks, logotypes and designator codes—

(i) the registration and/or the application for registration, if any, and

(ii) litigation or other legal proceedings, if any, which could have a material effect on the franchisee's legal right, exclusive or nonexclusive, to use the intellectual property under the franchise agreement in the State in which the franchised business is to be operated;

(15) financial matters, including—

(i) financing offered or arranged by the franchisor, if any;

(ii) audited or otherwise independently verified financial Statements of the franchisor, including balance sheets and statements of profit and loss, for the previous three years.

(iii) If the most recent audited financial statements are as of a date more than 180 days before the date of delivery of the disclosure document, then unaudited financial statements as of a date within 90 days of the date of delivery of the disclosure document;

(iv) a description of the franchise to be operated by the franchises;

(v) the term and conditions of renewal of the franchise;

(vi) a description of the initial and on-going training programme

(vii) the nature and extent of exclusive rights granted, if any, including rights relating to territory and/ or customers;

(viii) the conditions under which the franchise agreement may be terminated by the franchisor and the effects of such termination;

(ix) the conditions under which the franchise agreement may be terminated by the franchisee and the effects of such termination;

(x) the limitations imposed on the franchisee, if any, in relation to territory and/or to customers;

(xi) in-term and post-term non-compete covenants;

(xii) any reservation by the franchisor of the right

(16) to use, or to license the use of, the trademarks covered by the franchise agreement;

(17) to sell or distribute the goods and/or services authorized for sale by the franchisee directly or indirectly through the same or any other channel of distribution, whether under the trademarks covered by the agreement or any other trademark;

(i) restrictions or conditions imposed on the franchisee in relation to services that the franchisee may offer.

(ii) certified copies of air services licence, air operators certificate issued to franchisee and franchisor.

(iii) certified copies of the current conditions of carriage for passenger baggage and mail of the prospective franchisor and the prospective franchisee.

(iv) certified copies of the current conditions of carriage for cargo of the prospective Franchisee and the prospective franchisee and the prospective franchisor.

(v) description of the safety record of the Franchisor for the past ten years.

(vi) details of the financing of aircraft purchase/leasing of franchisee.

(vii) a draft of the proposed franchise agreement (excluding financial clauses).

(b) Any other information, date, certification or document the Authority may request.

END OF RCAR PART 37

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXVIII W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXVIII TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXVIII A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 38

Units of Measurement

SUBPART A: GENERAL 2
38.001 CITATION & APPLICABILITY 2
38.005 DEFINITIONS & ABBREVIATIONS 2
38.010 [RESERVED] 3
38.015 [RESERVED] 3

SUBPART B: STANDARD APPLICATION OF UNITS OF MEASUREMENT 4
38.020 SI UNITS 4
38.025 NON-SI UNITS FOR PERMANENT USE WITH THE SI 4
38.030 NON-SI ALTERNATIVE UNITS PERMITTED FOR TEMPORARY USE WITH THE SI 4
38.035 APPLICATION OF SPECIFIC UNITS 4
38.040 DESIGN, PROCEDURES & TRAINING 4
38.045 USE OF ALTERNATIVE NON-SI UNITS 4

APPENDICES 5
APPENDIX 1 TO 38.020: SI UNIT PREFIXES 5
APPENDIX 1 TO 38.025: NON-SI UNITS FOR PERMANENT USE WITH THE SI 5
APPENDIX 1 TO 38.030: NON-SI UNITS FOR TEMPORARY USE WITH THE SI 6
APPENDIX 1 TO 38.035: STANDARD APPLICATION OF SPECIFIC UNITS OF MEASUREMENT 6
APPENDIX 1 TO 38.045: TERMINATION DATES FOR NON-SI ALTERNATIVE UNITS 10

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SUBPART A: GENERAL

38.001 CITATION & APPLICABILITY

(a) These Regulations may be cited as the Civil Aviation (Units of Measurement to be used in Air and Ground Operations), Regulations.

(b) These Regulations shall be applicable to all aspects of civil aviation air and ground operations and shall be used by the persons and organizations that engage in or provide services for civil aviation.

(c) The Civil Aviation Technical Standards (Units of Measurement) published by the Authority are applicable to the provision of civil aviation air and ground operations in Rwanda.

38.005 DEFINITIONS & ABBREVIATIONS

(a) When the following terms are used in this Part, they have the following meanings—

Ampere (A). That constant electric current which, if maintained in two straight parallel conductors of infinite length, of negligible circular cross-section, and placed 1 metre apart in a vacuum, would produce between these conductors a force equal to 2 × 10–7 newton per metre of length;

Becquerel (Bq). The activity of a radionuclide having one spontaneous nuclear transition per second;

Candela (cd). The luminous intensity, in the perpendicular direction, of a surface of 1/600 000 square metre of black body at the temperature of freezing platinum under a pressure of 101 325 newtons per square metre;

Celsius temperature (t°C). The Celsius temperature is equal to the difference t°C = T-T0 between two thermodynamic temperatures T and T0 where T0 equals 273.15 Kelvin;

Coulomb (C). The quantity of electricity transported in 1 second by a current of 1 ampere;

Degree Celsius (°C). The special name for the unit Kelvin for use in stating values of Celsius temperature;

Farad (F). The capacitance of a capacitor between the plates of which there appears a difference of potential of 1 volt when it is charged by a quantity of electricity equal to 1 coulomb;

Foot (ft). The length equal to 0.3048 metre exactly;

Gray (Gy). The energy imparted by ionizing radiation to a mass of matter corresponding to 1 joule per kilogram;

Henry (H). The inductance of a closed circuit in which an electromotive force of 1 volt is produced when the electric current in the circuit varies uniformly at a rate of 1 ampere per second;

Hertz (Hz). The frequency of a periodic phenomenon of which the period is 1 second;

Human performance. Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;

Joule (J). The work done when the point of application of a force of 1 Newton is displaced a distance of 1 metre in the direction of the force;

Kelvin (K). A unit of thermodynamic temperature which is the fraction 1/273.16 of the thermodynamic temperature of the triple point of water;

Kilogram (kg). The unit of mass equal to the mass of the international prototype of the kilogram;

Knot (kt). The speed equal to 1 nautical mile per hour;

International System of Units (SI). A complete, coherent system which includes three classes of units base units, supplementary units; and derived units;

Litre (L). A unit of volume restricted to the measurement of liquids and gases which is equal to 1 cubic decimeter;

Lumen (lm). The luminous flux emitted in a solid angle of 1 steradian by a point source having a uniform intensity of 1 candela;

Lux (lx). The illuminance produced by a luminous flux of 1 lumen uniformly distributed over a surface of 1 square metre;

Metre (m). The distance travelled by light in a vacuum during 1/299 792 458 of a second;

Mole (mol). The amount of substance of a system which contains as many elementary entities as there are atoms in 0.012 kilogram of carbon-12;

Nautical mile (NM). The length equal to 1,852 metres exactly;

Newton (N). The force which when applied to a body having a mass of 1 kilogram gives it an acceleration of 1 metre per second squared;

Ohm (Ω). The electric resistance between two points of a conductor when a constant difference of potential of 1 volt, applied between these two points, produces in this conductor a current of 1 ampere, this conductor not being the source of any electromotive force;

Pascal (Pa). The pressure or stress of 1 newton per square metre;

Radian (rad). The plane angle between two radii of a circle which cut off on the circumference an arc equal in length to the radius;

Second (s). The duration of 9 192 631 770 periods of the radiation corresponding to the transition between the two hyperfine levels of the ground state of the caesium-133 atom;

Siemens (S). The electric conductance of a conductor in which a current of 1 ampere is produced by an electric potential difference of 1 volt;

Sievert (Sv). The unit of radiation dose equivalent corresponding to 1 joule per kilogram;

Steradian (sr). The solid angle which, having its vertex in the centre of a sphere, cuts off an area of the surface of the sphere equal to that of a square with sides of length equal to the radius of the sphere;

Tesla (T). The magnetic flux density given by a magnetic flux of 1 weber per square metre;

Tonne (t). The mass equal to 1 000 kilograms;

Volt (V). The unit of electric potential difference and electromotive force which is the difference of electric potential between two points of a conductor carrying a constant current of 1 ampere, when the power dissipated between these points is equal to 1 watt;

Watt (W). The power which gives rise to the production of energy at the rate of 1 joule per second;

Weber (Wb). The magnetic flux which, linking a circuit of one turn, produces in it an electromotive force of 1 volt as it is reduced to zero at a uniform rate in 1second.

38.010 [RESERVED]

38.015 [RESERVED]

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SUBPART B: STANDARD APPLICATION OF UNITS OF MEASUREMENT

38.020 SI UNITS

(a) The International System of Units developed and maintained by the General Conference of Weights and Measures (CGPM) shall, subject to Regulation 38.025 and Regulation 38.035 be used as the standard system of units of measurement for all aspects of civil aviation air and ground operations.

(b) The prefixes and symbols listed in Appendix 1 to 38.020 shall be used to form names and symbols of the decimal multiples and sub-multiples of SI units.

38.025 NON-SI UNITS FOR PERMANENT USE WITH THE SI

(a) The non-SI units listed in Appendix 1 to 38.025 shall be used either in lieu of, or in addition to, SI units as primary units of measurement but only as specified in Appendix 1 to 38.035 of these regulations.

38.030 NON-SI ALTERNATIVE UNITS PERMITTED FOR TEMPORARY USE WITH THE SI

(a) The non-SI units listed in Appendix 1 of 38.030 shall be permitted for temporary use as alternative units of measurement but only for those specific quantities listed in Appendix 1 to 38.035.

38.035 APPLICATION OF SPECIFIC UNITS

(a) The application of units of measurement for certain quantities used in civil aviation air and ground operations shall be in accordance with Appendix 1 to 38.035 of these regulations.

38.040 DESIGN, PROCEDURES & TRAINING

(a) The means and provisions for design, procedures and training shall be established for operations in environments involving the use of standard and non-SI alternatives of specific units of measurement, or the transition between environments using different units, with due consideration to human performance.

38.045 USE OF ALTERNATIVE NON-SI UNITS

(a) The use in international civil aviation operations of the alternative non-SI units listed in Appendix 1 to 38.035 shall be terminated on the dates listed in Appendix 1 to 38.045.

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APPENDICES

APPENDIX 1 TO 38.020: SI UNIT PREFIXES

Multiplication factor		*Prefix*	*Symbol*
1 000 000 000 000 000 000	$= 10^{18}$	exa	E
1 000 000 000 000 000	$= 10^{15}$	peta	P
1 000 000 000 000	$= 10^{12}$	tera	T
1 000 000 000	$= 10^{9}$	giga	G
1 000 000	$= 10^{6}$	mega	M
1 000	$= 10^{3}$	kilo	k
100	$= 10^{2}$	hecto	h
10	$= 10^{1}$	deca	da
0.1	$= 10^{-1}$	deci	d
0.01	$= 10^{-2}$	centi	c
0.001	$= 10^{-3}$	milli	m
0.000 001	$= 10^{-6}$	micro	µ
0.000 000 001	$= 10^{-9}$	nano	n
0.000 000 000 001	$= 10^{-12}$	pico	p
0.000 000 000 000 001	$= 10^{-15}$	femto	f
0.000 000 000 000 000 001	$= 10^{-18}$	atto	a

APPENDIX 1 TO 38.025: NON-SI UNITS FOR PERMANENT USE WITH THE SI

Specific quantities in Appendix 1 to 38.035 related to	*Unit*	*Symbol*	*Definition (in terms of SI units)*
mass	tonne	t	1 t = 1000 kg
plane angle	Degree Minute Second	° ' "	1° = (π /180) rad 1' = (1/60)° = (π /10 800) rad 1" = (1/60)' = (π /648 000) rad
temperature	degree Celsius	°C	1 unit °C = 274.15 unit K
time	Minute Hour Day week, month, year	Min H d	1 min = 60 s 1 h = 60 min = 3 600 s 1 d = 24 h = 86 400 s
volume	litre	L	1 L = 1 dm^3 = $10^{-3} m^3$

APPENDIX 1 TO 38.030: NON-SI UNITS FOR TEMPORARY USE WITH THE SI

Specific quantities in appendix 1 to 38.035 related to:	unit	Symbol	Definition (in terms of SI unites)
Distance (long)	Nautical mile	NM	1 NM = 1852 m
Distance (vertical) (a)	foot	ft	1 ft = 0.304 8 m
Speed	knot	kt	1 kt = 0.51444 m/s
Vertical speed	Foot per minute	fpm	
(a) Altitude , elevation, height			

APPENDIX 1 TO 38.035: STANDARD APPLICATION OF SPECIFIC UNITS OF MEASUREMENT

Ref. No.	*Quantity*	*Primary unit (symbol)*	*Non-SI alternative unit (symbol)*
1.	***Direction/Space/Time***		
1.1	altitude	m	ft
1.2	area	m^2	
1.3	distance (long)[a)]	km	NM
1.4	distance (short)	m	
1.5	elevation	m	ft
1.6	endurance	h and min	
1.7	height	m	ft
1.8	latitude	° ' "	
1.9	length	m	
1.10	longitude	° ' "	
1.11	plane angle (when required, decimal subdivisions of the degree shall be used)	°	
1.12	runway length	m	
1.13	runway visual range	m	
1.14	tank capacities (aircraft)[b)]	L	
1.15	time	s min h d week month year	
1.16	visibility[c)]	km	
1.17	volume	m^3	
1.18	wind direction (wind directions other than for a landing and take-off shall be expressed in degrees true; for landing and take-off wind directions shall be expressed in degrees magnetic)	°	

STANDARD UNITS (MASS-RELATED, FORCE-RELATED, MECHANICS)

Ref. No.	*Quantity*	*Primary unit (symbol)*	*Non-SI alternative unit (symbol)*
2.	***Mass-related***		
2.1	air density	kg/m^3	
2.2	area density	kg/m^2	
2.3	cargo capacity	kg	
2.4	cargo density	kg/m^3	
2.5	density (mass density)	kg/m^3	
2.6	fuel capacity (gravimetric)	kg	
2.7	gas density	kg/m^3	
2.8	gross mass or payload	kg t	
2.9	hoisting provisions	kg	
2.10	linear density	kg/m	
2.11	liquid density	kg/m^3	
2.12	mass	kg	
2.13	moment of inertia	$kg \cdot m^2$	
2.14	moment of momentum	$kg \cdot m^2/s$	
2.15	momentum	$kg \cdot m/s$	
3.	***Force-related***		
3.1	air pressure (general)	kPa	
3.2	altimeter setting	hPa	
3.3	atmospheric pressure	hPa	
3.4	bending moment	$kN \cdot m$	
3.5	force	N	
3.6	fuel supply pressure	kPa	
3.7	hydraulic pressure	kPa	
3.8	modulus of elasticity	MPa	
3.9	pressure	kPa	
3.10	stress	MPa	
3.11	surface tension	mN/m	
3.12	thrust	kN	
3.13	torque	$N \cdot m$	
3.14	vacuum	Pa	
4.	***Mechanics***		
4.1	airspeed[4)]	km/h	kt
4.2	angular acceleration	rad/s^2	
4.3	angular velocity	rad/s	
4.4	energy or work	J	
4.5	equivalent shaft power	kW	
4.6	frequency	Hz	
4.7	ground speed	km/h	kt
4.8	impact	J/m^2	
4.9	kinetic energy absorbed by brakes	MJ	
4.10	linear acceleration	m/s^2	
4.11	power	kW	
4.12	rate of trim	°/s	

STANDARD UNITS (FLOW & THERMODYNAMICS)

Ref. No.	*Quantity*	*Primary unit (symbol)*	*Non-SI alternative unit (symbol)*
4.13	shaft power	kW	
4.14	velocity	m/s	
4.15	vertical speed	m/s	ft/min
4.16	wind speed[e)]	m/s	kt
5.	***Flow***		
5.1	engine airflow	kg/s	
5.2	engine waterflow	kg/h	
5.3	fuel consumption (specific)		
	piston engines	kg/(kW · h)	
	turbo-shaft engines	kg/(kW · h)	
	jet engines	kg/(kN · h)	
5.4	fuel flow	kg/h	
5.5	fuel tank filling rate (gravimetric)	kg/min	
5.6	gas flow	kg/s	
5.7	liquid flow (gravimetric)	g/s	
5.8	liquid flow (volumetric)	L/s	
5.9	mass flow	kg/s	
5.10	oil consumption		
	gas turbine	kg/h	
	piston engines (specific)	g/(kW · h)	
5.11	oil flow	g/s	
5.12	pump capacity	L/min	
5.13	ventilation airflow	m^3/min	
5.14	viscosity (dynamic)	Pa · s	
5.15	viscosity (kinematic)	m^2/s	
6.	***Thermodynamics***		
6.1	coefficient of heat transfer	W/(m^2 · K)	
6.2	heat flow per unit area	J/m^2	
6.3	heat flow rate	W	
6.4	humidity (absolute)	g/kg	
6.5	coefficient of linear expansion	°C^{-1}	
6.6	quantity of heat	J	
6.7	temperature	°C	

STANDARD UNITS (ELECTRICITY, LIGHT, ACOUSTICS)

Ref. No.	*Quantity*	*Primary unit (symbol)*	*Non-SI alternative unit (symbol)*
7.	***Electricity and magnetism***		
7.1	capacitance	F	
7.2	conductance	S	
7.3	conductivity	S/m	
7.4	current density	A/m^2	
7.5	electric current	A	
7.6	electric field strength	C/m^2	
7.7	electric potential	V	
7.8	electromotive force	V	
7.9	magnetic field strength	A/m	
7.10	magnetic flux	Wb	
7.11	magnetic flux density	T	
7.12	power	W	
7.13	quantity of electricity	C	
7.14	resistance	Ω	
8.	***Light and related electromagnetic radiations***		
8.1	illuminance	lx	
8.2	luminance	cd/m^2	
8.3	luminous exitance	lm/m^2	
8.4	luminous flux	lm	
8.5	luminous intensity	cd	
8.6	quantity of light	lm · s	
8.7	radiant energy	J	
8.8	wavelength	m	
9.	***Acoustics***		
9.1	frequency	Hz	
9.2	mass density	kg/m^3	
9.3	noise level	dB[e)]	
9.4	period, periodic time	s	
9.5	sound intensity	W/m^2	
9.6	sound power	W	
9.7	sound pressure	Pa	
9.8	sound level	dB[f)]	
9.9	static pressure (instantaneous)	Pa	
9.10	velocity of sound	m/s	
9.11	volume velocity (instantaneous)	m^3/s	
9.12	wavelength	m	

STANDARD USTNITS (NUCLEAR PHYSICS)

Ref. No.	*Quantity*	*Primary unit (symbol)*	*Non-SI alternative unit (symbol)*
10.	***Nuclear physics and ionizing radiation***		
10.1	absorbed dose	Gy	
10.2	absorbed dose rate	Gy/s	
10.3	activity of radionuclides	Bq	
10.4	dose equivalent	Sv	
10.5	radiation exposure	C/kg	
10.6	exposure rate	C/kg · s	

a) As used in navigation, generally in excess of 4 000 m.
b) Such as aircraft fuel, hydraulic fluids, water, oil and high pressure oxygen vessels.
c) Visibility of less than 5 km may be given in m.
d) Airspeed is sometimes reported in flight operations in terms of the ratio MACH number.
e) A conversion of 1 kt = 0.5 m/s is used in ICAO Annexes for the representation of wind speed.
f) The decibel (dB) is a ratio which may be used as a unit for expressing sound pressure level and sound power level. When used, the reference level must be specified.

APPENDIX 1 TO 38.045: TERMINATION DATES FOR NON-SI ALTERNATIVE UNITS

Non-SI alternative unit	*Termination date*
Knot Nautical mile	not established[a)]
Foot	not established[b)]

a) No termination date has yet been established for use of nautical mile and knot.
b) No termination date has yet been established for use of the foot.

END OF RCAR PART 38

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

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GATETE Claver
Minister of Infrastructure

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BUSINGYE Johnston
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Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XXXIX W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XXXIX TO MINISTERIAL ORDER Nº 01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XXXIX A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 39

Unmanned Free Balloon and Airships

SUBPART A: GENERAL 2
39.001 CITATION & APPLICABILITY 2
39.005 DEFINITIONS 2
39.010 ACRONYMS & ABBREVIATIONS 2
SUBPART B: UNMANNED FREE BALLOONS 2
39.015 APPLICABILITY 2
39.020 CLASSIFICATION OF UNMANNED FREE BALLOONS 2
39.025 APPROPRIATE AUTHORISATION FOR FLIGHT 2
39.030 INTERNATIONAL OPERATIONS 2
39.035 OPERATIONS OVER THE HIGH SEAS 3
39.040 COMPLIANCE WITH SPECIFIED CONDITIONS & LIMITATIONS 3
39.045 HAZARD TO PERSONS OR PROPERTY 3
39.050 OPERATING LIMITATIONS 3
39.055 FLIGHT TERMINATION DEVICES & RADAR TRACKING 3
39.060 RADIO EQUIPMENT 3
39.065 TRAILING ANTENNA PENNANTS 4
39.070 BALLOON LIGHTING 4
39.075 SUSPENSION DEVICE 4
39.080 ACTIVATION OF TERMINATION DEVICES 4
39.085 EARLY PRE-FLIGHT NOTIFICATION 4
39.090 PRE-LAUNCH CHANGES 5
39.095 NOTIFICATION OF LAUNCH 5
39.100 NOTIFICATION OF CANCELLATION 5
39.105 POSITION RECORDING & REPORTING 5
SUB PART C: AIRSHIPS 6
39.120 OPERATION OF TRANSPORT CATEGORY AIRSHIPS 6
APPENDICES 7
APPENDIX 1 TO 39.020: CLASSIFICATION OF BALLOONS 7

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SUBPART A: GENERAL

39.001 CITATION & APPLICABILITY

(a) These regulations may be cited as Civil Aviation (Unmanned Free Balloons and Airships) Regulations.

(b) This Part prescribes the requirements of the Republic of Rwanda for the operations of unmanned free balloons and Airships.

(c) This Part is applicable to all persons and organizations conducting operations of unmanned free balloons and or Airships in Rwanda.

39.005 DEFINITIONS

(a) Definitions relating to this Part are found in Appendix 1 to 1.015.

39.010 ACRONYMS & ABBREVIATIONS

(a) Acronyms and abbreviations used in this Part are identified in Appendix 1 to 1.020.

SUBPART B: UNMANNED FREE BALLOONS

39.015 APPLICABILITY

(a) This Subpart is applicable to the operations of unmanned free balloons and Airships in the national and international airspace.

39.020 CLASSIFICATION OF UNMANNED FREE BALLOONS

(a) Unmanned free balloons shall be classified as—

(1) **Light:** an unmanned free balloon which carries a payload of one or more packages with a combined mass of less than 4 kg, unless qualifying as a heavy balloon in accordance with (3)(ii)(iii) or (iv) below; or

(2) **Medium:** an unmanned free balloon which carries a payload of two or more packages with a combined mass of 4 kg or more, but less than 6 kg, unless qualifying as a heavy balloon in accordance with (a)(3) below; or

(3) **Heavy:** an unmanned free balloon which carries a payload which—

(i) Has a combined mass of 6 kg or more; or

(ii) Includes a package of 3 kg or more; or

(iii) Includes a package of 2 kg or more with an area density of more than 13 g per square centimeter; or

(iv) Uses a rope or other device for suspension of the payload that requires an impact force of 230 N or more to separate the suspended payload from the balloon.

(b) The area density referred to in paragraph (a)(3)(iii) is determined by dividing the total mass in grams of the payload package by the area in square centimeters of its smallest surface.

Note: Refer to Appendix 1 of 39.020 for a graphic description of the classifications of unmanned free balloons.

39.025 APPROPRIATE AUTHORISATION FOR FLIGHT

(a) No person may operate an unmanned free balloon without appropriate authorisation from the authority of the State from which the launch is made.

39.030 INTERNATIONAL OPERATIONS

(a) No person may operate an unmanned free balloon, other than a light balloon used exclusively for meteorological purposes and operated in the manner prescribed by the Authority, across the territory of another State without appropriate authorisation from the other State concerned.

(1) The authorisation referred to in Regulation 39.025(a) shall be obtained prior to the launching of the balloon if there is reasonable expectation, when planning the operation, that the balloon may drift into airspace over the territory of another State.

(2) Such authorisation may be obtained for a series of balloon flights or for a particular type of recurring flight, e.g. atmospheric research balloon flights.

39.035 OPERATIONS OVER THE HIGH SEAS

(a) No person may operate a heavy unmanned free balloon over the high seas without prior coordination with the appropriate ATS authority.

39.040 COMPLIANCE WITH SPECIFIED CONDITIONS & LIMITATIONS

(a) No person may operate an unmanned free balloon unless in accordance with conditions specified by the Authority and the State(s) expected to be overflown.

39.045 HAZARD TO PERSONS OR PROPERTY

(a) No person may operate an unmanned free balloon in such a manner that impact of the balloon, or any part thereof, including its payload, with the surface of the earth, creates a hazard to persons or property not associated with the operation.

39.050 OPERATING LIMITATIONS

(a) No person may operate a heavy unmanned free balloons without authorisation from the appropriate ATS authority at or through any level below 18 000 m (60 000 ft) pressure-altitude at which—

(1) There are clouds or obscuring phenomena of more than four oktas coverage; or

(2) The horizontal visibility is less than 8 km.

(b) No person may release a heavy or medium unmanned free balloon in a manner that will cause it to fly lower than 300 m (1 000 ft) over the congested areas of cities, towns or settlements or an open-air assembly of persons not associated with the operation.

39.055 FLIGHT TERMINATION DEVICES & RADAR TRACKING

(a) No person may operate a heavy unmanned free balloon unless—

(1) It is equipped with at least two payload flight-termination devices or systems, whether automatic or operated by telecommand, that operate independently of each other;

(2) Tor polyethylene zero-pressure balloons, at least two methods, systems, devices, or combinations thereof, that function independently of each other are employed for terminating the flight of the balloon envelope;

Note: Superpressure balloons do not require these devices as they quickly rise after payload discharge and burst without the need for a device or system designed to puncture the balloon envelope. In this context a super pressure balloon is a simple non-extensible envelope capable of withstanding a differential of pressure, higher inside than out. It is inflated so that the smaller night- time pressure of the gas still fully extends the envelope. Such a superpressure balloon will keep essentially constant level until too much gas diffuses out of it.

(3) The balloon envelope is equipped with either a radar reflective device(s) or radar reflective material that will present an echo to surface radar operating in the 200 MHz to 2 700 MHz frequency range, and/or the balloon is equipped with such other devices as will permit continuous tracking by the operator beyond the range of ground-based radar.

39.060 RADIO EQUIPMENT

(a) No person may operate a heavy unmanned free balloon under the following conditions—

(1) In an area where ground-based SSR equipment is in use, unless it is equipped with a secondary surveillance radar transponder, with pressure-altitude reporting capability,

which is continuously operating on an assigned code, or which can be turned on when necessary by the tracking station; or

(2) In an area where ground-based ADS-B equipment is in use, unless it is equipped with an ADS-B transmitter, with pressure-altitude reporting capability, which is continuously operating or which can be turned on when necessary by the tracking station.

39.065 TRAILING ANTENNA PENNANTS

(a) No person may operate an unmanned free balloon that is equipped with a trailing antenna that requires a force of more than 230 N to break it at any point unless the antenna has coloured pennants or streamers that are attached at not more than 15 m intervals.

39.070 BALLOON LIGHTING

(a) No person may operate a heavy unmanned free balloon below 18 000 m (60 000 ft) pressure-altitude between sunset and sunrise or such other period between sunset and sunrise (corrected to the altitude of operation) as may be prescribed by the appropriate ATS authority, unless the balloon and its attachments and payload, whether or not they become separated during the operation, are lighted

39.075 SUSPENSION DEVICE

(a) No person may operate a heavy unmanned free balloon that is equipped with a suspension device (other than a highly conspicuously coloured open parachute) more than 15 m long between sunrise and sunset below 18 000 m (60 000 ft) pressure-altitude unless the suspension device is coloured in alternate bands of high conspicuity colours or has coloured pennants attached.

39.080 ACTIVATION OF TERMINATION DEVICES

(a) The operator of a heavy unmanned free balloon shall activate the appropriate termination devices required by Regulation 27.260—

(1) When it becomes known that weather conditions are less than those prescribed for the operation;

(2) If a malfunction or any other reason makes further operation hazardous to air traffic or to persons or property on the surface; or

(3) Prior to unauthorised entry into the airspace over another State's territory.

39.085 EARLY PRE-FLIGHT NOTIFICATION

(a) The operator shall make early notification of the intended flight of an unmanned free balloon in the medium or heavy category to the appropriate air traffic services unit not less than seven days before the date of the intended flight.

(b) The operator shall provide notification of the intended flight, including such of the following information as may be required by the appropriate air traffic services unit—

(1) Balloon flight identification or project code name;

(2) Balloon classification and description;

(3) SSR code, aircraft address or NDB frequency, as applicable;

(4) Operator's name and telephone number;

(5) Launch site;

(6) Estimated time of launch (or time of commencement and completion of multiple launches);

(7) Number of balloons to be launched and the scheduled interval between launches (if

multiple launches);

(8) Expected direction of ascent;

(9) Cruising level(s) (pressure-altitude);

(10) The estimated elapsed time to pass 18 000 m (60 000 ft) pressure-altitude or to reach cruising level if at or below 18 000 m (60 000 ft), together with the estimated location;

(11) The estimated date and time of termination of the flight and the planned location of the impact/ recovery area. In the case of balloons carrying out flights of long duration, as a result of which the date and time of termination of the flight and the location of impact cannot be forecast with accuracy, the term "long duration" shall be used.

(c) If the operation consists of continuous launchings, the time to be included is the estimated time specified in paragraph (b)(10) at which the first and the last in the series will reach the appropriate level (e.g. 122136Z– 130330Z).

(d) If there is to be more than one location of impact/recovery, each location specified in paragraph (b)(11) is to be listed together with the appropriate estimated time of impact. If there is to be a series of continuous impacts, the time to be included is the estimated time of the first and the last in the series (e.g. 070330Z– 072300Z).

39.090 PRE-LAUNCH CHANGES

(a) The operator shall forward any changes in the pre-launch information notified in accordance with Regulation 39.095(a) to the air traffic services unit concerned—

(1) Not less than 6 hours before the estimated time of launch; or

(2) In the case of solar or cosmic disturbance investigations involving a critical time element, not less than 30 minutes before the estimated time of the commencement of the operation

39.095 NOTIFICATION OF LAUNCH

(a) Immediately after a medium or heavy unmanned free balloon is launched the operator shall notify the appropriate air traffic services unit of the following—

(1) Balloon flight identification;

(2) Launch site;

(3) Actual time of launch;

(4) Estimated time at which 18 000 m (60 000 ft) pressure-altitude will be passed, or the estimated time at which the cruising level will be reached if at or below 18 000 m (60 000 ft.), and the estimated location; and

(5) Any changes to the information previously notified in accordance with 39.090(a).

39.100 NOTIFICATION OF CANCELLATION

(a) The operator shall notify the appropriate air traffic services unit immediately when it is known that the intended flight of a medium or heavy unmanned free balloon, previously notified in accordance with 39.090(a) has been cancelled.

39.105 POSITION RECORDING & REPORTING

(a) The operator of a heavy unmanned free balloon operating at or below 18 000 m (60 000 ft) pressure- altitude shall—

(1) Monitor the flight path of the balloon; and

(2) Record the position and forward reports of the balloon's position every 2 hours; or

(3) At more frequent intervals if required by air traffic services

(b) The operator of a heavy unmanned free balloon operating above 18 000 m (60 000 ft) pressure-altitude shall—

(1) Monitor the flight progress of the balloon; and

(2) Record the position and forward reports of the balloon's position every 24 hours; or

(3) At more frequent intervals if required by air traffic services.

(c) If a position cannot be recorded in accordance with (a) and (b), the operator shall immediately notify the appropriate air traffic services unit.

(1) This notification shall include the last recorded position.

(2) The appropriate air traffic services unit shall be notified immediately when tracking of the balloon is re- established.

39.110 REPORTING THE PLANNED DESCENT

(a) One hour before the beginning of planned descent of a heavy unmanned free balloon, the operator shall forward to the appropriate ATS unit the following information regarding the balloon—

(1) the current geographical position;

(2) the current level (pressure-altitude);

(3) the forecast time of penetration of 18 000 m (60 000 ft) pressure-altitude, if applicable;

(4) the forecast time and location of ground impact.

39.115 NOTIFICATION OF ENDING OF OPERATION

(a) The operator of a heavy or medium unmanned free balloon shall notify the appropriate air traffic services unit when the operation is ended.

SUB PART C: AIRSHIPS

39.120 OPERATION OF TRANSPORT CATEGORY AIRSHIPS

(a) No person shall operate an unmanned airship in the transport category without authorization by the authority

(b) The operator of airship falling under transport category shall comply with transport airship requirements set by the authority

(c) No person shall establish an operation site for airship unless a thorough risk assessment is conducted by the operator and submitted to the authority for review and approval

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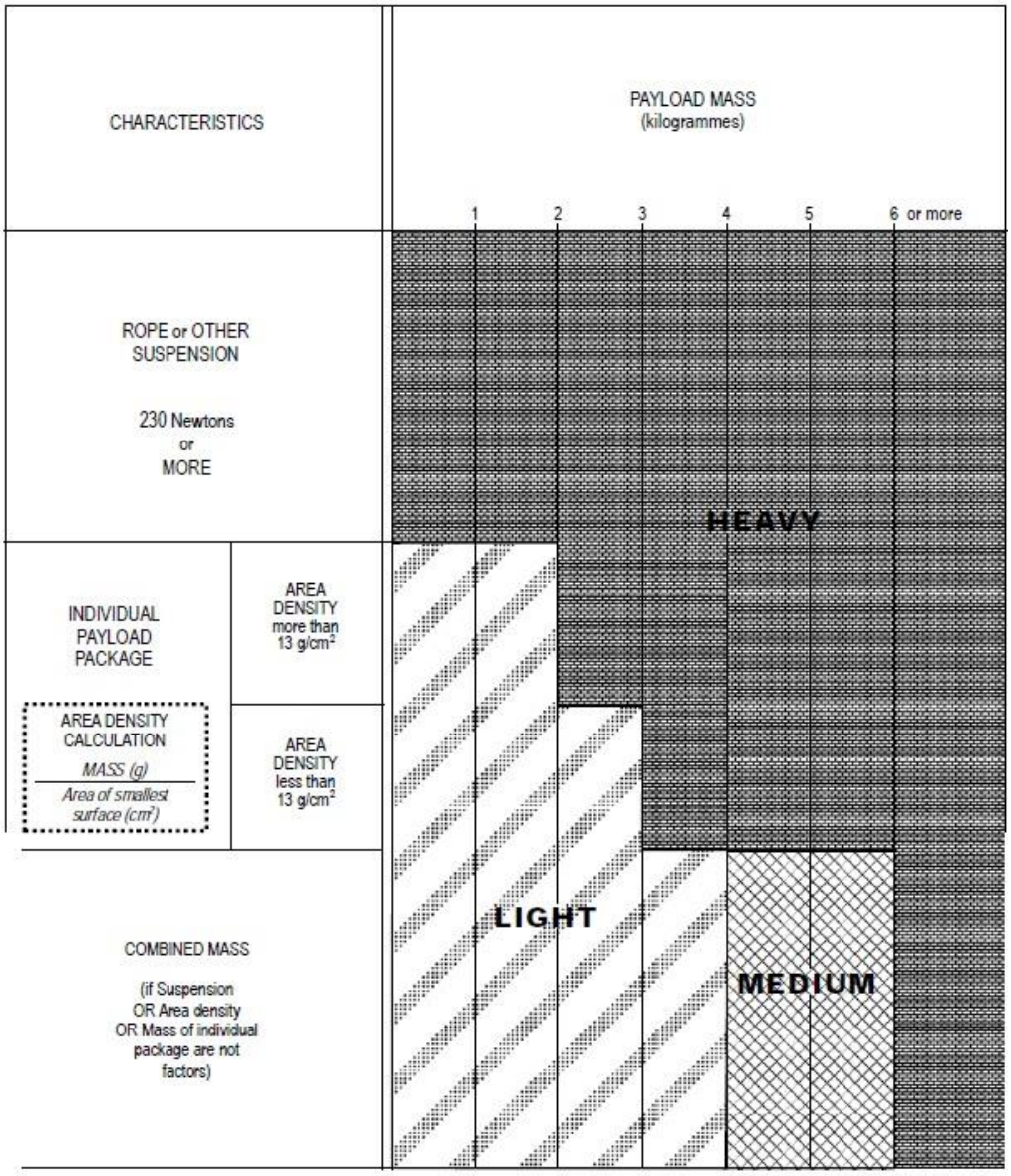
APPENDICES

APPENDIX 1 TO 39.020: CLASSIFICATION OF BALLOONS



END OF RCAR PART 39

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

UMUGEREKA WA XL W'ITEKA RYA MINISITIRI Nº 01/CAB.M/019 RYO KU WA 06/02/2019 RIHINDURA ITEKA RYA MINISITIRI Nº 04/CAB.M/08 RYO KUWA 24/07/2018 RISHYIRAHO AMABWIRIZA AJYANYE N'IBY'INDEGE ZA GISIVIRI

ANNEX XL TO MINISTERIAL ORDER Nº01/CAB.M/019 OF 06/02/2019 AMENDING MINISTERIAL ORDER Nº04/CAB.M/08 OF 24/07/2018 ESTABLISHING CIVIL AVIATION REGULATIONS

ANNEXE XL A L'ARRÊTÉ MINISTÉRIEL Nº01/CAB.M/019 OF 06/02/2019 PORTANT MODIFICATION DE L'ARRÊTÉ MINISTÉRIEL Nº04/CAB.M/08 DU 24/07/2018 ÉTABLISSANT LES RÈGLEMENTS DE L'AVIATION CIVILE

Part 40

Rules of The Air

SUBPART A: PRELIMINARY 4
40.001 CITATION AND DEFNITIONS 4
SUBPART B: GENERAL RULES 13
40.005 COMPLIANCE WITH THE RULES OF THE AIR AND AIR TRAFFIC CONTROL 13
40.010 GLIGENT OR RECKLESS OPERATION OF AIRCRAFT 13
40.015 LOW FLYING 13
40.020 FORMATION FLIGHTS 14
40.025 UNMANNED FREE BALLOONS 15
40.030 REMOTELY PILOTED AIRCRAFT 15
40.035 ACROBATIC FLIGHT 15
40.040 RIGHT-HAND TRAFFIC RULE 15
40.045 PROHIBITED AND RESTRICTED AREAS 15
40.050 FLIGHTS OVER GAME PARKS, GAME RESERVES AND NATIONAL PARKS 15
40.055 CRUISING LEVELS 15
40.060 DROPPING, SPRAYING, TOWING AND PARACHUTE DESCENTS 16
40.065 PROXIMITY TO OTHER AIRCRAFT 16
40.070 RIGHT-OF-WAY RULES: AIR OPERATIONS 16
40.075 RIGHT OF WAY RULES: GROUND OPERATIONS 17
40.080 RIGHT-OF WAY RULES: WATER OPERATIONS 17
40.085 LIGHTS TO BE DISPLAYED BY AIRCRAFT 17
40.090 FAILURE OF LIGHTS BY NIGHT 18
40.095 CONDITIONS FOR LIGHTS TO BE DISPLAYED BY AN AIRCRAFT 18
40.100 BALLOONS, KITES, AIRSHIPS, GLIDERS AND PARASCENDING PARACHUTES. 18
40.105 CAPTIVE BALLOONS AND KITES 19
40.110 AIRSHIPS 19
40.115 ANTI-COLLISION LIGHT 20
40.120 SIMULATED INSTRUMENT FLIGHT CONDITIONS 20
40.125 PRACTICE INSRUMECT APPROACHES 20
40.130 AERODROMES NOT HAVING AIR TRAFFIC CONTROL UNITS 21
40.135 AERODROMES HAVING AIR TRAFFIC CONTROL UNITS 21
40.140 OPERATIONS ON OR IN THE VICINITY OF A CONTROLLED AERODROME. 21
40.145 ACCESS TO AND MOVEMENT IN THE MANOEUVRING AREA 22

40.150 PRE-FLIGHT ACTION 22
40.155 FLIGHT PLAN 22
40.160 SUBMISSION OF A FLIGHT PLAN 22
40.165 CONTENTS OF PLAN 23
40.170 CHANGES TO A FLIGHT PLAN 24
40.175 CLOSING AFLIGHT PLAN 24
40.180 UNIVERSAL AVIATION SIGNAL 24
40.185 DISTRESS SIGNALS 25
40.190 URGENCY SIGNALS 25
40.195 AIRCRAFT INTERCEPTION AND INTERCEPTION SIGNALS 25
40.200 VISUAL SIGNALS TO WARN AN UNAUTHORIZED AIRCRAFT ENTERING NOTIFIED AIRSPACES. 26
40.205 SIGNALS FOR AERODROME TRAFFIC. 26
40.210 MARSHALLING SIGNALS: SIGNALMAN TO A PILOT 29
40.215 MARSHALLING SIGNALS: PILOT TO SIGNALMAN 35
40.220 TIME 36
40.225 AIR TRAFFIC CONTROL CLEARANCE 36
40.230 POTENTIAL RECLEARANCE IN FLIGHT 36
40.235 ADHERENCE TO CURRENT FLIGHT PLAN 36
40.240 ROUTE TO BE FLOWN 37
40.245 DEVIATIONS FROM THE CURRENT FLIGHT PLAN 37
40.250 REQUESTS FOR CURRENT FLIGHT PLAN CHANGES 38
40.255 POSITION REPORTS. 38
40.260 AIR TRAFFIC CONTROL CLEARANCES FOR VFR FLIGHTS 39
40.265 VFR FLIGHT WITHIN DESIGNATED AREAS 39
40.275 OPERATION UNDER IFR IN CONTROLLED AIRSPACE MALFUNCTION REPORTS 39
40.280 COMMUNICATIONS 39
40.285 COMMUNICATION FAILURE: AIR-TO-GROUND 39
40.290 COMMUNICATION FAILURE: GROUND-TO-AIR 41
40.295 UNLAWFUL INTERFERANCE. 41
40.300 INTERCEPTION OF CIVIL AIRCRAFT. 41
40.305 REPORTING OF HAZARDOUS CONDITIONS 42
40.310 ALTIMETER SETTINGS 42
40.315 CLASSIFICATION OF AIRSPACE 42
40.320 AUTHORITY OF THE PILOT-IN-COMMAND OF AN AIRCRAFT 42

40.325 WEATHER LIMITATIONS FOR VFR FLIGHTS 42
40.330 FLIGHT IN CLASS A AIRSPACE 42
40.335 CO-ORDINATION OF ACTIVITIES POTENTIALLY HAZARDOUS TO AIRCRAFT 42
SUBPART C: VISUAL FLIGHT RULES 43
40.340 VISUAL 43
40.345 VFR WITHIN A CONTROL ZONE 43
40.350 MINIMUM SAFE VFR ALTITUDES AND FLIGHT ABOVE 900 M 43
40.355 CHOICE OF VFR OR IFR 43
40.360 VFR OUTSIDE AND WITHIN CONTROLLED AIRSPACE 44
40.365 CHANGING FROM VFR TO IFR 44
SUBPART D: INSTRUMENT FLIGHT RULES 44
40.370 AIRCRAFT EQUIPMENT 44
40.375 IFR FLIGHTS IN CONTROLLED AIRSPACE. 44
40.380 IFR FLIGHTS OUTSIDE CONTROLLED AIRSPACE 44
40.385 MINIMUM FLIGHT ALTITUDES FOR IFR OPERATIONS 45
40.390 CHANGE FROM IFR FLIGHT TO VFR FLIGHT 45
APPENDIX 1 TO 40.030 REMOTELY PILOTED AIRCRAFT SYSTEMS 46
APPENDIX 1 TO 40.025 UNMANNED FREE BALLOONS 47
APPENDIX 1 TO 40.085 LIGHTS TO BE DISPLAYED BY AEROPLANES 53
APPENDIX 1 TO 40.055 TABLE OF CRUISING LEVELS -NON RVSM AIRSPACE 57
APPENDIX 1 TO 40.195 SIGNALS 58
APPENDIX 1 TO 40.205 LIGHT AND PYROTECHNIC SIGNALS FROM AERODROME CONTROL ..61
APPENDIX 1 TO 40.215 MARSHALLING SIGNALS PILOT TO GROUND SIGNALMAN 62
APPENDIX 1 TO 40.300 PHRASES AND PRONUNCIATIONS USED DURING INTERCEPTION 63
APPENDIX 1 TO 40.315 CLASSIFICATION OF ATS AIRSPACES 64
APPENDIX 1 TO 40.340 VMC VISIBILITY AND DISTANCE FROM CLOUD MINIMA 65
APPENDIX 1 TO 40.375 TABLES OF CRUISING LEVELS –RVSM AIRSPACE 66

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SUBPART A: PRELIMINARY

40.001 CITATION AND DEFNITIONS

These Regulations may be cited as the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations.

When the following terms are used in these regulations, they have the following meanings:

Acrobatic flight. Manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed.

ADS-C agreement. A reporting plan which establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services unit and frequency of ADS-C reports which have to be agreed to prior to using ADS-C in the provision of air traffic services).

Advisory airspace. An airspace of defined dimensions, or designated route, within which air traffic advisory service is available.

Advisory route. A designated route along which air traffic advisory service is available.

Aerodrome. 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.

Aerodrome control service. Air traffic control service for aerodrome traffic.

Aerodrome control tower. A unit established to provide air traffic control service to aerodrome traffic.

Aerodrome traffic. All traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome.

Aerodrome traffic zone. An airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic.

Aeronautical Information Publication (AIP). A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

Aeronautical station (RR S1.81). A land station in the aeronautical mobile service. In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea.

Aeroplane. A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Airborne collision avoidance system (ACAS). An aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders.

Aircraft. 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.

Air-ground control radio station. An aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area.

Air-taxiing. Movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt).

Air traffic. All aircraft in flight or operating on the manoeuvring area of an aerodrome.

Air traffic advisory service. A service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans.

Air traffic control clearance. Authorization for an aircraft to proceed under conditions specified by an air traffic control unit.

Air traffic control service. A service provided for the purpose of:

a) Preventing collisions:

(1) between aircraft, and

(2) on the manoeuvring area between aircraft and obstructions, and

b) expediting and maintaining an orderly flow of air traffic.

Air traffic control unit. A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Air traffic service. 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).

Air traffic services airspaces. Airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.

Air traffic services reporting office. A unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure.

Air traffic services unit. A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office.

Airway. A control area or portion thereof established in the form of a corridor.

Alerting service. A service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required.

Alternate aerodrome. An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome 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 aerodromes include the following:

Take-off alternate. An alternate aerodrome at which an aircraft would be able to land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure.

En-route alternate. An alternate aerodrome at which an aircraft would be able to land in the event that a diversion becomes necessary while en route.

Destination alternate. An alternate aerodrome at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Altitude. The vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL).

Approach control service. Air traffic control service for arriving or departing controlled flights.

Approach control unit. A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.

Appropriate ATS authority. The relevant authority designated by the State responsible for providing air traffic services in the airspace concerned.

Appropriate authority.

(a) Regarding flight over the high seas: The relevant authority of the State of Registry.

(b) Regarding flight other than over the high seas: The relevant authority of the State having sovereignty over the territory being overflown.

Apron. A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

Instrument approach procedure. 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.

Area control centre. A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.

Area control service. Air traffic control service for controlled flights in control areas.

Area navigation (RNAV). 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.

ATS route. A specified route designed for channelling the flow of traffic as necessary for the provision of air traffic services.

Automatic dependent surveillance — broadcast (ADS-B). A means by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.

Automatic dependent surveillance — contract (ADS-C). A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.

Ceiling. The height above the ground or water of the base of the lowest layer of cloud below 6 000 metres (20 000 feet) covering more than half the sky.

Changeover point. The point at which an aircraft navigating on an ATS route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft.

Clearance limit. The point to which an aircraft is granted an air traffic control clearance.

Command and control (C2) link. The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.

Control area. A controlled airspace extending upwards from a specified limit above the earth.

Controlled aerodrome. An aerodrome at which air traffic control service is provided to aerodrome traffic.

Controlled airspace. An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

Controlled flight. Any flight which is subject to an air traffic control clearance.

Controller-pilot data link communications (CPDLC). A means of communication between controller and pilot, using data link for ATC communications.

Control zone. A controlled airspace extending upwards from the surface of the earth to a specified upper limit.

Cruise climb. An aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases.

Cruising level. A level maintained during a significant portion of a flight.

Current flight plan. The flight plan, including changes, if any, brought about by subsequent clearances.

Danger area. An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

Data link communications. A form of communication intended for the exchange of messages via a data link.

Detect and avoid. The capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action.

Estimated off-block time. The estimated time at which the aircraft will commence movement associated with departure.

Estimated time of arrival. For IFR flights, the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome.

Expected approach time. The time at which ATC expects that an arriving aircraft, following a delay, will leave the holding fix to complete its approach for a landing.

Filed flight plan. The flight plan as filed with an ATS unit by the pilot or a designated representative, without any subsequent changes.

Flight crew member. A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.

Flight information centre. A unit established to provide flight information service and alerting service.

Flight information region. An airspace of defined dimensions within which flight information service and alerting service are provided.

Flight information service. A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.

Flight level. A surface of constant atmospheric pressure which is related to a specific pressure datum, 1 013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals.

Flight plan. Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.

Flight visibility. The visibility forward from the cockpit of an aircraft in flight.

Ground visibility. The visibility at an aerodrome as reported by an accredited observer or by automatic systems.

Heading. The direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid).

Height. The vertical distance of a level, a point or an object considered as a point, measured from a specified datum.

IFR. The symbol used to designate the instrument flight rules.

IFR flight. A flight conducted in accordance with the instrument flight rules.

IMC. The symbol used to designate instrument meteorological conditions.

Instrument approach operations. 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. 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:

Non-precision approach (NPA) procedure. An instrument approach procedure designed for 2D instrument approach operations Type A.

Approach procedure with vertical guidance (APV). A performance-based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A.

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

Instrument meteorological conditions. Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions.

Landing area. That part of a movement area intended for the landing or take-off of aircraft.

Level. A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.

Manoeuvring area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

Air traffic control service. A service provided for the purpose of:

(a) preventing collisions:
  (1) between aircraft, and
  (2) on the manoeuvring area between aircraft and obstructions, and
(b) expediting and maintaining an orderly flow of air traffic.

Air traffic control unit. A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Air traffic service. 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).

Air traffic services airspaces. Airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.

Air traffic services reporting office. A unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure.

Air traffic services unit. A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office.

Airway. A control area or portion thereof established in the form of a corridor.

Alerting service. A service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required.

Alternate aerodrome. An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome 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 aerodromes include the following:

Take-off alternate. An alternate aerodrome at which an aircraft would be able to land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure.

En-route alternate. An alternate aerodrome at which an aircraft would be able to land in the event that a diversion becomes necessary while en route.

Destination alternate. An alternate aerodrome at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Altitude. The vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL).

Approach control service. Air traffic control service for arriving or departing controlled flights.

Approach control unit. A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.

Appropriate ATS authority. The relevant authority designated by the State responsible for providing air traffic services in the airspace concerned.

Appropriate authority.

(a) Regarding flight over the high seas: The relevant authority of the State of Registry.
(b) Regarding flight other than over the high seas: The relevant authority of the State having sovereignty over the territory being overflown.

Apron. A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

Area control centre. A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.

Area control service. Air traffic control service for controlled flights in control areas.

Area navigation (RNAV). 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.

ATS route. A specified route designed for channeling the flow of traffic as necessary for the provision of air traffic services.

Automatic dependent surveillance — broadcast (ADS-B). A means by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.

Automatic dependent surveillance — contract (ADS-C). A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.

Ceiling. The height above the ground or water of the base of the lowest layer of cloud below 6 000 metres (20 000 feet) covering more than half the sky.

Changeover point. The point at which an aircraft navigating on an ATS route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft.

Clearance limit. The point to which an aircraft is granted an air traffic control clearance.

Command and control (C2) link. The data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight.

Control area. A controlled airspace extending upwards from a specified limit above the earth.

Controlled aerodrome. An aerodrome at which air traffic control service is provided to aerodrome traffic.

Controlled airspace. An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

Controlled flight. Any flight which is subject to an air traffic control clearance.

Controller-pilot data link communications (CPDLC). A means of communication between controller and pilot, using data link for ATC communications.

Control zone. A controlled airspace extending upwards from the surface of the earth to a specified upper limit

Cruise climb. An aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases.

Cruising level. A level maintained during a significant portion of a flight.

Current flight plan. The flight plan, including changes, if any, brought about by subsequent clearances.

Danger area. An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

Data link communications. A form of communication intended for the exchange of messages via a data link.

Detect and avoid. The capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action.

Estimated off-block time. The estimated time at which the aircraft will commence movement associated with departure.

Estimated time of arrival. For IFR flights, the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome.

Expected approach time. The time at which ATC expects that an arriving aircraft, following a delay, will leave the holding fix to complete its approach for a landing.

Filed flight plan. The flight plan as filed with an ATS unit by the pilot or a designated representative, without any subsequent changes.

Flight crew member. A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.

Flight information centre. A unit established to provide flight information service and alerting service.

Flight information region. An airspace of defined dimensions within which flight information service and alerting service are provided.

Flight information service. A service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights.

Flight level. A surface of constant atmospheric pressure which is related to a specific pressure datum, 1 013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals.

Flight plan. Specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft.

Flight visibility. The visibility forward from the cockpit of an aircraft in flight.

Ground visibility. The visibility at an aerodrome as reported by an accredited observer or by automatic systems.

Heading. The direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid).

Height. The vertical distance of a level, a point or an object considered as a point, measured from a specified datum.

IFR. The symbol used to designate the instrument flight rules.

IFR flight. A flight conducted in accordance with the instrument flight rules.

IMC. The symbol used to designate instrument meteorological conditions.

Instrument approach operations. 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. 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:

Non-precision approach (NPA) procedure. An instrument approach procedure designed for 2D instrument approach operations Type A.

Approach procedure with vertical guidance (APV). A performance-based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A.

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

Instrument meteorological conditions. Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions.

Landing area. That part of a movement area intended for the landing or take-off of aircraft.

Level. A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.

Manoeuvring area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

Movement area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).

Operator. A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Pilot-in-command. 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.

Pressure-altitude. An atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere. *

Problematic use of substances. The use of one or more psychoactive substances by aviation personnel in a way that:

(a) Constitutes a direct hazard to the user or endangers the lives, health or welfare of others; and/or

(b) Causes or worsens an occupational, social, mental or physical problem or disorder

Prohibited area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.

Psychoactive substances. Alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded.

Radiotelephony. A form of radio-communication primarily intended for the exchange of information in the form of speech.

Remote pilot. A person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during flight time.

Remote pilot station. The component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft.

Remotely piloted aircraft (RPA). An unmanned aircraft which is piloted from a remote pilot station.

Remotely piloted aircraft system (RPAS). A remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design.

Repetitive flight plan (RPL). A flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by ATS units.

Reporting point. A specified geographical location in relation to which the position of an aircraft can be reported.

Restricted area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions.

RPA observer. A trained and competent person designated by the operator who, by visual observation of the remotely piloted aircraft, assists the remote pilot in the safe conduct of the flight.

Runway. A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

Runway-holding position. A designated position intended to protect a runway, an obstacle limitation surface, or an ILS/MLS critical/sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorized by the aerodrome control tower.

Safety-sensitive personnel. Persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers.

Signal area. An area on an aerodrome used for the display of ground signals.

Special VFR flight. A VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC.

Taxiing. Movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing.

Taxiway. A defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including:

(a) *Aircraft stand taxilane.* A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only.

(b) *Apron taxiway.* A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron.

(c) *Rapid exit taxiway.* A taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimizing runway occupancy times.

Terminal control area. A control area normally established at the confluence of ATS routes in the vicinity of one or more major aerodromes.

Total estimated elapsed time. For IFR flights, the estimated time required from take-off to arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome. For VFR flights, the estimated time required from take-off to arrive over the destination aerodrome.

Track. The projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid).

Traffic avoidance advice. Advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision.

Traffic information. Information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision.

Transition altitude. The altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes.

Unmanned free balloon. A non-power-driven, unmanned, lighter-than-air aircraft in free flight.

VFR. The symbol used to designate the visual flight rules.

VFR flight. A flight conducted in accordance with the visual flight rules.

Visibility. Visibility for aeronautical purposes is the greater of:

(a) the greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognized when observed against a bright background;

(b) the greatest distance at which lights in the vicinity of 1 000 candelas can be seen and identified against an unlit background.

Visual line-of-sight (VLOS) operation. An operation in which the remote pilot or RPA observer maintains direct unaided visual contact with the remotely piloted aircraft.

Visual meteorological conditions. Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima.

VMC. The symbol used to designate visual meteorological conditions.

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SUBPART B: GENERAL RULES

40.005 COMPLIANCE WITH THE RULES OF THE AIR AND AIR TRAFFIC CONTROL

(a) Every person and every aircraft including State Aircraft shall comply with these Regulations.

(b) Every aircraft bearing nationality and registration marks of Rwanda shall comply with these Regulations when outside of Rwanda, to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown

(c) Subject to the provisions of sub-regulation (d), it shall be an offence to contravene, to permit the contravention of, or to fail to comply with, these Regulations.

(d) The pilot-in-command, whether manipulating the controls or not, shall be responsible for the operation of the aircraft in accordance with these Regulations, except that he may depart from them in the interest of safety to the extent necessary:

(1) to avoid immediate danger or in an emergency situation;

(2) to comply with the law of any State other than Rwanda within which the aircraft then is;

(e) If any departure from these Regulations is made for the purpose of avoiding immediate danger or in an emergency situation, the pilot-in-command shall cause written particulars of the departure, and of the circumstances giving rise to it, to be given without delay, and in any case within ten days thereafter, to the competent authority of the State in whose territory the departure was made with a copy of it to the Authority and the State of the Operator, and in the case of Rwandan aircraft the departure was made over the high seas, to the Authority.

(f) Nothing in these Regulations shall exonerate any person from the consequences of any neglect in the use of lights or signals or of the neglect of any precautions required by ordinary aviation practice or by the special circumstances of the case.

(g) The Authority may, for the purpose of promoting the safety of aircraft make rules as to special signals and other communications to be made by or on an aircraft, as to the course on which and the height at which an aircraft shall fly and as to any other precautions to be observed in relation to the navigation and control of aircraft which the Authority may consider expedient for the purpose aforesaid and no aircraft shall fly in contravention of any such rules. For the purposes of flight over those parts of the high seas where a Contracting State has accepted, pursuant to a regional air navigation agreement, the responsibility of providing air traffic services (ATS), the "appropriate ATS authority" referred to in these Regulations is the relevant authority designated by the State responsible for providing those services.

40.010 GLIGENT OR RECKLESS OPERATION OF AIRCRAFT

(a) A person shall not operate an aircraft willfully, negligently or recklessly in a manner so as to endanger life or property of others.

40.015 LOW FLYING

(a) Subject to the sub-regulations (b) and (c);

(1) an aircraft, other than a helicopter, shall not fly over any congested area of a city, town or settlement below:

(i). such height as would enable the aircraft to alight clear of the area and without danger to persons or property on the surface, in the event of failure of a power unit; or

(ii). a height of 300 m (1,000 ft) above the highest fixed object within 600 metres of the aircraft; whichever is the higher;

(2) a helicopter shall not fly below such height as would enable it to alight without danger to persons or property on the surface, in the event of failure of a power unit;

(3) except with the permission in writing of the Authority and in accordance with any condition therein specified, a helicopter shall not fly over a congested area of a city, town or settlement below a height of 300 m (1,000 ft) above the highest fixed object within 600 metres of the helicopter;

(4) an aircraft shall not fly:

(i) over, or within 1,000 metres of any assembly in the open air of more than 1,000 persons assembled for the purpose of witnessing or participating in any organised

event, except with the permission in writing of the Authority and in accordance with any conditions therein specified and with the consent in writing of the organizers of the event; or

(ii) below such height as would enable it to land clear of the assembly in the event of the failure of a power unit or if such an aircraft is towing a banner the height shall be calculated on the basis that the banner shall not be dropped within 1000 metres of the assembly provided that where a person is charged with an offence under these Regulations by reason of a contravention of this sub-regulation, it shall be a good defence to prove that the flight of the aircraft over, or within 1,000 metres of the assembly was made at a reasonable height and for a reason not connected with the assembly or with the event which was the occasion for the assembly; and;

(5) an aircraft shall not fly less than 150 m (500 ft) above ground or water.

(b) The provisions of sub-regulations;

(1) (a) (4) and (5) shall not apply to an aircraft which is being used for police purposes;

(2) (a) (5) shall not apply to an aircraft which is being used for aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating provisions of the (Aerial Work) Regulations;

(3) (a)(4) and (5) shall not apply to the flight of an aircraft over or within 1,000 metres of an assembly of persons gathered for the purpose of witnessing an event which consists wholly or principally of an aircraft race contest or an exhibition of flying, if the aircraft is taking part in such a race, contest or exhibition or is engaged in a flight arranged by, or made with the consent in writing of, the organizers of the event, and the races, contest, exhibition or flight is approved by the Authority;

(4) (a)(1) shall not apply to:

(i) aircraft while it is landing or taking-off in accordance with normal aviation practice;

(ii) glider while it is hill-soaring.

(c) Nothing in this regulation shall prohibit any aircraft from:

(1) taking off, landing or practising approaches to landing; or

(2) flying for the purpose of checking navigational aids or procedures in accordance with normal aviation practice at a licenced or certificated aerodrome in Rwanda or at any aerodrome in any other State; or

(3) flying in such a manner as may be necessary for the purpose of saving life:

provided that in the case of practicing approaches to landing, such practicing is confined to the airspace customarily used by aircraft when landing or taking off in accordance with normal aviation practice at the aerodrome concerned.

(d) The provisions of this regulation shall not apply to any captive balloon or kite.

40.020 FORMATION FLIGHTS

(a) A person shall not fly an aircraft in a formation flight except by pre-arrangement among the pilots-in-command of the aircraft taking part in the flight and, for formation flight in controlled airspace, in accordance with the conditions prescribed by the appropriate air traffic services authority, which conditions shall include:

(1) the formation operates as a single aircraft with regard to navigation and position reporting;

(2) separation between aircraft in the flight shall be the responsibility of the flight leader and the pilots-in-command of the other aircraft in the flight and shall include periods of transition when aircraft are manoeuvring to attain their own separation within the formation flight and during join-up and break-away; and

(3) a distance not exceeding 1 km (0.5 nm) laterally and longitudinally and 30 m (100 ft) vertically from the flight leader shall be maintained by each aircraft.

40.025 UNMANNED FREE BALLOONS

(a) An unmanned free balloon shall be operated in such a manner as to minimize hazards to persons, property or other aircraft and in accordance with the conditions specified in Appendix 1 to 40.025.

40.030 REMOTELY PILOTED AIRCRAFT

(a) A remotely piloted aircraft shall be operated in such a manner as to minimize hazards to persons, property or other aircraft and in accordance with the conditions specified in Appendix 1 to 40.030.

40.035 ACROBATIC FLIGHT

(a) A person shall not operate an aircraft in acrobatic flight except under conditions prescribed by the Authority and as indicated by relevant information, advice or clearance from the appropriate air traffic services unit.

40.040 RIGHT-HAND TRAFFIC RULE

(a) A person flying an aircraft within Rwanda in sight of the ground and following a road, railway, canal or coastline, or any other line of landmarks, shall keep such line of landmarks on his left.

40.045 PROHIBITED AND RESTRICTED AREAS

(a) A person shall not operate an aircraft in a prohibited area or a restricted area, the particulars of which have been duly published, except in accordance with the conditions of the restrictions or by permission of the Government of Rwanda and the States over whose territory the areas are established.

40.050 FLIGHTS OVER GAME PARKS, GAME RESERVES AND NATIONAL PARKS

(a) A person shall not operate an aircraft except for the purpose of take-off or landing below 455 m (1,500 ft), above ground level when operating the aircraft over game parks, game reserves and national parks.

40.055 CRUISING LEVELS

(a) Cruising levels at which a flight or a portion of a flight is to be conducted shall be in terms of:
   (1) flight levels, for flights at or above the lowest usable flight level or, where applicable, above the transition altitude;
   (2) altitudes, for flights below the lowest usable flight level or, where applicable, at or below the transition altitude.

(b) Subject to sub-regulation (e), in order to comply with instrument flight rules (IFR), an aircraft when in level flight at or above 300 m (1,000 ft) over land or water within controlled airspace shall be flown at a level appropriate to its magnetic track as specified in regulation 40.375.

(c) Subject to sub-regulation (e), in order to comply with IFR, an aircraft when in level flight at or above 300 m (1,000 ft) over land or water outside controlled airspace shall be flown at a level appropriate to its magnetic track, in accordance with Appendix 1 to 40.055.

(d) Except where otherwise indicated in air traffic control clearances or specified by the Authority, visual flight rules (VFR) flights in level cruising flight when operated at or above 300 m (1000 ft) from the ground or water shall be conducted at a flight level appropriate to its magnetic track in accordance with Appendix 1 to 40.055.

(e) The level of flight shall be measured by an altimeter set according to the system notified, or in the case of flight over a state other than Rwanda, otherwise published by the competent authority, in relation to the area over which the aircraft is flying.

(f) An aircraft may be flown in conformity with instructions given by an air traffic control unit or in accordance with notified en-route holding patterns or in accordance with holding procedures notified in relation to an aerodrome.

40.060 DROPPING, SPRAYING, TOWING AND PARACHUTE DESCENTS

(a) A person shall not:
  (1) drop any article, substance or spray any substance from an aircraft in flight;
  (2) tow an aircraft or other object; or
  (3) make a parachute descent other than an emergency descent, except in accordance with conditions prescribed by the Authority and as indicated by relevant information, advice and clearance from the appropriate air traffic services unit.

40.065 PROXIMITY TO OTHER AIRCRAFT

(a) A person shall not operate an aircraft in such proximity to other aircraft as to create a collision hazard.

40.070 RIGHT-OF-WAY RULES: AIR OPERATIONS

(a) The pilot-in-command of an aircraft that has the right-of-way shall maintain the aircraft's heading and speed, but nothing in these Regulations shall relieve the pilot-in-command from the responsibility of taking such action, including collision avoidance manoeuvres based on resolution advisories provided by airborne collision avoidance system (ACAS) equipment, as will best avert collision.
(b) A pilot operating an aircraft shall maintain vigilance so as to see and avoid other aircraft, and where this regulation gives another aircraft the right-of-way, the pilot shall give way to that aircraft and shall not pass over, under, or ahead of it unless well clear and taking into account the effect of aircraft wake turbulence.
(c) an aircraft in distress has a right of way over all air traffic.
(d) When two aircraft are converging at approximately the same level, the aircraft that has the other on its right shall give way, except as follows:
  (1) power-driven heavier-than-air aircraft shall give way to airships, gliders and balloons;
  (2) airships shall give way to gliders and balloons;
  (3) gliders shall give way to balloons;
  (4) power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects.
(e) An aircraft towing or refueling other aircraft has the right-of-way over all other engine-driven aircraft, except aircraft in distress.
(f) Where two aircraft are approaching head-on or nearly so, and there is danger of collision, each pilot shall alter course to the right.
(g) An aircraft that is being overtaken has the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering its heading to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear.
(h) In sub-regulations 40.070(g) and 40.075(e)(3), "overtaking aircraft" means an aircraft that approaches another from the rear on a line forming an angle of less than 70 degrees with the plane of symmetry of the latter, i.e. is in such a position with reference to the other aircraft that at night it should be unable to see either of the aircraft's left (port) or right (starboard) navigation lights.
(i) An aircraft in flight, or operating on the ground or water, shall give way to aircraft landing or in the final stages of an approach to land.
(j) When two or more heavier-than-air aircraft are approaching an aerodrome for the purpose of landing, aircraft at the higher level shall give way to aircraft at the lower level, but the latter shall not take advantage of this rule to cut in front of another which is in the final stages of an approach to land, or to overtake that aircraft provided that,
  (1) when an air traffic control unit has communicated to any aircraft an order of priority for landing, the aircraft shall approach to land in that order; and
  (2) when the pilot-in-command of an aircraft is aware that another aircraft is making an emergency landing, the pilot-in-command shall give way to that aircraft, and notwithstanding that he may have received permission to land, shall not attempt to

land until he has received further permission to do so; and provided further that power-driven heavier-than-air aircraft shall give way to gliders.

40.075 RIGHT OF WAY RULES: GROUND OPERATIONS

(a) This regulation shall apply to aircraft and vehicles on the movement area of a land aerodrome.

(b) Notwithstanding any air traffic control clearances, it shall remain the duty of the pilot-in-command of an aircraft to take all possible measures to ensure that his aircraft does not collide with any other aircraft or with any vehicle.

(c) Emergency vehicles proceeding to the assistance of aircraft in distress shall be afforded priority over all other surface movement traffic.

(d) (1) Aircraft and vehicles shall give way to aircraft which are taking off or about to take-off or landing or about to land;

(2) aircraft taxiing on the manoeuvring area shall stop and hold at all runway-holding positions unless otherwise authorized by the aerodrome control tower;

(3) aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may proceed further when the lights are switched off;

(4) vehicles towing aircraft shall give way to aircraft which are landing, taking off or taxing;

(5) vehicles which are not towing aircraft shall give way to aircraft; and

(6) vehicles shall give way to other vehicles towing aircraft.

(e) Subject to the provisions of sub-regulation (d) and of regulation 40.095(d), in case of danger of collision between two aircraft taxiing on the movement area:

(1) When two aircraft are approaching head-on or approximately so, each aircraft shall stop or where practicable alter its course to the right so as to keep well clear;

(2) When the two aircraft are on converging course, the one which has the other on its right shall give way to the other and shall avoid crossing ahead of the other unless passing well clear of it;

(3) An aircraft which is being overtaken shall have the right-of-way, and the overtaking aircraft shall keep out of the way of the other aircraft by altering its course to the left until that other aircraft has been passed and is clear, notwithstanding any change in the relative position of the two aircraft.

(f) Subject to the provisions of sub-regulation (d)(4) a vehicle shall:

(1) Overtake another vehicle so that the other vehicle is on the left of the overtaking vehicle;

(2) Keep to the left when passing another vehicle which is approaching head-on or approximately so.

40.080 RIGHT-OF WAY RULES: WATER OPERATIONS

(a) A person operating an aircraft on the water shall, in so far as possible, keep clear of all vessels and avoid impeding their navigation, and shall give way to any vessel or other aircraft that is given the right-of-way by this regulation.

(b) Where aircraft, or an aircraft and a vessel, are on crossing courses, the aircraft or vessel to the other's right has the right-of-way.

(c) Where aircraft, or an aircraft and a vessel, are approaching head-on, or nearly so, each shall alter its heading to the right to keep well clear.

(d) An aircraft or vessel that is being overtaken has the right-of-way, and the one overtaking shall alter its heading to keep well clear.

(e) When aircraft, or an aircraft and a vessel, approach so as to involve risk of collision, each aircraft or vessel shall proceed with careful regard to existing circumstances, including the limitations of the respective craft.

40.085 LIGHTS TO BE DISPLAYED BY AIRCRAFT

(a) An aircraft shall be equipped with lights which meet the following requirements:

(1) Aeroplanes in flight or operating on the movement area of an aerodrome shall have intensities, colours, fields of coverage and other characteristics such that they furnish the pilot of another aircraft or personnel on the ground with as much time as possible for interpretation and for subsequent manoeuvre necessary to avoid a collision;

(2) For aeroplanes, the specifications detailed in re contained in Appendix 1 to 40.085.

40.090 FAILURE OF LIGHTS BY NIGHT

(a) In the event of the failure of any light which is required by these Regulations to be displayed at night, if the light cannot be immediately repaired or replaced the pilot-in-command shall not depart from the aerodrome and, if in flight, shall land as soon as in his opinion he can safely do so, unless authorized by the appropriate air traffic control unit to continue the flight.

40.095 CONDITIONS FOR LIGHTS TO BE DISPLAYED BY AN AIRCRAFT

(a) Except as provided by sub-regulation (e), a pilot-in-command when operating an aircraft during the period from sunset to sunrise or any other period which may be prescribed by the appropriate authority shall display.
   (1) Anti- collision lights intended to attract attention to the aircraft; and
   (2) Navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights.

(b) Except as provided by sub-regulation (e), from sunset to sunrise or during any other period prescribed by the appropriate authority:
   (1) All aircraft moving on the movement area of an aerodrome shall display navigation lights intended to indicate the relative path of the aircraft to an observer and other lights shall not be displayed if they are likely to be mistaken for these lights;
   (2) Unless stationary and otherwise adequately illuminated, all aircraft on the movement area of an aerodrome shall display lights intended to indicate the extremities of their structure;
   (3) All aircraft operating on the movement area of an aerodrome shall display lights intended to attract attention to the aircraft; and
   (4) All aircraft on the movement area of an aerodrome whose engines are running shall display lights which indicate that fact.

(c) Except as provided by sub-regulation (e), all aircraft in flight and fitted with anti-collision lights to meet the requirement of sub-regulation(a)(1) shall display such lights also outside the period specified in sub-regulation (a)

(d) Except as provided by sub-regulation (e), all aircraft:
   (1) operating on the movement area of an aerodrome and fitted with anticollision lights to meet the requirement of sub-regulation (b)(3); or
   (2) on the movement area of an aerodrome and fitted with lights to meet the requirement of sub-regulation (a)(4);
   (3) shall display such lights also outside the period specified in sub-regulation (b)

(e) A pilot-in-command shall be permitted to switch off or reduce the intensity of any flashing lights fitted to meet the requirements of sub-regulations (a), (b), (c) and (d) if they do or are likely to:
   (1) adversely affect the satisfactory performance of duties; or
   (2) subject an outside observer to harmful dazzle.

(f) Between sunset and sunrise or such other period between sunset and sunrise as may be prescribed by the appropriate authority, all aircraft on the water shall display lights as required by the International Regulations for Preventing Collisions at Sea (revised 1972) unless it is impractical for them to do so, in which case they shall display lights as closely similar as possible in characteristics and position to those required by the International Regulations.

40.100 BALLOONS, KITES, AIRSHIPS, GLIDERS AND PARASCENDING PARACHUTES.

(a) A person shall not, within Rwanda:
   (1) fly a captive balloon or kite at a height of more than 60 m (200 ft) above the ground level or within 60m (200 ft) of any vessel, vehicle or structure;
   (2) fly a captive balloon within 3 nautical miles of an aerodrome;
   (3) fly a balloon exceeding 1,83 m (6 ft) in any linear dimension at any stage of its flight, including any basket or other equipment attached to the balloon, in controlled airspace;
   (4) fly a kite within 3 nautical miles of an aerodrome;
   (5) moor an airship;

(6) fly a free balloon at night; or
(7) launch a glider or parascending parachute by winch and cable or by ground tow to a height of more than 60 metres above ground level;
without the permission in writing of the Authority, and in accordance with any conditions subject to which the permission may be granted.

(b) A captive balloon when in flight shall not be left unattended unless it is fitted with a device which ensures automatic deflation if it breaks.

40.105 CAPTIVE BALLOONS AND KITES

(a) A captive balloon or kite while flying at night at a height exceeding 60 m (200 ft) above the surface shall display lights as follows:
(1) a group of two steady lights consisting of a white light placed 3,65 m (12 ft) above a red light, both being of at least five candelas and showing in all directions, the white light being placed not less than 4,55 m (15 ft) or more than 9 m (30 ft) below the basket, or, if there is no basket, below the lowest part of the balloon or kite;
(2) on the mooring cable, at intervals of not more than 300 m (1,000 ft) measured from the group of lights referred to in sub-paragraph (a), groups of two lights of the colour and power and in the relative positions specified in that paragraph, and, if the lowest group of lights is obscured by cloud, an additional group below the cloud base;
(3) on the surface, a group of three flashing lights arranged in a horizontal plane at the apexes of a triangle, approximately equilateral, each side of which measured at least 24,5 m (80 ft), one side of the triangle shall be approximately at right angles to the horizontal projection of the cable and shall be delimited by two red lights, the third light shall be a green light so placed that the triangle encloses the object on the surface to which the balloon or kite is moored.

(b) A captive balloon while flying by day at a height exceeding 60 m (200 ft) above the surface shall have attached to its mooring cable at intervals of not more than 185 m (600 ft) measured from the basket, or, if there is no basket, from the lowest part of the balloon, tubular streamers not less than 40 cm (16 inches) in diameter and 1.83 m (6 ft) in length, and marked with alternate bands of red and white 50 cm (20 inches) wide.

(c) A kite flown in the circumstances referred to in sub-regulation (b) shall have attached to its mooring cable either-
(1) tubular streamers as specified in sub-regulation (b); or
(2) at intervals of not more than 90 m (300 ft) measured from the lowest part of the kite, not less than thirty streamers of 80 cm (32 inches) long and 30 cm (1 ft) wide at their widest part and marked with alternate bands of red and white 10 cm (4 in white 10 cm (4 inches) wide.

40.110 AIRSHIPS

(a) Except as provided in sub-regulation (b), an airship while flying at night shall display the following steady lights;
(1) A white light of at least five candelas showing through angles of 110 degrees from dead ahead to each side in the horizontal plane; and
(2) A green light of at least five candelas showing to the starboard side through an angle of 110 degrees from dead ahead in the horizontal plane;
(3) A red light of at least five candelas showing to the port side through an angle of 110 degrees from dead ahead in the horizontal plane; and
(4) A white light of at least five candelas showing through angles of 70 degrees from dead ahead astern to each side in the horizontal plane.

(b) An airship while flying at night shall display, if it is not under command, or has its engines voluntarily stopped, or is being towed, the following steady lights:
(1) The white lights referred to in sub-regulations (a)(1) and (a)(4) of sub regulation (a);
(2) Two red lights, each of at least five candles and showing in all directions suspended below the control car so that one is at least 3,65 m (12 ft) above the other and at least 7,6 m (25 ft) below the control car; and
(3) If an airship is making way but not otherwise, the green and red lights referred to in sub-regulations (a)(2):

provided that an airship while picking up its moorings, notwithstanding that it is not under command, shall display only the lights specified in sub regulation (a).

(c) An airship, while moored within Rwanda by night, shall display the following lights:
(1) When moored to a mooring mast, at or near the rear, a white light of at least five candelas showing in all directions; and
(2) A white light of at least five candelas showing through angles of 70 degrees from dead astern to each side in the horizontal plane.

(d) An airship while flying by day, if it is not under command, or has its engines voluntarily stopped, or is being towed, shall display two black balls suspended below the control car so that one is at least 3,65 m (12 ft) above the other and at least 7,6 m (25 ft) below the control car.

(e) For the purpose of this regulation:
(1) An airship shall be deemed not to be under command when it is unable to execute a manoeuvre which it may be required to execute by or under these Regulations;
(2) An airship shall be deemed to be making way when it is not moored and is in motion relative to the air.

40.115 ANTI-COLLISION LIGHT

(a) When operating by day, an aircraft fitted with an anti-collision light shall display such light in flight.

(b) An aircraft shall display, when stationary on the apron by day or night with engines running, a red anti-collision light when fitted.

(c) When operating by night all aircraft shall display anti-collision lights, intended to attract attention to the aircraft

(d) When operating an anti-collision light, the light shall be a flashing or rotating red light which shall show in all directions within 30 degrees above and 30 degrees below the horizontal plane of the aircraft.

(e) In the event of a failure of anti-collision light when flying by day, an aircraft may continue to fly provided that the light is repaired at the earliest practicable opportunity.

40.120 SIMULATED INSTRUMENT FLIGHT CONDITIONS

(a) A person shall not operate an aircraft in simulated instrument flight conditions unless:
(1) That aircraft has fully functioning dual controls;
(2) A qualified pilot occupies a control seat to act as safety pilot for the person who is flying under simulated instrument conditions;
(3) The safety pilot has adequate vision forward and to each side of the aircraft, or a competent observer in communication with the safety pilot shall occupy a position in the aircraft from which the observer's field of vision adequately supplements the vision of the safety pilot.

(b) A person shall not engage in simulated instrument flight conditions during commercial air transport operations.

40.125 PRACTICE INSRUMECT APPROACHES

(a) Within Rwanda, an aircraft shall not carry out instrument approach practices when flying in visual meteorological conditions (VMC) unless:
(1) He appropriate air traffic control unit has previously been informed that the flight is to be made for the purpose of instrument approach practice; and
(2) If the flight is not being carried out in simulated instrument flight conditions, an observer approved by the authority is carried in such a position in the aircraft that he has an adequate field of vision and can readily communicate with the pilot flying the aircraft.

40.130 AERODROMES NOT HAVING AIR TRAFFIC CONTROL UNITS

(a) A person shall not fly within a zone which the pilot-in-command knows or ought reasonably to know to be the aerodrome traffic zone of an aerodrome which does not have an air traffic control unit, except for the purpose of taking off, landing or observing the signals in the signals area with a view to landing, and an aircraft flying within such a zone for the purpose of observing the signals shall remain clear of cloud and at least 150 m (500 ft) above the level of the aerodrome.

(b) The pilot-in-command flying in the zone referred to in sub-regulations 40.130(a) or 40.135(a) or moving on such an aerodrome shall:
   (1) Observe other aerodrome traffic for the purpose of avoiding collision;
   (2) Conform with or avoid the pattern of traffic formed by other aircraft in operation;
   (3) Make all turns to the left, when approaching for a landing and after taking off, unless otherwise instructed; and
   (4) Take off and land into the wind, unless safety, the runway configuration, or air considerations determine that a different direction is preferable.

(c) A person shall not land an aircraft on a runway at such an aerodrome unless the runway is clear other aircraft

(d) Where takeoffs and landings are not confined to a runway:
   (1) An aircraft when landing shall leave clear on its left any aircraft which has already landed or is already landing or is about to take off, and if such aircraft is obliged to turn, it shall turn to the left after the pilot-in-command of the aircraft has satisfied himself that such action will not interfere with other traffic movements; and
   (2) An aircraft about to take off shall take up position and maneuvers in such a way as to leave clear on its left any aircraft which is already taking off or is about to take off.

(e) An aircraft after landing shall move clear of the landing area in use as soon as it is possible to do so.

40.135 AERODROMES HAVING AIR TRAFFIC CONTROL UNITS

(a) A pilot-in-command shall not fly the aircraft within a zone which the pilot-in-command knows or ought reasonably to know to be the aerodrome having an air traffic control unit except for the purpose of taking off, landing or observing the signals area with a view to landing, unless the pilot-in-command has the permission of the appropriate air traffic control unit.

(b) The pilot-in-command flying in the aerodrome traffic zone of an aerodrome having an air traffic control unit or moving on the maneuvering area of such an aerodrome shall, in addition to the requirements of sub-regulation 40.130(b):
   (1) Cause a continuous watch to be maintained on the appropriate radio frequency notified for air traffic control communications at the aerodrome, or if this is not possible, cause a watch to be kept for such instructions as may be issued by visual means; and
   (2) Not taxi, take off or land except with the permission of the air traffic control unit.

40.140 OPERATIONS ON OR IN THE VICINITY OF A CONTROLLED AERODROME.

(a) A person shall not operate an aircraft to, from, through or on an aerodrome having an operational control tower unless two-way communications are maintained between that person and the control tower.

(b) When arriving at an aerodrome, a pilot-in-command shall establish communications required by sub-regulation (a) on prior to four nautical miles from the aerodrome when operating from the surface up to and including 76,5 m (2,500 ft).

(c) When departing from an aerodrome, a pilot-in-command shall establish communications with the control tower prior to taxi.

(d) A person shall not, at any aerodrome with an operating control tower, operate an aircraft on a runway or taxiway or takeoff or land an aircraft, unless an appropriate clearance has been received from the air traffic control unit.

(e) A clearance to taxi to –
   (1) the takeoff runway:
      (i) is not a clearance to cross or taxi on to that runway; and

(ii) authorizes the pilot-in-command to cross other runways during the taxi to the assigned runway;

(2) any other point on the aerodrome is a clearance to cross all runways that intersect the taxi route to the assigned point.

(f) If the radio fails or two-way communication is lost, a pilot-in-command may continue a VFR flight operation and land if:

(1) the weather conditions are at or above basic VFR minimums; and

(2) clearance to land is received by light signals.

(g) During IFR operations, the two-way communications failure procedures prescribed in regulation 40.285 shall apply.

40.145 ACCESS TO AND MOVEMENT IN THE MANOEUVRING AREA

(a) A person shall not enter or drive a vehicle on the manoeuvring area of an aerodrome without the permission of the aerodrome control tower in the case of a controlled aerodrome, or in the case of an uncontrolled aerodrome, the person in charge of the aerodrome, and in accordance with any conditions subject to which that permission may have been granted.

(b) A person shall not move, or move a vehicle on the manoeuvring area of an aerodrome having an air traffic control unit without the permission of that unit and in accordance with any conditions subject to which that permission may have been granted.

(c) Any permission granted for the purpose of this regulation may be granted either in respect of persons or vehicles generally or in respect of any particular person or vehicle or any class of persons or vehicles

40.150 PRE-FLIGHT ACTION

(a) A pilot-in-command shall, before commencing a flight, be familiar with all available information appropriate to the intended operation.

(b) Pre-flight action by a pilot-in-command, for a flight away from the vicinity of the place of departure, and for every flight under the IFR, shall include:

(1) a careful study of available current weather reports and forecasts taking into consideration fuel requirements; and

(2) an alternative course of action if the flight cannot be completed as planned.

(c) A pilot-in-command who is unable to communicate by radio with an air traffic control unit at the aerodrome of destination shall not begin a flight to an aerodrome within a control zone if the information which it is reasonably practicable for the pilot-in-command to obtain indicates that he will arrive at that aerodrome when the ground visibility is less than eight kilometers or the cloud ceiling is less than 450 m (1,500 ft), unless the pilot-in-command has obtained from an air traffic control unit at the at that aerodrome permission to enter the aerodrome traffic zone.

40.155 FLIGHT PLAN

(a) Except as authorized by the Authority a person shall not commence a flight if he has not filed a flight plan.

40.160 SUBMISSION OF A FLIGHT PLAN

(a) Information relating to an intended flight or portion of a flight, to be provided to air traffic services (ATS) units, shall be in the form of a flight plan.

(b) A pilot-in-command shall, prior to operating one of the following, file a flight plan for:

(1) any flight, or portion thereof, to be provided with air traffic control service;

(2) Any instrument flight rules (IFR) flight within advisory airspace

(3) any flight within or into designated areas, or along designated routes, when so required by the appropriate air traffic services (ATS) authority to facilitate the provision of flight information, alerting and search and rescue services;

(4) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATS authority to facilitate coordination with appropriate military units or

with ATS units in adjacent States in order to avoid the possible need for interception for the purpose of identification;

(5) Any flight across international borders; and

(6) Any flight departing from an aerodrome manned by the Authority.

(c) A pilot-in-command shall submit a flight plan before departure to the appropriate ATS reporting office or, during flight, transmit to the appropriate ATS unit or air-ground control radio station, unless arrangements have been made for submission of a repetitive flight plan.

(d) Unless otherwise prescribed by the appropriate ATS authority, a pilot-in command shall submit a flight plan to the appropriate air traffic services or air traffic advisory service:

(1) At least sixty minutes before departure and shall be valid for sixty minutes for instrument flight rules (IFR) flights or one hundred and twenty minutes for visual flight rules (VFR) flights; or

(2) If submitted during flight, at a time which shall ensure its receipt by the appropriate ATS unit at least ten minutes before the aircraft is estimated to reach the:

(i) intended point of entry into a control area or advisory area; or

(ii) point of crossing an airway or advisory route.

(e) Where a Through Flight Plan, containing such particulars as may be notified is submitted to and accepted by an ATS unit in respect of a flight through a number of intermediate aerodromes, this regulation shall be deemed to have been satisfied in respect of each sector of the flight.

(f) An air traffic control unit may exempt the pilot-in-command from the requirements of this regulation in respect of an intended flight which is to be made in a notified local flying area and in which the aircraft will return to the aerodrome of departure without making an intermediate landing.

(g) In order to comply with instrument flight rules (IFR), before an aircraft either takes off from a point within any controlled airspace, or enters any controlled airspace, or in other circumstances prescribed for this purpose, the pilot-in-command shall cause a flight plan to be communicated to the appropriate air traffic control unit and shall obtain an air traffic control clearance based on such flight plan.

(h) The pilot-in-command after he has flown in controlled airspace shall, unless he has requested the appropriate air traffic control unit to cancel his flight plan, forthwith inform that unit when the aircraft lands within or leaves that controlled airspace.

40.165 CONTENTS OF PLAN

(a) A person filing an instrument flight rules (IFR) or visual flight rules (VFR) a flight plan shall include in it the following information:

(1) aircraft identification;

(2) flight rules and type of flight;

(3) number and type(s) of aircraft and wake turbulence category;

(4) equipment;

(5) departure aerodrome

(6) estimated off-block time;

(7) cruising speed(s);

(8) cruising level(s);

(9) route to be followed;

(10) destination aerodrome and total estimated elapsed time;

(11) alternate aerodrome(s);

(12) fuel endurance;

(13) total number of persons on board;

(14) emergency and survival equipment; and

(15) other information referred to in sub-regulation (b).

(b) A flight plan, for whatever purpose it is submitted, shall contain information, as applicable:

(1) on relevant items up to and including an alternate aerodrome(s) regarding the whole route or the portion thereof for which the flight plan is submitted; and

(2) on all other items when so prescribed by the appropriate air traffic services authority or when otherwise deemed necessary by the person submitting the flight plan.

40.170 CHANGES TO A FLIGHT PLAN

(a) Subject to regulation 40.245, where a change occurs to a flight plan submitted for an instrument flight rules (IFR) flight or a visual flight rules (VFR) flight operated as a controlled flight, the pilot-in-command shall report that change as soon as practicable to the appropriate air traffic services (ATS) unit.

(b) Subject to regulation 40.245, in the case of a VFR flight other than that operated as a controlled flight, the pilot-in-command shall report significant changes to a flight plan as soon as practicable to the appropriate ATS unit.

(c) Any information submitted prior to departure regarding fuel endurance or total number of persons carried on board, if incorrect at the time of departure, constitutes a significant change to the flight plan and as such shall be reported.

40.175 CLOSING AFLIGHT PLAN

(a) Unless otherwise prescribed by the appropriate air traffic services (ATS) authority, a pilot-in-command shall make a report of arrival in person or by radio or via data link at the earliest possible moment after landing, to the appropriate ATS unit at the arrival aerodrome, .by any flight for which a flight plan has been submitted covering the entire flight or the remaining portion of a flight to the destination aerodrome.

(b) When a flight plan has been submitted only in respect of a portion of a flight, other than the remaining portion of a flight to destination, the pilot in-command shall, when required, close it by an appropriate report to the relevant ATS unit.

(c) When no air traffic services unit exists at the arrival aerodrome, the pilot-in command shall contact the nearest ATS unit to close the flight plan immediately after landing and by the quickest means available.

(d) When communication facilities at the arrival aerodrome are known to be inadequate and alternate arrangements for the handling of arrival reports on the ground are not available, the pilot-in-command shall immediately prior to landing, if practicable, transmit to the appropriate ATS unit, a message comparable to an arrival report, where such a report is required.

(e) The transmission referred to in sub-regulation (d) shall normally be made to the aeronautical station serving the ATS unit in charge of the flight information region in which the aircraft is operated.

(f) A pilot-in-command shall include the following elements of information in his arrival reports:
   (1) aircraft identification;
   (2) departure aerodrome;
   (3) destination aerodrome, only in the case of a diversionary landing;
   (4) arrival aerodrome; and
   (5) time of arrival.

(g) The pilot-in-command of an aircraft who has caused notice of the aircraft's intended arrival at any aerodrome to be given to the ATS unit or other authority at that aerodrome shall ensure that the ATS unit or other authority at that aerodrome is informed as quickly as possible of any change of intended destination and any estimated delay in arrival of forty-five minutes

40.180 UNIVERSAL AVIATION SIGNAL

(a) Where a signal is given or displayed, or whenever any marking specified in regulations 40.205 up to and including 40.215 is displayed by any person in an aircraft, or at an aerodrome, or at any other place which is being used by aircraft for landing or take-off, the signal shall, when given or displayed in Rwanda, have the meaning assigned to it, and no other signals likely to be confused with them shall be used.

(b) Upon observing or receiving any of the signals specified in sub-regulation (a), a pilot-in- command shall take such action as may be required by the interpretation of the signal specified in these Regulations.

(c) A signalman shall be responsible for providing standard marshalling signals to aircraft in a clear and precise manner using the signals shown in these Regulations.

(d) A person shall not guide an aircraft unless trained, qualified and approved by the relevant appropriate authority to carry out the functions of a signalman.
(e) The signalman shall wear a distinctive fluorescent identification vest to allow the flight crew to identify that he is the person responsible for the marshalling operation.
(f) Daylight-fluorescent wands, table-tennis bats or gloves shall be used for all signaling by all participating ground staff during daylight hours, while illuminated wands shall be used at night or in low visibility.
(g) None of the provisions in these Regulations shall prevent the use by an aircraft in distress of any means at its disposal to attract attention and make known its position.

40.185 DISTRESS SIGNALS

(a) The following signals, used either together or separately, mean that grave and imminent danger threatens, and immediate assistance is requested:
    (1) a signal made by radiotelegraphy or by any other signaling method consisting of the group SOS (• • • — — — • • • in the Morse Code);
    (2) a radiotelephony distress signal consisting of the spoken word MAYDAY;
    (3) a distress message sent via data link which transmits the intent of the word MAYDAY;
    (4) rockets or shells throwing red lights, fired one at a time at short intervals;
    (5) a parachute flare showing a red light.

40.190 URGENCY SIGNALS

(a) The following signals, used either together or separately, mean that an aircraft wishes to give notice of difficulties which compel it to land without requiring immediate assistance:
    (1) the repeated switching on and off of the landing lights; or
    (2) the repeated switching on and off of the navigation lights in such manner as to be distinct from flashing navigation lights.
(b) The following signals, used either together or separately, mean that an aircraft has a very urgent message to transmit concerning the safety of a ship, aircraft or other vehicle, or of some person on board or within sight:
    (1) a signal made by radiotelegraphy or by any other signalling method consisting of the group XXX;
    (2) a signal sent by radiotelephony consisting of the spoken words PAN, PAN;
    (3) an urgency message sent via data link which transmits the intent of the words PAN, PAN.

40.195 AIRCRAFT INTERCEPTION AND INTERCEPTION SIGNALS

(a) The pilot-in-command of every aircraft flying over or maneuvering within Rwanda territory, when intercepted, shall comply with standards set out in regulation 40.300 (b) by interpreting and responding to visual signals as set out in Appendix 1 to 40.195.
(b) The intercepting aircraft shall interpret visual signals from an intercepted aircraft as set out in Appendix 1 to 40.195.
(c) Pilots of intercepting aircraft equipped with an SSR transponder shall suppress the transmission of pressure-altitude information (in Mode C replies or in the AC field of Mode S replies) within a range of at least 37 km (20 NM) of the aircraft being intercepted in order to prevents the airborne collision avoidance system (ACAS) in the intercepted aircraft from using resolution advisories in respect of the interceptor, while the ACAS traffic advisory information will remain available.
(d) The pilot-in-command of every aircraft carrying Rwanda nationality mark or operated by Rwanda operators, wherever such aircraft may be, outside Rwanda territory, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force.
(e) The pilot-in-command of every aircraft carrying Rwanda nationality mark or operated by Rwanda operators, wherever such aircraft may be outside Rwanda territory, when intercepted by a military or government aircraft, shall comply with the international standards when interpreting and responding to visual signals and communication as specified in regulation 40.300.

(f) No pilot of every aircraft carrying Rwanda nationality mark or operated by Rwanda operators shall conduct an international flight unless the procedures and signals relating to interception of aircraft, as specified in regulation 40.300, are readily available on the flight deck

40.200 VISUAL SIGNALS TO WARN AN UNAUTHORIZED AIRCRAFT ENTERING NOTIFIED AIRSPACES.

(a) The pilot-in-command shall take such remedial action as may be necessary, when by day or night, a series of projectiles is discharged from the ground at intervals of 10 seconds, each showing, on bursting, red and green lights or stars indicating to an unauthorized aircraft that it is flying in or about to enter a restricted, prohibited or danger area.

40.205 SIGNALS FOR AERODROME TRAFFIC.

(a) Aerodrome controllers shall use and pilots shall obey the following lights and pyrotechnic signals shown in Appendix 1 to 40.205 here below and illustrated in Figure 10.

(b) Pilots shall acknowledge aerodrome controller signals as follows:

(1) when in flight:

(i) during the hours of daylight by rocking the aircraft's wings, except that this signal shall not be expected on the base and final legs of the approach;

(ii) during the hours of darkness by flashing on and off twice the aircraft's landing lights or, if not so equipped, by switching on and off twice its navigation lights.

(2) when on the ground:

(i) during the hours of daylight by moving the aircraft's ailerons or rudder;

(ii) during the hours of darkness by flashing on and off twice the aircraft's landing lights or, if not so equipped, by switching on and off twice its navigation lights.

(c) Aerodrome authorities shall use the visual ground signals as shown in figures 11 to 20 during the situations indicated therein.

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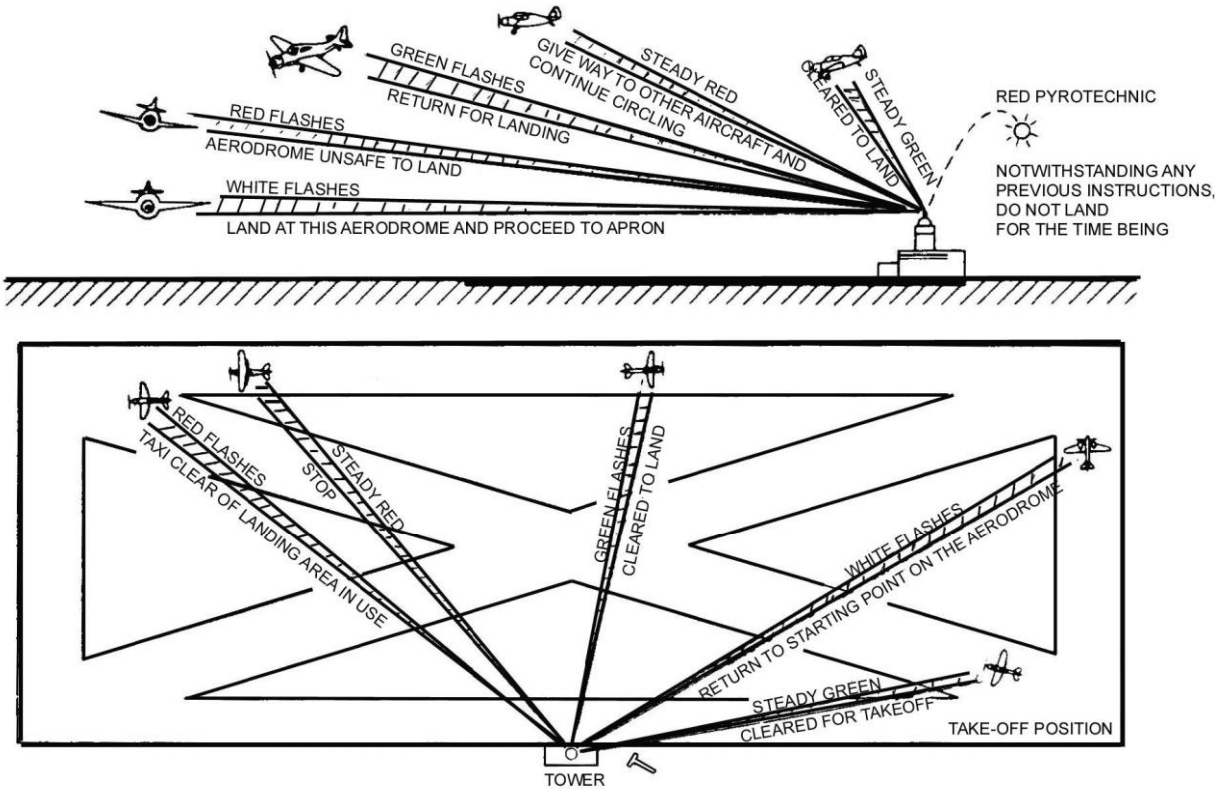

Figure 10: Light and Pyrotechnic Signals from Aerodrome Control

(1) prohibition of landing - a horizontal red square panel with yellow diagonals, as shown in Figure 11 when displayed in a signal area indicates that landings are prohibited and that the prohibition is liable to be prolonged;

Figure 11

(2) need for special precautions while approaching or landing - a horizontal red square panel with one yellow

diagonal, as shown in Figure 12 when displayed in a signal area indicates that owing to the bad state of the manoeuvring area, or for any other reason, special precautions shall be observed in approaching to land or in landing;

Figure 12

(3) Use of runways

(i) a horizontal white dumb-bell, as shown in Figure 13 when displayed in a signal area indicates that aircraft are required to land, take off and taxi on runways and taxiways only;

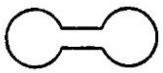

Figure 13

(ii) the same horizontal white dumb-bell as in Figure 13 but with a black bar placed perpendicular to the shaft across each circular portion of the dumb-bell, as shown in Figure 14 when displayed in a signal area indicates that aircraft are required to land and take off on runways only, but other manoeuvres need not be confined to runways and taxiways;

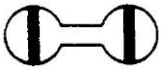

Figure 14

(4) closed runways or taxiways - crosses of a single contrasting colour, yellow or white, as shown in Figure 15, displayed horizontally on runways and taxiways or parts thereof indicate an area unfit for movement of aircraft

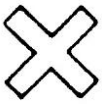

Figure 15

(5) directions for landing or take-off:

(i)a horizontal white or orange landing T , as shown in Figure 16, indicates the direction to be used by aircraft for landing and take-off, which shall be in a direction parallel to the shaft of the T towards the cross arm and when used at

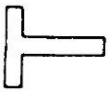

Figure 16

(ii) a set of two digits, as shown in Figure 17, displayed vertically at or near the aerodrome control tower indicates to aircraft on the manoeuvring area the direction for take-off, expressed in units of 10 degrees to the nearest 10 degrees of the magnetic compass;

Figure 17

(6) right-hand traffic - when displayed in a signal area, or horizontally at the end of the runway or strip in use, a right-hand arrow of conspicuous colour , as shown in Figure 18 indicates that turns are to be made to the right before landing and after take-off;

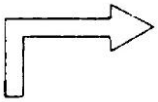

Figure 18

(7) air traffic services reporting office - the letter C displayed vertically in black against a yellow background, as shown in Figure 19 indicates the location of the ATS reporting office;

Figure 19

(8) glider flights in operation- a double white cross displayed horizontally, as shown in Figure 20 in the signal area indicates that the aerodrome is being used by gliders and that glider flights are being performed;

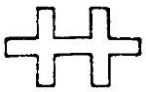

Figure 20

(9) helicopter operations – a white letter H displayed horizontally as shown in figure 21 indicates that helicopters shall take off and land within the designated area;

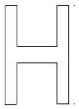

Figure 21

40.210 MARSHALLING SIGNALS: SIGNALMAN TO A PILOT

(a) The marshalling signals shown in figures 22 to 56 below shall be used from a signalman to a pilot of an aircraft.

(b) The signals are designed for use by the signalman, with hands illuminated as necessary to facilitate observation by the pilot, and facing the aircraft in a position:

(1) for fixed-wing aircraft, the signalman shall be positioned forward of the left-wing tip within view of the pilot and,

(2) for helicopters, where the signalman can best be seen by the pilot.

(c) The meaning of the relevant signals remains the same if bats, illuminated wands or torchlights are held.

(d) The aircraft engines are numbered, for the signalman facing the aircraft, from right to left (i.e. No. I engine being the port outer engine).

(e) Signals marked with an asterisk are designed for use to hovering helicopters.

(f) Prior to using the signals, as shown in Figures 22 to 56 the signalman shall ascertain that the area within which an aircraft is to be guided is clear of objects which the aircraft might otherwise strike.

Figure 22

1. Wingwalker/guide

Raise right hand above head level with wand pointing up; move left-hand wand pointing down toward body.

Note. — This signal provides an indication by a person positioned at the aircraft wing tip, to the pilot/ marshaller/push-back operator, that the aircraft movement on/off a parking position would be unobstructed.

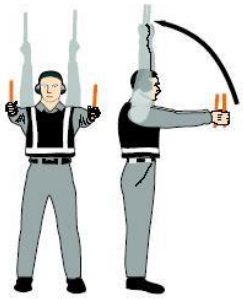

Figure 23

2. Identify gate

Raise fully extended arms straight above head with wands pointing up.

Figure 24

3. Proceed to next signalman or as directed by tower/ground control

4. Point both arms upward; move and extend arms outward to sides of body and point with wands to direction of next signalman or taxi area.

Figure 25

4. Straight ahead

Bend extended arms at elbows and move wands up and down from chest height to head.

Figure 26

5 a). Turn left (from pilot's point of view)

With right arm and wand extended at a 90-degree angle to body, make "come ahead" signal with left hand. The rate of signal motion indicates to pilot the rate of aircraft turn.

Figure 27

5 b). Turn right (from pilot's point of view)

With left arm and wand extended at a 90-degree angle to body, make "come ahead" signal with right hand.
The rate of signal motion indicates to pilot the rate of aircraft turn.

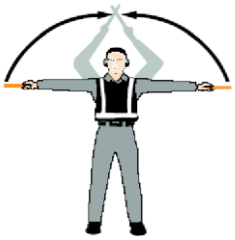

Figure 28

6 a). Normal stop

Fully extend arms and wands at a 90-degree angle to sides and slowly move to above head until wands cross.

Figure 29

6 b). Emergency stop

Abruptly extend arms and wands to top of head, crossing wands.

Figure 30

7 a). Set brakes

Raise hand just above shoulder height with open palm. Ensuring eye contact with flight crew, close hand into a fist. **Do not** move until receipt of “thumbs up” acknowledgement from flight crew.

Figure 31

7 b). Release brakes

Raise hand just above shoulder height with hand closed in a fist. Ensuring eye contact with flight crew, open palm. **Do not** move until receipt of “thumbs up” acknowledgement from flight crew.

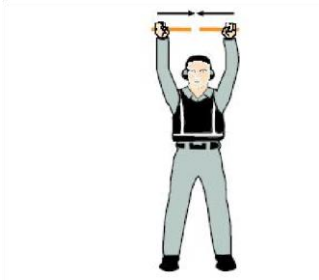

Figure 32

8 a). Chocks inserted

With arms and wands fully extended above head, move wands inward in a “jabbing” motion until wands touch.
Ensure acknowledgement is received from flight crew

Figure 33

8 b). Chocks removed

With arms and wands fully extended above head, move wands outward in a “jabbing” motion. **Do not** remove chocks until authorized by flight crew.

Figure 34

9). Start engine(s)

Raise right arm to head level with wand pointing up and start a circular motion with hand; at the same time, with left arm raised above head level, point to engine to be started.

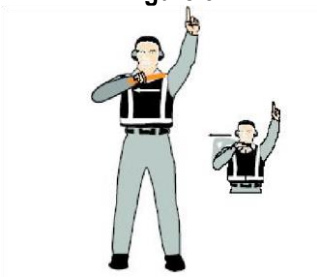

Figure 35

10. Cut engines

Extend arm with wand forward of body at shoulder level; move hand and wand to top of left shoulder and draw wand to top of right shoulder in a slicing motion across throat.

Figure 36

11. Slow down

Move extended arms downwards in a “patting” gesture, moving wands up and down from waist to knees.

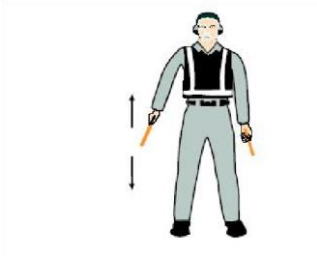

Figure 37

12. Slow down engine(s) on indicated side

With arms down and wands toward ground, wave either *right* or *left* wand up and down indicating engine(s) on *left* or *right* side respectively should be slowed down.

Figure 38

13. Move back

With arms in front of body at waist height, rotate arms in a forward motion. To stop rearward movement, use signal 6 a) or 6 b).

Figure 39

14 a). Turns while backing (for tail to starboard)

Point left arm with wand down and bring right arm from overhead vertical position to horizontal forward position, repeating right-arm movement.

Figure 40

14 b). Turns while backing (for tail to port)

Point right arm with wand down and bring left arm from overhead vertical position to horizontal forward position, repeating left-arm movement.

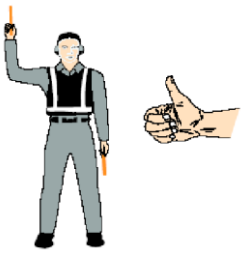

Figure 41

15. Affirmative/all clear

Raise right arm to head level with wand pointing up or display hand with “thumbs up”; left arm remains at side by knee.

Note.— This signal is also used as a technical/servicing communication signal.

Figure 42

***16. Hover**

Fully extend arms and wands at a 90-degree angle to sides.

Figure 43

***17. Move upwards**
Fully extend arms and wands at a 90-degree angle to sides and, with palms turned up, move hands upwards.
Speed of movement indicates rate of ascent.

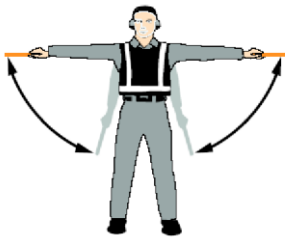

Figure 44

***18. Move downwards**
Fully extend arms and wands at a 90-degree angle to sides and, with palms turned down, move hands downwards. Speed of movement indicates rate of descent.

Figure 45

***19 a). Move horizontally left (from pilot’s point of view)**
Extend arm horizontally at a 90-degree angle to right side of body. Move other arm in same direction in a sweeping motion.

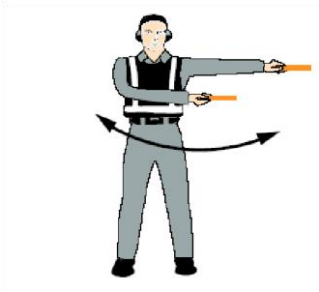

Figure 46

***19 b). Move horizontally right (from pilot's point of view)**
Extend arm horizontally at a 90-degree angle to left side of body. Move other arm in same direction in a sweeping motion.

Figure 47

***20. Land**

Cross arms with wands downwards and in front of body

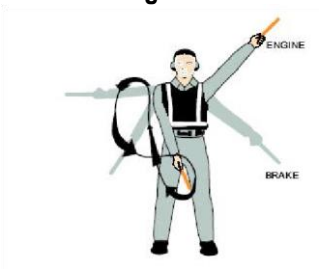

Figure 48

21. Fire

Move right-hand wand in a "fanning" motion from shoulder to knee, while at the same time pointing with left-hand wand to area of fire.

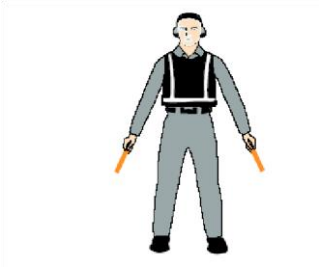

Figure 49

22. Hold position/stand by
Fully extend arms and wands downwards at a 45degree angle to sides. Hold position until aircraft is clear for next maneuver.

Figure 50

23. Dispatch aircraft

Perform a standard salute with right hand and/or wand to dispatch the aircraft. Maintain eye contact with flight crew until aircraft has begun to taxi.

Figure 51

24. Do not touch controls (technical/servicing communication signal)

Extend right arm fully above head and close fist or hold wand in horizontal position; left arm remains at side by knee.

Figure 52

26. Disconnect power (technical/servicing communication signal) Hold arms fully extended above head with finger tips of right hand touching open horizontal palm of left hand (forming a "T"); then move right hand away from the left. **Do not** disconnect power until authorized by flight crew. At night, illuminated wands can also be used to form the "T" above head.

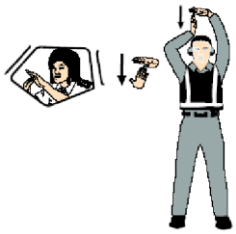

Figure 53

26. Disconnect power (technical/servicing communication signal)
Hold arms fully extended above head with finger tips of right hand touching open horizontal palm of left hand (forming a "T"); then move right hand away from the left. **Do not** disconnect power until authorized by flight crew. At night, illuminated wands can also be used to form the "T" above head

Figure 54

27. Negative (technical/servicing communication signal)
Hold right arm straight out at 90 degrees from shoulder and point wand down to ground or display hand with "thumbs down"; left hand remains at side by knee.

Figure 55

28. Establish communication via interphone (technical/servicing communication signal)

Extend both arms at 90 degrees from body and move hands to cup both ears.

Figure 56

29. Open/close stairs (technical/servicing communication signal)

With right arm at side and left arm raised above head at a 45-degree angle, move right arm in a sweeping motion towards top of left shoulder.

Note. — This signal is intended mainly for aircraft with the set of integral stairs at the front.

40.215 MARSHALLING SIGNALS: PILOT TO SIGNALMAN

(a) A pilot shall use the signals shown in **Appendix 1** to **40.215 when** communicating with a signals: Signalman on the ground: pilot to a signalman**.**

40.220 TIME

(a) A pilot-in-command flying an aircraft shall use Coordinated Universal Time which shall be expressed in hours and minutes and, when required, seconds of the twenty-four-hour day beginning at midnight.

(b) A pilot-in-command shall obtain a time check prior to operating a controlled flight and at such other times during the flight as may be necessary, such time check shall be obtained from an air traffic services unit unless other arrangements have been made by the operator or by the Authority.

(c) Wherever time is utilized in the application of data link communications, it shall be accurate to within one second of Co-Ordinated Universal Time.

40.225 AIR TRAFFIC CONTROL CLEARANCE

(a) A pilot-in-command shall not commence a flight in an aircraft unless he has obtained an air traffic control clearance prior to operating a controlled flight, or a portion of a flight as a controlled flight.

(b) A pilot-in-command shall request air traffic control clearance referred to in sub-regulation (a) through the submission of a flight plan to an air traffic control unit.

(c) Where a pilot-in-command has requested a clearance involving priority, that pilot-in-command shall submit a report explaining the necessity for such priority, if requested by the appropriate air traffic control unit.

(d) A person operating an aircraft on a controlled aerodrome shall not taxi on the manoeuvring area without clearance from the aerodrome control tower and shall comply with any instructions given by that unit.

(e)The pilot-in-command of an aircraft shall fly in conformity with the air traffic control clearance issued for the flight as amended by any further instructions given by an air traffic control unit, and with the holding and instrument approach procedures, notified in relation to the aerodrome of destination, unless the pilot-in-command:

(1) is able to fly in uninterrupted visual meteorological conditions (VMC) for so long as he remains in controlled airspace; and

(2) has informed the appropriate air traffic control unit of his intention to continue the flight in compliance with visual flight rules (VFR) and has requested that unit to cancel his instrument flight rules (IFR) flight plan: provided that if an emergency arises which requires an immediate deviation from an air traffic control clearance, the pilot-in-command of the aircraft shall, as soon as possible, inform the appropriate air traffic control unit of the deviation.

40.230 POTENTIAL RECLEARANCE IN FLIGHT

(a) If prior to departure, a pilot-in-command anticipates that depending on fuel endurance and subject to re-clearance in flight, a decision may be taken to proceed to a revised destination aerodrome, he shall notify the appropriate air traffic control units by the insertion in the flight plan of information concerning the revised route (where known) and the revised destination.

40.235 ADHERENCE TO CURRENT FLIGHT PLAN

(a) Except as provided for in regulation 40.270, an aircraft shall adhere to the current flight plan or the applicable portion of a current flight plan for a controlled flight within the tolerances defined in sub-regulations (b) to (c) unless a request for a change has been made and clearance obtained from the appropriate air traffic control unit, or unless an emergency situation arises which necessitates immediate action by the aircraft, in which event as soon as circumstances permit, after such emergency authority is exercised, the appropriate air traffic services unit shall be notified of the action taken and that this action has been taken under emergency authority.

(b) In the event that a controlled flight inadvertently deviates from its current flight plan, the following action shall be taken;

(1) if the aircraft is off track, action shall be taken forthwith to adjust the heading of the aircraft to regain track as soon as practicable

(2) if the aircraft deviates from ATC assigned Mach number/indicated airspeed, the appropriate air traffic services unit shall be informed immediately

(3) if the sustained Mach number or true airspeed at cruising level varies by plus or minus Mach 0.02 or more, or plus or minus 19 km/h (10 kt) true airspeed or more from the current flight plan, the appropriate air traffic services unit shall be so informed;

(4) if the time estimate;

(i) for the next applicable reporting point,

(ii) flight information region boundary or destination aerodrome, whichever comes first, changes in excess of 2 minutes from that previously notified to air traffic services, or such other period of time as is prescribed by the appropriate ATS authority or on the basis of regional air navigation agreements, the flight crew shall notify the appropriate air traffic services unit as soon as possible except where ADS-C is activated and serviceable in airspace where ADS-C services are provided

(c) When an ADS-C services are provided and ADS-C is, the air traffic services unit shall be Informed automatically via data link whenever changes occur beyond the threshold values Stipulated by the ADS event contract.

(d) Requests for current flight plan changes shall include the following information:

(1) Change of cruising level:

(i) aircraft identification;

(ii) requested new cruising level and cruising Mach number or true airspeed at this level;

(iii) revised time estimates at subsequent reporting points or flight information region boundaries.

(2) Change of Mach number or true airspeed:

(i) aircraft identification;

(ii) requested Mach number or true airspeed.

(e) Subject to the overriding requirement in regulation 40.240(a), an aircraft operating along an ATS route segment defined by reference to very high frequency omnidirectional radio ranges shall change over for its primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the changeover point, where established.

(f) Deviation from the requirements in regulation 40.240 (a) shall be notified to the appropriate air traffic services unit.

40.240 ROUTE TO BE FLOWN

(a) Unless otherwise authorized or directed by the appropriate air traffic control unit, a pilot-in-command of a controlled flight shall, in so far as practicable:

(1) when on an established air traffic services (ATS) route, operate along the defined centre line of that route; or

(2) when on any other route, operate directly between the navigation facilities and/or points defining that route.

(b) A pilot-in-command shall notify the appropriate air traffic control unit of any deviation from the requirements in sub-regulation (a).

(c) A pilot-in-command of a controlled flight operating along an ATS route segment defined by reference to very high frequency omnidirectional range shall change over for its primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the change-over point, where established.

40.245 DEVIATIONS FROM THE CURRENT FLIGHT PLAN

(a) In the event that a controlled flight deviates from its current flight plan, the following action shall be taken:

(1) Deviation from track: if the aircraft is off track, action shall be taken forthwith to adjust the heading of the aircraft to regain track as soon as practicable.

(2) Deviation from ATC assigned Mach number/indicated airspeed: the appropriate air traffic services unit shall be informed immediately.

(3) Deviation from Mach number/true airspeed: if the sustained Mach number/true airspeed at cruising level varies by plus or minus Mach 0.02 or more, or plus or minus 19 km/h (10 kt) true airspeed or more from the current flight plan, the appropriate air traffic services unit shall be so informed.

(4) Change in time estimate: except where ADS-C is activated and serviceable in airspace where ADS-C services are provided, if the time estimate for the next applicable reporting point, flight information region boundary or destination aerodrome, whichever comes first, changes in excess of minutes from that previously notified to air traffic services, or such other period of time as is prescribed by the appropriate ATS authority or on the basis of regional air navigation agreements, the flight crew shall notify the appropriate air traffic services unit as soon as possible.

(b) When ADS-C services are provided and ADS-C is activated, the air traffic services unit shall be informed automatically via data link whenever changes occur beyond the threshold values stipulated by the ADS event contract.

40.250 REQUESTS FOR CURRENT FLIGHT PLAN CHANGES

(a) Requests for current flight plan changes shall include information as indicated hereunder:

(1) Change of cruising level: aircraft identification; requested new cruising level and cruising Mach number/true airspeed at this level; revised time estimates (when applicable) at subsequent reporting points or flight information region boundaries.

(2) Change of Mach number/true airspeed: aircraft identification; requested Mach umber/true airspeed.

(3) Change of route:

(i) Destination unchanged: aircraft identification; flight rules; description of new route of flight including related flight plan data beginning with the position from which requested change of route is to commence; revised time estimates; any other pertinent information.

(ii) Destination changed: aircraft identification; flight rules; description of revised route of flight to revised destination aerodrome including related flight plan data, beginning with the position from which requested change of route is to commence; revised time estimates; alternate aerodrome(s); any other pertinent information.

40.255 POSITION REPORTS.

(a) Unless exempted by the appropriate air traffic services authority, or by the reports appropriate air traffic services unit under conditions specified by the said authority, a pilot of a controlled flight shall report to the appropriate air traffic services unit, as soon as possible:

(1) the time and level of passing each designated compulsory reporting point, except that while the aircraft is under radar control, only the passing of those reporting points specifically requested by air traffic control need be reported, together with any other required information, unless exempted from this requirement by the appropriate air traffic control unit under conditions specified by the Authority;

(2) any forecasted weather conditions encountered; and

(3) any other information relating to the safety of flight, such as hazardous weather or abnormal radio station indications.

(b) A pilot of a controlled flight shall make position reports in relation to additional points when requested by the appropriate air traffic control unit.

(c) In the absence of designated reporting points, a pilot of a controlled flight shall make position reports at intervals prescribed by the Authority or specified by the appropriate air traffic control unit.

(d) A pilot-in-command of a controlled flight providing position information to the appropriate air traffic control unit via data link communications shall only provide voice position reports when requested.

(e) A pilot of a controlled flight shall, except when landing at a controlled aerodrome, advise the appropriate air traffic control unit as soon as the flight ceases to be subject to air traffic control service.

40.260 AIR TRAFFIC CONTROL CLEARANCES FOR VFR FLIGHTS

(a) A pilot of a visual flight rules (VFR) flight shall comply with the provisions of regulations 40.225, 40.230, 40.235, 40.240, 40.245, 40.250, 40.255, 40.270, 40.280 and 40.285 when:

(1) operated within Classes C and D airspace, and, when used in a Flight Information Region, Class B;

(2) forming part of aerodrome traffic at controlled aerodromes; or

(3) operated as special VFR

40.265 VFR FLIGHT WITHIN DESIGNATED AREAS

(a) A pilot-in-command operating a VFR flight within or into areas, or along routes, designated by the Authority in accordance with sub-regulation 40.160(b)(3) or (4) shall maintain continuous air-ground voice communication watch on the appropriate communication channel of, and report its position as necessary to, the air traffic services unit providing flight information service. 40.270 WEATHER DETERIORATION BELOW VMC

(a) A pilot-in-command of a visual flight rules (VFR) flight operated as a controlled flight shall, when it becomes evident that flight in visual meteorological conditions (VMC) in accordance with its current control flight plan will not be practicable:

(1) request an amended clearance enabling the aircraft to continue in VMC to its destination or to an alternative aerodrome, or to leave the airspace within which an air traffic control clearance is required;

(2) if no clearance can be obtained in accordance with sub-paragraph (a), continue to operate in VMC and notify the appropriate air traffic control unit of the action being taken either to leave the airspace concerned or to land at the nearest suitable aerodrome;

(3) if operating within a control zone, request authorization to operate as a special VFR; or

(4) request clearance to operate in instrument flight rules (IFR), if currently rated for IFR operations.

40.275 OPERATION UNDER IFR IN CONTROLLED AIRSPACE MALFUNCTION REPORTS

(a)A pilot-in-command of an aircraft operated in controlled airspace under instrument flight rules (IFR) shall report as soon as practical to air traffic control unit any malfunctions of navigational, approach, or communication equipment occurring in flight.

(b) In each report specified in sub-regulation (a), the pilot-in-command shall include:

(1) the aircraft identification;

(2) the equipment affected;

(3) the degree to which the capability of the pilot to operate under IFR in the air traffic control system is impaired; and

(4) the nature and extent of assistance desired from air traffic control unit.

40.280 COMMUNICATIONS

(a) A person operating an aircraft as a controlled flight shall maintain a continuous air-ground voice communication watch on the appropriate radio frequency of, and establish two-way communication as required, with, the appropriate air traffic control unit, except as may be prescribed by the appropriate air traffic services authority in respect of an aircraft forming part of aerodrome traffic at a controlled aerodrome.

(b) Automatic signaling devices may be used to satisfy the requirement to maintain a continuous listening watch, if authorized by the Authority.

40.285 COMMUNICATION FAILURE: AIR-TO-GROUND

(a) Where a pilot-in-command has been unable to establish contact with an aeronautical ground station in order to comply with regulation 40.280, the pilot in-command shall comply with the voice communication failure procedures contained in Volume II of the latest effective edition of Annex 10 – Aeronautical Telecommunications of the Chicago Convention and with such of the

procedures contained in this regulation as are appropriate, and shall attempt to establish communications with the appropriate air traffic control unit using all other available means.

(b) Where an aircraft forms part of the aerodrome traffic at a controlled aerodrome, the pilot-in-command shall keep a watch for such instructions as may be issued by visual signals.

(c) If a pilot-in-command is unable to establish communication and is in visual meteorological conditions, he shall:

(1) continue to fly in visual meteorological conditions, land at the nearest suitable aerodrome and report his arrival by the most expeditious means to the appropriate air traffic control unit;

(2) if considered advisable, complete an instrument flight rules (IFR) flight in accordance with sub-regulation (d).

(d) If a pilot-in-command is unable to establish communication and is in instrument meteorological conditions or when the pilot-in-command of an IFR flight considers it inadvisable to complete the flight in accordance with sub-regulation (c)(1), the pilot-in-command shall:

(1) unless otherwise prescribed on the basis of regional air navigation agreement, in airspace where radar is not used in the provision of air traffic control, maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of 20 minutes following the aircraft's failure to report its position over a compulsory reporting point and thereafter adjust level and speed in accordance with the filed flight plan;

(2) in airspace where radar is used in the provision of air traffic control, maintain the last assigned speed and level, or minimum flight altitude if higher, for a period of 7 minutes following:

(i) the time the last assigned level or minimum flight altitude is reached; or

(ii) the time the transponder is set to Code 7600; or

(iii) the aircraft's failure to report its position over a compulsory reporting point; whichever is later, and thereafter adjust level and speed in accordance with the filed flight plan;

(3) when being radar vectored or having been directed by air traffic control to proceed offset using area navigation (RNAV) without a specified limit, rejoin the current flight plan route no later than the next significant point, taking into consideration the applicable minimum flight altitude;

(4) proceed according to the current flight plan route to the appropriate designated navigation aid or fix serving the destination aerodrome and, when required to ensure compliance with (5) below, hold over this aid or fix until commencement of descent;

(5) commence descent from the navigation aid or fix specified in (4) at, or as close as possible to the expected approach time last received and acknowledged or, if no expected approach time has been received and acknowledged, at, or as close as possible to the estimated time of arrival resulting from the current flight plan;

(6) complete a normal instrument approach procedure as specified for the designated navigation aid or fix; and

(7) land, if possible, within 30 minutes after the estimated time of arrival specified in (5) or the last acknowledged expected approach time, whichever is later or, if unable to land as specified, the pilot-in-command shall not approach and land visually and shall leave the vicinity of the aerodrome and any associated controlled airspace at the specified altitude and on the specified route, and if no altitude or route is specified the pilot-in-command shall fly at the last assigned altitude or minimum sector altitude, whichever is the higher, and avoid areas of dense traffic, then he shall either:

(i) fly to an area in which flight may be continued in visual meteorological conditions (VMC) and land at a suitable aerodrome there; or (if this is not possible),

(ii) select a suitable area in which to descend through cloud, fly visually to a suitable aerodrome and land as soon as practicable.

40.290 COMMUNICATION FAILURE: GROUND-TO-AIR

(a) Where an aeronautical station has been unable to establish contact with a pilot-in-command after calls on the frequencies on which the pilot-in-command is believed to be listening, the station shall:

(1) request other aeronautical stations to render assistance by calling the pilot-in-command and relaying traffic information, if necessary;

(2) request pilots-in-command of other aircraft on the route to attempt to establish communication with the aircraft and relay traffic information, if necessary.

(b) The provisions of sub-regulation (a) shall also be applied:

(1) on request of the air traffic services unit concerned;

(2) when an expected communication from a pilot-in-command has not been received within a time period such that the occurrence of a communication failure is suspected.

(c) The time period referred to in sub-regulation (b)(2) shall be prescribed by the Authority.

(d) Where the attempts specified in sub-regulation (a) fail, the aeronautical station shall transmit messages addressed to the pilot-in-command, other than messages containing air traffic control clearances, by blind transmission on the frequency on which the pilot-in-command is believed to be listening.

40.295 UNLAWFUL INTERFERANCE.

(a)A pilot-in-command of an aircraft which is being subjected to unlawful interference shall endeavor to notify the appropriate air traffic services (ATS) unit of this fact, any significant circumstances associated therewith and any deviation from the current flight plan necessitated by the circumstances, in order to enable the ATS unit to give priority to the aircraft and to minimize conflict with other aircraft.

(b) A pilot-in-command shall, when and if possible, operate the SSR code 7500 to indicate that the aircraft is being subjected to unlawful interference or SSR code 7700 to indicate that it is threatened by grave and imminent danger and requires urgent assistance.

(c) When an air traffic services unit knows or believes that an aircraft is being subjected to unlawful interference, no reference shall be made in ATS air-ground communications to the nature of the emergency unless it has first been referred to in communications from the aircraft involved and it is certain that such reference will not aggravate the situation.

40.300 INTERCEPTION OF CIVIL AIRCRAFT.

(a) A pilot-in-command of every aircraft carrying Rwanda nationality mark or operated by Rwanda operators, wherever such aircraft may be outside Rwanda territory, when intercepted shall immediately:

(1) follow the instructions given by the intercepting aircraft, interpreting and responding to visual signals in accordance with the specifications in regulation 40.195;

(2) notify, if possible, the appropriate air traffic services unit;

(3) attempt to establish radio communication with the intercepting aircraft or with the appropriate intercept control unit, by making a general call on the emergency frequency 121.5 MHz, giving the identity of the intercepted aircraft and the nature of the flight, and if no contact has been established and if practicable, repeating this call on the emergency frequency 243 MHz;

(4) if equipped with SSR transponder, select Mode A, Code 7700, unless otherwise instructed by the appropriate air traffic services unit;

(5) if equipped with ADS-B or ADS-C, select the appropriate emergency functionality, if available, unless otherwise instructed by the appropriate air traffic services unit.

(b) If any instructions received by radio from any sources conflict with those given by the intercepting aircraft by visual signals, the pilot-in-command of the intercepted aircraft shall request immediate clarification while continuing to comply with the visual instructions given by the intercepting aircraft.

(c) If any instructions received by radio from any sources conflict with those given by the intercepting aircraft by radio, the pilot-in-command of the intercepted aircraft shall request immediate clarification while continuing to comply with the radio instructions given by the intercepting aircraft.

(d) In intercepting a civil aircraft, the intercepting aircraft shall take due account of the performance limitations of civil aircraft, the need to avoid flying in such proximity to the intercepted aircraft that a collision hazard may be created and the need to avoid crossing the intercepted aircraft's flight path or to perform any other manoeuvre in such a manner that the wake turbulence may be hazardous, particularly if the intercepted aircraft is a light aircraft.

(e) If radio contact is established during interception but communication in a common language is not possible, attempts shall be made to convey instructions, acknowledgement of instructions and essential information by using the phrases and pronunciations in Appendix 1 to 40.300 and transmitting each phrase twice.

40.305 REPORTING OF HAZARDOUS CONDITIONS

(a) A pilot-in-command shall, on meeting with hazardous conditions in the course of a flight, or as soon as possible thereafter, send to the appropriate air traffic services unit by the quickest means available information containing such particulars of the hazardous conditions as may be pertinent to the safety of other aircraft.

40.310 ALTIMETER SETTINGS

(a) A person operating an aircraft registered in Rwanda shall set the aircraft altimeters to maintain the cruising altitude for flight level reference in accordance with the procedure notified by:
(1) the State where the aircraft may be; or
(2) the Aeronautical Information Publication.

40.315 CLASSIFICATION OF AIRSPACE

(a) ATS airspaces classification in Rwanda is shown in the AIP and classified and designated in accordance with Appendix 1 to 40.315.

40.320 AUTHORITY OF THE PILOT-IN-COMMAND OF AN AIRCRAFT

(a) The pilot-in-command shall have final authority as to the disposition of the aircraft while in command.

40.325 WEATHER LIMITATIONS FOR VFR FLIGHTS

(a) A person shall not commence a flight to be conducted in accordance with visual flight rules (VFR) unless available 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, allow VFR operations.

40.330 FLIGHT IN CLASS A AIRSPACE

(a) In relation to flights in visual meteorological conditions (VMC) in Class A airspace the pilot-in-command shall comply with regulations 40.160 and 40.255 as if the flights were IFR flights but shall not elect to continue the flight in compliance with the VFR for the purposes of regulation 40.160(g).

40.335 CO-ORDINATION OF ACTIVITIES POTENTIALLY HAZARDOUS TO AIRCRAFT

(a) A person shall not carry out activities potentially hazardous to aircraft whether flying over Rwanda or over the territorial waters of Rwanda without approval from the Authority.

(b) Notwithstanding the generalities of sub-regulation (a):

(1) a person shall not intentionally project, or cause to be projected, a laser beam or other directed high intensity light at an aircraft in such a manner as to create a hazard to aviation safety, damage to the aircraft or injury to its crew or passengers;

(2) a person using or planning to use lasers or other directed high intensity lights outdoors in such a manner that the laser beam or other light beam

may enter navigable airspace with sufficient power to cause an aviation hazard shall provide written notification to the competent authority;

(3) a pilot-in-command shall not deliberately operate an aircraft into a laser beam or other directed high-intensity light unless flight safety is ensured, provided there is a agreement between operator of the laser emitter or light source, the pilot-in-command and the competent authority.

(c) A person shall not release into the atmosphere any radioactive material or toxic chemicals which could affect the safety of aircraft operating within the Rwandan airspace.

SUBPART C: VISUAL FLIGHT RULES

40.340 VISUAL

(a) Except when operating a special VFR flight, a person shall conduct a VFR flight meteorological so that the aircraft is flown in conditions of visibility and distance from clouds l conditions equal to or greater than those specified in Appendix 1 to 40.340.

40.345 VFR WITHIN A CONTROL ZONE

(a) A pilot-in-command of a VFR flight shall not take off or land at an aerodrome within a control zone, or enter the aerodrome traffic zone or traffic pattern when:

(1) the ceiling is less than 450 m (1,500 ft); or

(2) the ground visibility is less than 5 km; except when a clearance is obtained from an air traffic control unit.

(b) Authorization for VFR flights to operate above FL 290 shall not be granted in areas where a vertical separation minimum of 300 m (1 000 ft) is applied above FL 290.

40.350 MINIMUM SAFE VFR ALTITUDES AND FLIGHT ABOVE 900 M

(a) Except when necessary for take-off or landing, or except by permission from the appropriate air traffic services authority, a VFR flight shall not be flown:

(1) over congested areas of cities, towns or settlements or over an openair assembly of persons at a height less than 300 m (1,000 ft) above the highest obstacle within a radius of 600 m from the aircraft;

(2) elsewhere than specified in paragraph (a), at a height less than 150 m (500 ft) above the ground or water.

(b) Except where otherwise indicated in air traffic control clearances or specified by the appropriate air traffic services authority, VFR flights in level cruising flight when operated above 900 m (3,000 ft) from the ground or water, or a higher datum as specified by the appropriate air traffic services authority, shall be conducted at a flight level appropriate to the track specified in the table of cruising levels in Appendix 1 to 40.375.

40.355 CHOICE OF VFR OR IFR

(a) Subject to regulation 40.330, a person shall fly an aircraft in accordance with VFR or IFR, provided that:

(1) in Rwanda, an aircraft flying at night shall be flown in accordance with the IFR, or, in a control zone, in accordance with the IFR or the provisions of the proviso to paragraph (b) of regulation 40.360;

(2) irrespective of meteorological conditions, the pilot-in-command shall, when operating within the Kigali Flight Information Region at or above flight level 170 and within airways irrespective of flight level, fly in accordance with IFR.

(b) Unless authorized by an appropriate air traffic services authority, a person shall not operate an aircraft in VFR:

(1) above flight level 170; or

(2) at supersonic or transonic speeds or

(3) except as may be prescribed by the Authority and operated in accordance with the conditions prescribed by the Authority, between sunset and sunrise.

40.360 VFR OUTSIDE AND WITHIN CONTROLLED AIRSPACE

(a) A pilot-in-command flying an aircraft:

(1) outside controlled airspace shall remain at least 1,500 m horizontally and 300 m (1,000 ft) vertically away from cloud and in a flight visibility of at least 8 km: provided that below 300 m (1,000 ft) above ground or water this sub-regulation shall be deemed to be complied with if the aircraft is flown clear of cloud and in sight of the surface in a flight visibility of not less than 1.5 km;

(2) within controlled airspace shall remain at least 1,500 m horizontally and 300 m (1,000 ft) vertically away from cloud and in a flight visibility of at least 8 km provided that in a control zone, in the case of a special VFR flight, the aircraft shall remain clear of cloud and in sight of the ground or water and shall be flow in accordance with any instructions given by the appropriate air traffic control unit.

40.365 CHANGING FROM VFR TO IFR

(a) A pilot-in-command operating in VFR who wishes to change to IFR shall:

(1) if a flight plan was submitted, communicate the necessary changes to be effected to the current flight plan; or

(2) when so required by provisions of regulation 40.160 submit a flight plan to the appropriate air traffic control unit and obtain a clearance prior to proceeding IFR when in controlled airspace.

SUBPART D: INSTRUMENT FLIGHT RULES

40.370 AIRCRAFT EQUIPMENT

(a) A pilot-in-command shall ensure an aircraft is equipped with suitable instruments and with navigation equipment appropriate to the route to be flown.

40.375 IFR FLIGHTS IN CONTROLLED AIRSPACE.

(a) A pilot-in-command of an aircraft operating an IFR flight in controlled airspace shall:

(1) be flown at a cruising level, or, if authorized to employ cruise climb techniques between two levels or above a level, selected from:

(i) the tables of cruising levels in Appendix 1 to 40.375; or

(ii) a modified table of cruising levels, when so prescribed in accordance with Appendix 1 to 40.375 for flight above FL410; except that the correlation of levels to track prescribed therein shall not apply whenever otherwise indicated in air traffic control clearances or specified by the Authority in the Aeronautical Information Publication.

(2) comply with the provisions of regulations 40.225, 40.230, 40.235,40.240, 40.245, 40.250, 40.255, 40.280 and 40.285.

40.380 IFR FLIGHTS OUTSIDE CONTROLLED AIRSPACE

(a) A pilot-in-command operating an IFR flight outside a controlled airspace:

(1) shall fly at a cruising level specified in Table 9, except when otherwise specified by the appropriate air traffic services authority for flight at or below 900 m (3,000 ft) above mean sea level; or

(2) a modified table of cruising levels, when so prescribed in accordance with Table 9 for flight above FL 410.

(b) A pilot-in-command operating an IFR flight outside a controlled airspace:

(1) but within or into areas, or along routes specified in sub-regulation 40.160 (b)(2) or (4) shall: maintain an air- ground voice communication watch on the appropriate communication channel and establish two-way communication, as necessary with air traffic services unit providing flight information services;

(2) when required to submit a flight plan and to maintain an air-ground voice communication watch on the appropriate communication channel and establish

two-way communication, as necessary with air traffic services unit providing flight information services, shall report position as specified in regulation 40.255 for controlled flights.

40.385 MINIMUM FLIGHT ALTITUDES FOR IFR OPERATIONS

(a) Except when necessary for takeoff or landing, or except when specifically authorized by the appropriate authority, an IFR flight shall be flown at a level which is not below the minimum flight altitude established by the State whose territory is overflown, or, where no such minimum has been established:

(1) for flights over high terrain or in mountainous areas, at a level which is at least 600 m (2,000 ft) above the highest obstacle located within 8 km of the estimated position of the aircraft; and

(2) elsewhere than as specified in subparagraph (1), at a level which is at least 300 m (1,000 ft) above the highest obstacle located within 8 kilometres of the estimated position of the aircraft.

(b) If unable to communicate with air traffic control and there is need to climb to clear an obstacle to determine climb for obstacle clearance, a pilot shall climb to a higher minimum IFR altitude immediately after passing the point beyond which that minimum altitude applies.

40.390 CHANGE FROM IFR FLIGHT TO VFR FLIGHT

(a) A pilot electing to change from IFR flight to VFR flight shall, if a flight plan was submitted, notify the appropriate air traffic services unit specifically that the IFR flight is cancelled and then communicate the changes to be made to the pilot current flight plan.

(b) Where a pilot operating under IFR is flying in or encounters visual meteorological conditions (VMC), the pilot shall not cancel the IFR flight unless it is anticipated, and intended, that the flight shall be continued for a reasonable period of time in uninterrupted VMC.

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APPENDIX 1 TO 40.030 REMOTELY PILOTED AIRCRAFT SYSTEMS

1 General operating rules

(1) A remotely piloted aircraft system (RPAS) engaged in international air navigation shall not be operated without appropriate authorization from the Authority.

(2) An RPA shall not be operated across the territory of another State without special authorization issued by each State in which the flight is to operate. This authorization may be in the form of agreements between the States involved.

(3) An RPA shall not be operated over the high seas without prior coordination with the appropriate ATS authority.

(4) The authorization and coordination referred to in 1.2 and 1.3 shall be obtained prior to take-off if there is reasonable expectation, when planning the operation, that the aircraft may enter the airspace concerned.

(5) An RPAS shall be operated in accordance with conditions specified by the Authority.

(6) Flight plans shall be submitted in accordance with these regulations or as otherwise mandated by the Authority.

(7) RPAS shall meet the performance and equipment carriage requirements for the specific airspace in which the flight is to operate.

2 Certificate and Licensing

(1) An RPAS shall be approved, taking into account the interdependencies of the components, in accordance with regulations and in a manner that is consistent with the provisions of related regulations. In addition:

(2) An RPA shall have a certificate of airworthiness issued in accordance with national regulations and in a manner that is consistent with the provisions of Rwanda Civil Aviation (Airworthiness) Regulations; and

(3) The associated RPAS components specified in the type design shall be certificated and maintained in accordance with regulations and in a manner that is consistent with the provisions of related regulations.

(4) An operator shall have an RPAS operator certificate issued in accordance with civil aviation regulations and in a manner that is consistent with the provisions of Rwanda Civil Aviation (Air operator Certification and Administration) Regulations.

(5) Remote pilots shall be licensed, or have their licences rendered valid, in accordance with national regulations and in a manner that is consistent with the provisions of Rwanda Civil Aviation (Personnel Licensing) Regulations.

3 REQUEST FOR AUTHORISATION

3.1 The request for authorization referred to in 1.2 above shall be made to the Authority not less than seven days before the date of the intended flight unless otherwise specified by the Authority.

3.2 Unless otherwise specified by the Authority, the request for authorization shall include the following:

a) name and contact information of the operator;
b) RPA characteristics (type of aircraft, maximum certificated take-off mass, number of engines, wing span);
c) copy of certificate of registration;
d) aircraft identification to be used in radiotelephony, if applicable;
e) copy of the certificate of airworthiness;
f) copy of the rpas operator certificate;
g) copy of the remote pilot(s) licence;
h) copy of the aircraft radio station licence, if applicable;
i) description of the intended operation (to include type of operation or purpose), flight rules, visual line-of-sight (vlos) operation if applicable, date of intended flight(s), point of departure, destination, cruising speed(s), cruising level(s), route to be followed, duration/frequency of flight;
J) take-off and landing requirements;
K) rpa performance characteristics, including:
    1) operating speeds;
    2) typical and maximum climb rates;
    3) typical and maximum descent rates;

4) typical and maximum turn rates;
5) other relevant performance data (e.g. Limitations regarding wind, icing, precipitation); and
6) maximum aircraft endurance;

l) communications, navigation and surveillance capabilities:
1) aeronautical safety communications frequencies and equipment, including:
i) ATC communications, including any alternate means of communication;
ii) command and control links (c2) including performance parameters and designated operational coverage area;
iii) communications between remote pilot and rpa observer, if applicable;
2) navigation equipment; and
3) surveillance equipment (e.g. SSR transponder, ads-b out);

m) detect and avoid capabilities;

n) emergency procedures, including:
1) communications failure with ATC;
2) C2 failure; and
3) remote pilot/RPA observer communications failure, if applicable;

o) number and location of remote pilot stations as well as handover procedures between remote pilot stations, if applicable;

p) document attesting noise certification that is consistent with the provisions of Rwanda Civil Aviation (Airworthiness) Regulations, if applicable;

q) confirmation of compliance with national security standards in a manner that is consistent with the provisions of Rwanda Civil Aviation (Security) Regulations, to include security measures relevant to the RPAS operation, as appropriate;

R) payload information/description; and

S) proof of adequate insurance/liability coverage.

3.3 When certificates or other documents identified in 3.2 above are issued in a language other than English, an English translation shall be included.

3.4 After authorization has been obtained from the appropriate Authority, air traffic services notification and coordination shall be completed in accordance with the prescribed requirements.

3.5 Changes to the authorization shall be submitted for consideration to the Authority. If the changes are approved, all affected authorities shall be notified by the operator.

3.6 in the event of a flight cancellation, the operator or remote pilot shall notify all appropriate authorities as soon as possible.

APPENDIX 1 TO 40.025 UNMANNED FREE BALLOONS

1. Classification of unmanned free balloons

Unmanned free balloons shall be classified as:

a) light: an unmanned free balloon which carries a payload of one or more packages with a combined mass of less than 4 kg, unless qualifying as a heavy balloon in accordance with c) 2), 3) or 4) below; or

b) medium: an unmanned free balloon which carries a payload of two or more packages with a combined mass of 4 kg or more, but less than 6 kg, unless qualifying as a heavy balloon in accordance with c) 2), 3) or 4) below; o

c) heavy*:* an unmanned free balloon which carries a payload which:

1) has a combined mass of 6 kg or more; or
2) includes a package of 3 kg or more; or
3) includes a package of 2 kg or more with an area density of more than 13 g per square centimetre; or
4) uses a rope or other device for suspension of the payload that requires an impact force of 230 N or more to separate the suspended payload from the balloon.

2. General operating rules

2.1 An unmanned free balloon shall not be operated without appropriate authorization from the State from which the launch is made.

2.2 An unmanned free balloon, other than a light balloon used exclusively for meteorological purposes and operated in the manner prescribed by the appropriate authority, shall not be operated across the territory of another State without appropriate authorization from the other State concerned.

2.3 The authorization referred to in 2.2 shall be obtained prior to the launching of the balloon if there is reasonable expectation, when planning the operation that the balloon may drift into airspace over the territory of another State. Such authorization may be obtained for a series of balloon flights or for a particular type of recurring flight, e.g. atmospheric research balloon flights.

2.4 An unmanned free balloon shall be operated in accordance with conditions specified by the State of Registry and the State(s) expected to be overflown.

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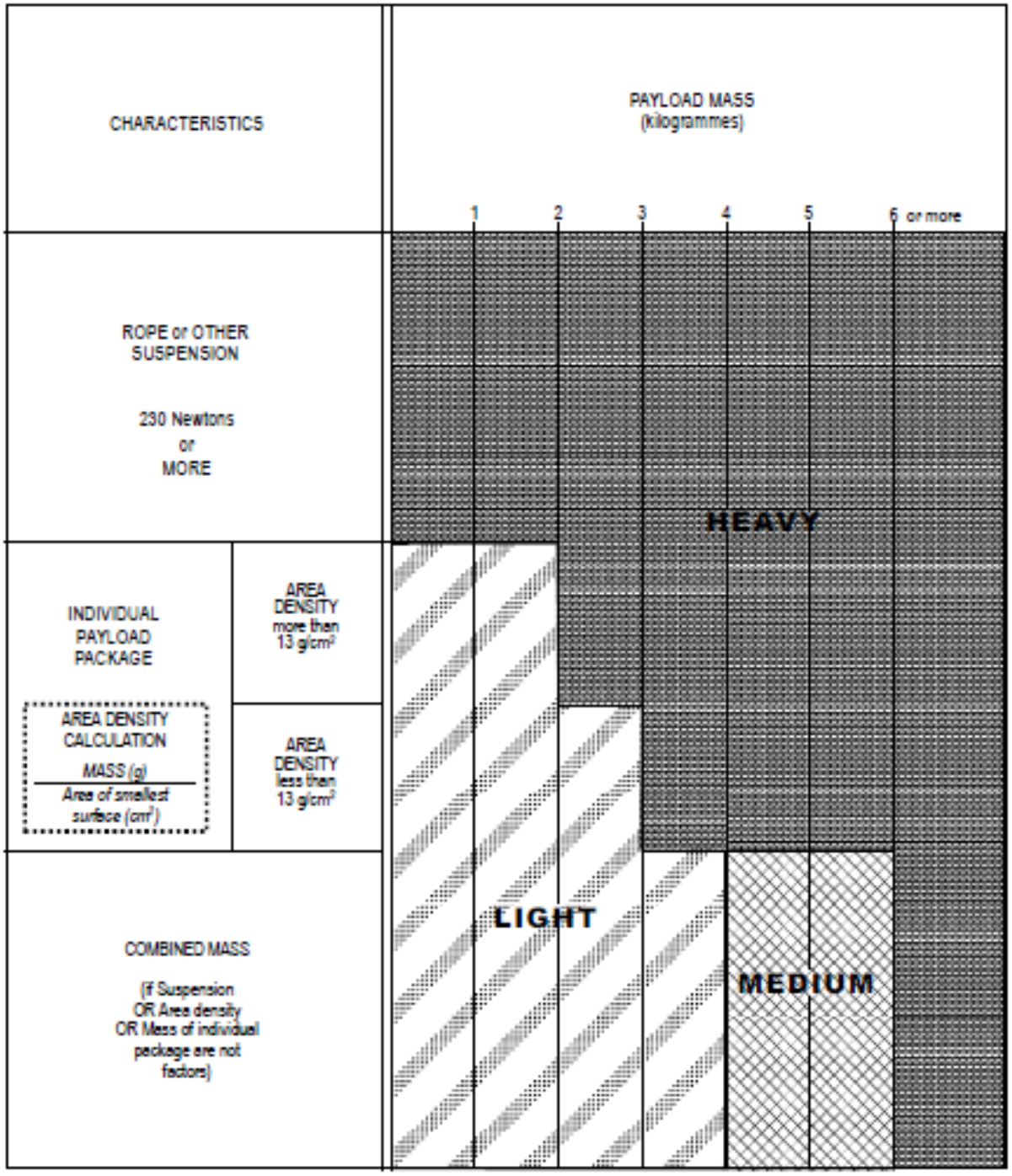

COMBINE LIGHT D MASS MEDIUM (if suspension or Area density OR of Individual packages are not factors)

2.5 An unmanned free balloon shall not be operated in such a manner that impact of the balloon, or any part thereof, including its payload, with the surface of the earth, creates a hazard to persons or property not associated with the operation.

2.6 A heavy unmanned free balloon shall not be operated over the high seas without prior coordination with the appropriate ATS authority.

3. Operating limitations and equipment requirements

3.1 A heavy unmanned free balloon shall not be operated without authorization from the appropriate ATS authority at or through any level below 18 000 m (60 000 ft) pressure-altitude at which:
a) There are clouds or obscuring phenomena of more than four oktas coverage; or b) the horizontal visibility is less than 8 km.

3.2 A heavy or medium unmanned free balloon shall not be released in a manner that will cause it to fly lower than
300 m (1 000 ft) over the congested areas of cities, towns or settlements or an open-air assembly of persons not associated with the operation.

3.3 A heavy unmanned free balloon shall not be operated unless:

a) it is equipped with at least two payload flight-termination devices or systems, whether automatic or operated by telecommand, that operate independently of each other;
b) for polyethylene zero-pressure balloons, at least two methods, systems, devices, or combinations thereof, that function independently of each other are employed for terminating the flight of the balloon envelope;
c) the balloon envelope is equipped with either a radar reflective device(s) or radar reflective material that will present an echo to surface radar operating in the 200 MHz to 2 700 MHz frequency range, and/or the balloon is equipped with such other devices as will permit continuous tracking by the operator beyond the range of ground-based radar.

3.4 A heavy unmanned free balloon shall not be operated under the following conditions:

a) in an area where ground-based SSR equipment is in use, unless it is equipped with a secondary surveillance radar transponder, with pressure-altitude reporting capability, which is continuously operating on an assigned code, or which can be turned on when necessary by the tracking station; or
b) in an area where ground-based ADS-B equipment is in use, unless it is equipped with an ADS-B transmitter, with pressure-altitude reporting capability, which is continuously operating or which can be turned on when necessary by the tracking station.

3.5 An unmanned free balloon that is equipped with a trailing antenna that requires a force of more than 230 N to break it at any point shall not be operated unless the antenna has coloured pennants or streamers that are attached at not more than 15 m intervals.

3.6 A heavy unmanned free balloon shall not be operated below 18 000 m (60 000 ft) pressurealtitude between sunset and sunrise or such other period between sunset and sunrise (corrected to the altitude of operation) as may be prescribed by the appropriate ATS authority, unless the balloon and its attachments and payload, whether or not they become separated during the operation, are lighted.

3.7 A heavy unmanned free balloon that is equipped with a suspension device (other than a highly conspicuously coloured open parachute) more than 15 m long shall not be operated between sunrise and sunset below 18 000 m (60 000 ft) pressure-altitude unless the suspension device is coloured in alternate bands of high conspicuity colours or has coloured pennants attached.

4. Termination

The operator of a heavy unmanned free balloon shall activate the appropriate termination devices required by 3.3 a) and b), above:

a) when it becomes known that weather conditions are less than those prescribed for the operation;

b) if a malfunction or any other reason makes further operation hazardous to air traffic or to persons
or property on the surface; or
c) prior to unauthorized entry into the airspace over another State's territory.

5. Flight Notification

5.1 Pre-flight notification

5.1.1 Early notification of the intended flight of an unmanned free balloon in the medium or heavy category shall be made to the appropriate air traffic services unit not less than seven days before the date of the intended flight.

5.1.2 Notification of the intended flight shall include such of the following information as may be required by the appropriate air traffic services unit:

a) balloon flight identification or project code name;
b) balloon classification and description;
c) SSR code, aircraft address or NDB frequency, as applicable;
d) operator's name and telephone number;
e) launch site;
f) estimated time of launch (or time of commencement and completion of multiple launches);
g) number of balloons to be launched and the scheduled interval between launches (if multiple launches);
h) expected direction of ascent;
i) cruising level(s) (pressure-altitude);
j) the estimated elapsed time to pass 18 000 m (60 000 ft) pressure-altitude or to reach cruising level if at or below
18 000 m (60 000 ft), together with the estimated location;
k) the estimated date and time of termination of the flight and the planned location of the impact/recovery area. In the case of balloons carrying out flights of long duration, as a result of which the date and time of termination of the flight and the location of impact cannot be forecast with accuracy, the term "long duration" shall be used.

5.1.3 Any changes in the pre-launch information notified in accordance with 5.1.2 above shall be forwarded to the air traffic services unit concerned not less than 6 hours before the estimated time of launch, or in the case of solar or cosmic disturbance investigations involving a critical time element, not less than 30 minutes before the estimated time of the commencement of the operation.

5.2 Notification of launch
Immediately after a medium or heavy unmanned free balloon is launched the operator shall notify the appropriate air traffic services unit of the following:

a) balloon flight identification;
b) launch site;
c) actual time of launch;
d) estimated time at which 18 000 m (60 000 ft) pressure-altitude will be passed, or the estimated time at which the cruising level will be reached if at or below 18 000 m (60 000 ft), and the estimated location; and
e) any changes to the information previously notified in accordance with 5.1.2 g) and h).

5.3 Notification of cancellation

The operator shall notify the appropriate air traffic services unit immediately when it is known that the intended flight of a medium or heavy unmanned free balloon, previously notified in accordance with 5.1, has been cancelled.

6. Position recording and reports

6.1 The operator of a heavy unmanned free balloon operating at or below 18 000 m (60 000 ft) pressure-altitude shall monitor the flight path of the balloon and forward reports of the balloon's position as requested by air traffic services. Unless air traffic services require reports of the balloon's position at more frequent intervals, the operator shall record the position every 2 hours.

6.2 The operator of a heavy unmanned free balloon operating above 18 000 m (60 000 ft) pressure-altitude shall monitor the flight progress of the balloon and forward reports of the balloon's position as requested by air traffic services. Unless air traffic services require reports of the balloon's position at more frequent intervals, the operator shall record the position every 24 hours.

6.3 If a position cannot be recorded in accordance with 6.1 and 6.2, the operator shall immediately notify the appropriate air traffic services unit. This notification shall include the last recorded position. The appropriate air traffic services unit shall be notified immediately when tracking of the balloon is re-established.

6.4 One hour before the beginning of planned descent of a heavy unmanned free balloon, the operator shall forward to the appropriate ATS unit the following information regarding the balloon:

a) the current geographical position;
b) the current level (pressure-altitude)
c) the forecast time of penetration of 18 000 m (60 000 ft) pressure-altitude, if applicable;
d) the forecast time and location of ground impact.

6.5 The operator of a heavy or medium unmanned free balloon shall notify the appropriate air traffic services unit when the operation is ended.

APPENDIX 1 TO 40.085 LIGHTS TO BE DISPLAYED BY AEROPLANES

1. Terminology

When the following terms are used in this Appendix, they have the following meanings:

Angles of coverage.

a) Angle of coverage A is formed by two intersecting vertical planes making angles of 70 degrees to the right and 70 degrees to the left respectively, looking aft along the longitudinal axis to a vertical plane passing through the longitudinal axis.
b) Angle of coverage F is formed by two intersecting vertical planes making angles of 110 degrees to the right and 110 degrees to the left respectively, looking forward along the longitudinal axis to a vertical plane passing through the longitudinal axis.
c) Angle of coverage L is formed by two intersecting vertical planes, one parallel to the longitudinal axis of the aeroplane, and the other 110 degrees to the left of the first, when looking forward along the longitudinal axis.
d) Angle of coverage R is formed by two intersecting vertical planes, one parallel to the longitudinal axis of the aeroplane, and the other 110 degrees to the right of the first, when looking forward along the longitudinal axis.

Horizontal plane. The plane containing the longitudinal axis and perpendicular to the plane of symmetry of the aeroplane.
Longitudinal axis of the aeroplane. A selected axis parallel to the direction of flight at a normal cruising speed, and passing through the centre of gravity of the aeroplane.
Making way. An aeroplane on the surface of the water is “making way” when it is under way and has a velocity relative to the water.
Under command. An aeroplane on the surface of the water is “under command” when it is able to execute manoeuvres as required by the International Regulations for Preventing Collisions at Sea for the purpose of avoiding other vessels.
Under way. An aeroplane on the surface of the water is “under way” when it is not aground or moored to the ground or to any fixed object on the land or in the water.
Vertical planes. Planes perpendicular to the horizontal plane.
Visible. Visible on a dark night with a clear atmosphere.

2. Navigation lights to be displayed in the air

As illustrated in Figure 1, the following unobstructed navigation lights shall be displayed

a) A red light projected above and below the horizontal plane through angle of coverage L;
b) A green light projected above and below the horizontal plane through angle of coverage R;
c) A white light projected above and below the horizontal plane rearward through angle of coverage A.

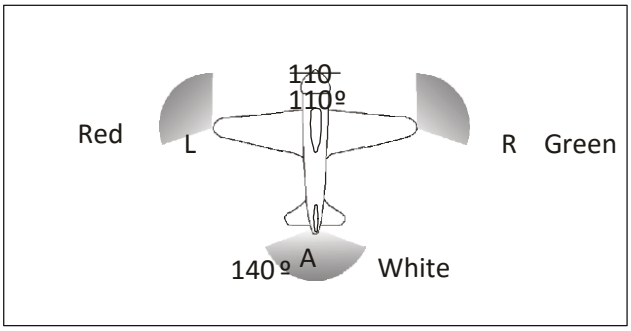

Figure 1

3. Lights to be displayed on the water

3.1 General

The International Regulations for Preventing Collisions at Sea require different lights to be displayed in each of the following circumstances:

a) when under way;
b) when towing another vessel or aeroplane;
c) when being towed;
d) when not under command and not making way;
e) when making way but not under command;
f) when at anchor;
g) when aground.

The lights required by aeroplanes in each case are described below.

3.2 When under way

As illustrated in Figure 2, the following appearing as steady unobstructed lights:

a) a red light projected above and below the horizontal through angle of coverage
b) a green light projected above and below the horizontal through angle of coverage R;
c) a white light projected above and below the horizontal through angle of coverage A; and
d) a white light projected through angle of coverage F.

The lights described in 3.2 a), b) and c) should be visible at a distance of at least 3.7 km (2 NM). The light described in 3.2 d)
should be visible at a distance of 9.3 km (5 NM) when fitted to an aeroplane of 20 m or more in length or visible at a distance of
5.6 km (3 NM) when fitted to an aeroplane of less than 20 m in length.

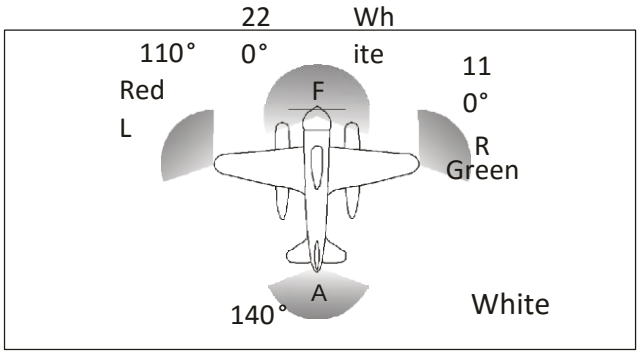

Figure 2

3.3 When towing another vessel or aeroplane

As illustrated in Figure 3, the following appearing as steady, unobstructed lights:

a) the lights described in 3.2;
b) a second light having the same characteristics as the light described in 3.2 d) and mounted in a vertical line at least 2 m above or below it; and
c) a yellow light having otherwise the same characteristics as the light described in 3.2 c) and mounted in a vertical line at least 2 m above it.

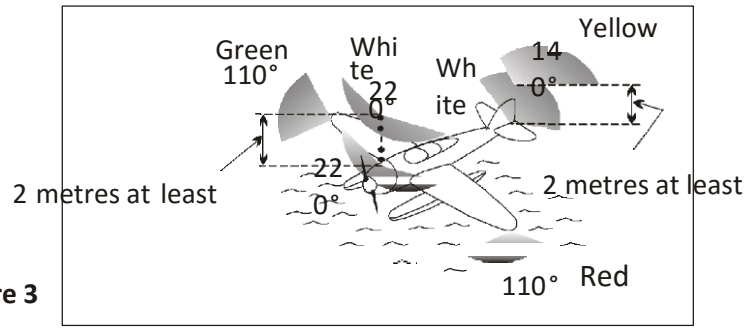

Figure 3

3.4 When being towed
The lights described in 3.2 a), b) and c) appearing as steady, unobstructed lights.

3.5 When not under command and not making way.
As illustrated in Figure 4, two steady red lights placed where they can best be seen, one vertically over the other and not less than 1 m apart, and of such a character as to be visible all around the horizon at a distance of at least 3.7 km (2 NM).

3.6 When making way but not under command

As illustrated in Figure 5, the lights described in 3.5 plus the lights described in 3.2 a), b) and c).

Note.— The display of lights prescribed in 3.5 and 3.6 is to be taken by other aircraft as signals that the aeroplane showing them is not under command and cannot therefore get out of the way. They are not signals of aeroplanes in distress and requiring assistance.

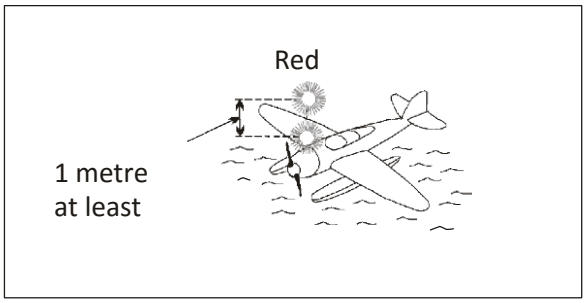

Figure 4

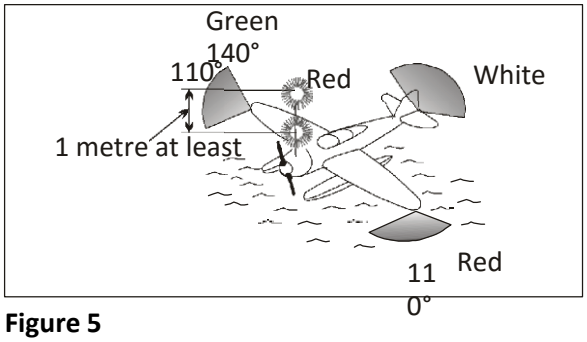

Figure 5

3.7 When at anchor

a) If less than 50 m in length, where it can best be seen, a steady white light (Figure 6), visible all around the horizon at a distance of at least 3.7 km (2 NM).
b) If 50 m or more in length, where they can best be seen, a steady white forward light and a steady white rear light (Figure 7) both visible all around the horizon at a distance of at least 5.6 km (3 NM).

c) If 50 m or more in span a steady white light on each side (Figures 8 and 9) to indicate the maximum span and visible, so far as practicable, all around the horizon at a distance of at least 1.9 km (1 NM).

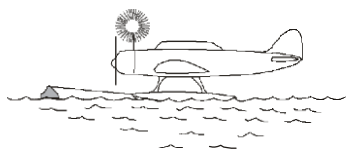

Figure 6

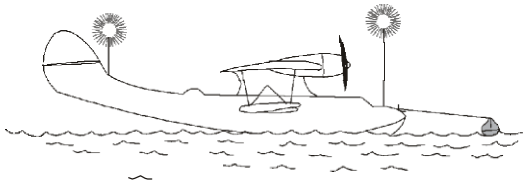

Figure 7

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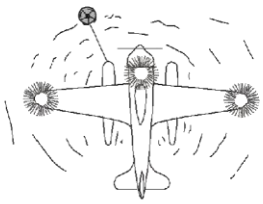

Figure 8 Less than 50 metres in length; 50 metres or more in span

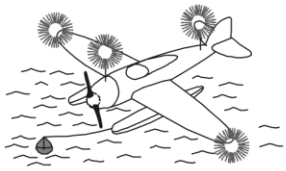

Figure 9 50 metres or more in length; 50 metres or more in span

3.8 When aground

The lights prescribed in 3.7 and in addition two steady red lights in vertical line, at least 1 m apart so placed as to be visible all around the horizon.

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APPENDIX 1 TO 40.055 TABLE OF CRUISING LEVELS -NON RVSM AIRSPACE

b) in other areas:

TRACK*											
From 000 degrees to 179 degrees**						From 180 degrees to 359 degrees**					
IFR Flights Altitude			VFR Flights Altitude			IFR Flights Altitude			VFR Flights Altitude		
FL	Metres	Feet	FL	Metres	Feet	FL	Metres	Feet	FL	Metres	Feet
-90			–	–	–	0			–	–	–
10	300	1 000	–	–	–	20	600	2 000	–	–	–
30	900	3 000	35	1 050	3 500	40	1 200	4 000	45	1 350	4 500
50	1 500	5 000	55	1 700	5 500	60	1 850	6 000	65	2 000	6 500
70	2 150	7 000	75	2 300	7 500	80	2 450	8 000	85	2 600	8 500
90	2 750	9 000	95	2 900	9 500	100	3 050	10 000	105	3 200	10 500
110	3 350	11 000	115	3 500	11 500	120	3 650	12 000	125	3 800	12 500
130	3 950	13 000	135	4 100	13 500	140	4 250	14 000	145	4 400	14 500
150	4 550	15 000	155	4 700	15 500	160	4 900	16 000	165	5 050	16 500
170	5 200	17 000	175	5 350	17 500	180	5 500	18 000	185	5 650	18 500
190	5 800	19 000	195	5 950	19 500	200	6 100	20 000	205	6 250	20 500
210	6 400	21 000	215	6 550	21 500	220	6 700	22 000	225	6 850	22 500
230	7 000	23 000	235	7 150	23 500	240	7 300	24 000	245	7 450	24 500
250	7 600	25 000	255	7 750	25 500	260	7 900	26 000	265	8 100	26 500
270	8 250	27 000	275	8 400	27 500	280	8 550	28 000	285	8 700	28 500
290	8 850	29 000	300	9 150	30 000	310	9 450	31 000	320	9 750	32 000
330	10 050	33 000	340	10 350	34 000	350	10 650	35 000	360	10 950	36 000
370	11 300	37 000	380	11 600	38 000	390	11 900	39 000	400	12 200	40 000
410	12 500	41 000	420	12 800	42 000	430	13 100	43 000	440	13 400	44 000
450	13 700	45 000	460	14 000	46 000	470	14 350	47 000	480	14 650	48 000
490	14 950	49 000	500	15 250	50 000	510	15 550	51 000	520	15 850	52 000
etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.	etc.

* Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.

** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.

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APPENDIX 1 TO 40.195 SIGNALS

TABLE 2 - SIGNALS INITIATED BY INTERCEPTING AIRCRAFT AND RESPONSES BY INTERCEPTED AIRCRAFT

	INTERCEPTING AIRCRAFT SIGNALS	MEANING	INTERCEPTED AIRCRAFT RESPONDS	MEANING
1.	DAY or NIGHT • Rocking aircraft and flashing navigational lights at irregular intervals (and landing lights in the case of a helicopter) from a position slightly above and ahead of, and normally to the left of, the intercepted aircraft (or to the right if the intercepted aircraft is a helicopter) and, after acknowledgement, a slow level turn, normally to the left, (or to the right in the case of a helicopter) on the desired heading. **Note 1**. • Meteorological conditions or terrain may require the intercepting aircraft to reverse the positions and direction of turn given above in Series 1. **Note 2**. • If the intercepted aircraft is not able to keep pace with the intercepting aircraft, the latter is expected to fly a series of race-track patterns and to rock the aircraft each time it passes the intercepted aircraft.	You have been intercepted. Follow me.	DAY or NIGHT - Rocking aircraft. Flashing navigational lights at irregular intervals and following.	Understood. will comply
2.	DAY or NIGHT • An abrupt break-away maneuver from the intercepted aircraft consisting of a climbing turn of 90 degrees or more without crossing the line of flight of the intercepted aircraft.	You may proceed.	DAY or NIGHT - Rocking the aircraft.	Understood, will comply.

3.	DAY or NIGHT • Lowering landing gear (if fitted), showing steady landing lights and overflying runway in use or, if the intercepted aircraft is a helicopter, overflying the helicopter landing area. In the case of helicopters, the intercepting helicopter makes a landing approach, coming to hover near to the landing area.	Land at this aerodrome	DAY or NIGHT - Lowering landing gear (if fitted), showing steady landing lights and following the intercepting aircraft and, if, after overflying the runway in use or helicopter landing area, landing is considered safe, proceeding to land.	Understood, will comply

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TABLE 3;- SIGNALS INITIATED BY INTERCEPTED AIRCRAFT AND RESPONSES BY INTERCEPTING AIRCRAFT				
SERIES	**INTERCEPTED AIRCRAFT SIGNALS**	**MEANING**	**INTERCEPTING AIRCRAFT RESPONSE**	**MEANING**
4.	DAY or NIGHT • Raising landing gear (if fitted) and flashing landing lights while passing over runway in use or helicopter landing area at a height exceeding 300 m (1,000 ft) but not exceeding 600 m (2,000 ft) (in the case of a helicopter, at a height exceeding 50 m (170 ft) but not exceeding 100 m (330 ft) above the aerodrome level, and continuing to circle runway in use or helicopter landing area. If unable to flash landing lights, flash any other lights available.	Aerodrome you have designated is inadequate.	DAY or NIGHT • If it is desired that the intercepted aircraft follow the intercepting aircraft to an alternate aerodrome, the intercepting aircraft raises its landing gear (if fitted) and uses he Series 1 signals prescribed for intercepting aircraft. If it is decided to release the incepted aircraft. the intercepting aircraft uses the Series 2 signals prescribed for intercepting aircraft.	Understood, Follow me. Understood, You may proceed.
5.	DAY or NIGHT • Regular switching on and off of all available lights but in such a manner as to be distinct from flashing lights.	Cannot comply	DAY or NIGHT • Use Series 2 signals prescribed for intercepting aircraft.	Understood
6.	DAY or NIGHT • Irregular flashing of all available lights	In distress	DAY or NIGHT • Use Series 2 signals prescribed for intercepting aircraft.	Understood

APPENDIX 1 TO 40.205 LIGHT AND PYROTECHNIC SIGNALS FROM AERODROME CONTROL

Light		From Aerodrome control to:	
		Aircraft in flight	Aircraft on the ground
Directed towards aircraft concerned	Steady green	x	Cleared for takeoff
	Steady red`	x Cleared to land	Stop
	Series of green flashes	x Give way to other aircraft and continue circling	Cleared to taxi
	Series of red flashes	x Return for landing*	Taxi clear of landing area in use
	Series of white flashes	x Aerodrome unsafe, do not land	Return to starting point on the aerodrome
Red pyrotechnic		Land at this aerodrome and proceed to apron*	
		withstanding any vious instructions, do land for the time being	
* Clearances to land and to taxi will be given in due course.			

APPENDIX 1 TO 40.215 MARSHALLING SIGNALS PILOT TO GROUND SIGNALMAN

Description of Signal	Meaning of Signal
(a) Raise arm and hand with fingers extended horizontal in front of face, then clench fist	Brakes engaged.
(b) Raise arm with fist clenched horizontally in front of face, then extend fingers.	Brakes released.
(c) Arms extended palms facing outwards, move hands inwards to cross in front of face.	Insert chocks.
(d) Hands crossed in front of face, palms facing outwards, move arms outwards.	Remove chocks
(e) Raise the number of fingers on the hand indicating the number of the engine to be started. For this purpose the aircraft engines shall be numbered in relation to the marshaller facing the aircraft, from his right to his left, for example No. 1 engine shall be the port outer engine, number 2 engine shall be the port inner engine, number 3 engine shall be the starboard inner engine and number 4 engine shall be the starboard outer engine.	Ready to start engine.

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APPENDIX 1 TO 40.300 PHRASES AND PRONUNCIATIONS USED DURING INTERCEPTION

PHRASES FOR USE BY INTERCEPTING AIRCRAFT			**PHRASES FOR USE BY INTERCPTED AIRCRAFT**		
PHRASE	PRONUNCIATION	MEANING	PHRASE	PRONUNCIATION	MEANING
CALL SIGN	KOL-SAIN	What is your call sign?	CALL SIGN (call sign)[2]	KOL SA-IN (call sign)	My call sign is (call sign)
FOLLOW	FOL-LO	Follow me	WILCO WILL COMPLY	VILL-KO	Understood
DESEND	DEE-SEND	Descend for landing	CAN NOT	KANN NOTT	Unable to Comply
YOU LAND	YOU LAND	Land at this Aerodrome	REPEAT	REE-PEET	Repeat your instruction
PROCEED	PRO-SEED	You may proceed	AM LOST	AM LOSST	Position unknown
			MAYDAY	MAYDAY	I am in distress
			HI-JACK[3]	HI-JACK	I have been hi-jacked
			LAND (place name)	LAAND (place name)	I request to land at (place name)
			DESCEND	DEE-SEND	I require descent

APPENDIX 1 TO 40.315 CLASSIFICATION OF ATS AIRSPACES

Class	*Type of flight*	*Separation provided*	*Service provided*	*VMC visibility and distance from cloud minima*	*Speed limitation**	*Radio communication requirement*	*Subject to an ATC clearance*
A	IFR only	All aircraft	Air traffic control service	Not applicable	Not applicable	Continuous two-way	Yes
B**	IFR	All aircraft	Air traffic control service	Not applicable	Not applicable	Continuous two-way	Yes
	VFR	All aircraft	Air traffic control service	8 KM at and above 3 050 M (10 000 FT) AMSL 5 KM below 3 050 M (10 000 FT) AMSL Clear of clouds	Not applicable	Continuous two-way	Yes
C**	IFR	IFR from IFR IFR from VFR	Air traffic control service	Not applicable	Not applicable	Continuous two-way	Yes
	VFR	VFR from IFR	1) Air traffic control service for separation from IFR; 2) VFR/VFR traffic information (and traffic avoidance advice on request)	8 KM at and above 3 050 M (10 000 FT) AMSL 5 KM below 3 050 M (10 000 FT) AMSL 1 500 M horizontal; 300 M vertical distance from cloud	250 KT IAS below 3 050 M (10 000 FT) AMSL	Continuous two-way	Yes
D	IFR	IFR from IFR	Air traffic control service including traffic information about VFR flights (and traffic avoidance advice on request)	Not applicable	250 KT IAS below 3 050 M (10 000 FT) AMSL	Continuous two-way	Yes
	VFR	Nil	Traffic information between VFR and IFR flights (and traffic avoidance advice on request)	8 KM at and above 3 050 M (10 000 FT) AMSL 5 KM below 3 050 M (10 000 FT) AMSL 1 500 M horizontal; 300 M vertical distance from cloud	250 KT IAS below 3 050 M (10 000 FT) AMSL	Continuous two-way	Yes
E**	IFR	IFR from IFR	Air traffic control service and traffic information about VFR flights as far as practical	Not applicable	250 KT IAS below 3 050 M (10 000 FT) AMSL	Continuous two-way	Yes
	VFR	Nil	Traffic information as far as practical	8 KM at and above 3 050 M (10 000 FT) AMSL 5 KM below 3 050 M (10 000 FT) AMSL 1 500 M horizontal; 300 M vertical distance from cloud	250 KT IAS below 3 050 M (10 000 FT) AMSL	No	No
F**	IFR	IFR from IFR as far as practical	Air traffic advisory service; flight information service	Not applicable	250 KT IAS below 3 050 M (10 000 FT) AMSL	Continuous two-way	No
	VFR	Nil	Flight information service	8 KM at and above 3 050 M (10 000 FT) AMSL 5 KM below 3 050 M (10 000 FT) AMSL 1 500 M horizontal; 300 M vertical distance from cloud At and below 900 M AMSL or 300 M above terrain whichever is higher - 5 KM, clear of cloud and in sight of ground or water	250 KT IAS below 3 050 M (10 000 FT) AMSL	No	No
G	IFR	Nil	Flight information service	Not applicable	250 KT IAS below 3 050 M (10 000 FT) AMSL	Continuous two-way	No
	VFR	Nil	Flight information service	8 KM at and above 3 050 M (10 000 FT) AMSL 5 KM below 3 050 M (10 000 FT) AMSL 1 500 M horizontal; 300 M vertical distance from cloud At and below 900 M AMSL or 300 M above terrain whichever is higher - 5 KM, clear of cloud and in sight of ground or water	250 KT IAS below 3 050 M (10 000 FT) AMSL	No	No

** Classes of airspace B, E and F are not used in Kigali FIR.

* When the height o the transition altitude is lower than 3050 m (10 000 FT) AMSL, FL100 should be used in lieu of 10 000 FT.

APPENDIX 1 TO 40.340 VMC VISIBILITY AND DISTANCE FROM CLOUD MINIMA

Altitude band	Airspace class	Flight visibility	Distance from cloud
At and above 3 050 m (10 000 ft) AMSL	A* B ***C D E*** F*** G	8 km	1,500 m horizontally 300 m (1,000 ft) vertically
Below 3050 m (10000 ft) AMSL and above 900 m (3 000 ft) AMSL, or above 300 m (1 000 ft) above terrain, whichever is the higher	A*B*** C D E*** F*** G	5 km	1,500 m horizontally 300 m (1,000 ft) vertically
At and below 900 m (3 000 ft) AMSL, or 300 m (1 000 ft) above terrain, whichever is the higher	A*B*** C D E ***	5 km	1,500 m horizontally 300 m (1,000 ft) vertically
	F*** G	5 km**	Clear of cloud and with the surface in sight

The VMC minima in Class A airspace are included for guidance to pilots and do not imply acceptance
of VFR flights in Class A airspace.
** When so prescribed by the appropriate air traffic services authority:
a) flight visibilities reduced to not less than 1,500 m may be permitted for flights operating:
1) at speeds that, in the prevailing visibility, will give adequate opportunity to observe other traffic
or any obstacles in time to avoid collision; or
71
2) in circumstances in which the probability of encounters with other traffic would normally be
low, e.g. in areas of low volume traffic and for aerial work at low levels;
b) helicopters may be permitted to operate in less than 1,500 m flight visibility, if manoeuvred at a speed
that will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision.

***Classes of airspace B, E and F are not used in Kigali Flight Information Region

APPENDIX 1 TO 40.375 TABLES OF CRUISING LEVELS –RVSM AIRSPACE

a) in areas where, on the basis of regional air navigation agreements and in accordance with conditions specified therein, a vertical separation minimum (VSM) of 300 m (1 000 ft) is applied between FL 290 and FL 410 inclusive:*

TRACK**											
From 000 degrees to 179 degrees***						From 180 degrees to 359 degrees***					
IFR Flights Altitude			VFR Flights Altitude			IFR Flights Altitude			VFR Flights Altitude		
FL	Metres	Feet	FL	Metres	Feet	FL	Metres	Feet	FL	Metres	Feet
–90			–	–	–	0			–	–	–
10	300	1 000	–	–	–	20	600	2 000	–	–	–
30	900	3 000	35	1 050	3 500	40	1 200	4 000	45	1 350	4 500
50	1 500	5 000	55	1 700	5 500	60	1 850	6 000	65	2 000	6 500
70	2 150	7 000	75	2 300	7 500	80	2 450	8 000	85	2 600	8 500
90	2 750	9 000	95	2 900	9 500	100	3 050	10 000	105	3 200	10 500
110	3 350	11 000	115	3 500	11 500	120	3 650	12 000	125	3 800	12 500
130	3 950	13 000	135	4 100	13 500	140	4 250	14 000	145	4 400	14 500
150	4 550	15 000	155	4 700	15 500	160	4 900	16 000	165	5 050	16 500
170	5 200	17 000	175	5 350	17 500	180	5 500	18 000	185	5 650	18 500
190	5 800	19 000	195	5 950	19 500	200	6 100	20 000	205	6 250	20 500
210	6 400	21 000	215	6 550	21 500	220	6 700	22 000	225	6 850	22 500
230	7 000	23 000	235	7 150	23 500	240	7 300	24 000	245	7 450	24 500
250	7 600	25 000	255	7 750	25 500	260	7 900	26 000	265	8 100	26 500
270	8 250	27 000	275	8 400	27 500	280	8 550	28 000	285	8 700	28 500
290	8 850	29 000				300	9 150	30 000			
310	9 450	31 000				320	9 750	32 000			
330	10 050	33 000				340	10 350	34 000			
350	10 650	35 000				360	10 950	36 000			
370	11 300	37 000				380	11 600	38 000			
390	11 900	39 000				400	12 200	40 000			
410	12 500	41 000				430	13 100	43 000			
450	13 700	45 000				470	14 350	47 000			
490	14 950	49 000				510	15 550	51 000			
etc.	etc.	etc.				etc.	etc.	etc.			

* Except when, on the basis of regional air navigation agreements, a modified table of cruising levels based on a nominal vertical separation minimum of 300 m (1 000 ft) is prescribed for use, under specified conditions, by aircraft operating above FL 410 within designated portions of the airspace.

** Magnetic track, or in polar areas at latitudes higher than 70 degrees and within such extensions to those areas as may be prescribed by the appropriate ATS authorities, grid tracks as determined by a network of lines parallel to the Greenwich Meridian superimposed on a polar stereographic chart in which the direction towards the North Pole is employed as the Grid North.

*** Except where, on the basis of regional air navigation agreements, from 090 to 269 degrees and from 270 to 089 degrees is prescribed to accommodate predominant traffic directions and appropriate transition procedures to be associated therewith are specified.

END OF RCAR PART 40

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri nº01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri nº 04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order nº01/CAB.M/019 of 06/02/2019 amending Ministerial Order nº04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel nº01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel nº04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux