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ITEKA RYA PEREZIDA N° 60/01 RYO KU WA 20/10/2008 RIGENA AMABWIRIZA AGENGA IBY'INDEGE ZA GISIVILI MU RWANDA

Twebwe KAGAME Paul,
Perezida wa Repubulika;

Dushingiye ku Itegeko Nshinga rya Repubulika y'u Rwanda ryo ku wa 04 Kamena 2003, nk'uko ryavugururwe kugeza ubu, cyane cyane mu ngingo zaryo, iya 112, 113, 121 n'ya 201;

Dushingiye ku Itegeko ryo ku wa 23/01/1971 rigenga iby'indege za gisivile nk'uko ryavugururwe kandi rikuzuzwa kugeza ubu;

Dushingiye ku Itegeko n° 44/2006 ryo ku wa 05/10/2006 rigena Inshingano, Imiterere n'Imikorere by'Ikigo cy'Igihugu Gishinzwe iby'Indege za Gisivili (RCAA);

Tumaze kubona ko amasezerano Mpuzamahanga mu by'indege za Gisivili y'i Chicago yo ku wa 07 Ukuboza 1944 nk'uko yemejwe n'Itegeko ry'Ababiligi ryo ku wa 30/04/1944;

Tubisabwe na Minisitiri w'Ibikorwa Remezo;

Inama y'Abaminisitiri imaze kubisuzuma no kubyemeza mu nama yayo yo kuwa 20/02/2008;

TWATEGETSE KANDI DUTEGETSE:

PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

We KAGAME Paul,
The President of the Republic;

Pursuant to the Constitution of the Republic of Rwanda of 04 June, 2003 as amended to date, especially in Articles 112, 113, 121 and 201;

Pursuant to Law of 23/01/1971 establishing Regulations governing civil aviation as amended to date;

Pursuant to Law n° 44/2006 of 05/10/2006 determining the responsibilities, organization and functioning of Rwanda Civil Aviation Authority (RCAA);

Considering to the Convention on International Civil Aviation (Chicago Convention) of 7 December 1944 as approved by Belgian law of April 30, 1944 ;

Upon proposal by the Minister of Infrastructure;

After consideration and adoption by Cabinet, in its session of 20/02/2008;

HAVE ORDERED AND HEREBY ORDER:

ARRETE PRESIDENTIEL N° 60/01 DU 20/10/2008 RELATIF A LA REGLEMENTATION DE L'AVIATION CIVILE AU RWANDA

Nous, KAGAME Paul,
Président de la République ;

Vu la Constitution de la République du Rwanda du 4 juin 2003, telle que révisée à ce jour, spécialement en ses articles 112, 113, 121 et 201;

Vu la loi du 23/01/1971 portant réglementation de l'aviation civile telle que modifiée et complétée à ce jour;

Vu la loi n° 44/2006 du 05/10/2006 portant attribution, organisation et fonctionnement de l'Office Rwandais de l'Aviation Civile (RCAA) ;

Considérant la Convention de Chicago sur l'Aviation Civile Internationale du 7 Décembre 1944 telle qu'approuvée par la loi Belge du 30/04/1944;

Sur proposition du Ministre des Infrastructures;

Après examen et adoption par le Conseil des Ministres, dans sa séance du 20/02/2008;

AVONS ARRETE ET ARRETONS:

Ingingo ya mbere: Impamvu y'iri Teka

Iri teka rigena amabwiriza agenga iby'indege za gisivili mu Rwanda.

Ingingo ya 2: Amabwiriza agenwa

Amabwiriza agenga iby'indege za Gisivili mu Rwanda agenwa n'iri Teka , kimwe n'Ibiyakubiyemo biri ku mugereka ku buryo bukurikira:

- (1) Ingingo rusange (Umugereka wa I),
- (2) Imigurukire y'indege (Umugereka wa II),
- (3) Amagaragi yemerewe gutunganya indege (Umugereka wa III),
- (4) Iyandikwa n'Ubwenegihugu by'indege (Umugereka wa IV),
- (5) Iyangombwa bihabwa abakozi mu by'indege (Umugereka wa V),
- (6) Imikoreshereze y'ikirere no kugenzura imigendere y' indege mu kirere (Umugereka wa VI),
- (7) Ibyuma n'ibindi bikoresho birebana no kuyobora indege (Umugereka wa VII),
- (8) Kumanuka no kumanura ibintu mu ndege iri mu kirere (Umugereka wa VIII),
- (9) Ibyemezo n'Ubutegetsi (Umugereka wa IX),
- (10) Imikoreshereje y'indege (Umugereka wa X),

Article One: Objective of this Order

The objective of this Order is to provide for Regulations governing the civil aviation in Rwanda.

Article 2: Applicable Regulations

This Order shall provide for Regulations governing civil aviation in Rwanda contained in the annexes to this Order as here below:

- (1) General Provisions (Annex I),
- (2) Airworthiness (Annex II),
- (3) Approved Maintenance Organization (Annex III),
- (4) Aircraft Registration and Marking (Annex IV),
- (5) Personnel licensing (Annex V),
- (6) Rules of the Air and Air Traffic Control (Annex VI),
- (7) Instrument and Equipment (Annex VII),
- (8) Parachute (Annex VIII),
- (9) Air Operator Certification and Administration (Annex IX),
- (10) Operation of Aircraft (X),

Article premier : Objet du présent arrêté.

Le présent arrêté a pour objet la détermination des Règlements de l'Aviation Civile au Rwanda.

Article 2 : Les règlements adoptés.

Les Règlements de l'aviation civile au Rwanda adoptés dans le cadre du présent arrêté et dont les contenus sont en annexe sont les suivants :

- (1) Dispositions Générales (Annexe I),
- (2) Navigabilité des Aéronefs (Annexe II)
- (3) Organisme de maintenance agréé (Annexe III),
- (4) Immatriculation et Nationalité des Aéronefs (Annexe IV),
- (5) Licence du Personnel Aéronautique (Annexe V),
- (6) Règles de l'Air et Contrôle de la circulation aérienne (Annexe VI),
- (7) Instruments et Equipements (Annexe VII),
- (8) Parachutage (Annexe VIII),
- (9) Certificats des opérateurs d'aéronefs (Annexe IX),
- (10) Exploitation Technique des Aéronefs (Annexe X),

(11) Imirimo yo mu kirere hakoreshejwe indege (Umugereka wa XI),	(11) Aerial Work (XI),	(11) Services Aériens (Annexe XI),
(12) Ibigo byigisha iby'indege (Umugereka wa XII),	(12) Approved Training Organizations (XII),	(12) Institutions de formations aéronautiques agréées (Annexe XII),
(13) Ibibuga by'indege za gisivile (Umugereka wa XIII),	(13) Aerodrome (Annex XIII),	(13) Aérodomes civils (Annexe XIII),
(14) Amakompanyi y'indege z'inyamahanga akora imirimo y'ubucuruzi mu gihugu no hanze yacyo (Umugereka wa XIV),	(14) Commercial Air Transport operations by foreign Air Operator in and out of Rwanda (XIV),	(14) Opérations de transport commercial aérien par des opérateurs étrangers à l'intérieur et à l'extérieur du pays (Annexe XIV),
(15) Imisoro n'amahoro mu by'indege (Umugereka wa XV),	(15) Fees and Charges (Annex XV)	(15) Droits et Redevances dans le domaine aéronautiques (Annexe XV),
(16) Gushakisha no gutabara indege iri mu kaga (Umugereka wa XVI),	(16) Search and Rescue (Annex XVI),	(16) 16. Recherche et Secourisme (Annexe XVI),
(17) Anketi n'iperereza ku mpanuka n'ibindi byago by'indege (Umugereka wa XVII),	(17) Aircraft Accident and Incident Investigation (Annex XVII),	(17) Enquêtes ou Investigations sur les Accidents et Incidents d'Aviation (Annexe XVII),
(18) Umutekano w'indege n'abantu (Umugereka wa XVIII),	(18) Security (Annex XVIII) and	(18) Sûreté de l'Aviation Civile (Annexe XVIII),
(19) Uruhushya rwo gutwara ibintu mu ndege (Umugereka wa XIX).	(19) Licensing of Air Services (Annex XIX).	(19) Autorisation de transport Aérien (Annexe X IX).

Ingingo ya 3: Abashinzwe kubahiriza iri Teka

Minisitiri w'Intebe, Minisitiri w'Ibikorwa Remezo, Minisitiri w'Imari n'Igenamigambi, Minisitiri w'Ingabo, Minisitiri w'Umutekano mu Gihugu na Minisitiri w'Abakozi ba Leta n'Umurimo basabwe kubahiriza iri Teka.

Article 3: Authorities responsible for the implementation of this Order

The Prime Minister, the Minister of infrastructure, the Minister of Finance and Economic Planning, the Minister of Defense, the Minister of Internal Security and the Minister of Public Service and Labour are entrusted with the implementation of this Order.

Article 3: Autorités chargées de l'exécution du présent arrêté

Le Premier Ministre, le Ministre des Infrastructures, le Ministre des Finances et de la Planification Economique, le Ministre de la Défense, le Ministre de la Sécurité Intérieure et le Ministre de la Fonction publique et du Travail sont chargés de l'exécution du présent arrêté

Ingingo ya 4: Ivanwaho ry’ingingo zinyuranyije n’iri Teka

Ingingo zose z’ amateka abanziriza iri kandi zinyuranyije naryo zivanyweho.

Ingingo ya 5: Igihe Iteka ritangira gukurikizwa

Iri teka ritangira gukurikizwa ku munsu ritangarijweho mu Igazeti ya Leta ya Repubulika y’u Rwanda

Kigali, ku wa 20/10/2008

Perezida wa Repubulika
KAGAME Paul
(sé)

Minisitiri w’Intebe
MAKUZA Bernard
(sé)

Minisitiri w’Ibikorwa Remezo
BIHIRE Linda
(sé)

Minisitiri w’Imari n’Igenamigambi
MUSONI James
(sé)

Minisitiri w’Ingabo
Général GATSINZI Marcel
(sé)

Article 4: Repealing of inconsistent provisions

All prior provisions contrary to this Order are hereby repealed

Article 5: Commencement

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

Kigali, on 20/10/2008

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defense
Général GATSINZI Marcel
(sé)

Article 4 : Disposition abrogatoire.

Toutes les dispositions antérieures contraires au présent arrêté sont abrogées.

Article 5 : Entrée en vigueur

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

Kigali, le 20/10/2008

Le Président de la République
KAGAME Paul
(sé)

Le Premier Ministre
MAKUZA Bernard
(sé)

Le Ministre des Infrastructures
BIHIRE Linda
(sé)

Le Ministre des Finances et de la Planification
Economique
MUSONI James
(sé)

Le Ministre de la Défense
Général GATSINZI Marcel
(sé)

Minisitiri w'Umutekano mu Gihugu
Sheikh HARELIMANA Mussa Fazil
(sé)

The Minister of Internal Security
Sheikh HARELIMANA Mussa Fazil
(sé)

Le Ministre de la Sécurité Intérieure
Sheikh HARELIMANA Mussa Fazil
(sé)

Minisitiri w'Abakozi ba Leta, n'Umurimo
MUREKEZI Anastase
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Le Ministre de la Fonction Publique et du Travail
MUREKEZI Anastase
(sé)

**Bibonywe kandi bishyizweho Ikirango cya
Repubulika :**

Seen and sealed with the Seal of the Republic:

Vu et scellé du Sceau de la République

Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta
KARUGARAMA Tharcisse
(sé)

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

Ministre de la Justice/Garde des Sceaux
KARUGARAMA Tharcisse
(sé)

**ANNEX I TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA
CIVIL AVIATION REGULATIONS**

RWANDA CIVIL AVIATION (GENERAL PROVISIONS) REGULATIONS, 2008

Arrangement of regulations

Part I – Preliminary

1. Citation, coming into force and revocation
2. Interpretation

Part II – Exemptions

3. Exemptions and Equivalent Safety Case
4. Requirement for application
5. Request for exemption
6. Initial review by the Authority
7. Evaluation of the request

Part III - General

8. Possession of the licence
9. Drug and alcohol testing and reporting
10. Inspection of licences and certificates
11. Change of name
12. Change of address
13. Replacement of documents
14. Certificate Suspension and Revocations
15. Appointment and powers of aviation safety inspectors
16. Procedures on detention or recall of aircraft
17. Detention
18. Use and retention of certificates and records
19. Reports of violation
20. Enforcement of directions
21. Contravention of Regulations
22. Aeronautical user fees
23. Application of regulations to Government and visiting forces, etc.
24. Extra-territorial application of Regulations
25. Flights over any foreign country
26. Aircraft under an agreement for transfer of functions and duties in accordance with article 83 *bis* of the Chicago Convention.
27. Service

Part IV – Revision of Decisions

28. Revision

PART I – PRELIMINARY

- Citation and coming into force** 1. (1) These Regulations may be cited as the Civil Aviation (General Provisions) Regulations, 2008 and applies to all the Civil Aviation Regulations.
- (2) The Rwanda Civil Aviation Regulations shall come into force on the date of their publication in the *Official Gazette*.
- Interpretation** 2. In the Rwanda Civil Aviation Regulations, unless the context otherwise requires:
- "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—
- (a) a person suffers a fatal or serious injury as a result of—
- being in or upon the aircraft,
 - 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
- (b) 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 the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tyres, brakes, fairings, small dents or puncture holes in the aircraft skin; or
- (c) the aircraft is missing or is completely inaccessible;
- "accredited medical conclusion"** means 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;
- "acrobatic flight"** means manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed.
- "ADS"**, see "automatic dependent surveillance"
- "advisory airspace"** means an airspace of defined dimensions, or designated route, within which air traffic advisory service is available,
- "advisory route"** means a designated route along which air traffic advisory service is available;
- "aerial work"** means an aircraft operation in which an aircraft is used for specialized services including, but not limited to agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.;
- "aerodrome"** means 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"** means an aeronautical beacon used to indicate the location of an aerodrome from the air;
- "aerodrome certificate"** means a certificate issued by the Authority under applicable regulations for the operation of an aerodrome;
- "aerodrome control tower"** means a unit established to provide air traffic control service to aerodrome traffic;
- "aerodrome elevation"** means the elevation of the highest point of the landing area;
- "aerodrome facilities and equipment"** means 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 identification sign"** means a sign placed on an aerodrome to aid in identifying the aerodrome in the air;

“aerodrome reference code” means 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” means the designated geographical location of an aerodrome;

“aerodrome manual” means the manual that forms part of the application for a licence or a certificate under these Regulations, including any amendments to the manual, approved by the Authority;

“aerodrome operating minima” means the limits of usability of an aerodrome for:

(a) take-off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;

(b) 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;

(c) 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

(d) 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 traffic” means all traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome;

“aerodrome traffic density” means:

(a) *Light*. Where the number of movements in the mean busy hour is not greater than 15 per runway or typically less than 20 total aerodrome movements;

(b) *Medium*. Where the number of movements in the mean busy hour is of the order of 16 to 25 per runway or typically between 20 to 35 total aerodrome movements;

(c) *Heavy*. Where the number of movements in the mean busy hour is of the order of 26 or more per runway or typically more than 35 total aerodrome movements.

“aerodrome traffic zone” means an airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic;

“aeronautical beacon” means an aeronautical ground light visible at all azimuths, either continuously or intermittently, to designate a particular point on the surface of the earth;

“aeronautical experience” means pilot time obtained in an aircraft, approved flight simulation training device for meeting the training and flight time requirements of these Regulations;

“aeronautical ground light” means any light provided as an aid to air navigation, other than a light displayed on an aircraft;

“Aeronautical Information Circular” means 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 (AIP)” means an aeronautical information publication of a lasting character essential to air navigation, issued by the Authority;

“aeronautical station” means a land station in the aeronautical mobile service which in certain instances, may be located, for example, on board ship or on a platform at sea;

“airborne collision avoidance system (ACAS)” means 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;

“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;

“agricultural air operator certificate” means a certificate authorizing an

agricultural operator to carry out specified agricultural operations;

“agricultural aircraft operation” means the operation of an aircraft for the purpose of—

dispensing any economic poison; and

dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control, or engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects;

“air-ground control radio station” means an aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area;

“air-taxiing” means the movement of a helicopter/vertical take-off and landing, above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt);

“air operator certificate” means a certificate authorising an operator to carry out specified commercial air transport operations;

“air traffic” means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

“air traffic advisory service” means a service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on instrument flight rules flight plans;

“air traffic control clearance” means authorization for an aircraft to proceed under conditions specified by an air traffic control unit;

“air traffic control service” means a service provided for the purpose of:

(a) preventing collisions:

(i) between aircraft; and

(ii) on the manoeuvring area, between aircraft and obstructions; and

(b) expediting and maintaining an orderly flow of traffic;

“air traffic control unit” means a generic term meaning variously, area control centre, approach control unit or aerodrome control tower;

“air traffic service” means a flight information service, alerting service, air traffic advisory service, or air traffic control service;

“air traffic services airspaces” means 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” means a unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure;

“air traffic services unit (ATSU)” means a generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office;

“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;

“aircraft category” means classification of aircraft according to specified basic characteristics such as aeroplane, rotorcraft, glider and lighter-than-air and powered-lift aircraft;

“aircraft certificated for single-pilot operation” means 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 Classification Number” means a number expressing the relative effect of an aircraft on a pavement for a specified standard sub grade category

“aircraft operating manual” means a manual, part of the operations 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 required to be operated with a co-pilot” means 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 stand” means a designated area on an apron intended to be used for parking an aircraft;

“aircraft type” means 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**” means 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;

“**airmanship**” means the consistent use of good judgement and well-developed knowledge, skills and attitudes to accomplish flight objectives;

“**airship**” means a power-driven lighter-than-air aircraft;

“**airway**” means a control area or portion thereof established in the form of a corridor;

“**alerting service**” means a service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required;

“**alternate aerodrome**” means 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. Alternate aerodromes include the following:

- (a) *take-off alternate*- an alternate aerodrome at which an aircraft can land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure;
- (b) *en-route alternate*- an alternate aerodrome at which an aircraft would be able to land after experiencing an abnormal or emergency condition while en route;
- (c) *ETOPS en-route alternate*- a suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shutdown or other abnormal or emergency condition while en route in an ETOPS operation;
- (d) *destination alternate*- an alternate aerodrome to which an aircraft may proceed should it become either impossible or inadvisable to land at the aerodrome of intended landing;

“**altimetry system error (ASE)**” means 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**” means the vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL);

“**anticipated operating conditions**” means 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:

- (a) those extremes which can be effectively avoided by means of operating procedures; and
- (b) 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.

“**anti-collision light**” means a flashing red or flashing white light showing in all directions for the purpose of enabling the aircraft to be more readily detected by the pilots of distant aircraft;

“**appliance**” means 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, powerplant, or propeller;

“**approach and landing phase – helicopter**” means that part of the flight from 300 m (1,000 ft) above the elevation of the final approach and take-off area (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 and landing operations using instrument approach procedures**” means instrument approach and landing operations classified as follows:

- (a) *non-precision approach and landing operations*- an instrument approach

and landing which utilizes lateral guidance but does not utilize vertical guidance;

(b) *approach and landing operations with vertical guidance*- an instrument approach and landing which utilizes lateral and vertical guidance but does not meet the requirements established for precision approach and landing operations;

(c) *precision approach and landing operations*- an instrument approach and landing using precision lateral and vertical guidance with minima as determined by the category of operation;

“approach control service” means air traffic control service for arriving or departing controlled flights;

“approach control unit” means a unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes;

“appropriate air traffic services (ATS) authority” means the relevant authority designated by the State responsible for providing air traffic services in the airspace concerned;

“appropriate airworthiness requirements” means 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” means:

(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

(c) in relation to an aircraft, the authority which is responsible for approval of design and issuance of a type certificate;

(d) in relation to the content of a medical kit, the State of registry;

(e) in relation to Rwanda, the Authority;

“approved” means accepted by the appropriate authority as suitable for a particular purpose;

“approved by the Authority” means approved by the Authority directly or in accordance with a procedure approved by the Authority;

“approved data” means technical information approved by the Authority;

“approved maintenance organisation” means an organisation approved by the Authority and operating under supervision approved by the Authority in accordance with the Civil Aviation (Approved Maintenance Organization) Regulations to perform aircraft maintenance activities including the inspection, overhaul, maintenance, repair or modification and release to service of aircraft or aircraft component;

“approved maintenance programme” means a maintenance programme approved by the State of Registry;

“approved training” means training conducted under curricula and supervision approved by the Authority that, in the case of flight crew members, is conducted within an approved training organisation;

“approved training organization” means an organisation approved by the Authority to perform approved training as specified in the Civil Aviation (Approved Training Organizations) Regulations and operating under the supervision of the Authority;

“apron” means 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” means a service provided to regulate the activities and the movement of aircraft and vehicles on an apron;

“area control centre” means a unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction;

“area control service” means air traffic control service for controlled flights in control areas;

“ATS route” means a specified route designed for channeling the flow of traffic as necessary for the provision of air traffic services;

“automatic dependent surveillance (ADS) ” a surveillance technique in which

aircraft automatically provide, via a data link, data derived from on-board navigation and position-fixing systems, including aircraft identification, four dimensional-position and additional data as appropriate;

“authorized instructor” means a person who—

- (a) holds a valid ground instructor licence issued under these Regulations for conducting ground training;
- (b) holds a current flight instructor rating issued under these Regulations for conducting ground training or flight training; or
- (c) is authorized by the Authority to provide ground training, flight training, or other training under these Regulations and the Civil Aviation (Approved Training Organisations) Regulations;

“authorized person” means 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;

“Authority” means the Rwanda Civil Aviation Authority, established by Law N° 21/2004 of 10/08/2004;

“avionics” means any electronic device - including its electrical part – for use in an aircraft, including radio, automatic flight control and instrument systems;

“balloon” means a non-power-driven lighter-than-air aircraft;

“balked landing” means a landing manoeuvre that is unexpectedly discontinued at any point below the obstacle clearance altitude/height (OCA/H);

“cabin crew member” means 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;

“Cargo compartment classifications”:

(a) Class A

One in which a presence of a fire would be easily discovered by a crew member while at his station; and each part of the compartment is easily accessible in flight.

(b) Class B

One in which:

- (i) there is sufficient access in flight to enable a crew member to effectively reach any part of the compartment with the contents of a hand fire extinguisher;
- (ii) when the access provisions are being used, no hazardous quantity of smoke, flames, or extinguishing agent, will enter any compartment occupied by the crew or passengers; and
- (iii) there is a separate approved smoke detector or fire detector system to give warning at the pilot or flight engineer station.

(c) Class C

One in which:

- (i) there is a separate approved smoke detector or fire detector system to give warning at the pilot or flight engineer station;
- (ii) there is an approved built-in fire extinguishing or suppression system controllable from the cockpit;
- (iii) there is means to exclude hazardous quantities of smoke, flames, or extinguishing agent, from any compartment occupied by the crew or passengers; and
- (iv) there are means to control ventilation and drafts within the compartment so that the extinguishing agent used can control any fire that may start within the compartment.

(d) Class E

One on airplanes used only for the carriage of cargo and in which:

- (i) there is a separate approved smoke or fire detector system to give warning at the pilot or flight engineer station;
- (ii) there are means to shut off the ventilating airflow to, or within, the compartment, and the controls for these means are accessible to the flight crew in the crew compartment;

- (iii) there are means to exclude hazardous quantities of smoke, flames, or noxious gases, from the flight crew compartment; and
- (iv) the required crew emergency exits are accessible under any cargo loading condition.

“Category I (CAT I) operation” means a precision instrument approach and landing with 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;

“Category II (CAT II) operations” means a precision instrument approach and landing with 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 350 m;

“Category IIIA (CAT IIIA) operations” means a precision instrument approach and landing with:

- (a) a decision height lower than 30 m (100 ft) or no decision height; and
- (b) a runway visual range not less than 200 m;

“Category IIIB (CAT IIIB) operations” means a precision instrument approach and landing with:

- (a) a decision height lower than 15 m (50 ft) or no decision height; and
- (b) a runway visual range less than 200 m but not less than 50 m;

“Category IIIC (CAT IIIC) operations” means a precision instrument approach and landing with no decision height and no runway visual range limitations;

“Category A” means, with respect to helicopters, a multi-engine helicopter designed with engine and system isolation features specified in Part IVB of 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” means, with respect to helicopters, 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;

“ceiling” means the height above the ground or water of the base of the lowest layer of cloud below 6 000 m (20 000 ft) covering more than half the sky;

“certificate of release to service” means a document containing a certification that inspection and maintenance work has been performed satisfactorily in accordance with the methods prescribed by the Authority;

“certify as airworthy (to)” means to certify that an aircraft or parts thereof comply with current airworthiness requirements after maintenance has been performed on the aircraft or parts thereof;

“check pilot” means a pilot approved by the Authority who has the appropriate training, experience, and demonstrated ability to evaluate and certify to the knowledge and skills of pilots;

“clearway” means 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;

“commercial agricultural air operator certificate” means a certificate authorizing a person to carry out specified agricultural operations for compensation and hire;

“commercial air transport operation” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

“common mark” means a mark assigned by ICAO to the common mark registering authority registering aircraft of an international operating agency on other than a national basis;

“common mark registering authority” means the authority maintaining the non-national register or, where appropriate, the part thereof, in which aircraft of an international operating agency are registered;

“competency” means a combination of skills, knowledge and attitudes required to perform a task to the prescribed standard;

“competency element” means 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 unit” means a discrete function consisting of a number of competency elements;

“configuration (as applied to aeroplanes)” means 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)” means a list established by the organization 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” means, in relation to a city, town or settlement, any area which is substantially used for residential, commercial or recreational purposes;

“Contracting State” means a State that is signatory to the Convention on International Civil Aviation (Chicago Convention);

“control area” means a controlled airspace extending upwards from a specified limit above the earth;

“controlled aerodrome” means an aerodrome at which air traffic control service is provided to aerodrome traffic;

“controlled airspace” means an airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

“controlled flight” means any flight which is subject to an air traffic control clearance;

“control zone” means a controlled airspace extending upwards from the surface of the earth to a specified upper limit;

co-pilot” means 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;

“course” means a programme of instruction to obtain a licence, rating, qualification, authorization, or recurrency required under these Regulations;

“credit” means recognition of alternative means or prior qualifications;

“crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;

“Crew Resource Management” means a program designed to improve the safety of flight operations by optimising the safe, efficient, and effective use of human resources, hardware, and information through improved crew communication and co-ordination;

“critical engine” means the engine whose failure would most adversely affect the performance or handling qualities of an aircraft;

“critical power-unit(s)” means the power-unit(s) failure of which gives the most adverse effect on the aircraft characteristics relative to the case under consideration;

“cross country” means a flight between a point of departure and a point of arrival following a pre-planned route using standard navigation procedures;;

“cruise climb” means an aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases;

“cruise relief pilot” means a flight crew member who is assigned to perform pilot tasks during cruise flight, to allow the pilot-in-command or a co-pilot to obtain planned rest;

“cruising level” means a level maintained during a significant portion of a flight;

“current flight plan” means the flight plan, including changes, if any, brought about by subsequent clearances;

“danger area” means an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times;

“dangerous goods” mean 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;

“dangerous goods incident” means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods, not necessarily occurring on board an aircraft, which results in injury to a person, property 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” means a document specified by the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air, and completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods;

“data link communications” means a form of communication intended for the exchange of messages via a data link;

“datum” means any quantity or set of quantities that may serve as a reference or basis for the calculation of other quantities;

“declared distance” means -

- (a) **“accelerate-stop distance available”** which is the length of the take-off run available plus the length of the stopway, if provided;
- (b) **“landing distance available”** which is the length of the runway which is declared available and suitable for the ground run of an aeroplane landing;
- (c) **“take-off distance available”** which is the length of the take-off run available plus the length of the clearway, if provided;
- (d) **“take-off run available”** which is the length of runway declared available and suitable for the ground run of an aeroplane taking off;

“decision altitude (DA) or decision height (DH)” means a specified altitude or height in the precision approach or approach with vertical guidance at which a missed approach must be initiated if the required visual reference to continue the approach has not been established;

“defined point after take-off” means the point, within the take-off and initial climb phase, before which the helicopter’s ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

“defined point before landing” means the point, within the approach and landing phase, after which the helicopter’s ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

“designated medical examiner” means a person qualified and licenced in the practice of medicine, designated by the Authority to conduct medical examinations of fitness of applicants and issue reports for the issue or renewal of the licences or certificates or ratings specified in the Civil Aviation (Personnel Licensing) Regulations;

“dual instruction time” means a flight time during which a person is receiving flight instruction from a properly authorized pilot on board the aircraft;

“displaced threshold” means a threshold not located at the extremity of a runway;

“dry lease” means a lease of an aircraft without crew;

“economic poison” means any substance or mixture of substances intended for 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 shall declare to be a pest, and use as a plant regulator, defoliant or desiccant;

“elevated heliport” means a heliport located on a raised structure on land;

“emergency locator transmitter (ELT)” means 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;

“engine” means a unit used or intended to be used for aircraft propulsion, consisting of at least those components and equipment necessary for functioning and control, but excludes the propeller (if applicable);

“en-route phase” means 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;

“error” means an action or inaction by the flight crew that leads to deviations from organizational or flight crew intentions or expectations;

“error management” means 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 aircraft states;

“estimated off-block time” means the estimated time at which the aircraft will

commence movement associated with departure;

“estimated time of arrival” means, for instrument flight rules 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 visual flight rules flights, the time at which it is estimated that the aircraft will arrive over the aerodrome;

“ETOPS” means extended range operation by turbine-engined aeroplanes;

“evaluator” means a person employed by a certified Approved Training Organisation who performs tests for licensing, added ratings, authorizations, and proficiency checks that are authorized by the certificate holder's training specification, and who is authorized by the Authority to administer such checks and tests;

“examiner” means any person authorized by the Authority to conduct a pilot proficiency test, a practical test for a licence or rating, or a knowledge test under these Regulations;

“expected approach time” means the time at which air traffic control expects that an arriving aircraft, following a delay, will leave the holding fix to complete its approach for a landing;

“facility” means a physical plant, including land, buildings, and equipment, which provides the means for the performance of maintenance, preventive maintenance, or modifications of any article;

“fatal injury” means an injury which is sustained by a person in an accident and which results in his death within 30 days of the date of the accident;

“filed flight plan” means the flight plan as filed with an air traffic services unit by the pilot or a designated representative, without any subsequent changes;

“final approach and take-off area (FATO)” means 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 final approach and take-off area is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available;

“fireproof” means the capability to withstand the application of heat by a flame for a period of 15 minutes (the characteristics of an acceptable flame can be found in ISO 2685 *Aircraft - Environmental Test Procedure for Airborne Equipment - Resistance to Fire in Designated Fire Zones* issued by the International Organization for Standardization)

“fireproof material” means a material capable of withstanding heat as well or better than steel when the dimensions in both cases are appropriate for the specific purpose;

“fire resistant” means the capability to withstand the application of heat by a flame for a period of 5 minutes (the characteristics of an acceptable flame can be found in (the characteristics of an acceptable flame can be found in ISO 2685 *Aircraft - Environmental Test Procedure for Airborne Equipment - Resistance to Fire in Designated Fire Zones* issued by the International Organization for Standardization);

“fixed light” means a light having constant luminous intensity when observed from a fixed point;

“flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during flight duty period;

“flight data analysis” means a process of analysing recorded flight data in order to improve the safety of flight operations;

“flight duty period” means the total time from the moment a flight crew member commences duty, immediately subsequent to a rest period and prior to making a flight or a series of flights, to the moment the flight crew member is relieved of all duties having completed such flight or series of flights;

“flight information centre” means a unit established to provide flight information service and alerting service;

“flight information region” means an airspace of defined dimensions within which flight information service and alerting service are provided;

“flight information service” means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;

“flight level” means a surface of constant atmospheric pressure which is related to a specific pressure datum, 1013.2 hectopascals (hPa), and is separated from other such surfaces by specific pressure intervals;

“flight manual” means 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 operations officer/flight dispatcher” means 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 Annex 1 to the Chicago Convention, who supports, briefs and/or assists the pilot-in-command in the safe conduct of the flight;

“flight plan” means specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft;

“flight recorder” means any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation;

“flight safety documents system” means a set of interrelated documentation established by the operator, compiling and organizing information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator’s maintenance control manual;

“flight simulation training device” means any one of the following three types of apparatus in which flight conditions are simulated on the ground:

- (a) 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;
- (b) 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;
- (c) 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 time” means:

- (a) 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;
- (b) 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;
- (c) 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;
- (d) 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;

“flight visibility” means the visibility forward from the cockpit of an aircraft in flight; **“general aviation operation”** means an aircraft operation other than a commercial air transport operation or an aerial work operation;

“geoid” means 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” means the distance of the geoid above (positive) or below (negative) the mathematical reference ellipsoid;

“glider” means 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;

“ground handling” means services necessary for an aircraft’s arrival at, and departure from, an airport, other than air traffic services;

“ground visibility” means the visibility at an aerodrome, as reported by an accredited observer;

“hazard beacon” means an aeronautical beacon used to designate a danger to air navigation;

“heading” means the direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid);

“heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;

“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 axis;

“helideck” means a heliport located on a floating or fixed off-shore structure;

“heliport” means 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 operating minima” means the limits of usability of a heliport for:

- (a) take-off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;
- (b) 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;
- (c) 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
- (d) 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.

“holding bay” means a defined area where aircraft can be held, or bypassed, to facilitate efficient surface movement of aircraft;

“holdover time” means 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;

“human factor principles” means 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” means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;

“identification beacon” means an aeronautical beacon emitting a coded signal by means of which a particular point of reference can be identified;

“incident” means an occurrence, other than an accident, associated with the operation of an aircraft which affects or would affect the safety of operation;

“inspection” means the examination of an aircraft or aircraft component to establish conformity with a standard approved by the Authority;

“instrument approach procedure” means 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 which utilizes lateral guidance but does not utilize vertical guidance.

Approach procedure with vertical guidance (APV) – an instrument approach procedure which utilizes lateral and vertical guidance but does not meet the requirements established for precision approach and landing operations.

Precision approach (PA) procedure - an instrument approach procedure using precision lateral and vertical guidance with minima as determined by the category of operation.

“instrument flight time” means time during which a pilot is piloting an aircraft

solely by reference to instruments and without external reference points;

“instrument ground time” means time during which a pilot is practicing, on the ground, simulated instrument flight in a flight simulation training device approved by the Authority;

“instrument meteorological conditions (IMC)” means meteorological conditions expressed in terms of visibility, distance from cloud and ceiling, less than the minima specified for visual meteorological conditions;

“instrument runway” means any of the following types of runways intended for the operation of aircraft using instrument approach procedures -

- (a) “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;
- (b) “precision approach runway, category I”, which means an instrument runway served by instrument landing system and microwave landing system and visual aids intended for operation with a decision height not lower than 60 m (200 ft) and either a visibility not less than 800 m or a runway visual range not less than 550 m;
- (c) “precision approach runway, category II”, which means an instrument runway served by instrument landing system and microwave landing system and visual aids intended for operation with 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 350 m;
- (d) “precision approach runway, category III”, which means an instrument runway served by instrument landing system and/or microwave landing system to and along the surface of the runway and:
 - A - intended for operations with a decision height lower than 30 m (100 ft), or no decision height and a runway visual range not less than 200 m;
 - B- intended for operations with a decision height lower than 15 m (50 ft), or no decision height and a runway visual range less than 200 m but not less than 50 m;
 - C- intended for operations with no decision height and no runway visual range limitations;

“instrument time” means instrument flight time or instrument ground time;

“instrument training” means training which is received from an authorized instructor under actual or simulated instrument meteorological conditions;

“intermediate holding position” means 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;

“knowledge test” means a test on the aeronautical knowledge areas required for a licence or rating that can be administered in written form or by a computer;

“landing area” means that part of a movement area intended for the landing or take-off of aircraft;

“landing decision point (LDP)” means a 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;

“large aeroplane” means an aeroplane having a maximum certificated take-off mass of 5,700 kg or more;

“level” means a generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level;

“lighter-than-air aircraft” means any aircraft supported chiefly by its buoyancy in the air;

“maintenance” means the performance of tasks required to ensure the continuing airworthiness of an aircraft or aircraft component including any one or combination of overhaul, inspection, replacement, defect rectification and the embodiment of modification or repair;

“maintenance organization’s procedures manual” means 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” means 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;

“maintenance release” means 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;

“manoeuvring area” means that part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons;

“marker” means an object displayed above ground level in order to indicate an obstacle or delineate a boundary;

“marking” means a symbol or group of symbols displayed on the surface of the movement area in order to convey aeronautical information;

“medical assessor” means a physician qualified and experienced in the practice of aviation medicine who evaluates medical reports submitted to the Authority by medical examiners;

“medical certificate” means the evidence issued by the Authority that the licence holder meets specific requirements of medical fitness;

“medical examiner” means 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;

“master minimum equipment list (MMEL)” means a list established for a particular aircraft type by the organization 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 on the commencement of a flight. The MMEL may be associated with special operating conditions, limitations or procedures;

“maximum mass” means maximum certificated take-off mass;

“minimum descent altitude (MDA) or minimum descent height (MDH)” means a specified altitude or height in a non-precision approach or circling approach below which descent must not be made without the required visual reference;

“minimum equipment list (MEL)” means a list which provides for the operation of the aircraft, subject to specific conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the MMEL established for a particular aircraft type;

“Minister” means the Minister for the time being responsible for civil aviation;

“movement area” means that part of the aerodrome to be used for take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and apron;

“night” means the hours between the end of evening civil twilight and the beginning of morning civil twilight, civil twilight ending in the evening when the centre of the sun’s disc is 6 degrees below the horizon and beginning in the morning when the centre of the sun’s disc is 6 degrees below the horizon, or such other period between sunset and sunrise, as may be prescribed by the Authority;

“non-instrument runway” means a runway intended for the operation of aircraft using visual approach procedures;

“NOTAM” means Notice to Airmen;

“obstacle” means all fixed (whether temporary or permanent) and mobile objects, or part thereof, that are located on an area intended for the surface movement of aircraft or that extend above a defined surface intended to protect aircraft in flight;

“obstacle clearance altitude (OCA) or obstacle clearance height (OCH)” means 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” means the airspace above the inner approach surface, inner transitional surfaces, and 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;

“operational control” means 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;

“operational flight plan” means 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;

“operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;

“operator” means a person, organisation or enterprise, engaged in or offering to engage in an aircraft organization;

“operator’s maintenance control manual” means 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;

“ornithopter” means heavier-than-air aircraft supported in flight chiefly by reactions of the air on planes to which a flapping motion is imparted;

“pavement classification number” means a number expressing the bearing strength of a pavement for unrestricted operations;

“performance class 1 helicopter” means a helicopter with performance such that, in the case of critical power-unit failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area, depending on when the failure occurs;

“performance class 2 helicopter” means a helicopter with performance such that, in the case of critical power-unit 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” means a helicopter with performance such that, in the case of a power-unit failure at any point in the flight profile, a forced landing must be performed;

“performance criteria” means simple, evaluative statements on the required outcome of the competency element and a description of the criteria used to judge whether the required level of performance has been achieved;

“pilot (to)” means to manipulate the flight controls of an aircraft during flight time;

“pilot-in-command” means 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;

“pilot-in-command under supervision” means a co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command, in accordance with the method of supervision acceptable to the Authority;

“pilot time” means that time a person:

- (a) serves as a required pilot;
- (b) receives training from an authorized instructor in an aircraft, approved **flight simulation training device**; or
- (c) gives training as an authorized instructor in an aircraft, approved **flight simulation training device**;

“powered-lift” means a heavier-than-air aircraft capable of vertical takeoff, vertical landing, and low speed flight, which 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” means 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;

“power-unit” means a system of one or more engines and ancillary parts with are together necessary to provide thrust, independently of the continued operation of any other power-unit(s), but not including short period thrust-producing devices;

“practical test” means a competency test on the areas of operations for a licence, certificate, rating, or authorization that is conducted by having the applicant respond to questions and demonstrate manoeuvres in flight, in an approved flight

simulation training device, or in a combination of these;

“pressure-altitude” means an atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere;

“pressurized aircraft” means an aircraft fitted with means of controlling out flow of cabin air in order to maintain maximum cabin altitude of not more than 10,000 ft so as to enhance breathing and comfort of passengers and crew;

“primary runway” means a runway used in preference to others whenever conditions permit;

“private agricultural air operator certificate” means a certificate authorizing a person to carry out specified private agricultural operations;

“problematic use of substances” means 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 all worsens an occupational, social, mental or physical problem or disorder ;

“proficiency check” means the process of the check pilot administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period;

“prohibited area” means an airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.

“propeller” means for 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 and it includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants;

“protected flight zones” means airspace specifically designated to mitigate the hazardous effects of laser radiation;

“psychoactive substance” means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded;

“radiotelephony” means a form of radiocommunication primarily intended for the exchange of information in the form of speech;

“rated air traffic controller” means an air traffic controller holding a licence and valid ratings appropriate to the privileges to be exercised;

“rating” means an authorization 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;

“rendering (a certificate of airworthiness) valid” means the action taken by the Authority, 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;

“rendering (a licence) valid” means the action taken by the Authority, 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;

“repair” mean 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)” means 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 air traffic services units;

“reporting point” means a specified geographical location in relation to which the position of an aircraft can be reported;

“required navigation performance (RNP)” means a statement of the navigation performance necessary for operation within a defined airspace;

“rest period” means any period of time on the ground during which a flight crew member is relieved of all duties by the operator;

“restricted area” means 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, and, in case of an aerodrome, means any area of an aerodrome that is identified as an area to which access is restricted to authorized persons;

“RNP type” means a containment value expressed as a distance in nautical miles from the intended position within which flights would be for at least 95 per cent of the total flying time;

“road” means an established surface route on the movement area meant for the exclusive use of vehicles;

“road holding position” means a designated position at which vehicles may be required to hold;

“rotorcraft” means a power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors;

“rotorcraft load combinations” means configurations for external loads carried by rotorcraft—

- (a) Class A – external-load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo;
- (b) Class B – external-load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations;
- (c) Class C – external-load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation;
- (d) Class D – external-load suspended from the rotorcraft for the carriage of persons

“runway” means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft;

“runway end safety area” means an area symmetrical about the extended runway centre line and adjacent to the end of the strip primarily intended to reduce the risk of damage to an aeroplane undershooting or overrunning the runway;

“runway-holding position” means a designated position intended to protect a runway, an obstacle limitation surface, or an instrument landing system/microwave landing system area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorized by the aerodrome control tower;

“runway strip” means a defined area including the runway and stopway, if provided, intended -

- (a) to reduce the risk of damage to aircraft running off a runway; and
- (b) to protect aircraft flying over it during take-off or landing operations;

“runway turn pad” means 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 (RVR)” means 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;

“safe forced landing” means unavoidable landing or ditching with a reasonable expectancy of no injuries to persons in the aircraft or on the surface;

“safety management system” means a systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures;

“safety programme” means an integrated set of regulations and activities aimed at improving safety;

“seaplane” means an aeroplane equipped with floats or other devices enabling it to land and take off from the surface of water;

“serious incident” means an incident involving circumstances indicating that an accident nearly occurred;

“serious injury” means an injury which is sustained by a person in an accident and which—

- (a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received;
- (b) results in a fracture of any bone (except simple fractures of fingers, toes, or nose);

- (c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage;
- (d) involves injury to any internal organ;
- (e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
- (f) involves verified exposure to infectious substances or harmful radiation;

and "**seriously injured**" shall be construed accordingly;
"signal area" means an area on an aerodrome used for the display of ground signals;

"signature" means 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;

"small aeroplane" means an aeroplane having a maximum certificated take-off mass of less than 5,700 kg ;

"solo flight" means a flight on which a student pilot of the aircraft is the sole occupant of the aircraft.

"solo flight time" means flight time during which a student pilot is the sole occupant of the aircraft;

"special VFR flight" means a controlled visual flight rules traffic authorized by air traffic control to operate within the control zone under meteorological conditions below the visual meteorological conditions or at night.

"specific operating provisions" means a document describing the ratings (class or limited) in detail and shall contain reference material and process specifications used in performing repair work, along with any limitations applied to an approved maintenance organisation;

"standard atmosphere" means an atmosphere defined as follows:

(a) the air is a perfect dry gas;

(b) the physical constants are:

Sea level mean molar mass:

$$M_0 = 28.964420 \times 10^{-3} \text{ kg mol}^{-1}$$

Sea level atmospheric pressure:

$$P_0 = 1013.250 \text{ hPa}$$

Sea level temperature $T_0 = 15^\circ\text{C}$

$$T_0 = 288.15 \text{ K}$$

Sea level atmospheric density: $\rho_0 = 1.2250 \text{ kg m}^{-3}$

Temperature of the ice point:

$$T_i = 273.15 \text{ K}$$

Universal gas constant: $R^* = 8.31432 \text{ JK}^{-1}\text{mol}^{-1}$

(c) The temperature gradients are:

Geopotential altitude (km)		Temperature gradient
From	To	(Kelvin per standard geopotential kilometre)
-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

"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 registry" means the State on whose registry the aircraft is entered;

"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;

"stopway" means 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 (flight)**” means 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 per cent or above;

“**take-off and initial climb phase**” means that part of the flight from the start of take-off to 300 m (1 000 ft) above the elevation of the final approach and take-off area (FATO), if the flight is planned to exceed this height, or to the end of the climb in the other cases;

“**take-off decision point (TDP)**” means the point used in determining take-off performance from which, a power-unit failure occurring at this point, either a rejected take-off may be made or a take-off safely continued;

“**take-off surface**” means 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;

“**taxiing**” means movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing;

“**taxiway**” means 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) an aircraft stand taxilane which is a portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;
- (b) 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;
- (c) a rapid exit taxiway which is 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;

“**taxiway strip**” means 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;

“**threat**” means events or errors that occur beyond the influence of the flight crew, increase operational complexity and must be managed to maintain the margin of safety;

“**threshold**” means the beginning of that portion of the runway usable for landing;

“**total estimated elapsed time**” means, for instrument flight rules (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 visual flight rules (VFR) flights, the estimated time required from take-off to arrive over the destination aerodrome;

“**touchdown zone**” means the portion of a runway beyond the threshold, intended for landing aeroplanes on first contact with the runway;

“**track**” means 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);

“**training programme**” means a program that consists of course(s), courseware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It may include a core curriculum and a specialty curriculum;

“**training time**” means the time spent receiving from an authorized instructor flight training, ground training, or simulated flight training in an approved **flight simulation training device** trainer.

“**transition altitude**” means the altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes;

“**type certificate**” means 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;

“**unmanned free balloon**” means a non-power-driven, unmanned, lighter-than-air

aircraft in free flight;

“**visibility**” for aeronautical purposes means 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 meteorological conditions (VMC)**” means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima;

PART II – EXEMPTIONS

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|------------------------------------|-----------|--|
| Exemptions | 3. | No person may introduce procedures contrary to those prescribed in the Civil Aviation Regulations, unless needed and an equivalent safety case has first been approved by the Authority. |
| Requirement for application | 4. | <ul style="list-style-type: none">(1) A person may apply to the Authority for an exemption from any of the Civil Aviation Regulations.(2) An application for an exemption should be submitted at least sixty days in advance of the proposed effective date, to obtain timely review.(3) A request for an exemption must contain the applicant’s:<ul style="list-style-type: none">(a) name;(b) physical address and mailing address;(c) telephone number;(d) fax number if available; and,(e) email address if available.(4) The application shall be accompanied by a fee prescribed in Civil Aviation (Fees and Charges) for technical evaluation. |
| Request for exemption | 5. | <ul style="list-style-type: none">(1) An application for an exemption must contain the following:<ul style="list-style-type: none">(a) a citation of the specific requirement from which the applicant seeks exemption;(b) an explanation of why the exemption is needed;(c) a description of the type of operations to be conducted under the proposed exemption;(d) the proposed duration of the exemption;(e) an explanation of how the exemption would be in the public interest, and benefit the public as a whole;(f) a detailed description of the alternative means by which the applicant can ensure a level of safety equivalent to that established by the regulations in question;(g) a review and discussion of any known safety concerns with the regulations, including information about any relevant accidents or incidents of which the applicant is aware; and(h) if the applicant seeks to operate under the proposed exemption outside of Rwanda airspace, the application must indicate whether the exemption contravenes any provision of the Standards and Recommended Practices of the International Civil Aviation Organization (ICAO) as well as the Regulations pertaining to the airspace in which the operation will occur.(2) Where the applicant seeks emergency processing, the application must include supporting facts and reasons that the application was not timely filed, and the reason is an emergency.(3) The Authority may deny an application if the Authority finds that the applicant has not justified the failure to apply for an exemption in a timely fashion. |

Civil Aviation Regulations may apply to change the name on a licence, certificate, authorization or such other document.

- (2) The holder shall include with any such request:
 - (a) the current licence, certificate, authorization or such other document sought to be amended; and
 - (b) a court order, or other legal document verifying the name change.
- (3) The Authority may change the licence, certificate, authorization or such other document and issue a replacement thereof;
- (4) The Authority shall return to the holder the original documents specified in sub-regulation 2(b) and retain copies thereof and return the replaced licence, certificate or authorization with the appropriate endorsement.
- (5) A licence, certificate, authorization or other document issued to a person under the Civil Aviation Regulations is not transferable.

Change of address

12.

- (1) A holder of a certificate, or authorization issued under the Civil Aviation Regulations shall notify the Authority of the change in the physical and mailing address and shall do so in the case of:
 - (a) physical address, at least fourteen days in advance; and
 - (b) mailing address upon the change;
- (2) A person who does not notify the Authority of the change in the physical address within the time frame specified in sub-regulation (1) shall not exercise the privileges of the certificate or authorization.

Replacement of documents

13.

- (1) A person may apply to the Authority in the prescribed form for replacement of documents issued under the Civil Aviation Regulations if the documents are lost or destroyed.

Certificate Suspension and Revocations

14.

- (1) The Authority may, where it considers it to be in the public interest, suspend provisionally, pending further investigation, any certificate, approval, permission, exemption, authorization or other document issued, granted or having effect under the Civil Aviation Regulations.
- (2) The Authority may, upon the completion of an investigation which has shown sufficient ground to its satisfaction and where it considers it to be in the public interest, revoke, suspend, or vary any certificate, approval, permission, exemption or other document issued or granted under the Civil Aviation Regulations.
- (3) The Authority may, where it considers it to be in the public interest, prevent any person or aircraft from flying.
- (4) A holder or any person having the possession or custody of any certificate, approval, permission, exemption or other documents which has been revoked, suspended or varied under the Civil Aviation Regulations shall surrender it to the Authority within 14 days from the date of revocation, suspension or variation.
- (5) The breach of any condition subject to which any certificate, 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.

Appointment and powers of aviation safety inspectors

15.

- (1) The Authority may appoint aviation safety inspectors for the purpose of securing compliance with the provisions of the Civil Aviation Regulations and any terms or conditions attached to a licence, certificate, approval, permission, exemption, authorization or other document issued, granted or having effect under the Civil Aviation Regulations.
- (2) An aviation safety inspector may at any time and on production, if required, of his authority-
 - (a) enter and inspect any premises on which he has reasonable cause to believe that the person or undertaking is being carried on in contravention

- of the Civil Aviation Regulations;
- (b) examine and take copies of any books, accounts and documents found in those premises relating to or appearing to relate to the business of an airline;
- (c) seize any books, accounts or documents found in those premises relating to or appearing to relate to the person or undertaking in relation with the Civil Aviation Regulations;
- (d) question any person who appears to him to be engaged in, or carrying on, or employed on those premises on any matter concerning the application of or compliance with the Civil Aviation Regulations or any terms or conditions attached to a licence, certificate, approval, permission, exemption, authorization or other document issued, granted or having effect under the Civil Aviation Regulations;
- (e) require, by notice in writing, any person who appears to him to be engaged in or carrying on a business under the Civil Aviation Regulations to produce to him at such time and place as he may specify in the notice any books, accounts and documents relating to the said business; and
- (f) board or detain an aircraft or recall an aircraft already in flight and search such aircraft if he has reasonable grounds to suspect that the aircraft is being used in contravention of the Civil Aviation Regulations or that it contains any matter which may be used as evidence in respect of an offence under the Civil Aviation Regulations.

Procedures on detention or recall of aircraft

16. (1) Where an authorized person, including an aviation safety, detains an aircraft or recalls an aircraft already in flight, he shall, unless he is of the opinion that due to the nature of the offence the aircraft is likely to be allowed to proceed on its flight within a period not exceeding three hours, immediately report such detention or recall to the Director-General; provided that under no circumstances shall an aviation safety inspector or an authorized person detain an aircraft for more than three hours from the time of its intended departure or from the time of landing after being recalled unless such longer detention has been authorized by the Director-General under this regulation.
- (2) On receipt of a report under this regulation the Director General may, pending further investigation, order the detained aircraft to proceed on its flight whether or not an offence has been committed in respect thereof.
- (3) The Director-General may, in writing, delegate to any person any of his powers under sub-regulation (1) and (2).

Detention

17. (1) An authorized person, including an aviation safety inspector, may give a detention direction in respect of an aircraft if he is of the opinion that-
- (a) a person has failed to comply or is likely to fail to comply with a requirement of the Civil Aviation Regulations in respect of the aircraft;
 - (b) a person has failed to comply with a requirement of an enforcement notice in respect of the aircraft;
 - (c) a threat has been made to commit an act of violence against the aircraft or against any person or property on board the aircraft; or
 - (d) an act of violence is likely to be committed against the aircraft or against any person or property on board the aircraft.
- (2) A detention direction in respect of an aircraft-
- (a) shall be given in writing to the operator of the aircraft; and
 - (b) shall require him to take steps to ensure that the aircraft does not fly while the direction is in force.
- (3) An authorized person who has given a detention direction in respect of an aircraft may do anything which he considers necessary or expedient for the purpose of ensuring that the aircraft does not fly while the direction is in force; in particular, the authorized person may-
- (a) enter the aircraft;
 - (b) arrange for another person to enter the aircraft;
 - (c) arrange for a person or thing to be removed from the aircraft;
 - (d) use reasonable force;

- (e) authorize the use of reasonable force by another person.
- (4) Notwithstanding regulation 27, the operator of an aircraft in respect of which a detention direction is given may object to the direction in writing to the Minister within five days from the beginning of the detention.
- (5) On receipt of an objection to a detention direction under sub-regulation (4) the Minister shall-
 - (a) consider the objection;
 - (b) allow the person making the objection and the authorized person who gave the direction an opportunity to make written or oral representations to the Minister or to a person appointed by him;
 - (c) confirm, vary or cancel the direction; and
 - (d) give notice of his decision in writing to the person who made the objection and to the authorized person who gave the direction;
 the decision of the Minister under this regulation shall be final and conclusive, and shall not be capable of further appeal..
- (6) A detention direction in respect of an aircraft shall continue in force until-
 - (a) an authorized person cancels it by notice in writing to the operator of the aircraft, or
 - (b) the Minister cancels it under sub-regulation (5)(c).
- (7) A person commits an offence if-
 - (a) without reasonable excuse he fails to comply with a requirement of a detention direction; or
 - (b) he intentionally obstructs a person acting in accordance with sub-regulation (3).
- (8) A person who is guilty of an offence under sub-regulation (7) shall be liable to imprisonment for a term not exceeding five (5) years.
- (9) A detention direction may be given in respect of-
 - (a) any aircraft in Rwanda; and
 - (b) any aircraft registered or operating in Rwanda.
- (10) A detention direction may be given in respect of a class of aircraft; and for that purpose:
 - (a) a reference to "the aircraft" in sub-regulation (1) shall be treated as a reference to all or any of the aircraft within the class, and
 - (b) sub-regulations (2) to (9) shall apply as if the direction were given in respect of each aircraft within the class.

Use and retention of certificates and records

- 18.**
- (1) A person shall not:
 - (a) use any certificate, approval, permission, exemption or other document issued or required by or under the Civil Aviation Regulations which has been forged, altered, revoked, or suspended, or to which he is not entitled; or
 - (b) forge or alter any certificate, approval, permission, exemption or other document issued or required by or under the Civil Aviation Regulations; or
 - (c) lend any certificate, approval, permission, exemption or other document issued or required by or under the Civil Aviation Regulations to any other person; or
 - (d) make any false representation for the purpose of procuring for himself or any other person the issue renewal or variation of any such certificate, approval, permission or exemption or other document.
 - (2) During the period for which it is required under the Civil Aviation Regulations to be preserved, a person shall not mutilate, alter, render illegible or destroy any records, or any entry made therein, required by or under the Civil Aviation Regulations to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such record, or wilfully omit to make a material entry in such record.
 - (3) All records required to be maintained by or under the Civil Aviation Regulations shall be recorded in a permanent and indelible material.
 - (4) A person shall not purport to issue any certificate, document or exemption under the Civil Aviation Regulations unless he is authorized to do so by the Authority.

- (b) in so far as they apply (whether by express reference or otherwise) to other aircraft, shall apply to such aircraft when they are within Rwanda;
- (c) in so far as they prohibit, require or regulate (whether by express reference or otherwise) the doing of anything by any person in, or by any of the crew of, any aircraft registered in Rwanda, shall apply to such persons and crew, wherever they may be; and
- (d) in so far as they prohibit, require or regulate (whether by express reference or otherwise) the doing of anything in relation to any aircraft registered in Rwanda by other persons shall, where such persons are citizens of Rwanda, apply to them wherever they may be.

Flights over any foreign country

- 25.**
- (1) The operator or pilot-in-command of an aircraft registered in Rwanda (or, if the operator's principal place of business or permanent residence is in Rwanda, any other aircraft) which is being flown over any foreign State shall not allow that aircraft to be used for a purpose which is prejudicial to the security, public order or public health of, or to the safety of air navigation in relation to that State.
 - (2) A person does not contravene sub-regulation (1) if he neither knew nor suspected that the aircraft was being or was to be used for a purpose referred to in sub-regulation (1).
 - (3) The operator or pilot in command of an aircraft registered in Rwanda (or, if the operator's principal place of business or permanent residence is in Rwanda, any other aircraft) which is being flown over any foreign State shall comply with any directions given by the appropriate aeronautical authorities of that State whenever:
 - (a) the flight has not been duly authorized; or
 - (b) there are reasonable grounds for the appropriate aeronautical authorities to believe that the aircraft is being or will be used for a purpose which is prejudicial to the security, public order or public health of, or to the safety of air navigation in relation to that State;
 unless the lives of persons on board or the safety of the aircraft would thereby be endangered.
 - (4) A person does not contravene sub-regulation (3) if he neither knew nor suspected that directions were being given by the appropriate aeronautical authorities.
 - (5) The requirement in sub-regulation (3) is without prejudice to any other requirement to comply with directions of an aeronautical authority.
 - (6) In this regulation "appropriate aeronautical authorities" includes any person, whether a member of a country's military or civil authorities, authorized under the law of the foreign State to issue directions to aircraft flying over that State.

Aircraft under an agreement for transfer of functions and duties in accordance with article 83 bis of the Chicago Convention

- 26.**
- Notwithstanding any provision to the contrary in the Civil Aviation Regulations of Rwanda, in case of an aircraft under an Agreement for Transfer of Functions and Duties in Accordance with Article 83 bis of the Chicago Convention –
- (a) 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;
 - (b) 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;
 - (c) 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;

- (d) the registered owner of the aircraft shall surrender the certificate of airworthiness to the Minister, when notified by the Minister 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;
- (e) 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 Minister shall reinstate the certificate of airworthiness if the registered owner of the aircraft complies with the requirements on airworthiness of the Civil Aviation Regulations;
- (f) 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 Minister in writing of the actual date of termination within seven days of its occurrence;
- (g) 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";
- (h) 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.

Service

- 27.** Any notice or other document required or authorized by any provision of the Civil Aviation Regulations of Rwanda to be served on or given to any person may be served or given—
- (a) by delivering it to that person;
 - (b) by leaving it at his usual or last-known residence or place of business, whether in Rwanda or elsewhere;
 - (c) by sending it to him by post at that address; or
 - (d) by sending it to him at that address by telex, by facsimile transmission or other similar means which produce a document containing a text of the communication, in which event the document shall be regarded as served when it is received.

PART IV – REVISION OF DECISIONS

Revision

- 28.** (1) Subject to regulation 17(4), any person who is aggrieved by any action, requirement or decision taken as the case may be, by the Authority in terms of

- the *Civil Aviation Authority Act* and the Civil Aviation Regulations may, within a period of 14 days from the date upon which he is informed in writing of that action, requirement or decision, lodge a notice with the Director-General of his intention to appeal; the said period of 14 days cannot be extended.
- (2) A notice of appeal lodged in terms of sub-regulation (1) shall be in writing and may be in any form that contains a clear and concise statement of the facts, and shall specify in details the grounds upon which the appeal is made and the action, requirement or decision sought.
 - (3) As soon as is reasonably possible after receiving a copy of the notice of appeal under sub-regulation (1), the Director-General shall invite all and any of the officers involved in the action, requirement or decision taken or made to state the reasons for the action, requirement or decision taken or made, and their submissions relating to the grounds upon which the appeal is made, which reasons and submissions shall be made in writing, and the Director-General shall dispatch a copy thereof to the person who lodged the notice of appeal.
 - (4) After considering any submissions in writing delivered in accordance with sub-regulations (1) and (3), the Director-General may allow the appeal wholly or in part, or may dismiss the appeal and make an order accordingly, provided that the Director-General may, before allowing or dismissing the appeal, call for additional information relevant to the determination of the appeal or invite any other person affected or likely to be affected by the outcome of the appeal to the comment in writing within a specified period, upon the additional information produced.
 - (5) The decision of the Director-General in respect of any action, requirement, decision taken or made, or appealed against and any issue on appeal or in any appeals shall be final and conclusive, and shall not be capable of further appeal.

Seen to be annexed to the Presidential Order n°60/01 of 20/10/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:
Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX II TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (AIRWORTHINESS) REGULATIONS, 2008

ARRANGEMENT OF REGULATIONS

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FOURTH SCHEDULE

Aircraft, engine and propeller log books

FOURTH SCHEDULE

Aircraft, engine and propeller log books

FIFTH SCHEDULE

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THE CIVIL AVIATION (AIRWORTHINESS) REGULATIONS, 2008

PART I - PRELIMINARY

- Citation.** 1. These Regulations may be cited as the Civil Aviation (Airworthiness) Regulations, 2008.
- Application** 2. These Regulations shall apply to all persons operating or maintaining the following:
- (a) Rwanda registered aircraft, wherever operated;
 - (b) 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;
 - (c) aircraft of other Contracting States operating in Rwanda.

PART II - AIRCRAFT AND COMPONENT ORIGINAL CERTIFICATION AND SUPPLEMENTAL TYPE CERTIFICATES

- Design and manufacture and proof of compliance with the appropriate airworthiness requirements** 3. (1) 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.
- (2) 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.
- (3) The design shall not have any features or characteristics that render it unsafe under the anticipated operating conditions.
- (4) 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.
- (5) 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.
- (6) 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.
- Acceptance of type certificate** 4. (1) 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:
- (a) the type certificate or equivalent document was issued based on an airworthiness code recognised by the Authority; or
 - (b) the design, materials, construction equipment, performance and maintenance of aircraft or aircraft component technical evaluation against a recognised airworthiness code has been carried out by the Authority and has been found to meet the required standards of an airworthiness code recognised by the Authority.
- (2) 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 the Authority.
- (3) In this regulation, recognised 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,.

Acceptance of production 5. The Authority shall only accept application for production of aircraft or aircraft component if the Authority is satisfied that:

- (a) the work to be undertaken conforms to specified design as approved by the State of design;
- (b) there is in place a suitable arrangement with the holder of a type certificate which ensures satisfactory co-ordination between production and design;
- (c) there is acceptable arrangements for oversight by the State of design including the use of a quality system so that construction and assembly are satisfactory; and.
- (d) records are maintained such that the identification of the aircraft and of the parts with their approved design and production can be established.

Issue of supplemental type certificate 6. (1) A person who alters a product by introducing a major modification 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.

(2) An application for the supplemental type certificate shall be made in a form and manner prescribed by the Authority.

PART III – CERTIFICATE OF AIRWORTHINESS

Application of certificate of airworthiness 7. (1) 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.

(2) An applicant for a certificate of airworthiness shall apply on a form prescribed by the Authority.

Certificate of airworthiness to be in force 8. 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.

Classifications of certificates of airworthiness 9. The certificates of airworthiness shall be classified as follows:

- (a) a certificate of airworthiness;
- (b) a restricted certificate of airworthiness in the form of a restricted certificate;
- (c) a special flight permit; and
- (d) export certificate of airworthiness.

Amendment of certificates of airworthiness 10. 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.

Surrender of certificate of airworthiness 11. 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:

- (a) to the buyer upon sale of the aircraft within Rwanda; or
- (b) to the Authority in the case of an aircraft sold outside Rwanda.

Validity of a certificate of airworthiness and damage to aircraft 12. (1) A certificate of airworthiness or restricted certificate of airworthiness issued under these Regulations remains in force for a period of twelve months or for the number of flights specified in it unless:

- (a) a shorter period is specified by the Authority;
- (b) the Authority amends, extends, suspends, revokes or otherwise terminates the certificate;
- (c) 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.

- (2) A special flight permit shall be valid for a period of time specified in the permit.
- (3) A certificate of airworthiness or restricted certificate of airworthiness issued in respect of an aircraft shall cease to be in force, and the Authority shall be entitled to prevent the aircraft from flying, if:
 - (a) 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;
 - (b) 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;
 - (c) 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
 - (d) subject to sub-regulation (4), the aircraft or any such equipment as aforementioned sustains damage and the damage is ascertained during inspection which affects the airworthiness of the aircraft;
- (4) When an aircraft not registered in Rwanda or any such equipment mentioned in sub-regulation 12(3)(a) 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 judgement as to the nature of the damage in relation with the airworthiness of the aircraft; and
 - (a) 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
 - (b) 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.

Aircraft identification

- 13** 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 has identification plates affixed to the aircraft.

Issue of certificates of airworthiness

- 14.** (1) A certificate of airworthiness shall be issued for aircraft in the specific category and model designated by the State of design in the type certificate.
- (2) The Authority shall issue a certificate of airworthiness if-
- (a) 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 design;
 - (b) 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;
 - (c) the Authority finds, after an inspection, that the aircraft conforms to type design and is in condition for safe operation;
 - (d) 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

- (e) specifications specified in the approved type certificate or equivalent document;
 - (e) the maintenance determined by the Authority as a prerequisite for issue 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
 - (f) the results of flying trials, and such other tests of the aircraft as the Authority may require, are complied with.
- (3) 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.
 - (4) A certificate of airworthiness shall specify one of the following categories as are, in the opinion of the Authority, appropriate to the aircraft operation:
 - (a) commercial air transport (passenger);
 - (b) commercial air transport (cargo);
 - (c) aerial work;
 - (d) general aviation; or
 - (e) special;
 - (5) A certificate of airworthiness shall be issued subject to the condition that the aircraft shall be flown only for the following purposes-
 - (a) commercial air transport (passenger): any purpose;
 - (b) commercial air transport (cargo): any purpose other than commercial air transport of passengers;
 - (c) aerial work: any purpose other than commercial air transport or general aviation;
 - (d) general aviation: any purpose other than commercial air transport or aerial work; and
 - (e) special: any purpose, other than commercial air transport, specified in the certificate of airworthiness but not including the carriage of passengers unless expressly permitted.
 - (6) 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.
 - (7) The Authority shall issue a certificate of airworthiness that contains the information shown in First Schedule, and if issued in a language other than English, it shall contain an English translation

Airworthiness directives and service bulletins

15. (1) 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.
- (2) 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:
 - (a) ensure the transmission to the State of design of all mandatory continuing airworthiness information which it originated of that aircraft; and
 - (b) 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.
- (3) 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.
- (4) Where a manufacturer identifies a service bulletin as mandatory, such bulletin shall apply to Rwanda registered aircraft of the type identified in that bulletin.
- (5) 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.
- (6) A person shall not operate any Rwanda registered aircraft to which the measures of this regulation apply, except in accordance with the applicable directives and bulletins.
- Issue of restricted certificates of airworthiness** **16**
- (1) The Authority may issue a restricted certificate of airworthiness to the aircraft that does not qualify for a certificate of airworthiness including microlite, amateur and kit built aircraft, an aircraft used for air races, aircraft flying for exhibition purpose and a kite.
- (2) An aircraft holding a restricted airworthiness certificate shall be subject to operating limitations within Rwanda and shall not make international flights.
- (3) The Authority shall issue specific operating limitations for each restricted airworthiness certificate.
- Issue of special flight permits** **17**
- The Authority may issue a special flight permit for an aircraft that is capable of safe flight but unable to meet applicable airworthiness requirements for the purpose of-
- (a) flying to a base where weighing, painting, repairs, modifications, maintenance, or inspections are to be performed or to a point of storage;
- (b) flying for the purpose of experimenting with or testing the aircraft including its engines and equipment;
- (c) 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;
- (d) delivering or exporting the aircraft;
- (e) evacuating aircraft from areas of impending danger; and
- (f) 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.
- Export certificate of airworthiness** **18**
- (1) An owner of an aircraft registered in Rwanda may apply to the Authority for issue of an export certificate of airworthiness for that aircraft.
- (2) 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.
- (3) The Authority shall issue an export certificate of airworthiness if:
- (a) the applicant submits a statement of compliance with the full intents of the approved maintenance programme or schedule;
- (b) the applicant submits a statement of compliance with the mandatory airworthiness directives and service bulletins applicable to the aircraft and its equipment;
- (c) 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;
- (d) 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;
- (e) the result of test flight, and such other tests as the Authority may determine are complied with;
- (f) historical records establish the production, modification and maintenance standard of the aircraft;
- (g) 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.
- (4) 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.
- (5) 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.

Conditions on the special flight permit

- 19.** (1) A person shall not fly an aircraft on a special flight permit unless that person has complied with conditions of this regulation.
- (2) A person who flies an aircraft on a special flight permit referred to under regulation 17 shall ensure that:
- (a) 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;
 - (b) 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;
 - (c) the aircraft registration markings assigned to the aircraft are displayed;
 - (d) no person or property is carried on board for hire or reward;
 - (e) 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;
 - (f) 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;
 - (g) the flight is conducted in accordance with applicable flight operating rules and procedures of the States of the intended routing;
 - (h) 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;
 - (j) 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
 - (k) 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.
- (3) 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).
- (4) 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.

Certificate of fitness for flight

- 20.** (1) 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.
- (2) The maintenance endorsement statement referred to in sub-regulation (1) shall constitute a certificate of fitness for flight.
- (a) a certificate of fitness for flight shall be issued by a person authorized by the Authority.
 - (b) a certificate of fitness for flight is the basis under which the Authority may issue a special flight permit under Regulation 17 for the purpose of allowing the aircraft to be ferried.
 - (c) 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.
 - (d) a certificate of fitness for flight is not, for purposes of these Regulations, an airworthiness certificate.

PART IV – CONTINUING AIRWORTHINESS OF AIRCRAFT AND AIRCRAFT COMPONENTS

- Responsibility** **21.** (1) An owner or operator of an aircraft shall be responsible for maintaining the

**for
maintenance**

- aircraft in an airworthy condition by ensuring that-
- (a) 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 the latest effective edition of Annex 8 – *Airworthiness of Aircraft* and Annex 6 – *Operation of Aircraft* to the Chicago Convention;
 - (b) maintenance personnel make appropriate entries in the aircraft maintenance records certifying that the aircraft is airworthy;
 - (c) 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
 - (d) 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.
- (2) 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:
- (a) notice in a form that may be prescribed by the Authority, is given to the Authority prior to the aircraft undertaking such operations;
 - (b) arrangements acceptable to the Authority for ongoing inspection and oversight of the airworthiness of that aircraft are made.

**Continuing
airworthiness
information**

22. An operator of an aircraft shall-
- (a) 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 specified system;
 - (b) 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.

**Compliance
with the
manufacturer's
instructions**

23. (1) 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-
- (a) 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 the latest effective edition of Annex 8 – *Airworthiness of Aircraft* and Annex 6 – *Operation of Aircraft* to the Chicago Convention;
 - (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 approved 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.
- (2) The flight manual referred to in sub-paragraph (1)(c) shall be updated by implementing changes made mandatory by the State of registry.

Reporting of

24. (1) An owner or operator of an aircraft shall report to the Authority any failures, malfunctions,

**failures,
malfunctions,
and defects**

or defects that may result in at least one of the following-

- (a) fires during flight and whether the related fire-warning system properly operated;
 - (b) fires during flight not protected by a related fire-warning system;
 - (c) false fire warning during flight;
 - (d) an engine exhaust system that causes damage during flight to the engine, adjacent structure, equipment, or components;
 - (e) 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;
 - (f) engine shutdown during flight because of flameout;
 - (g) engine shutdown during flight when external damage to the engine or aircraft structure occurs;
 - (h) engine shutdown during flight due to foreign object ingestion or icing;
 - (i) shutdown during flight of more than one engine;
 - (j) a propeller feathering malfunction or inability of the system to control overspeed during flight;
 - (k) a fuel or fuel-dumping system malfunction that affects fuel flow or causes hazardous leakage during flight;
 - (l) an uncommanded landing gear extension or retraction, or opening or closing of landing gear doors during flight;
 - (m) brake system components malfunction that result in loss of brake actuating force when the aircraft is in motion on the ground;
 - (n) aircraft structure damage that requires major repair;
 - (o) failure or malfunction of any flight control system, flap, slat or spoiler;
 - (p) any excessive unscheduled removals of essential equipment on account of defects;
 - (q) cracks, permanent deformation, or corrosion of aircraft structure, if more than the maximum acceptable to the manufacturer or the Authority;
 - (r) aircraft components or systems malfunctions that result in taking emergency actions during flight (except action to shut down an engine);
 - (s) 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;
 - (t) each interruption to a flight, unscheduled change of aircraft en route, or unscheduled stop or diversion from a route, caused by known or suspected technical difficulties or malfunctions;
 - (u) any abnormal vibration or buffeting caused by a structural or system malfunction, defect, or failure;
 - (v) a failure or malfunction of more than one attitude, airspeed, or altitude instrument during a given operation of the aircraft;
 - (w) 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
 - (x) the number of propeller featherings in flight, listed by type of propeller and engine and aircraft on which it was installed.
- (2) A report required under this regulation shall-
- (a) be made within 3 days after determining that the failure, malfunction, or defect required to be reported has occurred; and
 - (b) 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.
- (3) The Authority, upon receipt of the report specified in sub-regulation (2) for aircraft registered in Rwanda, shall submit the reports to the State of design.
- (4) The Authority, upon receipt of the report specified in sub-regulation (2) for foreign registered aircraft operating in Rwanda, shall submit all such reports to the State of registry and the State of design.

PART V - AIRCRAFT MAINTENANCE AND INSPECTION.

Persons authorized to perform maintenance, preventive maintenance and modification

25. (1) A person shall not perform any task defined as maintenance on an aircraft or aircraft components, except as provided in this regulation.
- (2) The following are the persons authorized to perform maintenance, preventive maintenance and modification:
- (a) a pilot licenced by the Authority ;
 - (b) a person performing maintenance under the supervision of a licenced aircraft maintenance engineer;
 - (c) a licenced aircraft maintenance engineer; and
 - (d) an approved maintenance organization.
- (3) 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.
- (4) 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.
- (5) 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 —
- (a) personally observes the work being done to the extent necessary to ensure that it is being done properly; and
 - (b) is readily available, in person, for consultation.
- (6) 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 the Civil Aviation (Personnel Licensing) Regulations.
- (7) An approved maintenance organization may perform aircraft maintenance within the limits specified by the Authority.
- (8) A manufacturer holding an approved maintenance organization certificate may:
- (a) rebuild or alter any aircraft component manufactured by that manufacturer under a type or production certificate;
 - (b) rebuild or alter any aircraft component manufactured by that manufacturer under a technical standard order authorization, a parts manufacturer approval by the State of design, or product and process specification issued by the State of design; and
 - (c) perform any inspection required by the Civil Aviation (Operation of Aircraft) Regulations on aircraft that the manufacturer manufactures, while currently operating under a production certificate or under a currently approved production inspection system for such aircraft.

Personnel authorized to approve for

26. (1) 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.

return to service

- (2) The following persons are authorized to approve return to service-
 - (a) 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.;
 - (b) a licenced aircraft maintenance engineer who may approve aircraft and aircraft components for return to service after he has performed, supervised, or inspected its maintenance subject to the limitations specified in the Civil Aviation (Personnel Licensing) Regulations;
 - (c) 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.

Persons authorized to perform inspections

- 27. (1) Except as authorized by the Authority, a person shall not perform the inspections required by the Civil Aviation (Operation of Aircraft) Regulations for aircraft and aircraft components prior to or after the aircraft has undergone maintenance, preventive maintenance, rebuilding, or modification.
- (2) The following persons are authorized to carry out inspections:
 - (a) 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
 - (b) 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.

Preventive maintenance; limitations

- 28. Preventive maintenance is limited to the work mentioned in Second Schedule, provided it does not involve complex assembly operations:

Performance rules: maintenance

- 29. (1) A person performing maintenance, preventive maintenance, or modification on an aircraft or aircraft component shall use the methods, techniques, and practices prescribed in:
 - (a) the current manufacturer's maintenance manual or instructions for continued airworthiness issued by its manufacturer; and
 - (b) 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.
- (2) A person shall use the tools, equipment, and test apparatus necessary to assure completion of the work in accordance with accepted industry practices.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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

Performance rules: inspection

- 30. (1) A person performing an inspection required by the Authority shall-
 - (a) perform the inspection so as to determine whether the aircraft or portion of the aircraft under inspection meets all applicable airworthiness requirements; and
 - (b) 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.
- (2) 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 -
 - (a) the drive shafts or similar systems;
 - (b) the main rotor transmission gear box for obvious defects;
 - (c) the main rotor and centre section (or the equivalent area); and
 - (d) the auxiliary rotor on helicopters.
 - (3) A person performing an inspection shall use a checklist while performing the inspection, which-
 - (a) 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
 - (b) shall include the scope and detail of the items prescribed or approved by the Authority.
 - (4) 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-
 - (a) power output (static and idle revolutions per minute);
 - (b) magnetos;
 - (c) fuel and oil pressure; and
 - (d) cylinder and oil temperature.
 - (5) 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.
 - (6) 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.
 - (7) A person performing an inspection shall inspect, where applicable, the components mentioned in Second Schedule.

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| Airworthiness limitation performance rules | 31. | 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. |
| Aircraft mass schedule | 32. | <ol style="list-style-type: none"> (1) 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 and in such manner as the Authority may require or approve in the case of that aircraft. (2) Upon the aircraft being weighed, the owner or operator of the aircraft shall prepare a mass schedule showing- <ol style="list-style-type: none"> (a) 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 (b) 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. (3) 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 regulation. |

PART VI – AIRCRAFT NOISE AND ENGINE EMISSIONS

- Requirement of noise certification**
33. (1) 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.
- (2) 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..
- Issue, suspension, revocation of aircraft noise certificate**
34. (1) An aircraft included in the classification defined for noise certification purpose in the Third Schedule to these Regulations 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.
- (2) 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:
- (a) **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";
- (b) **APPENDIX 2**, entitled "Evaluation method for noise certification of:"
- "1. Subsonic jet aeroplanes - Application for certificate of airworthiness for the prototype accepted on or after 6 October 1977";
- "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";
- "3. Propeller-driven aeroplanes over 8 618 kg - Application for certificate of airworthiness for the prototype accepted on or after 17 November 1988";
- "4. Helicopters";
- (c) **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";
- (d) **APPENDIX 4**, entitled "Evaluation method for noise certification of helicopters not exceeding 3 175 kg maximum certificated take-off mass";
- (e) **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".
- (3) The noise certificate referred to in sub-regulation (1) 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.
- (4) The document attesting noise certification of an aircraft shall provide information in accordance with Chapter 1 of the said Annex 16 Volume 1.
- (5) 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.
- (6) The Authority shall-
- (a) suspend or revoke the noise certificate of aircraft on the civil aircraft register if the aircraft ceases to comply with the applicable noise standards;
- (b) not re-instate or grant a new noise certificate unless the aircraft is found on reassessment to comply with the applicable noise standards.
- Engine emissions**
35. (1) 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.

- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) The standards related to aircraft engine emissions to be used shall be those contained in Annex 16, Volume II, Part III "Emission certification", as follows:
 - (a) **CHAPTER 2**, entitled "Turbo-jet and turbofan engines intended for propulsion only at subsonic speeds"; and
 - (b) **CHAPTER 3**, entitled "Turbo-jet and turbofan engines intended for propulsion at supersonic speeds".
- (8) The methods for the evaluation of aircraft engine emissions to be used shall be those contained in Annex 16, Volume II, Appendices 1 through 6 included.

PART VII - MAINTENANCE RECORDS AND ENTRIES

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| Keeping certificate of release to service records | 36. | <ol style="list-style-type: none"> (1) 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. (2) A certificate of release to service issued shall- <ol style="list-style-type: none"> (a) be effective from the date of issue; (b) cease to be effective upon expiration of the period of its validity or flying time; and (c) be kept on board the aircraft and the original be kept by the operator elsewhere as approved by the Authority. |
| Technical Logbook | 37. | <ol style="list-style-type: none"> (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. (2) Technical logbook entries on defects which affect the airworthiness and safe operation of the aircraft shall be made as specified in regulation 23 of the Civil Aviation (Operation of Aircraft) Regulations. (3) Upon rectification of any defect which has been entered in the technical logbook in accordance with sub-regulation (2) of this regulation, an authorized person issuing a certificate of release to service in respect of that defect shall enter that certificate in the technical logbook |
| Aircraft, engine and propeller logbooks | 38. | <ol style="list-style-type: none"> (1) 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: <ol style="list-style-type: none"> (a) an aircraft log book; (b) a separate log book in respect of each engine fitted in the aircraft; and |

- (c) a separate log book in respect of each variable pitch propeller fitted to the aircraft;
- (2) The log books shall include the particulars respectively specified in the Fourth Schedule 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.
- (3) An entry in a log book other than such an entry as is referred to in sub-paragraphs 2(d) (ii) or 3 (d)(ii) of the Fourth Schedule to these Regulations shall be made 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.
- (4) An entry in a log book, being such an entry as is referred to in sub-paragraphs 2(d) (ii) or 3(d)(ii) of the Fourth Schedule to these Regulations shall be made upon each occasion that any maintenance, overhaul, repair, replacement, modification or inspection is undertaken on the engine or propeller as the case may be.
- (5) 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.
- (6) 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.
- (7) 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.

Records of Maintenance

- 39.**
- (1) 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:
 - (a) a description or reference to data acceptable to the Authority of work performed;
 - (b) completion date of the work performed; and
 - (c) name, signature and licence number of the person approving the work.
 - (2) The signature required by sub-regulation (1)(c) shall constitute the approval for return to service only for the work performed.
 - (3) A person working under the supervision of a licenced aircraft maintenance engineer shall not perform any inspection required in the Civil Aviation (Operation of Aircraft) Regulations or any inspection performed after a major repair or modification.
 - (4) A person performing the work referred to in sub-regulation (1) shall enter records of major repairs and major modifications, prescribed form set out in the Fifth Schedule.
 - (5) A person performing a major repair or major modification shall-
 - (a) execute the appropriate form prescribed by the Authority at least in duplicate;
 - (b) give a signed copy of that form to the aircraft owner or operator; and
 - (c) 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.
 - (6) An approved maintenance organization which performs a major repair or modification shall-
 - (a) use the aircraft owner or operator's work order upon which the repair is recorded;
 - (b) 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;
 - (c) 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-
 - (aa) the make, model, serial number, nationality and registration marks, and location of the repaired area of an aircraft;
 - (bb) 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 these Regulations 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.
- (d) signature of the authorized representative, the name and address of the approved maintenance organization and approved maintenance organization certificate number.

Records of overhaul and rebuilding

40. (1) 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-
- (a) disassembled, cleaned, inspected as permitted, repaired as necessary, and reassembled using methods, techniques, and practices acceptable to the Authority; and
 - (b) 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.
- (2) 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.

Approval for return to service

41. A person shall not approve for return to service any aircraft or aircraft component that has undergone maintenance, preventive maintenance, rebuilding, or modification unless-
- (a) the appropriate maintenance record entry has been made in accordance with these Regulations;
 - (b) the major repair or major modification form specified in the Fifth Schedule of these Regulations has been executed in the manner prescribed by the Authority;
 - (c) 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.

Content, form, and disposition of records for inspections

42. (1) A person approving the return to service of an aircraft or aircraft component after any inspection performed in accordance with the Civil Aviation (Operation of Aircraft) Regulations, shall make an entry in the maintenance record of that equipment containing the following information-
- (a) type of inspection and a brief description of the extent of the inspection;
 - (b) date of inspection;
 - (c) aircraft total time and cycles in service;
 - (d) signature, the licence number held by the person approving return to service the aircraft or aircraft component;
 - (e) 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;
 - (f) 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
 - (g) if an inspection is conducted under an inspection program provided for in the Civil Aviation (Operation of Aircraft) Regulations, 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.

- (2) A person performing any inspection required in the Civil Aviation (Operation of Aircraft) Regulations 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.

PART VIII – OFFENCES AND PENALTIES

Penalties

- 43.** (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot-in-command, if the operator or, the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an "A" provision in the Sixth Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) Any person who contravenes any provision specified as a "B" provision in the Sixth Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

FIRST SCHEDULE

CERTIFICATE OF AIRWORTHINESS (REGULATION 14(7))

*	<i>State of Registry Issuing Authority</i>	*
CERTIFICATE OF AIRWORTHINESS.		
1. Nationality and Registration Marks. 	2. Manufacturer and Manufacturer's Designation of Aircraft**	3. Aircraft Serial Number.

4. Category and/or operation*** :

5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December, 1944, and # 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.

#Insert references to appropriate Airworthiness Code

6. ****.

* For use by the State of Registry

** Manufacturer's designation of aircraft should contain the aircraft type and model

*** This space is normally used to indicate the certification basis, i.e. certification code, with which the particular aircraft complies and/or its permitted operational category, e.g. commercial air transportation, aerial work or general aviation.

**** This space shall be used either for periodic endorsement (giving date of expiry) or for a statement that the aircraft is being maintained under a system of continuous inspection.

SECOND SCHEDULE

A. Preventive Maintenance (Regulation 28)

- (a) removal, installation and repair of landing gear tires;
- (b) replacing elastic shock absorber cords on landing gear;
- (c) servicing landing gear shock struts by adding oil, air, or both;
- (d) servicing landing gear wheel bearings, such as cleaning and greasing;
- (e) replacing defective safety wiring or cotter keys;
- (f) lubrication not requiring disassembly other than removal of non-structural items such as cover plates, cowlings, and airings;
- (g) 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.;
- (h) replenishing hydraulic fluid in the hydraulic reservoir;
- (i) 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 not required;
- (j) 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;
- (k) 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;
- (l) 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;
- (m) replacing side windows where that work does not interfere with the structure of any operating system such as controls, electrical equipment; etc.
- (n) replacing safety belts;
- (o) replacing seats or seat parts with replacement parts approved for the aircraft, not involving disassembly of any primary structure or operating system;
- (p) troubleshooting and repairing broken circuits in landing light wiring circuits;
- (q) replacing bulbs, reflectors, and lenses of position and landing lights;
- (r) replacing wheels and skis where no mass and balance computation is involved;
- (s) replacing any cowling not requiring removal of the propeller or disconnection of flight controls;
- (t) replacing or cleaning spark plugs and setting of spark plug gap clearance;
- (u) replacing any hose connection except hydraulic connections;
- (v) replacing prefabricated fuel lines;
- (w) cleaning or replacing fuel and oil strainers or filter elements;
- (x) replacing and servicing batteries;
- (y) cleaning of balloon burner pilot and main nozzles in accordance with the balloon manufacturer's instructions.
- (z) replacement or adjustment of non-structural standard fasteners incidental to operations;
- (aa) 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.
- (bb) 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.
- (cc) 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.
 - (dd) 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

B. Inspection (Regulation 30(7))

- (a) fuselage and hull group-
 - (i) fabric and skin for deterioration, distortion, other evidence of failure, and defective or insecure attachment of fittings;
 - (ii) systems and components for improper installation, apparent defects, and unsatisfactory operation;
- (b) cabin and cockpit group-
 - (i) generally for uncleanliness and loose equipment that might foul the controls;
 - (ii) seats and safety belts - for poor condition and apparent defects;
 - (iii) windows and windshields - for deterioration and breakage;
 - (iv) instruments - for poor condition, mounting, marking, and where practicable for improper operation;
 - (v) flight and engine controls - for improper installation and improper operation;
 - (vi) batteries for improper installation and improper charge;
 - (vii) all systems for improper installation, poor general condition, apparent and obvious defects, and insecurity of attachment.
- (c) engine and nacelle group-
 - (i) engine section for visual evidence of excessive oil, fuel, or hydraulic leaks, and sources of such leaks;
 - (ii) studs and nuts for improper torquing and obvious defects;
 - (iii) internal engine for cylinder compression and for metal particles or foreign matter on screens and sump drain plugs, if there is weak cylinder compression, for improper internal condition and improper internal tolerances;
 - (iv) engine mount - for cracks, looseness of mounting, and looseness of engine to mount;
 - (v) flexible vibration dampeners - for poor condition and deterioration;
 - (vi) engine controls for defects, improper travel, and improper safetying;
 - (vii) lines, hoses, and clamps for leaks, improper condition, and looseness;
 - (viii) exhaust stacks for cracks, defects, and improper attachment;
 - (ix) accessories for apparent defects in security of mounting;
 - (x) all systems for improper installation, poor general condition, defects, and insecure attachment.
 - (xi) cowling for cracks and defects.
- (d) landing gear group-
 - (i) all units for poor condition and insecurity of attachment;
 - (ii) shock absorbing devices for improper oleo fluid level;
 - (iii) linkages, trusses, and members for undue or excessive wear fatigue, and distortion;
 - (iv) retracting and locking mechanism for improper operation;
 - (v) hydraulic lines for leakage;
 - (vi) electrical system for chafing and improper operation of switches;
 - (vii) wheels for cracks, defects, and condition of bearings;
 - (viii) tires for wear and cuts;

- (ix) brakes for improper adjustment;
- (x) floats and skis for insecure attachment and obvious or apparent defects
- (e) wing and centre section assembly for—
 - (i) poor general condition,
 - (ii) fabric or skin deterioration,
 - (iii) distortion,
 - (iv) evidence of failure, and
 - (v) insecurity of attachment.
- (f) complete empennage assembly for—
 - (i) poor general condition,
 - (ii) fabric or skin deterioration,
 - (iii) distortion,
 - (iv) evidence of failure,
 - (v) insecure attachment,
 - (vi) improper component installation, and
 - (vii) improper component operation.
- (g) propeller group—
 - (i) propeller assembly - for cracks, nicks, binds, and oil leakage,
 - (ii) bolts - for improper torquing and lack of safetying,
 - (iii) anti-icing devices - for improper operations and obvious defects, and
 - (iv) control mechanisms - for improper operation, insecure mounting, and restricted travel.
- (h) radio group—
 - (i) radio and electronic equipment - for improper installation and insecure mounting.
 - (ii) wiring and conduits - for improper routing, insecure mounting, and obvious defects.
 - (iii) bonding and shielding - for improper installation and poor condition.
 - (iv) antenna including trailing antenna - for poor condition, insecure mounting, and improper operation.
- (i) each installed miscellaneous item that is not otherwise covered by this listing or has instructions for continued airworthiness - for improper installation and improper operation.

THIRD SCHEDULE

Regulation 34(1)

AIRCRAFT NOISE CERTIFICATION CLASSIFICATIONS

Classifications as per ICAO Annex 16 Volume I to the Chicago Convention-

Annex Chapter	Details
2.	Subsonic Jet Aeroplanes – Application for Certificate of Airworthiness for the prototype accepted before 6 October 1977
3.	1. Subsonic Jet Aeroplanes – Application for Certificate of Airworthiness for the prototype accepted on or after 6 October 1977 and before 1 January 2006. 2. -Propeller-Driven Aeroplanes Over 5,700kg – Application for Certificate of Airworthiness for the Prototype accepted on or after 1 January 1985 and before 17 November 1988. 3.-Propeller-Driven Aeroplanes over 8,618kg – Application for Certificate of Airworthiness for the Prototype accepted on or after 17 November 1988 and before 1 January 2006.
4.	1. Supersonic Aeroplanes-Application for certificate of airworthiness for the prototype accepted on or after 1 January 2006. 2. Propeller driven aeroplanes over 8,618 kg –Application for certificate of airworthiness for the prototype accepted on or after 1 January 2006.
5.	Propeller-Driven Aeroplanes over 5,700kg – Application for Certificate of Airworthiness for the Prototype accepted before 1 January 1985

6.	Propeller-Driven Aeroplanes Not Exceeding 8,618kg – Application for Certificate of Airworthiness for the Prototype accepted before 17 November 1988
8.	Helicopters
9.	Installed Auxilliially power unit (APU) and associated power systems during ground operations.
10.	Propeller-Driven Aeroplanes Not Exceeding 8,618kg – Application for Certificate of Airworthiness for the Prototype or derived version accepted on or after 17 ^h November 1988
11.	Helicopters Not Exceeding 3,175kg Maximum Certificated Take-off Mass
12 .	Supersonic aeroplanes

FOURTH SCHEDULE

Regulation 38

Aircraft, engine and propeller log books

Aircraft log book

- (1) The following entries shall be included in the aircraft log book-
- (a) 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;
 - (b) the nationality and registration marks of the aircraft;
 - (c) the name and address of the operator of the aircraft;
 - (d) 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;
 - (e) particulars of all maintenance work carried out on the aircraft or its equipment;
 - (f) 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.
 - (g) particulars of any overhauls, repairs, replacements and modifications relating to the aircraft or any such equipment as aforesaid.
- provided that entries shall not be required to be made under subparagraphs (e), (f) and (g) in respect of any engine or variable pitch propeller.

Engine log book

- (2) The following entries shall be included in the engine log book-
- (a) 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;
 - (b) the nationality and registration marks of each aircraft in which the engine is fitted;
 - (c) the name and address of the operator of each such aircraft;
 - (d) 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.
 - (e) particulars of all maintenance work done on the engine;
 - (f) particulars of any defects occurring in the engine, and of the rectification of such defects;
 - (g) particulars of all overhauls, repairs, replacement and modifications relating to the engine or any of its accessories.
3. The following entries shall be included in the variable pitch propeller log book-

- (a) 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;
- (b) the nationality and registration marks of each aircraft, and the type and number of each engine, to which the propeller is fitted;
- (c) the name and address of the operator of each such aircraft;
- (d) 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;
- (e) particulars of all maintenance work done on the propeller;
- (f) particulars of any defects occurring in the propeller, and of the rectification of such defects;
- (g) particulars of any overhauls, repairs, replacements and modifications relating to the propeller.

**FIFTH SCHEDULE
REGULATION 39(4) and 41(b)
MAJOR REPAIRS AND MODIFICATION FORM**

MAJOR REPAIR AND MODIFICATION (Airframe, Engine, Propeller or Appliance)		Rwanda	
		For RCAA Use Only	
		Office Identificati on	
INSTRUCTIONS: Print or type all entries. See the Civil Aviation (Airworthiness) Regulation 38 and 40			
1. Aircraft	Make	Model	
	Serial Number	Nationality and Registration Mark	
2. Owner	Name (As shown on registration certificate)	Address (As shown on registration certificate)	
3. For Authority Use Only			
4. Unit Identification			
5. Type			
Unit	Make	Model	
	Serial Number		
Airframe			
Engine			
Propeller			
Appliance	Type		
	Manufacture		
6. Conformity Statement			
A. Organization Name and Address	B. Kind of Licence/Organization	C. Certificate/Licence Number	
	<input type="checkbox"/> Licenced (LAME) <input type="checkbox"/> A <input type="checkbox"/> C or <input type="checkbox"/> X or R <input type="checkbox"/> Approved Maintenance Organization <input type="checkbox"/> Manufacturer	(For an AMO include the appropriate ratings issued for the major repair or modification)	
D. I certify that the repair and/or modification made to the unit(s) identified in item 4 above and described on the reverse or attachments hereto have been made in accordance with the requirements of the Civil Aviation (Airworthiness) Regulations and that the information furnished herein is true and correct to the best of my knowledge.			
Date	Signature of Authorized Individual		
7. Approval for Return To Service			
Pursuant to the authority given persons specified below, the unit(s) identified in item 4 was inspected in the manner prescribed by the Rwanda Civil Aviation Authority and is <input type="checkbox"/> APPROVED <input type="checkbox"/> REJECTED			
BY	<input type="checkbox"/> RCAA Inspector	<input type="checkbox"/> Inspection Authorization	Other (Specify)
	<input type="checkbox"/> Maintenance Organization	<input type="checkbox"/> Other	
Date of Approval or Rejection	Certificate or Designation Number	Signature of Authorized Individual	

SIXTH SCHEDULE

**REGULATION 43
PENALTIES**

REG. NO.	TITLE	PART
6	Issue of supplemental type certificate	A
8	Certificate of airworthiness to be in force.	A
15	Airworthiness directives and service bulletins.	A
19	Conditions on the special flight permit.	B
20	Certificate of fitness for flight.	A
21	Responsibility for maintenance.	B
22	Continued airworthiness information	A
23	Compliance with the manufacturer's instructions and airworthiness directives.	A
24	Reporting of failures, malfunctions, and defects.	A
25	Persons authorized to perform maintenance, preventive maintenance and modification.	B
26	Personnel authorized to approve for return to service.	B
27	Persons authorized to perform inspections.	B
29	Performance rules: maintenance.	A
30	Performance rules: inspection.	A
31	Airworthiness limitation performance rules.	A
32	Aircraft mass schedule	B
33	Requirements of noise certification	A
35.	Requirements for engine emission.	A
36	Keeping of maintenance release records.	A
37	Technical Log entries.	A
38	Aircraft, engine and propeller log books	A
39.	Records of maintenance	A
40	Description of overhaul and rebuilding records.	A
41	Approval for return to service.	A
42	Content, form, and disposition of records for inspections	A

**Seen to be annexed to the Presidential Order n° 60/01 of 20/10/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/
Attorney General
KARUGARAMA Tharcisse
(sé)

**ANNEX III TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO
RWANDA CIVIL AVIATION REGULATIONS**

**THE CIVIL AVIATION (APPROVED MAINTENANCE ORGANIZATION) REGULATIONS,
2008**

ARRANGEMENT OF REGULATIONS

PART I – PRELIMINARY

Regulation

1. Citation.
2. Application.

PART II – CERTIFICATION

3. Certificate and Specific Operating Provisions.
4. Advertising.
5. Application for an approved maintenance organization certificate.
6. Issue of an approved maintenance organization certificate.
7. Validity and renewal of the certificate.
8. Continued validity of approval.
9. Changes to the approved maintenance organization and certificate amendments.
10. Ratings of the approved maintenance organization.
11. Limited rating to approve maintenance organization.
12. Approved maintenance organization capability
13. Sub-contracted maintenance functions.

PART III - HOUSING, FACILITIES, EQUIPMENT AND MATERIALS

14. General.
15. Housing and facility requirements.
16. Equipment, tools, and material.

PART IV – ADMINISTRATION

17. Approved maintenance organization personnel and training requirements.
18. Management personnel required for Aircraft Maintenance Organizations
19. Qualifications and Responsibilities of approved maintenance organization personnel
20. Man hours.
21. Assessment of personnel.
22. Training of certifying staff.
23. Rest and duty limitations for persons performing maintenance functions in an approved maintenance organization.
24. Record of certifying staff.

PART V – APPROVED MAINTENANCE ORGANIZATION OPERATING RULES

25. Approved maintenance organization maintenance procedures manual.
26. Maintenance procedures and independent quality system.
27. Capability list.
28. Approved maintenance organization privileges.
29. Approved maintenance organization limitations.
30. Safety management system

- 31. Certificate of release to service.
- 32. Maintenance records.
- 33. Airworthiness data.
- 34. Reporting of unairworthy conditions.
- 35. Inspections.
- 36. Performance standards.
- 37. Access for inspections

PART VI – OFFENCES AND PENALTIES

- 38. Penalties.

SCHEDULE

FIRST SCHEDULE

Penalties

THE CIVIL AVIATION (APPROVED MAINTENANCE ORGANIZATION) REGULATIONS, 2008

PART I – PRELIMINARY

- | | | |
|--------------------|-----------|--|
| Citation | 1. | These Regulations may be cited as the Civil Aviation (Approved Maintenance Organization) Regulations, 2008. |
| Application | 2. | These Regulations shall apply to all persons operating or maintaining Rwanda-registered aircraft, wherever operated or maintained. |

PART II – CERTIFICATION

- | | | |
|--|-----------|--|
| Certificate and Specific Operating Provisions | 3. | <ul style="list-style-type: none"> (1) A person shall not operate as an approved maintenance organization without or in violation of an approved maintenance organization certificate issued under these Regulations (2) An approved maintenance organization may perform maintenance, preventive maintenance, or modifications on an aircraft, airframe, engine, propeller, appliance, component or its part only for which it is rated and within the limitations placed in its specific operating provisions. (3) An approved maintenance organization certificate shall consist of: <ul style="list-style-type: none"> (a) a certificate for public display issued by the Authority; and (b) specific operating provisions accepted by the Authority containing the terms and conditions applicable to the approved maintenance organization. (4) An approved maintenance organization certificate shall contain: <ul style="list-style-type: none"> (a) a certificate number specifically assigned to the approved maintenance organization; (b) name and location of the main place of business of the approved maintenance organization; (c) date of issue and period of validity, if any; and |
|--|-----------|--|

- (d) terms of approval and ratings issued to the approved maintenance organization.
- (5) The approved maintenance organization certificate shall be in the form prescribed by the Authority.
- (6) Specific operating provisions referred to in sub-regulation 3(b) shall contain:
 - (a) a certificate number specifically assigned to the approved maintenance organization;
 - (b) class or limited ratings issued in detail, including special approvals and limitations issued;
 - (c) date issued or revised; and
 - (d) signatures of the accountable manager and Authority.
- (7) The certificate issued to an approved maintenance organization shall be displayed in the premises for inspection by the public and the Authority.

- Advertising** 4.
- (1) An organization shall not advertise as an approved maintenance organization unless an approved maintenance organization certificate has been issued to that organization.
 - (2) An approved maintenance organization shall not make any statement, either in writing or orally, about itself that is false or is designed to mislead any person.
 - (3) When the advertising of a maintenance organization indicates that it is approved, the advertisement must clearly state the approved maintenance organization's certificate number referred to in regulation 3.

- Application for an approved maintenance organization certificate** 5.
- An applicant for an approved maintenance organization certificate shall submit the following to the Authority at least ninety days before the intended day of operations:
- (a) an application on a form and in a manner prescribed by the Authority;
 - (b) the applicant's maintenance procedures manual in duplicate;
 - (c) a list of the maintenance functions to be performed for it, under contract, by another approved maintenance organization;
 - (d) a list of all approved maintenance organization certificates and ratings pertinent to those certificates issued by any Contracting State other than Rwanda; and
 - (e) any additional information the Authority requires the applicant to submit.

- Issue of an approved maintenance organization certificate** 6.
- An applicant shall be issued an approved maintenance organization certificate if after inspection, the Authority finds that the applicant:
- (a) meets the requirements for the holder of an approved maintenance organization specified under these Regulations; and
 - (b) is properly and adequately equipped for the performance of maintenance of aircraft or aircraft component for which it seeks approval.

- Validity and renewal of certificate** 7.
- (1) A certificate issued to an AMO shall be valid for twelve months from the date of issue or renewal, unless a shorter period is specified by the Authority or:
 - (a) the Authority amends, suspends, revokes or otherwise terminates the certificate;
 - (b) the approved maintenance organization surrenders it to the Authority; or
 - (c) the approved maintenance organization suspends operations for more than 180 continuous days.
 - (3) A person issued with an approved maintenance organization certificate shall upon suspension or revocation of the certificate return the certificate to the Authority.
 - (4) An application for renewal of an approved maintenance organization certificate shall be made on a form prescribed by the Authority at least sixty days before the certificate expires.
 - (5) Where a request for renewal is made after the expiry of an approved maintenance organization certificate the applicant shall meet initial application requirements provided for in regulation 5

- Continued validity of approval**
8. Unless the approved maintenance organization certificate has previously been surrendered, superseded, suspended, revoked or expired by virtue of exceeding any expiration date that may be specified in the certificate, the continued validity of the certificate is dependent upon:
- (a) the approved maintenance organization remaining in compliance with these regulations; and
 - (b) the Authority being granted access to the organization's facilities to determine continued compliance with these Regulations;
- Changes to the approved maintenance organization and certificate amendments**
9. (1) An approved maintenance organization shall notify the Authority of any proposal to carry out any changes to enable the Authority to determine compliance with these Regulations and to amend if necessary, the approved maintenance organization certificate.
- (2) An approved maintenance organization shall not effect the following changes without prior approval of the Authority:
- (a) the name of the approved maintenance organization;
 - (b) the location of the approved maintenance organization;
 - (c) additional locations of the approved maintenance organization;
 - (d) any of the management personnel specified in the approved maintenance organization's maintenance procedural manual;
 - (e) the facilities, equipment, tools, material, procedures, work scope and certifying staff that could affect the approval; and
 - (f) ratings held by the approved maintenance organization.
- (3) Unless the Authority determines that the approval should be suspended, the Authority may prescribe the conditions under which the approved maintenance organization may operate during the changes.
- (4) An approved maintenance organization certificate may be suspended by the Authority if changes in items listed under sub-regulation (2) have been made by the approved maintenance organization without notifying the Authority.
- (5) An application for the amendment of an existing approved maintenance organization certificate shall be made on a form and in a manner prescribed by the Authority, and where applicable, the approved maintenance organization shall submit the required amendment to the maintenance procedures manual to the Authority for approval.
- Ratings of the approved maintenance organization**
10. The following ratings may be issued to an approved maintenance organization certificated under these regulations:
- (a) *Airframe ratings.*
 - (i) Class 1: Composite construction of small aircraft.
 - (ii) Class 2: Composite construction of large aircraft.
 - (iii) Class 3: All-metal construction of small aircraft.
 - (iv) Class 4: All-metal construction of large aircraft.
 - (b) *Powerplant ratings.*
 - (i) Class 1: Reciprocating engines of 400 horsepower or less.
 - (ii) Class 2: Reciprocating engines of more than 400 horsepower.
 - (iii) Class 3: Turbine engines.
 - (c) *Propeller ratings.*
 - (i) Class 1: All fixed pitch and ground adjustable propellers of wood, metal, or composite construction.
 - (ii) Class 2: All other propellers, by make.
 - (d) *Radio ratings.*
 - (i) Class 1: Communication equipment: Any radio transmitting equipment or receiving equipment, or both, used in aircraft to send or receive communications in flight, regardless of carrier frequency or type of modulation used; including auxiliary and related aircraft interphone systems, amplifier systems, electrical or electronic inter-crew signalling 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 radio equipment.
- (ii) Class 2: Navigational equipment: Any radio 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 radar or pulsed radio frequency principles.
- (iii) Class 3: Radar equipment: Any aircraft electronic system operated on radar or pulsed radio frequency principles.
- (e) *Instrument ratings*
 - (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 gyrosyn 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 analyzers.
- (f) *Computer systems rating.*
 - (i) Class 1: Aircraft computer systems;
 - (ii) Class 2: Powerplant computer systems; and
 - (iii) Class 3: Avionics computer systems.
- (g) *Accessory ratings*
 - (i) Class 1: Mechanical accessories that depend on friction, hydraulics, mechanical linkage, or pneumatic pressure for operation, including aircraft wheel brakes, mechanically driven pumps, carburetors, aircraft wheel assemblies, shock absorber struts and hydraulic servo units.
 - (ii) Class 2: Electrical accessories that depend on electrical energy for their operation, and generators, including starters, voltage regulators, electric motors, electrically driven fuel pumps magnetos, or similar electrical accessories.
 - (iii) Class 3: electronic accessories that depend on the use of an electron tube transistor, or similar device, including supercharger, temperature, air conditioning controls, or similar electronic controls.
 - (iv) Class 4: Auxiliary Power Unit (APU) 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.

Limited ratings to approved maintenance organization 11.

- (1) Whenever the Authority finds it appropriate, it may issue a limited rating to an approved maintenance organization that maintains or alters only a particular type of airframe, powerplant, propeller, radio, instrument, computer or accessory, or parts thereof, or performs only specialised maintenance requiring equipment and skills not ordinarily found in an approved maintenance organization with ratings as specified in regulation 10.
- (2) A rating issued under sub-regulation (1) may be limited to:
 - (a) a specific model aircraft, engine, or constituent part, or to any number of parts made by a particular manufacturer.
 - (b) airframes of a particular make and model;

- (c) engines of a particular make and model;
 - (d) propellers of a particular make and model;
 - (e) instruments of a particular make and model;
 - (f) computers of a particular make and model;
 - (g) radio equipment of a particular make and model;
 - (h) accessories of a particular make and model;
 - (i) landing gear components;
 - (j) floats, by make;
 - (k) non-destructive inspection, testing, and processing;
 - (l) emergency equipment;
 - (m) rotor blades, by make and model;
 - (n) aircraft fabric work; and
 - (o) any other purpose for which the Authority finds the applicant's request is appropriate.
- (3) A specialised service rating may be issued to an approved maintenance organization to perform specific maintenance or processes and the specific operating provisions of the approved maintenance organization shall identify the specification used in performing specialised services which may be –
- (a) a civil or military specification that is currently used by industry and approved by the Authority; or
 - (b) a specification developed by the approved maintenance organization and approved by the Authority.

Approved maintenance organization capability

- 12.**
- (1) Except for functions that are contracted out, each approved maintenance organization shall provide equipment and material so that the functions listed in these regulations as appropriate to the class or limited rating held or applied for, can be performed as required.
 - (2) For an airframe rating, Classes 3, 4:
 - (a) the functions in respect to metal skin and structural components are-
 - (i) repair and replace steel tubes and fittings using the proper welding techniques, when appropriate;
 - (ii) apply anticorrosion treatment to the interior and exterior of parts;
 - (iii) perform simple machine operations;
 - (iv) fabricate steel fittings;
 - (v) repair and replace metal skin;
 - (vi) repair and replace alloy members and components;
 - (vii) assemble and align components using jigs or fixtures;
 - (viii) make up forming blocks or dies;
 - (ix) repair or replace ribs.
 - (b) the functions in respect to wood structure are –
 - (i) splice wood spars;
 - (ii) repair ribs and spars;
 - (iii) align interior of wings;
 - (iv) repair or replace plywood skin;
 - (v) apply treatment against wood decay;
 - (c) the functions in respect to fabric covering; are repair of fabric surfaces;
 - (d) the functions in respect to aircraft control systems are-
 - (i) repair and replace control cables;
 - (ii) rig complete control system;
 - (iii) replace and repair all control system components;
 - (iv) remove and install control system units and components;
 - (e) the functions in respect to aircraft systems are-
 - (i) replace and repair landing gear hinge-point components and attachments;
 - (ii) maintain elastic shock absorber units;
 - (iii) conduct landing gear retraction cycle tests;

- (iv) maintain electrical position indicating and wiring systems;
 - (v) repair and fabricate fuel, pneumatic, hydraulic, and oil lines;
 - (vi) diagnose electrical and electronic malfunctions;
 - (vii) repair and replace electrical wiring and electronic data transmission lines;
 - (viii) install electrical and electronic equipment;
 - (ix) perform bench check of electrical and electronic components, not to be confused with the more complex functional test after repair or overhaul;
- (f) the functions in respect to assembly operations are-
- (i) assemble aircraft components or parts, such as landing gear, wings, and controls;
 - (ii) rig and align aircraft components, including the complete aircraft and control system;
 - (iii) install powerplants;
 - (iv) install instruments and accessories;
 - (v) assemble and install cowlings, fairings, and panels;
 - (vi) maintain and install windshields and windows;
 - (vii) maintain and install windshields and panels;
 - (viii) jack or hoist complete aircraft;
 - (ix) balance flight control surfaces;
- (g) non-destructive inspection and testing using dye penetrants and magnetic, ultrasonic, radiographic, fluorescent, or holographic inspection techniques;
- (h) the functions in respect to inspection of metal structures are the inspection of metal structures using appropriate inspection equipment to perform the inspections required on an aircraft.
- (3) For an airframe rating Classes 1 and 2, in addition to having the capability to perform the appropriate functions set forth for class 1, 2, 3, or 4 airframe ratings, an approved maintenance organization holding a class 1 or 2 airframe rating for composite aircraft must have the following equipment-
- (a) autoclave capable of providing positive pressure and temperature consistent with materials used;
 - (b) a circulating oven with vacuum capability storage equipment, such as freezer, refrigerator, and temperature-control cabinets or other definitive storage areas;
 - (c) honeycomb core cutters;
 - (d) non-destructive inspection equipment such as x-ray, ultrasonic, or other types of acoustic test equipment as recommended by the manufacturer;
 - (e) cutting tools, such as diamond or carbide saws or router bits, suitable for cutting and trimming composite structures;
 - (f) scales adequate to ensure proper proportioning by mass of epoxy adhesive and resins;
 - (g) mechanical pressure equipment such as vacuum bagging or sand bags, as appropriate;
 - (h) thermocouple probes necessary to monitor cure temperatures;
 - (i) hardness testing equipment using heat guns that are thermostatically controlled for curing repairs; and
 - (j) appropriate inspection equipment to perform inspection of composite structures as recommended by the manufacturer and as required for inspection of an aircraft under these regulations.
- (4) For a powerplant rating, Class 1 and 2 –
- (a) the functions in respect to maintenance and alteration of powerplants, including replacement of parts-
 - (i) perform chemical and mechanical cleaning;
 - (ii) perform disassembly operations;
 - (iii) replace bushings, bearings, pins, and inserts;
 - (iv) perform heating operations that may involve the use of recommended

- techniques that require controlled heating facilities;
- (v) perform chilling or shrinking operations;
- (vi) remove and replace studs;
- (vii) inscribe or affix identification information;
- (viii) paint powerplants and components;
- (ix) apply anticorrosion treatment for parts;
- (b) inspection of all parts, using appropriate inspection aids-
 - (i) determine precise clearances and tolerances of all parts;
 - (ii) inspect alignment of connecting rods, crankshafts, and impeller shafts;
- (c) accomplishment of routine machine work-
 - (i) ream inserts, bushings, bearings, and other similar components;
 - (ii) reface valves;
- (d) accomplishment of assembly operations-
 - (i) perform valve and ignition-timing operations;
 - (ii) fabricate and test ignition harnesses;
 - (iii) fabricate and test rigid and flexible fluid lines;
 - (iv) prepare engines for long or short term storage;
 - (v) hoist engines by mechanical means.
- (5) For a powerplant rating Classes 3, in addition to having the capability to perform the appropriate functions as required for Class 1 and 2 powerplant ratings, a maintenance organization holding a Class 3 powerplant rating must have the following equipment-
 - (a) testing equipment;
 - (b) surface treatment antigallant equipment;
 - (c) functional and equipment requirements recommended by the manufacturer; and
 - (d) appropriate inspection equipment.
- (6) For propeller rating class 1 the functions are-
 - (a) remove and install propellers;
 - (b) maintain and alter propellers, including installation and replacement of parts-
 - (i) replace bladed tipping;
 - (ii) refinish wood propellers;
 - (iii) make wood inlays;
 - (iv) refinish plastic blades;
 - (v) straighten bent blades within repairable tolerances;
 - (vi) modify blade diameter and profile;
 - (vii) polish and buff;
 - (viii) perform painting operations;
 - (c) inspect components using appropriate inspection aids-
 - (i) inspect propellers for conformity with manufacturer's drawings and specifications;
 - (ii) inspect hubs and blades for failures and defects using all visual aids, including the etching of parts;
 - (iii) inspect hubs for wear of splines or keyways or any other defect;
 - (d) balance propellers-
 - (i) test for proper track on aircraft;
 - (ii) test for horizontal and vertical unbalance using precision equipment.
- (7) For propeller rating class 2 the functions -
 - (a) remove and install aircraft propellers, which may include installation and replacement of parts-
 - (i) perform all functions listed under Class 1 propellers when applicable to the make and model of propeller in this class;
 - (ii) properly lubricate moving parts;
 - (iii) assemble complete propeller and subassemblies using special tools when required;

- (b) inspect components using appropriate inspection aids for those functions listed for Class 1 propellers under sub regulation (b) and (c) when applicable to the make and model of the propeller being worked on;
 - (c) repair or replace components or parts-
 - (i) replace blades, hubs or any of their components;
 - (ii) repair or replace anti-icing devices;
 - (iii) remove nicks or scratches from metal blades;
 - (iv) repair or replace electrical propeller components;
 - (d) balance propellers, including those functions listed for class 1 propellers under sub regulation 6 (d) when applicable to the make and model of the propeller being worked on;
 - (e) test propeller pitch-changing mechanism-
 - (i) test hydraulically operated propellers and components;
 - (ii) test electrically operated propellers and components.
- (8) For radio rating Class 1, 2, and 3, the functions are –
- (a) perform physical inspection of radio systems and components by visual and mechanical inspection;
 - (b) perform electrical inspection of radio systems and components by means of appropriate electrical or electronic test equipment;
 - (c) check aircraft wiring, antennas, connectors, relays, and other associated avionics components to detect installation faults;
 - (d) check engine ignition systems and aircraft accessories to determine sources of electrical interference;
 - (e) check aircraft power supplies for adequacy and proper functioning;
 - (f) remove, repair, and replace aircraft antennas;
 - (g) measure transmission line attenuation;
 - (h) measure radio component values such as inductance, capacitance, and resistance;
 - (i) determine waveforms and phase in avionics equipment when applicable;
 - (j) determine proper aircraft radio antenna, lead-in, and transmission-line characteristics and determine proper locations for type of radio equipment to which the antenna is connected;
 - (k) determine the operational condition of radio equipment installed in aircraft by using appropriate portable test apparatus;
 - (l) test all types of transistors: solid-state, integrated circuits; or similar devices in equipment appropriate to the class rating;
 - (m) test radio indicators.
- (9) For radio rating class 1, in addition to having the capability to perform the functions listed in sub regulation (8)-
- (a) test and repair headsets, speakers, and microphones;
 - (b) measure radio transmitter power output;
 - (c) measure modulation values, noise, and distortion in communication equipment;
- (10) For radio rating class 2, in addition to having the capability to perform the functions listed in sub regulation (8)-
- (a) test and repair headsets;
 - (b) test speakers;
 - (c) measure loop antenna sensitivity by appropriate methods;
 - (d) calibrate to approved performance standards any radio navigational equipment, en route and approach aids, or similar equipment, as appropriate to this rating.
- (11) For radio rating class 3, in addition to having the capability to perform the functions listed in sub regulation (8), measure transmitter power output.
- (12) For computer systems rating class 1, 2, and 3 the functions are-
- (a) maintain computer systems in accordance with manufacturer's specifications, test requirements, and recommendations;
 - (b) remove, maintain, and replace computer systems in aircraft;
 - (c) inspect, test, and calibrate computer system equipment, including software.

- (13) For instrument rating class 1 the functions are-
- (a) diagnose instrument malfunctions on the following instruments-
 - (i) rate-of-climb indicators.
 - (ii) altimeters;
 - (iii) airspeed indicators;
 - (iv) vacuum indicators;
 - (v) oil pressure gauges;
 - (vi) hydraulic pressure gauges;
 - (vii) de-icing pressure gauges;
 - (viii) pitot-static tube;
 - (ix) direct indicating compasses;
 - (x) accelerometer;
 - (xi) direct indicating tachometers;
 - (xii) direct reading fuel quantity gauges;
 - (b) inspect, test, and calibrate the instruments listed in paragraph (a) on and off the aircraft, as appropriate.
- (14) For instrument rating class 2 the functions are-
- (a) diagnose instrument malfunctions of the following instruments-
 - (i) tachometers;
 - (ii) synchroscope;
 - (iii) electric temperature indicators;
 - (iv) electric resistance-type indicators;
 - (v) moving magnet-type indicators;
 - (vi) warning units (oil and fuel);
 - (vii) selsyn systems and indicators;
 - (viii) self-synchronous systems and indicators;
 - (ix) remote indicating compasses;
 - (x) quantity indicators;
 - (xi) avionics indicators;
 - (xii) ammeters;
 - (xiii) voltmeters;
 - (xiv) frequency meters.
 - (b) inspect, test, and calibrate instruments listed in paragraph (a) on and off the aircraft, as appropriate.
- (15) For instrument rating Class 3 the functions are-
- (a) diagnose instrument malfunctions of the following instruments-
 - (i) turn and bank indicators;
 - (ii) directional gyros;
 - (iii) horizon gyros;
 - (iv) auto pilot control units and components;
 - (b) inspect, test, and calibrate instruments listed in paragraph (a) of this regulation on and off the aircraft, as appropriate.
- (16) For instrument rating Class 4 the functions are –
- (a) diagnose instrument malfunctions of the following instruments-
 - (i) capacitance-type quantity gauge;
 - (ii) laser gyros;
 - (iii) other electronic instruments;
 - (b) inspect, test, and calibrate instruments listed in paragraph (a) on and off the aircraft, as appropriate.
- (17) For accessory rating class 1, 2, 3, and 4, the approved maintenance organization shall perform the following functions in accordance with the manufacturer’s 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.

- Sub-contracted maintenance functions** 13. (1) An approved maintenance organization may sub-contract its maintenance functions to another approved maintenance organization.
- (2) An approved maintenance organization may sub-contract maintenance functions to an organization which is not approved by the Authority provided that the approved maintenance organization meet the following conditions;
- (a) the approved maintenance organization shall be approved for work which is to be sub-contracted and have the capability to assess the competence of the sub-contractor;
- (b) the approved maintenance organization must retain responsibility for quality control and release of the sub-contracted activities, including the appropriate airworthiness requirements; and
- (c) have necessary procedures for the control of the sub-contracted activities, together with the terms for the personnel responsible the management.

PART III - HOUSING, FACILITIES, EQUIPMENT AND MATERIALS

General 14. An approved maintenance organization shall have personnel, facilities, equipment, and materials in quantity and quality that meet the standards specified under these Regulations.

- Housing and facility requirements** 15. (1) Housing and facilities shall be provided as appropriate for all planned work ensuring, in particular, protection from weather.
- (2) All work environments shall be appropriate for the task carried out and shall not impair the effectiveness of personnel.
- (3) Office accommodation shall be appropriate for the management of planned work including, in particular, the management of quality, planning, and technical records.
- (4) Specialised workshops and bays shall be segregated, as appropriate, to ensure that environmental and work area contamination is unlikely to occur.
- (5) Storage facilities shall be provided for parts, equipment, tools and materials.
- (6) Storage conditions shall be provided security for serviceable parts, segregation of serviceable parts from unserviceable parts, and for prevention of deterioration of and damage to stored items.
- (7) For ongoing maintenance of aircraft, aircraft hangars shall be available and large enough to accommodate aircraft during maintenance activities.
- (8) Where the hangar is not owned by the approved maintenance organization, the approved maintenance organization shall:
- (a) provide evidence to the Authority that the approved maintenance organization is authorized to use the hangar;
- (b) demonstrate sufficiency of hangar space to carry out planned base maintenance by preparing a projected aircraft hangar visit plan relative to the maintenance program;
- (c) update the aircraft hangar visit plan on a regular basis;
- (d) ensure that aircraft component maintenance, aircraft component workshops are large enough to accommodate the components on planned maintenance;
- (e) ensure that aircraft hangar and aircraft component workshop structures prevent the ingress of rain, hail, ice, snow, wind and dust;
- (f) ensure that workshop floors are sealed to minimise dust generation; and
- (g) demonstrate access to hangar accommodation for usage during adverse weather for minor scheduled work or lengthy defect rectification.
- (9) Aircraft maintenance staff shall be provided with an area where they may study maintenance instructions and complete maintenance records in a proper manner.
- (10) Hangars used to house aircraft together with office accommodation shall be such as to ensure a clean, effective and comfortable working environment by ensuring that:
- (a) temperatures are maintained at a comfortable level;
- (b) dust and any other airborne contamination are kept to a minimum and not

- permitted to reach a level in the work task area where visible aircraft or component surface contamination is evident;
 - (c) lighting is such as to ensure each inspection and maintenance task can be carried out; and
 - (d) noise levels are not permitted to rise to the point of distracting personnel from carrying out inspection tasks and where it is impractical to control the noise source, such personnel shall be provided with the necessary personal equipment to stop excessive noise causing distraction during inspection tasks.
- (11) Where a particular maintenance task requires the application of specific environmental conditions different from those specified in sub-regulation (10), then such conditions shall be observed. (Specific conditions are identified in the approved maintenance instructions).
 - (12) Where the working environment for line maintenance deteriorates to an unacceptable level with respect to temperature, moisture, hail, ice, snow, wind, light, dust or other airborne contamination, the particular maintenance or inspection tasks shall be suspended until satisfactory conditions are re-established.
 - (13) 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.
 - (14) Storage facilities for serviceable aircraft components shall be clean, well-ventilated and maintained at an even dry temperature to minimise the effects of condensation.
 - (15) Manufacturer and standards recommendations shall be followed for specific aircraft components.
 - (16) Storage racks shall provide sufficient support for large aircraft components so that the component is not distorted.
 - (17) All aircraft components, wherever practicable, shall remain packaged in protective material to minimise damage and corrosion during storage.

**Equipment,
tools, and
material**

16. (1) An approved maintenance organization 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 approved maintenance organization.
- (2) Equipment and tools shall be available at all times except in the case of any tool or equipment that is so rarely needed that its permanent availability is not necessary.
- (3) The Authority may exempt an approved maintenance organization from possessing specific tools and equipment for maintenance or repair of an aircraft or aircraft component specified in the approved maintenance organization certificate, if the tools and equipment can be acquired temporarily, by prior arrangement, and be under full control of the approved maintenance organization when needed to perform required maintenance or repairs.
- (4) The Authority may not 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 approved maintenance organization to re-acquire tools, equipment, or other items before performing any maintenance or repair.
- (5) An approved maintenance organization shall control all applicable tools, equipment, and test equipment used for product acceptance or for making a finding of airworthiness.
- (6) An approved maintenance organization shall ensure that all applicable tools, equipment, and test equipment used for product acceptance or for making a finding of airworthiness are calibrated to ensure correct calibration to a standard acceptable to the Authority and traceable to national or international standards.
- (7) An approved maintenance organization shall keep all records of calibrations and the standards used for calibration.
- (8) Except as provided in sub-regulation (6), in the case of foreign manufactured tools, equipment, and test equipment, the standard provided by the State of manufacture may be used if approved by the Authority.
- (9) 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.

- (10) Except as provided in sub-regulation (9), tools, equipment, or test equipment other than those recommended by the manufacturer shall be acceptable based on at least the following:
- (a) the approved maintenance organization 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;
 - (b) the approved maintenance organization shall have a programme to include:
 - (i) a description of the procedures used to establish the competence of personnel that make the determination of equivalency of 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; and
 - (v) the approved maintenance organization shall have full control of the equivalent tool, equipment, or test equipment through an ownership, lease or other legal arrangement.
- (11) An approved maintenance organization approved for base maintenance shall have sufficient aircraft access equipment and inspection platforms or docking such that the aircraft may be properly inspected.
- (12) The approved maintenance organization shall have a procedure to inspect or 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.
- (13) The approved maintenance organization shall have a procedure to ensure that if it uses a standard (primary, secondary or transfer standards) for performing calibration, that standard cannot be used to perform maintenance.
- (14) 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 where the item is unserviceable for a reason that is not obvious.
- (15) 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 or for making a finding of airworthiness.
- (16) A register shall be maintained for all calibrated tools, equipment and test equipment together with a record of calibrations and standards used.
- (17) Inspection, service, or calibration on a regular basis shall be in accordance with the equipment manufacturers' instructions except where the approved maintenance organization can show by results that a different time period is appropriate in a particular case and is acceptable to the Authority.

PART IV – ADMINISTRATION

**Approved
maintenance
organization
personnel and
training
requirements**

17. (1) An approved maintenance organization shall appoint a management person or group of persons acceptable to the Authority, whose responsibilities include ensuring that the approved maintenance organization is in compliance with these Regulations.
- (2) A person appointed as manager shall represent the maintenance management structure of the approved maintenance organization, and shall be responsible for all functions specified in these Regulations.
- (3) A manager shall be directly responsible to an accountable manager who shall be acceptable to the Authority.
- (4) An approved maintenance organization shall employ sufficient personnel to perform maintenance functions in accordance with the approved maintenance organization certificate.
- (5) The competence of personnel involved in maintenance shall be established in accordance with a procedure and to a standard acceptable to the Authority.
- (6) A person signing a certificate of release to service shall be qualified in accordance with the Civil Aviation (Personnel Licensing) Regulations as appropriate to the work performed and as acceptable to the Authority.
- (7) 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.
- (8) The training program established by the approved maintenance organization shall include training in knowledge and skills related to human performance, including coordination with other maintenance personnel and flight crew.
- (9) An approved maintenance organization's functions shall be allocated to individual managers or combined in any number of ways, dependent upon the size of the approved maintenance organization.

Management Personnel required for aircraft maintenance organisation

- 18.**
- (1) An approved maintenance organization shall have an accountable manager acceptable to the Authority, with corporate authority for ensuring that all the necessary resources are available to support the approved maintenance organization approval.
 - (2) The approved maintenance organization shall have qualified personnel with proven competence in civil aviation available and serving in the following positions or their equivalent:
 - (a) base maintenance manager;
 - (b) line maintenance manager;
 - (c) workshop manager; and
 - (d) quality manager
 - (3) For the purpose of sub-regulation (2) “competence in civil aviation” means that an individual has a technical qualification and management experience acceptable to the Authority for the position served.
 - (4) The Authority may approve positions, other than those listed in sub-regulation (2) if the approved maintenance organization is able to show that it can perform the approved functions safely under the direction of fewer or different categories of management personnel due to the size of the approved maintenance organization.
 - (5) The approved maintenance organization shall make temporal arrangements to ensure continuity of supervision of its functions if maintenance is conducted in the absence of any required management personnel.
 - (6) A person serving in a required management position in an approved maintenance organization shall not serve in a similar position in any other approved maintenance organization unless exemption is issued by the Authority.

Qualification and responsibility of personnel

- 19.**
- (1) The accountable manager shall possess the following qualifications:
 - (a) a background in the management of aircraft maintenance organizations;
 - (b) knowledge of these Regulations and other regulations and materials published by the Authority that are applicable to aircraft maintenance; and
 - (c) a thorough knowledge of the organization’s maintenance procedures.
 - (2) When authorized by the Authority, the accountable manager may delegate all or part of his responsibility in writing to another person in a management position within the organization;
 - (3) A base maintenance manager shall, dependent upon the scope of approval of an approved maintenance organization, be responsible for ensuring that all maintenance carried out in the hangar is carried out in accordance with the approved maintenance schedule or programme.
 - (4) The minimum qualification for the base maintenance manager shall be as follows:
 - (a) a licenced maintenance engineer with appropriate ratings in airframe and engines or avionics;
 - (b) at least five years experience in maintaining the same category of aircraft including one year in the capacity of returning aircraft to service, except if the Authority specifies otherwise;
 - (c) have received type training on every aircraft maintained within the approved scope of the approved maintenance organization.
 - (5) A line maintenance manager shall be responsible for ensuring that all maintenance required to be carried out on the line, including line defect rectification, is performed to the required standards; and any corrective action resulting from quality compliance monitoring;
 - (6) The minimum qualifications for line maintenance manager are:
 - (a) a licenced maintenance engineer with appropriate airframe, powerplant or

avionics ratings; and

- (b) at least five years experience in maintaining the same category of aircraft including one year in the capacity of returning aircraft to service, except if the Authority specifies otherwise.
- (7) A workshop manager shall be responsible for ensuring that all work on aircraft components in the workshop and any corrective action resulting from quality compliance monitoring is performed to required standards;
- (8) The minimum qualifications for a workshop manager are:
 - (a) a licenced maintenance engineer with appropriate airframe, engines or avionics rating and
 - (b) at least five years experience in maintaining components for the same category of aircraft including one year in the capacity of returning components to service except if the Authority specifies otherwise.
- (9) A quality manager shall be responsible for monitoring the approved maintenance organization's compliance with these Regulations; and requesting remedial action as necessary by the base maintenance manager or line maintenance manager or workshop manager or the accountable manager, as appropriate.
- (10) The minimum qualifications for quality manager are:
 - (a) a licenced maintenance engineer with appropriate airframe and engine or avionics ratings; and
 - (b) at least five years experience in the field of aircraft maintenance, except if the Authority specifies otherwise; and
 - (c) must have successfully completed a training in quality management course recognized by the Authority.

Man hours

20.

- (1) An approved maintenance organization shall have a production man-hours plan showing that it has sufficient man-hours for the intended work.
- (2) Where an approved maintenance organization is certified for base maintenance, the man-hours plan shall relate to the aircraft hangar visit plan.
- (3) Man-hours plans shall be regularly updated.
- (4) Work performed on any aircraft registered outside Rwanda shall be taken into account where it impacts upon the production man-hours plan.
- (5) Quality monitoring compliance function relating to man-hours shall be such as will be sufficient to meet the requirement of rest and duty limitations for persons performing maintenance functions.

Assessment of personnel

21.

- (1) Planners, aircraft maintenance engineers, mechanics, supervisors and certifying staff of an approved maintenance organization shall be assessed for competence by "on the job" evaluation or by examination relevant to their particular role within the approved maintenance organization before unsupervised work is permitted.
- (2) The assessment specified in sub-regulation (1) shall be based on job description for each post in and shall establish that:
 - (a) 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;
 - (b) aircraft maintenance engineers and 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;
 - (c) 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 upon by the quality department of the approved maintenance organization; and
 - (d) certifying staff are able to determine when an aircraft or an aircraft component is or is not ready for release to service.

- (3) Planners, supervisors, and certifying staff, shall demonstrate knowledge of approved maintenance organization procedures relevant to their particular role.

Training of certifying staff 22.

- (1) Initial and continuing training of certifying staff shall be performed by an approved maintenance organization or a training organization selected by the approved maintenance organization.
- (2) An approved maintenance organization shall establish the curriculum and standards for training of personnel and establish pre-qualification standards intended to ensure that the trainee has a reasonable chance of successfully completing any course.
- (3) The training programme, training facilities and the curriculum to train certifying staff as provided for in sub-regulation (2) shall be approved by the Authority.
- (4) The training programme submitted to the Authority under sub-regulation (3) shall include:
 - (a) details of the number of personnel who will receive initial training to qualify as certifying staff over specified time periods; and
 - (b) for maintenance personnel and certifying staff of the approved maintenance organization, training in knowledge and skills related to live performance including coordination with other maintenance personnel and flight crew.
- (5) All trained personnel shall be examined at the end of each training course.
- (6) All certifying staff of an approved maintenance organization shall undergo initial training that covers:
 - (a) basic engineering theory relevant to the scope of work performed by the approved maintenance organization;
 - (b) 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 or structural defects; and
 - (c) company procedures relevant to the certifying staff's tasks.
- (7) All certifying staff of an approved maintenance organization who have undergone initial training shall undertake continuation training in changes in approved maintenance organization procedures and changes in the standard of aircraft or aircraft component maintained.

Rest and duty limitations for persons performing maintenance functions in an approved maintenance organization 23.

- (1) A person shall not:
 - (a) assign maintenance functions for aircraft unless the assignee has had a minimum rest period of eight hours prior to the beginning of duty;
 - (b) perform maintenance functions for aircraft unless that person had a minimum rest period of eight hours prior to the beginning of duty.
- (2) A person shall not:
 - (a) schedule a person performing maintenance functions for aircraft for more than twelve consecutive hours of duty; or
 - (b) perform maintenance functions for aircraft for more than twelve consecutive hours of duty.
- (3) In situations involving unscheduled aircraft unserviceability, persons performing maintenance functions for aircraft may be continued on duty for:
 - (a) up to sixteen consecutive hours; or
 - (b) twenty hours in twenty-four consecutive hours.
- (4) Following unscheduled duty periods, the person performing maintenance functions for aircraft shall have a mandatory rest period of ten hours.
- (5) An approved maintenance organization shall relieve the person performing maintenance functions from all duties for twenty-four consecutive hours during any seven consecutive day periods.

Record of certifying staff

- 24.** (1) An approved maintenance organization shall maintain a roster of all certifying staff, which includes details of the scope of their authorization and the certifying staff shall be notified in writing of the scope of that authorization.
- (2) The following minimum information shall be kept on record in respect of each certifying person:
- (a) name;
 - (b) date of birth;
 - (c) basic training;
 - (d) type training;
 - (e) continuation training;
 - (f) experience;
 - (g) qualifications relevant to the approval;
 - (h) scope of the authorization;
 - (i) date of first issue of the authorization;
 - (j) expiration date of the authorization, where appropriate; and
 - (k) identification number of the authorization.
- (3) Records of certifying staff shall be controlled by the approved maintenance organization's quality department.
- (4) The number of persons authorized to access the records system shall be limited to minimise the possibility of records being altered in an unauthorized manner and to limit confidential records from becoming accessible to unauthorized persons.
- (5) Certifying staff shall be given reasonable access on request, to their records.
- (6) The Authority 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.
- (7) An approved maintenance organization shall keep the record of a certifying staff for at least two years following a date on which a staff has ceased employment with the approved maintenance organization or upon withdrawal of the certifying staff authorization.
- (8) The certifying staff shall upon request be furnished with a copy of their record on leaving the approved maintenance organization.
- (9) The authorization document issued to the certifying staff under this regulation shall be in a style that makes its scope clear to certifying staff and the Authority that may be required to examine the document and where codes are used to define scope, an interpretation document shall be readily available.
- (10) Certifying staff shall be required to carry the authorization document at all times and shall produce it on request from the Authority.

PART V – APPROVED MAINTENANCE ORGANIZATION OPERATING RULES

Approved maintenance organization maintenance procedures manual

- 25.** (1) An approved maintenance organization shall provide a maintenance procedures manual for the use by maintenance personnel.
- (2) An approved maintenance organization maintenance procedure manual and any subsequent amendments shall be approved by the Authority prior to use.
- (3) An approved maintenance organization maintenance procedures manual shall specify the scope of work required of the approved maintenance organization in order to satisfy the relevant requirements for an approval of an aircraft or aircraft component for return to service.
- (4) An approved maintenance organization maintenance procedures manual and any other manual it identifies shall:
- (a) include instructions and information necessary to allow the personnel to perform their duties and responsibilities with a high degree of safety;
 - (b) be in a form that is easy to revise and contain a system which allows personnel

- to determine current revision status;
 - (c) have the date of the last revision printed on each page containing the revision;
 - (d) not be contrary to any Laws of Rwanda or the approved maintenance organization's operations specifications; and
 - (e) include a reference to appropriate civil aviation regulations.
- (5) Without prejudice to the preceding provisions of this regulation, an approved maintenance organization maintenance procedures manual shall contain the following information:
- (a) a statement signed by the accountable manager confirming that the approved maintenance organization maintenance procedures manual and any associated manuals define the approved maintenance organization 's compliance with this regulation and will be complied with at all times;
 - (b) a list which describes the duties and responsibilities of the management personnel and the matters on which they may deal directly with the Authority on behalf of the approved maintenance organization;
 - (c) a procedure to establish and maintain a current list of the titles and names of the approved maintenance organization's management personnel accepted by the Authority;
 - (d) an organization chart showing associated chains of responsibility of the management personnel;
 - (e) a procedure to establish and maintain a current roster of certifying staff;
 - (f) a description of the procedures used to establish the competence of maintenance personnel;
 - (g) a general description of manpower resources;
 - (h) description of the method used for the completion and retention of the maintenance records;
 - (i) a description of the procedure for preparing the certificate of release to service, the circumstances under which the certificate of release to service is to be signed, the personnel authorized to sign the maintenance release and the scope of their authorization;
 - (j) a description, when applicable, of additional procedures for complying with an air operator certificate holder's maintenance procedures and requirements;
 - (k) a description of the procedures for complying with the service information reporting requirement contained in regulation 34;
 - (l) a description of the procedure for receiving, amending and distributing within the maintenance organization all necessary airworthiness data from the type certificate holder or the type design organization;
 - (m) a general description of the facilities located at each physical address specified in the approved maintenance organization 's certificate;
 - (n) a general description of the approved maintenance organization 's scope of work relevant to the extent of approval;
 - (o) the notification procedure for the approved maintenance organization to use when requesting the approval of changes to the organization of the approved maintenance organization from the Authority;
 - (p) the amendment procedure for the approved maintenance organization maintenance procedures manual, including the submission to the Authority;
 - (q) the approved maintenance organization 's procedures, acceptable to the Authority, to ensure manual good maintenance practices and compliance with the requirements in these Regulations;
 - (r) the approved maintenance organization's procedures to establish and maintain an independent quality system to monitor compliance with the adequacy of the procedures to ensure good quality maintenance practices and airworthy aircraft and aircraft components; compliance monitoring shall include a feedback system, acceptable to the Authority, to the person or group of persons specified in regulation 18, and ultimately to the accountable manager to ensure, as

necessary, corrective action; such feedback system shall be acceptable to the Authority;

- (s) approved maintenance organization procedures for self-evaluations, including methods and frequency of such evaluations, and procedures for reporting results to the accountable manager for review and action;
 - (t) a list of operators, if appropriate, to which the approved maintenance organization provides an aircraft maintenance service;
 - (u) a list of organizations performing maintenance on behalf of the approved maintenance organization; and
 - (v) a list of the approved maintenance organization's line maintenance locations and procedures, if applicable.
- (6) The list of personnel and certifying staff for sub-regulations (5)(b) and (5)(e) may be separate from the approved maintenance organization maintenance procedures manual, but shall be kept current and available for review by the Authority when requested.
- (7) The approved maintenance organization shall ensure that:
- (a) the maintenance procedures manual is amended as necessary to keep the information contained therein up to date; and
 - (b) copies of all amendments to the maintenance procedures manual shall be furnished promptly to all organizations or persons to whom the manual has been issued.
- (8) Approved maintenance organization personnel shall be familiar with those parts of the manuals that are relevant to the maintenance work they perform.
- (9) An approved maintenance organization shall specify in the approved maintenance organization maintenance procedures manual who should amend the manual, particularly in the case where the manual consists of several parts.
- (10) The quality manager of an approved maintenance organization shall be responsible for:
- (a) monitoring the amendment of the approved maintenance organization maintenance procedures manual, including associated procedures manuals; and
 - (b) submitting proposed amendments to the Authority, unless the Authority has agreed, by a procedure stated in the amendment section of the procedures manual, that some defined class of amendments may be incorporated without approval by the Authority.
- (11) The approved maintenance organization maintenance procedures manual shall address four main areas—
- (a) the management procedures covering the parts previously specified;
 - (b) the maintenance procedures covering all aspects of how aircraft components may be accepted from outside sources and how aircraft will be maintained to the required standard;
 - (c) the quality system procedures, including the methods of qualifying mechanics, inspection, certifying staff and quality audit personnel; and
 - (d) contracted air operator certificate holder procedures and paperwork.
- (12) An approved maintenance organization maintenance procedures manual shall be in a format approved by the Authority.

Maintenance procedures and independent quality system

26.

- (1) An approved maintenance organization shall establish maintenance procedures acceptable to the Authority to ensure good maintenance practices and compliance with all relevant requirements in these Regulations, such that aircraft and aircraft components may be properly released to service.
- (2) The maintenance procedures established under sub-regulation (1) shall:
 - (a) cover all aspects of maintenance activity and describe standards to which the approved maintenance organization intends to work;
 - (b) take into account the aircraft and aircraft component design and approved maintenance organization standards; and
 - (c) address the provisions and limitations of these Regulations.

- (3) An approved maintenance organization shall establish an independent quality 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.
- (4) The compliance monitoring specified in sub-regulation (3) 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.
- (5) The quality system established under sub-regulation (3):
 - (a) 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; and
 - (b) shall include a procedure to initially qualify and periodically perform audits on persons performing work on behalf of the approved maintenance organization.
- (6) An approved maintenance organization's quality system shall be:
 - (a) sufficient to review all maintenance procedures as described in the maintenance procedures manual in accordance with an approved program once a year for each aircraft type maintained
 - (a) indicate when audits are due, when they are completed, and establish a system of audit reports which can be reviewed by the Authority on request.
- (7) The audit system established under sub-regulation (6)(b) shall clearly establish a means by which audit reports containing observations about non-compliance or poor standards are communicated to the accountable manager.

Capability list 27.

- (1) An approved maintenance organization shall prepare and retain a current capability list approved by the Authority.
- (2) An approved maintenance organization shall not perform maintenance, preventive maintenance, or modifications on an article until the article has been listed on the capability list in accordance with these Regulations.
- (3) A capability list specified in sub-regulation (2) shall identify each article by make and model, part number, or other nomenclature designated by the article's manufacturer.
- (4) An article may be listed on the capability list only if the article is within the scope of the ratings and classes of the approved maintenance organization certificate, and only after the approved maintenance organization has performed a self-evaluation in accordance with sub-regulation (5).
- (5) An approved maintenance organization shall perform the self-evaluation described in sub-regulation (4) to determine that the maintenance organization 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 regulation.
- (6) If an approved maintenance organization makes a determination under sub-regulation (5), it may list the article on the capability list.
- (7) The document of the evaluation described in sub-regulation (4) shall be signed by the accountable manager and shall be retained on file by the approved maintenance organization.
- (8) Upon listing an additional article on its capability list, the approved maintenance organization shall send a copy of the list to the Authority.
- (9) The capability list shall be available in the premises for inspection by the public and the Authority.
- (10) The self-evaluations shall be available in the premises for inspection by the Authority.
- (11) An approved maintenance organization shall retain a capability list and self-evaluation for two years from the date accepted by the accountable manager.

Approved maintenance organization 28.

- (1) An approved maintenance organization shall only carry out the following tasks as permitted by and in accordance with the approved maintenance organization maintenance procedures manual:

privileges

- (a) maintain an aircraft or aircraft components for which it is rated at the locations identified in the approval certificate;
 - (b) maintain any aircraft for which it is rated at any location subject to the need for such maintenance arising from unserviceability of the aircraft;
 - (c) describe the activities in support of a specific air operator certificate holder where that air operator certificate holder has requested the service of the approved maintenance organization at locations other than the location identified on the approved maintenance organization certificate, and the approved maintenance organization has been rated to maintain the aircraft of that specific air operator certificate holder at the requested location in the approved maintenance organization operation provisions approved by the Authority; and
 - (d) issue a certificate of release to service in respect of sub-paragraphs (a), (b) and (c) upon completion of maintenance in accordance with limitations applicable to the approved maintenance organization.
- (2) The approved maintenance organization may maintain or alter any article for which it is rated at a place other than the approved maintenance organization location if:
- (a) the function would be performed in the same manner as when performed at the approved maintenance organization and in accordance with this Part; or
 - (b) all necessary personnel, equipment, material, and technical or approved standards are available at the place where the work is to be done; and the maintenance procedure manual of the station specified approved procedures governing work to be performed at that place other than the location of the approved maintenance organization.

Approved maintenance organization limitations

29. An approved maintenance organization may maintain an aircraft or aircraft component for which it is approved when all necessary housing, facilities, equipment, tools, material, approved technical data and certifying staff are available.

Safety management system

30. (1) An approved maintenance organization shall implement a safety management system acceptable to the Authority that shall include, among others, the following components:
- (a) a safety management plan that includes
 - (i) a safety policy that the accountable manager has approved and communicated to all employees,
 - (ii) the roles and responsibilities of personnel assigned duties under the quality assurance program or the safety management system,
 - (iii) performance goals and a means of measuring attainment of those goals,
 - (iv) a policy for the internal reporting of a hazard, an incident or an accident, including the conditions under which immunity from disciplinary action will be granted, and
 - (v) a review of the safety management system to determine its effectiveness;
 - (b) procedures for reporting a hazard, an incident or an accident to the appropriate manager;
 - (c) procedures for the collection of data relating to hazards, incidents and accidents;
 - (d) procedures for analysing data obtained under sub-paragraph (c) and during an audit conducted under regulation 31 and for taking corrective actions;
 - (e) an audit system;
 - (f) training requirements for the person responsible for maintenance and for personnel assigned duties under the safety management system; and
 - (g) procedures for making progress reports to the accountable executive at intervals determined by the accountable executive and other reports as needed in urgent cases.
- (2) The components specified in sub-regulation (1) shall be set out in the approved

maintenance organization's maintenance procedures manual.

- (3) The person managing the safety management system in respect of an approved maintenance organization shall:
 - (a) establish and maintain a reporting system to ensure the timely collection of information related to hazards, incidents and accidents that may adversely affect safety;
 - (b) identify hazards and carry out risk management analyses of those hazards;
 - (c) investigate, analyze and identify the cause or probable cause of all hazards, incidents and accidents identified under the safety management system;
 - (d) establish and maintain a safety data system, by either electronic or other means, to monitor and analyze trends in hazards, incidents and accidents;
 - (e) monitor and evaluate the results of corrective actions with respect to hazards, incidents and accidents;
 - (f) monitor the concerns of the civil aviation industry in respect of safety and their perceived effect on the approved maintenance organization;
 - (g) determine the adequacy of the training required by these Regulations; and
 - (h) where the person responsible for maintenance has assigned the management functions for the safety management system to another person, report to the person responsible for maintenance the hazards, incidents and accidents identified under the safety management system or as a result of an audit

**Certificate of
release to
service**

31. (1) A certificate of release to service shall be issued by certifying staff when satisfied that all required maintenance of the aircraft or aircraft component has been properly carried out by the approved maintenance organization in accordance with the maintenance procedures specified in the maintenance organization's procedures manual.
- (2) An aircraft component, which has been maintained off the aircraft, requires the issue of a certificate of release to service for such maintenance and another certificate of release to service in regard to being installed properly on the aircraft.
- (3) A certificate of release to service shall contain:
 - (a) basic details of the maintenance carried out including detailed reference of the approved data used;
 - (b) the date such maintenance was completed; and
 - (c) the identity, including the authorization reference, of the approved maintenance organization and certifying staff issuing the certificate.
- (4) A certificate of release to service is required:
 - (a) before flight at the completion of any package of maintenance scheduled by the approved aircraft maintenance programme on the aircraft, whether such maintenance took place as base or line maintenance;
 - (b) before flight at the completion of any defect rectification, while the aircraft operates between scheduled maintenance; and
 - (c) at the completion of any maintenance on an aircraft component when off the aircraft.
- (5) A certificate of release to service shall contain the following statement: "Certifies that the work specified was carried out in accordance with current regulations and in respect of that work the aircraft or aircraft component is considered ready for release to service."
- (6) A certificate of release to service shall reference the data specified in the manufacturer's or operator's instructions or the aircraft maintenance programme which itself may cross-reference to a manufacturer's instruction in a maintenance manual, service bulletin, or other maintenance-related document.
- (7) Where instructions include a requirement to ensure 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 or NO GO gauges and, it shall not be sufficient to state that the dimension or the test figure is within tolerance.

- (8) When extensive maintenance has been carried out, it is acceptable for the certificate of release to service to summarise the maintenance as long as there is a cross-reference to the work-pack containing full details of maintenance carried out.
- (9) 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 or some other relevant value as appropriate.
- (10) Dimensional information shall be retained in the work-pack record.
- (11) The person issuing the certificate of release to service shall use a full signature and preferably a certification stamp.
- (12) Where a computer release to service system is used the Authority will need to be satisfied that only the particular person can electronically issue the certificate of release to service.

Maintenance records

32.

- (1) An approved maintenance organization shall record, in a form acceptable to the Authority, all details of work carried out.
- (2) An approved maintenance organization shall provide a copy of each certificate of release to service to the aircraft operator, together with a copy of any specific maintenance data used for repairs or modifications carried out.
- (3) An approved maintenance organization shall retain a copy of all detailed maintenance records and any associated maintenance data for two years from the date the aircraft or aircraft component to which the work relates was released from the approved maintenance organization.
- (4) A person who maintains, performs preventive maintenance, rebuilds, or modifies an aircraft or aircraft component shall:
 - (a) make an entry in the maintenance record of that equipment showing-
 - (i) a description and reference to data acceptable to the Authority of work carried out;
 - (ii) the date of completion of the work carried out;
 - (iii) the name of the person performing the work if other than the person specified in this regulation;
 - (iv) 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; and
 - (v) the authorized signature, which constitutes the approval for return to service, the approved maintenance organization certificate number and kind of certificate held by the person approving or disapproving for return to service the aircraft, airframe, aircraft engine, propeller, appliance, component part, or portions thereof.
 - (b) in addition to the entry specified in sub-paragraph (a), enter on a form, major repairs and major alterations, and the person performing the work shall execute the form, in the manner prescribed by the Authority.
- (5) A person shall not describe in any required maintenance entry or form an aircraft or aeronautical component as being overhauled unless:
 - (a) using methods, techniques and practices acceptable to the Authority, it has been disassembled, cleaned, inspected as permitted, repaired as necessary, and reassembled; and
 - (b) 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 technical standard order.
- (6) A person shall not describe in any required maintenance entry or form, an aircraft or other aircraft components as being rebuilt unless it has been:
 - (a) disassembled, cleaned, inspected as permitted;
 - (b) repaired as necessary; and
 - (c) reassembled and tested to the same tolerances and limits as a new item, using

- either new parts or used parts that either conform to new part tolerances and limits, or to approved oversized or undersized dimensions.
- (7) A person shall not issue a certificate of release to service to any aircraft or aircraft component that has undergone maintenance, preventive maintenance, rebuilding, or modification unless:
- (a) the appropriate maintenance record entry specified in sub-regulation (4) has been made; and
 - (b) the major repair and major modification form specified in sub-regulation (4) authorized by or furnished by the Authority has been executed in a manner prescribed by the Authority.
- (8) 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 set forth as prescribed by the Authority.
- (9) A person approving or disapproving for return to service an aircraft or aircraft component, after any inspection performed in accordance with this regulation, shall make an entry in the maintenance record of that equipment containing the following information:
- (a) the type of inspection and a brief description of the extent of the inspection;
 - (b) the date of the inspection and aircraft total time in service;
 - (c) the authorized signature, an approved maintenance organization certificate number, and kind of certificate held by the person approving or disapproving for return to service the aircraft, airframe, aircraft engine, propeller, appliance, component part, or portions thereof;
 - (d) if the aircraft is found to be airworthy and approved for return to service, the following or a similarly worded statement—"I certify that this aircraft has been inspected in accordance with (insert type of inspection) inspection and was determined to be in airworthy condition;
 - (e) if the aircraft is not approved 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 of inspection) inspection and a list of discrepancies and unairworthy items dated (insert date) has been provided for the aircraft owner or operator; and
 - (f) if an inspection is conducted under an inspection programme provided for in this regulation, the entry shall identify the inspection programme accomplished, and contain a statement that the inspection was performed in accordance with the inspections and procedures for that particular programme.
- (10) If the person performing any inspection required by this regulation 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 that aircraft airworthiness depends, that person shall give the owner or lessee a signed and dated list of those discrepancies.

Airworthiness data 33.

- (1) An approved maintenance organization shall have airworthiness data appropriate to support the maintenance work performed on the aircraft or aircraft component from the Authority, the design organization or any other approved design organization in the State of Manufacture or State of Design, as appropriate.
- (2) Maintenance documents include, but are not limited to:-
 - (a) the Civil Aviation (Approved Maintenance Organization) Regulations;
 - (b) associated advisory material;
 - (c) airworthiness directives;
 - (d) manufacturers' maintenance manuals;
 - (e) repair manuals;

- (f) supplementary structural inspection documents;
 - (g) service bulletins;
 - (h) service letters;
 - (i) service instructions;
 - (j) modification leaflets;
 - (k) aircraft maintenance program;
 - (l) non-destructive testing (NDT) manual; and
 - (m) airworthiness notices issued by the Authority.
- (3) The Authority may classify data from another authority or organization as mandatory and may require the approved maintenance organization to hold such data.
 - (4) Where the approved maintenance organization modifies airworthiness data specified in sub-regulation (1) or (2) to a format or presentation more useful for its maintenance activities, the approved maintenance organization shall submit to the Authority an amendment to the maintenance procedure manual for any such proposed modifications for acceptance.
 - (5) All airworthiness data used by the approved maintenance organization shall be kept current and made available to all personnel who require access to that data to perform their duties.
 - (6) 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.
 - (7) Airworthiness data shall be made available in the work area in close proximity to the aircraft or aircraft components being maintained and for supervisors, mechanics, and certifying staff to refer to.
 - (8) 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.
 - (9) Where microfilm or microfiche readers - printers are used, a similar requirement as specified in sub-regulation (8) is applicable.

Reporting of unairworthy conditions

34. (1) An approved maintenance organization shall report to the Authority, the aircraft design organization of the State of design any identified condition that could present a serious hazard to the aircraft.
- (2) Reports shall be made on a form prescribed by the Authority and contain all pertinent information about the condition known to the approved maintenance organization.
- (3) Where the approved maintenance organization is contracted by an air operator certificate holder to carry out maintenance, that approved maintenance organization shall report to the air operator certificate holder any condition affecting the aircraft or aircraft component.
- (4) Reports shall be made as soon as practicable, but in any case within three days of the approved maintenance organization identifying the condition to which the report relates.

Inspections

35. (1) An approved maintenance organization shall allow the Authority unlimited access to inspect an approved maintenance organization and any of its contract maintenance facilities at any time to determine compliance with these Regulations.
- (2) Arrangements for maintenance, preventive maintenance, or modifications by a contractor must include provisions for inspections of the contractor by the Authority.
- (3) The Authority shall inspect an approved maintenance organization at least once annually.

Performance standards

36. (1) An approved maintenance organization that performs any maintenance, preventive maintenance, or modifications for an air operator certificate holder certificated under the Civil Aviation (Air Operator Certification and Administration) Regulations, having an approved maintenance programme or an approved continuous maintenance programme shall perform that work in accordance with the air operator certificate

- holder's manuals.
- (2) Except as provided in sub-regulation (1) of this regulation, each approved maintenance organization shall perform its maintenance and modification operations in accordance with the applicable standards in the Civil Aviation (Airworthiness) Regulations.
 - (3) An approved maintenance organization shall maintain, in current condition, all manufacturer's service manuals, instructions, and service bulletins that relate to the articles that it maintains or modifies.
 - (4) An approved maintenance organization with an avionics rating shall comply with those requirements of these Regulations that apply to electronic systems, and shall use materials that conform to approved specifications for equipment appropriate to its rating and 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, in accordance with good practices of the aircraft avionics industry.

Access for inspection

37. An approved maintenance organization shall for the purpose of inspection:
 - (a) grant the Authority unrestricted access to any of its organization premises, allied facilities and aircraft; and
 - (b) ensure that the Authority is granted unrestricted access to any organization or facilities that it has contracted for services associated with maintenance for aircraft.

PART VI – OFFENCES AND PENALTIES

Penalties

38. (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot-in-command, if the operator or, the pilot-in-command is not the person who contravened that provision he shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any Any person who contravenes any provision specified as an "A" provision in the First Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six months or to both.
- (3) Any person who contravenes any provision specified as a "B" provision in the First Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

PENALTIES

REG. NO.	TITLE	PART
3	Certificate and Specific Operating Provisions.	B
4	Advertising.	B
7	Validity and renewal of certificates	A
23	Rest and duty limitations for persons performing maintenance functions in an approved maintenance organization.	A
24	Record of certifying staff.	A
25	Approved maintenance organization maintenance procedures manual.	A
28(1)	Approved maintenance organization privileges.	B
31	Certificate of release to service.	B
32	Maintenance records.	B
33	Airworthiness data.	A
34	Reporting of unairworthy conditions.	A
35	Inspections	B

Seen to be annexed to the Presidential Order n°60/01 of 20/10/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX IV TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (AIRCRAFT REGISTRATION AND MARKING) REGULATIONS, 2008

ARRANGEMENTS OF REGULATIONS

REGULATION

PART I-PRELIMINARY

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2. Non-applicability.

PART II - AIRCRAFT REGISTRATION REQUIREMENTS

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4. Eligibility for registration
5. Application for registration of aircraft.
6. Registration of aircraft.
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8. Change of registration or ownership particulars.
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PART III- NATIONALITY AND REGISTRATION MARKS

10. Marking and manner of affixation
11. Display of marks.
12. Location of marks.
13. Measurement of marks.
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PART IV OFFENCES AND PENALTIES

18. Penalties_____

SCHEDULES

FIRST SCHEDULE

Classification of Aircraft

SECOND SCHEDULE

Certificate of Registration

THIRD SCHEDULE

Penalties.

THE CIVIL AVIATION (AIRCRAFT REGISTRATION AND MARKINGS) REGULATIONS, 2008

PART I – PRELIMINARY

- Citation** 1. These Regulations may be cited as the Civil Aviation (Aircraft Registration and Marking) Regulations, 2008.
- Non-applicability** 2. These Regulations shall not apply to meteorological pilot balloons used exclusively for meteorological purposes or to unmanned free balloon without a payload.

PART II – AIRCRAFT REGISTRATION REQUIREMENTS

- General** 3. (1) A person shall not operate an aircraft, as classified in the First Schedule to these Regulations, within or fly over Rwanda unless:
- (a) 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
 - (b) 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.
- (2) Subject to this regulation, an aircraft shall not be registered or continue to be registered in Rwanda where-
- (a) the aircraft is registered outside of Rwanda;
 - (b) an unqualified person is entitled as owner to any legal or beneficial interest in the aircraft or to any share therein;
 - (c) it would be inexpedient in the public interest for the aircraft to be or to continue to be registered in Rwanda; or
 - (d) the aircraft does not qualify to be issued with a certificate of airworthiness as specified in the Civil Aviation (Airworthiness) Regulations.
- (3) 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.
- (4) An aircraft shall not bear any marks which purport to indicate that the aircraft is —
- (a) registered in a State in which it is not in fact registered; or
 - (b) 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.
- (5) The Authority shall be responsible for the registration of aircraft in Rwanda and shall maintain a register on its premises and shall record in it the particulars specified in regulation 6.
- Eligibility for registration** 4. (1) An aircraft is eligible for registration if it is-
- (a) owned by a a qualified person mentioned in sub-regulation (2); and
 - (b) not registered under the laws of any foreign country.
- (2) 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—
- (a) the Government of Rwanda or one of its entities;
 - (b) citizens of Rwanda or persons legally and *bonafide* resident in Rwanda;
 - (c) bodies corporate incorporated under the laws of Rwanda that are controlled in fact by citizens of Rwanda or persons legally and *bonafide* resident in Rwanda and of which at least seventy-five per cent, or such lesser percentage as the Minister may by Order specify, of the voting interests are owned and controlled by citizens of Rwanda or persons legally and *bonafide* resident in Rwanda;.

- (3) No individual is qualified to be the registered owner of a Rwanda aircraft unless the individual is at least 16 years of age.
- (4) 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 that person shall not cause or permit the aircraft while it is registered in pursuance of this sub-regulation to be used for the purpose of commercial air transport operations or aerial work.
- (5) If an aircraft is leased or is the subject of a lease, charter or hire purchase agreement to a person qualified under sub-regulation (2), 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.

Application for registration of aircraft

- 5. (1) 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—
 - (a) certify as to the citizenship of the applicant;
 - (b) show evidence identifying ownership; and
 - (c) be signed in ink.
- (2) The application for aircraft registration shall be submitted with the prescribed fee to the Authority.
- (3) An application for the registration of an aircraft in Rwanda may be made by, or on behalf of the owner:

provided that-

 - (a) the applicant is legally entitled to the aircraft;
 - (b) a written notice is submitted to the Authority identifying the person making the application on behalf of the owner;
 - (c) in case of a body corporate, 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;
 - (d) 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.
- (4) The application shall contain the following information:
 - (a) 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;
 - (b) 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;
 - (c) particulars of the registration mark, if it has been reserved for the aircraft;
 - (d) the name and address of each person who holds a property interest in the aircraft and a description of the person's property interest;
 - (e) the name and address of the registered owner if different from sub-paragraph (d);
 - (f) physical station where the aircraft will be usually stationed;
 - (g) name and signature of the applicant; and
 - (h) date of the application

Registration of aircraft

- 6. (1) 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-
 - (a) the number of the certificate;
 - (b) the nationality mark of the aircraft, and the registration mark assigned to it by the

Authority;

- (c) the name of the manufacturer and the manufacturer's designation of the aircraft;
- (d) the serial number of the aircraft;
- (e) 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
- (f) conditions with regard to which it is registered.

- (2) The register of unmanned free balloons shall contain the date, time and location of release, the type of balloon and the name of the operator.

Certificate of registration

- 7. (1) 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 which shall be a replica, in wording and arrangement, of the certificate shown in Second Schedule;
- (2) When the certificate of registration is issued in another language than English, it shall include an English translation.
- (3) Subject to regulation 4, 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 4, 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.

Change of registration or ownership particulars

- 8. (1) A person registered as the owner of an aircraft registered in Rwanda shall notify the Authority of:
 - (a) any change in the particulars which were furnished to the Authority upon application being made for the registration of the aircraft;
 - (b) the destruction of the aircraft or its permanent withdrawal from use;
 - (c) in the case of an aircraft registered in pursuance of regulation 4(4), the termination of the lease, charter or hire-purchase agreement.
- (2) 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.
- (3) The Authority may, where it appears necessary or appropriate, or for purposes of updating the register in accordance with sub-regulation (1) and (2), correct or amend the particulars entered on the register.
- (4) 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.

De-registration

- 9. (1) The Authority may de-register or cancel the registration of an aircraft under the following circumstances:
 - (a) upon application by the registered owner for purposes of registering the aircraft in another State or for any other purpose; or
 - (b) upon the destruction of the aircraft or its permanent withdrawal from use;
- (2) The Authority shall, before de-registering an aircraft in accordance with this regulation, require the registered owner to-
 - (a) return to the Authority the certificate of aircraft registration;
 - (b) remove all nationality and registration marks assigned to the aircraft; and
 - (c) comply with any such other conditions as the Authority may specify.
- (3) 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.

PART III – NATIONALITY AND REGISTRATION MARKS

- Marking and manner of affixation**
10. (1) 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.
- (2) The marks used to identify the nationality of Rwanda shall conform to the requirements outlined in regulation 11 followed by a series of numbers or letters assigned by the Authority.
- (3) 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.
- (4) The marks used shall not be so similar to international marks as to be confused with the International Five Letter Code of Signals or Distress Codes.
- (5) Permanent marking of aircraft nationality and registration shall—
- (a) **be painted on the aircraft or affixed by other means ensuring a similar degree of permanence;**
- (b) **be legible; and**
- (c) **be kept clean and visible at all times.**
- (6) The side marks for lighter-than-air aircraft shall be so located as to be visible both from the sides and from the ground.
- Display of marks**
11. (1) An owner of an aircraft registered in Rwanda shall display on that owner's aircraft the nationality mark "9XR" 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.
- (2) 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.
- Location of marks**
12. (1) A person shall not operate a heavier-than-air aircraft unless the aircraft is marked as follows:
- (a) 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
- (b) 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.
- (2) A person shall not operate a lighter-than-air aircraft unless the aircraft is marked as follows
- (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;
 - (b) 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;
 - (c) airship:
the marks shall appear on each side of the airship. They shall be placed horizontally either on the hull near the maximum cross-section of the airship or on the lower vertical stabilizer. 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. 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; the marks on the vertical stabilizer shall be located on each side of the bottom half stabilizer, with the letters and numbers placed horizontally;
 - (d) 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
 - (e) unmanned free balloon:
the marks shall appear on the identification plate.

Measurement of marks 13.

- (1) 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.
- (2) 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.
- (3) The letters, numbers and hyphens shall be:
 - (a) formed by solid lines with thickness of one-sixth of the height of the character; and
 - (b) of colour that is clear contrast to the colour of the background to the marks.
- (4) 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. An hyphen shall be regarded as a character for this purpose.
- (5) In the case of lighter-than-air aircraft other than an unmanned free balloons the height of the marks shall be at least 50 centimetres.
- (6) In the case of an unmanned free balloon, the State of Registry shall determine the measurements of the marks, taking into account the size of the payload to which the identification plate is affixed.
- (7) The marks on a balloon shall be vertical.
- (8) In case of fixed wing heavier-than-air aircraft:-
 - (a) the wing marks shall be at least 50 centimetres in height.
 - (b) 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
 - (c) 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.
- (9) In the case of rotorcraft and other heavier-than-air aircraft:-

- (a) the marks shall be at least 30 centimetres in height, or
 - (b) 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;
 - (c) 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.
- (10) The marks shall be vertical or sloping at the same angle being an angle of no more than 30 degrees to the vertical axis.

Types of characters for nationality and registration marks

14. 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.

Deviations for size and location of marks

15. (1) 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.
- (2) 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.

Removal of marks

16. 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 4(2).

Identification plate required

17. The operator shall affix to each aircraft registered under the laws of Rwanda an identification plate—
- (a) containing the aircraft type, model, serial number, nationality and registration marks;
 - (b) made of fireproof metal or other fireproof material of suitable physical properties; and
 - (c) secured to the aircraft in a prominent position, near the main entrance, or, in the case of a free balloon, affixed conspicuously to the exterior of the payload.

Inspection of certificate of registration

18. 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.

PART V – OFFENCES AND PENALTIES

Penalties

19. (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot-in-command, if the operator or, the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any who contravenes any provision specified as an “A” provision in the Third Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the Third Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

FIRST SCHEDULE

REGULATION 3 (1)

CLASSIFICATION OF AIRCRAFT

Table I. Classification of aircraft

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 Kite ⁴	Land glider	Sea glider ²
				Aeroplane	Landplane ³
		Amphibian ²			
		Rotorcraft	Gyroplane		Landgyroplane ³ Sea gyroplane ² Amphibian gyroplane ²
			Helicopter	Land helicopter ³ Sea helicopter ² Amphibian helicopter ²	
		Power-driven	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.

SECOND SCHEDULE
CERTIFICATE OF REGISTRATION
REGULATION 7

* *State Authority* *

CERTIFICATE OF REGISTRATION.

1. Nationality or common mark and registration mark.

2. Manufacturer and manufacturer's designation of aircraft.

3. Aircraft serial no.

.....

.....

.....

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.....

.....

4. Name of owner:.....

5. Address of owner:.....

6. I hereby certify that the above described aircraft has been duly entered on the.....
..... in accordance with the Convention on International Civil Aviation dated
7 December, 1944, and with #.....

#Insert references to applicable regulations

(Signature).....

Date of issue:.....

*

* For use by the State of Registry

THIRD SCHEDULE

REGULATION 19

PENALTIES

REG. NO.	TITLE	PART
3	General.	B
8	Change of registration particulars.	A
8	Change of aircraft ownership.	A
10	Marking and manner of affixation	B
11	Display of marks.	A
12	Location of marks.	A
13	Measurement of marks.	A
14	Types of characters for nationality and registration marks.	A
16	Removal of marks.	A
17	Identification plate required.	A

Seen to be annexed to the Presidential Order n°60/01 of 20/10/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/
Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX V TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (PERSONNEL LICENSING) REGULATIONS, 2008

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Offences and Penalties

THE CIVIL AVIATION (PERSONNEL LICENSING) REGULATIONS, 2008

PART I PRELIMINARY

- | | | |
|--------------------|----|---|
| Citation | 1. | These Regulations may be cited as the Civil Aviation (Personnel Licensing) Regulations, 2008. |
| Application | 2. | Those Regulations addressing persons licenced under any Part of these Regulations apply also to any person who engages in an operation governed by any Part of these Regulations without the appropriate licence, operations specifications, or similar document required as part of the certification. |

PART II – LICENCES, CERTIFICATION, RATINGS AND AUTHORIZATIONS

- | | | |
|---|---|---|
| Licences and certificates issued | 3 | <ul style="list-style-type: none">(1) A person shall not act either as pilot-in-command or as co-pilot of an aircraft in the caterogies referred to in sub-regulation (3), ground instructor, flight engineer, flight navigator, flight radio telephony operator, air traffic controller, aircraft maintenance engineer, flight operations officer, aviation repair specialist, aeronautical station operator or cabin crew member, unless that person is the holder of the appropriate licence or certificate enumerated in sub-regulation (2), issued in accordance with these Regulations(2) The Authority may issue the following licences and certificates under these Regulations:<ul style="list-style-type: none">(a) Pilot Licences, including—<ul style="list-style-type: none">(i) Student Pilot Licence;(ii) Private Pilot Licence;(iii) Commercial Pilot Licence;(iv) Multi-crew Pilot Licence(v) Airline Transport Pilot Licence |
|---|---|---|

- (vi) Glider Pilot Licence
 - (vii) Free Balloon Pilot Licence;
 - (b) Ground Instructor Licence;
 - (c) Flight Engineer Licence;
 - (d) Flight Navigator Licence
 - (e) Flight Radio Telephony Operator Licence
 - (f) Air Traffic Controller Licence;
 - (g) Aircraft Maintenance Engineer Licence;
 - (h) Flight Operations Officer Licence;
 - (i) Aviation Repair Specialist Licence
 - (j) Aeronautical Station Operator Licence; and
 - (k) Cabin Crew Member Certificate.
- (3) The categories of aircraft referred to in sub-regulation (1) are:
- (a) aeroplane;
 - (b) airship of a volume of more than 4,600 cubic meters;
 - (c) free balloon
 - (d) glider;
 - (e) rotorcraft; and
 - (f) powered-lift.
- (4) The category of aircraft shall be included in the title of the licence itself, or endorsed as a category rating on the licence.
- (5) When the holder of a pilot licence seeks a licence for an additional category of aircraft, the Authority shall either:
- (a) issue the licence holder with an additional pilot licence for that category of aircraft; or
 - (b) endorse the original licence with the new category, subject to the condition of regulation 4(1)(a).

- Ratings issued** 4. (1) The Authority may issue the following ratings for pilots:
- (a) category ratings in the following aircraft:
 - (i) aeroplane;
 - (ii) airship of a volume of more than 4,600 cubic meters;
 - (iii) free balloon
 - (iv) glider;
 - (v) rotorcraft;
 - (vi) powered-lift;
 provided that:
 - (aa) category ratings shall not be endorsed on a licence when the category is included in the title of the licence itself;
 - (bb) any additional category rating endorsed on a pilot licence shall indicate the level of licensing privileges at which the category rating is granted;
 - (cc) the holder of a pilot licence seeking additional category ratings shall meet the requirements of these Regulations appropriate to the privileges for which the category rating is sought;
 - (dd) the holder of a pilot licence shall not act either as pilot-in-command or as co-pilot unless he has received authorization for the appropriate class rating or type rating in accordance with these Regulations;
 - (ee) when a type rating is issued limiting the privileges to act as co-pilot, or limiting the privileges to act as pilot only during the cruise phase of the flight, such limitation shall be endorsed on the rating; and
 - (ff) for the purpose of training, testing or specific special purpose non-revenue, non-passenger carrying flights, special authorization may be provided in writing to the licence holder by the Authority in place of issuing the class or type rating, the authorization being limited in validity to the time needed to complete the specific flight;
 - (b) class ratings in the following aeroplanes certificated for single-operation:

- (i) single-engine, land;
 - (ii) single-engine, sea;
 - (iii) multi-engine, land; and
 - (iv) multi-engine, sea;
- (c) class ratings in the following rotorcraft:
- (i) helicopters; and
 - (ii) gyroplane.
- (d) for Private Pilot Licence only, and, for sub-paragraph (iii), for Glider Pilot Licence also, class ratings for the following aircraft:
- (i) simple single engine aeroplane,
 - (ii) microlight aeroplane; or
 - (iii) SLMG (Self Launching Motor Gliders).
- (e) type ratings in the following aircraft:
- (i) aircraft certificated for at least two pilots.
 - (ii) any aircraft considered necessary by the Authority;
 - (iii) each type of helicopter and powered-lifts except where a class rating has been issued under this regulation;
- (f) instrument ratings in the following aircraft:
- (i) instrument – aeroplane;
 - (ii) instrument – helicopter.
- (g) night rating.
- (h) flight instructor rating.
- (i) ground instructor ratings:
- (i) basic;
 - (ii) advanced;
 - (iii) instrument.
- (2) The Authority shall place the category, class or type rating on a pilot licence when issuing that licence, provided the rating reflects the appropriate category, class, or type of aircraft used to demonstrate skill and knowledge for its issue and the aircraft type is registered in Rwanda.
- (3) The Authority shall issue an aircraft type rating only for aircraft types that the Authority has certified for civil operations and are registered in Rwanda.
- (4) The Authority may endorse a type rating for aircraft of the powered-lift category on a aeroplane or helicopter pilot licence, provided :
- (a) the endorsement of the rating on the licence shall indicate that the aircraft is part of the powered-lift category;
 - (b) the training for the type rating in 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.
- (5) For type rating required as required by sub-regulation 4(1)(e)(i), the applicant shall have:
- (a) gained, under appropriate supervision, experience in the applicable type of aircraft and/or flight simulator in the following:
 - (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;
 - (b) demonstrated the skill and knowledge required for the safe operation of the applicable type of aircraft, relevant to the duties of a pilot-in-command or as co-pilot as applicable; and

- (c) demonstrated, at the airline transport pilot licence level, an extent of knowledge determined by the Authority on the basis of the requirements specified in regulations 52 to 58 (Airline Transport Pilot Licence).
- (6) For type rating required as required by sub-regulation 4(1)(e)(ii) and (iii), the applicant shall have demonstrated the skill and knowledge required for the safe operation of the applicable type of aircraft, relevant to the licensing requirements and piloting functions of the applicant.
- (7) The Authority may issue the following ratings for flight engineers:
 - (a) reciprocating engine powered including type rating;
 - (b) turbopropeller powered including type rating; and
 - (c) turbojet powered including type rating.
- (8) The Authority may issue the following ratings for air traffic controllers:
 - (a) aerodrome control;
 - (b) approach control;
 - (c) approach radar control;
 - (d) approach precision radar control;
 - (e) area control; and
 - (f) area radar control.
- (9) (a) The Authority may issue the following categories with or without type ratings for aircraft maintenance engineer licence :
 - (i) Category A – Aeroplane;
 - (ii) Category C - Piston engines;
 - (iii) Category C - Gas Turbine engines;
 - (iv) Category ‘A’ and ‘C’ - Piston Engined Rotorcraft;
 - (v) Category ‘A’ and ‘C’ - Turbine Engined Rotorcraft;
 - (vi) Category ‘A’ and ‘C’ - Piston Engined Airship;
 - (vii) Category ‘A’ and ‘C’ - Turbine Engined Airship;
 - (viii) Category X - Electrical;
 - (ix) Category X - Instruments;
 - (x) Category X - Automatic Pilots -Aeroplanes;
 - (xi) Category X - Automatic Pilots - rotorcraft;
 - (xii) Category X - Compass Compensation and Adjustments;
 - (xiii) Category R - Radio;
- (10) The Authority may issue the following type ratings for Aircraft Maintenance Engineer Licence in the following categories but excluding aeroplanes of 13,610 kg (30,000 lb) maximum take off mass (referred to in this regulation as “MTOM”) or greater for which maintenance has to be carried out and certified under company approval:
 - (a) Category “A” aeroplanes;
 - (i) composite material aeroplanes not exceeding 5700 kg MTOM;
 - (ii) wooden and combined wood and metal aeroplanes: an aeroplane where the primary structures is manufactured from wood or combinations of wood and metal;
 - (iii) unpressurized aeroplanes not exceeding 2730 kg MTOM;
 - (iv) pressurized aeroplanes not exceeding 2730 kg MTOM;
 - (v) unpressurized aeroplanes not exceeding 5700 kg MTOM;
 - (vi) pressurized aeroplanes not exceeding 5700 kg MTOW;
 - (vii) unpressurized aeroplanes exceeding 5700 kg MTOM;
 - (viii) pressurized aeroplanes exceeding 5700 kg MTOM;
 - (b) Category C Engines;
 - (i) diesel engines in aeroplanes;
 - (ii) piston engines in aeroplanes excluding diesel engines;
 - (iii) gas-turbine engines in Aeroplanes not exceeding 22.25 Kilo Newton (5000 lbf (pounds-force)) static thrust include ing where so endorsed the associated auxiliary power unit (APU) installations;
 - (iv) gas-turbine engines in Aeroplanes exceeding 22.25 Kilo Newton (5000 lbf) static thrust including where so endorsed the associated auxiliary power unit

- (v) propeller turbine engines in aeroplanes including where so endorsed the associated auxiliary power unit (APU) installations;
- (c) Category “A” and “C” Rotorcraft:
 - (i) piston-engined rotorcraft;
 - (ii) turbine-engined rotorcraft not exceeding 2730 kg MTOM;
 - (iii) turbine-engined rotorcraft above 2730 kg MTOM but below 5700 kg MTOM.
- (d) Category “A” and “C” Airship:
 - (i) piston-engined airship;
 - (ii) turbine-engined airship.
- (e) Category X – Electrical:
 - (i) aircraft in which the main generation system output is direct current (dc), including alternators having self contained rectifier system, and in which secondary alternators having an individual power rating not exceeding 1.5 KVA (kilo volt-ampere) may be fitted;
 - (ii) aircraft in which the main generation system output is dc and which have installed “frequency wild” alternators with an individual power rating exceeding 1.5KVA for auxiliary services;
 - (iii) aircraft in which the main generation system output is “frequency wild” alternating current (ac) and dc power is supplied from Transformer Rectifier Units; and
 - (iv) aircraft in which the main generation system output is constant speed drive units, or variable speed constant frequency (VSCF) generator/converter systems, and direct current (dc) power is supplied from transformer rectifier units;
- (f) Category X – Instruments:
 - (i) general aircraft instrument systems but excluding instruments installed on any aircraft which has installed a Flight Director System;
 - (ii) flight director systems with air driven gyroscopes (attitudes);
 - (iii) flight director systems with electrical driven gyroscopes (attitudes);
- (g) Category X –Automatic Pilots (Aeroplanes):
 - (i) non-radio-coupled automatic pilots;
 - (ii) radio-coupled automatic pilots;
- (h) Category X –Automatic Pilots (Rotorcraft):
 - (i) non radio-coupled automatic pilots;
 - (ii) radio-coupled automatic pilots;
- (i) Category X – Compass: Compass compensation and adjustment;
- (j) Category R – Radio;
 - (i) airborne communication and airborne navigation systems;
 - (ii) airborne radar systems.

Authorizations issued 5.

- (1) The Authority may issue the following authorizations under these Regulations:
 - (a) Category II operations;
 - (b) Category III operations;
 - (c) flight examiner;
 - (d) flight engineer instructor;
 - (e) type rating instructor;
 - (f) cabin crew member instructor;
 - (g) medical examiner; and
 - (h) aviation repair specialist ..
- (2) The Authority may issue the following classes for aviation repair specialists authorization:
 - (a) propellers;
 - (b) computer;
 - (c) instrument;
 - (d) accessory;

- (e) component;
- (f) welding;
- (g) non-destructive testing; and
- (h) any other authorization as determined by the Authority.

English language proficiency

6. (1) Aeroplane, airship, helicopter and powered-lift pilots and those flight navigators who are required to use the radio telephone aboard an aircraft shall demonstrate the ability to speak and understand English language;
- (2) Air traffic controllers, aeronautical station operators, flight engineers, and glider and free balloon pilots shall demonstrate the ability to speak and understand the English language;
- (3) As of 5th March 2008 a holder of a pilot licence, air traffic controller licence, flight engineer licence, flight radiotelephone operator licence and aeronautical station operators shall demonstrate the ability to speak and understand English language to the level specified in the language proficiency requirements in the First Schedule to these Regulations.
- (4) The licenced personnel specified in sub-regulation (3) who demonstrate proficiency below the Expert Level (Level 6) shall be formally evaluated at intervals in accordance with an individual's demonstrated proficiency level as follows:
- (a) those demonstrating language proficiency at the Operational Level (Level 4) shall be evaluated once every three years; and
 - (b) those demonstrating language proficiency at the Extended Level (Level 5) shall be evaluated once every six years.

Duration of licences, certificates, ratings, and authorizations

7. (1) The Authority shall issue licences with a specific expiry date except as specifically provided by these Regulations.
- (2) Except for an aviation repair specialist licence, and except as specifically provided by these Regulations, all authorizations and ratings issued under these Regulations shall be valid for the term issued by the Authority but in any case not more than 5 years.
- (3) An aviation repair specialist licence issued on the basis of employment with a specified employer, shall be valid for the term of employment of the aviation repair specialist with that employer.
- (4) A Student Pilot Licence shall be valid:
- (a) for a holder who is less than forty years of age, from the date the licence is issued or renewed by the Authority for a maximum period of the remainder of the twenty four months validity of the holder's Medical Certificate; or
 - (b) for a holder who is forty years of age or more, from the date the licence is issued or renewed by the Authority for a maximum period of the remainder of the twelve months validity of the holder's Medical Certificate.
- (5) A Private Pilot Licence with an aeroplane, airship, rotorcraft, simple single engine aeroplane, microlight aeroplane, self launching motor glider (SLMG), glider and powered-lift rating, a Free Balloon Pilot Licence, a Glider Pilot Licence, shall be valid:
- (a) for a holder who is less than forty years of age, from the date the licence is issued or renewed by the Authority for a maximum period of the remainder of the twenty four months validity of the holder's Medical Certificate;
 - (b) for a holder who is forty years of age or more, from the date the licence is issued or renewed by the authority for a maximum period of the remainder of the twelve months validity of the holder's Medical Certificate.
- (6) A Commercial Pilot Licence with an aeroplane, airship, rotorcraft, glider and powered-lift category rating, and an Airline Transport Pilot Licence, with an aeroplane, rotorcraft, and powered-lift category rating shall be valid:
- (a) for a holder who is less than forty years of age, from the date the licence is issued or renewed by the Authority for a maximum period of the remainder of the twelve months validity of the holder's Medical Certificate; or
 - (b) for a holder who is forty years of age or more, from the date the licence is issued or renewed by the Authority for a maximum period of the remainder of the six

- month validity of the holder's Medical Certificate.
- (7) An Airline Transport Pilot Licence (ATPL) with an aeroplane or rotorcraft category rating shall be valid:
 - (a) for a holder who is less than forty years of age, from the date the licence is issued or renewed by the Authority, for a period of the remainder of the twelve month validity of the holder's Medical Certificate; or
 - (b) for a holder who is forty years of age or more, from the date the licence is issued or renewed by the Authority for a period of the remainder of the six months validity of the holder's Medical Certificate.
 - (8) A Multi-crew Pilot Licence with an aeroplane category rating shall be valid:
 - (a) for a holder who is less than sixty years of age, from the date the licence is issued or renewed by the Authority, for a maximum period of the remainder of the twelve month validity of the holder's Medical Certificate; or
 - (b) for a holder who is sixty years of age or more, from the date the licence is issued or renewed by the Authority for a maximum period of the remainder of the six months validity of the holder's Medical Certificate.
 - (9) An instrument rating is valid for the same remaining period as the Pilot Licence it is issued for.
 - (10) A night rating is valid for the same remaining period as the Pilot Licence it is issued for.
 - (11) A Flight Engineer Licence is valid from the date the licence is issued or renewed by the Authority for a period of the remainder of the twelve month validity of the holder's Medical Certificate
 - (12) A Flight Navigator Licence is valid from the date the licence is issued or renewed by the Authority for a maximum period of the remainder of the twelve month validity of the holder's Medical Certificate.
 - (13) A Flight Radio Telephony Operator Licence is valid for a period of twenty four months or less as prescribed by the Authority from the date of issue or renewal.
 - (14) A Flight Operation Officer Licence is valid for a period of twelve months or less as prescribed by the Authority from the date of issue or renewal.
 - (15) An Aeronautical Station Operator Licence is valid for a period of twelve months or less as prescribed by the Authority from the date of issue or renewal.
 - (16) A Cabin Crew Member Certificate is valid for a period of twelve months or less as prescribed by the Authority from the date of issue or renewal.
 - (17) An Aircraft Maintenance Engineer Licence is valid for a period of twenty four months or less as prescribed by the Authority from the date of issue or renewal..
 - (18) A Flight Instructor Rating is valid for a the same remaining period as the Pilot Licence it is issued for .
 - (19) A Ground Instructor Licence is valid for a maximum period of twenty four months or less as prescribed by the Authority from the date of issue or renewal ..
 - (20) An Air Traffic Controller Licence shall, in the case of a holder who is –
 - (a) less than forty years of age, be valid from the date the licence is issued or renewed for a maximum period of the remainder of twenty four months validity of the holder's Medical Certificate; or
 - (b) forty years of age or more, be valid from the date the licence is issued or renewed for a maximum period of the remainder of twelve months validity of the holder's Medical Certificate.

Validity of licences

8. (1) A holder of a licence shall not exercise the privileges granted by that licence, or by related ratings, unless the holder maintains competency and meets the requirements for recent experience established by the Authority.
- (2) The Authority shall ensure that other Contracting States are able to confirm the validity of the licence.
- (3) The maintenance of competency of flight crew members engaged in commercial air transport operations may be satisfactorily established by demonstration of skill during proficiency flight checks completed in accordance with these Regulations and approved

training shall provide a level of competency at least equal to that provided by the minimum experience requirements for personnel not receiving such approved training..

- (4) Maintenance of competency may be satisfactorily recorded in the operator's records and in the flight crew member's personal logbook.
- (5) A flight crew member may, in lieu of maintaining competency in an aircraft, demonstrate continuing competency in flight simulation training devices approved by the Authority.
- (6) A report of medical fitness obtained in accordance with these Regulations shall be submitted to the Authority at intervals of not more than:
 - (a) twenty four months for the Private Pilot Licence – aeroplane, airship, helicopter, gyroplane, powered-lift, simple single engine aeroplane, microlight aeroplane, self launching motor glider (SLMG), glider and free balloon; and for Student Pilot Licence;
 - (b) twelve months for the Commercial Pilot Licence – aeroplane, helicopter or gyroplane, powered-lift, airship or balloon;
 - (c) twelve months for the Multi-Crew Pilot Licence - aeroplane
 - (d) twelve months for the Airline Transport Pilot Licence – aeroplane, helicopter and powered-lift;
 - (e) twelve months for the flight engineer licence;
 - (f) twelve months for the flight navigator licence;
 - (g) twenty four months for the air traffic controller licence; and
 - (h) twelve months for the cabin crew certificate.
- (7) The period of validity of a Medical Certificate may be reduced when clinically indicated.
- (8) When a holder of Airline Transport Pilot Licence – aeroplane, helicopter and powered-lift and Commercial Pilot Licence – aeroplane, airship, helicopter and powered-lift has passed his fortieth birthday, the period specified in sub-regulation (6) shall be reduced to six months.
- (9) When a holder of Multi-crew Pilot Licences- aeroplane has passed his fortieth birthday, the period of validity specified in sub-regulation (6) shall be reduced to six months.
- (10) When a holder of Private Pilot Licence – aeroplane, airship, helicopter and powered-lift, free balloon, and glider, and Air Traffic Controller Licence, has passed their fortieth birthday, the period of validity specified in sub-regulation (6) shall be reduced to twelve months.
- (11) A licence or certificate issued by the Authority shall not be valid unless the holder of the licence or certificate has signed his name on the licence or certificate in ink with the holder's ordinary signature.

Decrease in medical fitness

9. (1) A holder of licence provided for in these Regulations shall not exercise the privileges of his licence and related ratings at any time when the holder is aware of any decrease in his medical fitness which might render the holder unable to safely and properly exercise these privileges.
- (2) A licence holder shall inform the Authority of confirmed pregnancy or any decrease in medical fitness of duration of more than 20 days or which requires continued treatment with prescribed medication or which requires hospital treatment.
- (3) The Authority shall suspend the Medical Certificate of a licence holder during any period in which the Authority becomes aware that the licence holder's medical fitness has, from any cause, decreased to an extent that would have prevented the issue or renewal of the licence holder's Medical Certificate.
- (4) The suspension referenced in sub-regulation (3) shall continue until the end of the period of the decrease in medical fitness, or until the expiration of the Medical Certificate, whichever comes first.
- (5) A licence holder shall not exercise the privileges of his licence and related ratings during any period in which the holder's medical fitness has, from any cause, decreased to an extent that would have prevented the issue or renewal of the licence holder's Medical Certificate.

Deferral of medical examination

10. (1) The prescribed re-examination of a licence holder operating in an area distant from designated medical examination facilities may be deferred at the discretion of the Authority, provided that such deferment shall only be made as an exception and shall not

exceed:

- (a) a single period of six months in the case of a flight crew member of an aircraft engaged in non-commercial operations;
 - (b) 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 medical examiner designated by the Contracting State in which the applicant is situated, or, in cases where such a designated medical examiner is not available, by a physician legally qualified to practise medicine in that area; or
 - (c) in the case of a private pilot, a single period not exceeding twenty four months where the medical examination is carried out by an examiner designated by the Contracting State in which the applicant is temporarily located.
- (2) For a deferral granted under sub-regulation (1) (b) and (c), a report of the medical examination shall be sent to the Authority for the licence to be renewed.

Extension of validity of Medical Certificate

11. The period of validity of a Medical Certificate may be extended at the discretion of the Authority, up to 45 days.

Curtailment of privileges of pilots

12. (1) Subject to sub-regulations (2) and (3) a person shall not act as a pilot-in-command of an aircraft engaged in international commercial air transport operations if that person has attained his 60th birthday.
- (2) Subject to sub-regulation (3), a person may act as a pilot-in-command or co-pilot of a multi-crew aircraft engaged in international commercial air transport operations when he has attained his 60th birthday and the other pilot has not attained his 60th birthday.
- (3) A person shall not act as a pilot-in-command or co-pilot of an aircraft engaged in commercial air transport operations within Rwanda or in international commercial air transport operations if that person has attained his 65th birthday.

PART III - VALIDATION AND CONVERSION OF FOREIGN FLIGHT CREW LICENCES AND RECOGNITION OF MILITARY QUALIFICATIONS

Validation of licences and ratings issued on the basis of a foreign flight crew member licence

13. (1) A person shall not act as a flight crew member of an aircraft unless a valid licence is held showing compliance with the specifications of these Regulations and appropriate to the duties to be performed by that person. The licence shall have been issued by the State of registry of that aircraft or by any other Contracting State and rendered valid by the State of registry of that aircraft.
- (2) A person who holds a current licence issued by another Contracting State may apply for and may be issued a validation certificate with the appropriate ratings, if the applicant:
- (a) is not under an order of revocation or suspension by the country that issued the licence;
 - (b) 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;
 - (c) does not currently hold a pilot licence issued by the Authority;
 - (d) holds a current Medical Certificate issued in conformity, at least, with the requirements of these Regulations, by the Contracting State that issued the licence;
 - (e) demonstrates the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations; and
 - (f) except as the Authority may decide otherwise passes air law, flight rules and procedures examinations.
- (2) The Authority may not place upon a certificate of validation privileges beyond those granted by a foreign licence.
- (3) A person who receives a certificate of validation under this regulation shall:

- (a) be limited to the privileges placed on the certificate;
 - (b) be subject to the limitations and restrictions on the certificate and foreign licence when exercising the privileges of that certificate in an aircraft registered in Rwanda; and
 - (c) not exercise the privileges of the certificate when the person's foreign licence has been revoked or suspended.
- (4) An applicant for a certificate of validation shall use only one foreign licence as a basis for obtaining a certificate of validation.
 - (5) An applicant for a certificate of validation under this regulation shall provide to the Authority a foreign licence and Medical Certificate in the English language or accompanied by an English language translation that has been signed by an official or representative of the foreign aviation authority that issued the foreign licence
 - (6) The Authority shall place upon a certificate of validation the foreign licence number and country of issue.
 - (7) The Authority may render valid a licence issued by a foreign Contracting State for use in private flights subject to passing a flight check out on the relevant class rating.
 - (8) A certificate of validation shall be valid for a period prescribed by the Authority but shall not exceed twelve (12) months subject to the validity of the foreign license.
 - (9) The Authority shall verify the authenticity of the foreign licence and any ratings listed on those certificates before issuing a validation certificate or any ratings on such validation certificate.

Recognition of military or former military flight crew qualifications.

- 14. (1) Except for a rated military or former military pilot or flight engineer who has been removed from flying status for lack of proficiency, or because of disciplinary action involving aircraft operations, a rated military or former military pilot or flight engineer who meets the requirements of this regulation may apply, on the basis of the pilot's or flight engineer's military training, for—
 - (a) Private Pilot Licence, Commercial Pilot License or Flight Engineer License;
 - (b) an aircraft rating in the category and class of aircraft for which that military pilot or flight engineer is qualified;
 - (c) an instrument rating with the appropriate aircraft rating for which that military pilot is qualified; and
 - (d) a type rating, if appropriate.
- (2) Subject to regulations 15 and 17 the Authority may issue to a rated military or former military pilot or flight engineer an aircraft category, class, or type rating to a flight crew if that flight crew presents documentary evidence that shows satisfactory accomplishment of:
 - (a) a military pilot and instrument proficiency check of Rwanda in the aircraft type he is rated within twelve months preceding the date of application;
 - (b) at least ten hours of pilot in command time in that aircraft category, class, or type, if applicable, within the twelve months preceding the date of application;
 - (c) a military flight engineer proficiency check in the aircraft type the flight engineer is rated within twelve months preceding the date of application; and
 - (d) at least ten hours of flight time in the aircraft type the flight engineer is rated within twelve months preceding the date of application.
- (3) A rated military pilot or former rated military pilot may apply for an aeroplane or helicopter instrument rating to be added to the pilot's Commercial Pilot Licence the pilot has, within the twelve months preceding the date of application:
 - (a) passed an instrument proficiency check by the military in the aircraft category and class for the instrument rating sought; and
 - (b) received authorization from the military to conduct instrument flight rules (IFR) flights on airways in that aircraft category and class for the instrument rating sought.
- (4) The Authority may accept the following documents as satisfactory evidence of military pilot or flight engineer status:
 - (a) an official identification card issued to the pilot or flight engineer by a military force to demonstrate service in the military;

- (b) an original or a copy of a certificate of discharge or release from the military;
- (c) at least one of the following:
 - (i) an order of military flight status as a military pilot or flight engineer; or
 - (ii) an order showing that the applicant graduated from a pilot or flight engineer school and received a rating as a military pilot or flight engineer.
- (d) a certified military logbook or form showing military pilot and flight engineer status and a summary to demonstrate flight time in military aircraft;
- (e) an official record of a military designation as pilot in command; or
- (f) an official record of satisfactory accomplishment of an instrument proficiency check within the twelve months before the date of the application.

**Conversion of
Rwanda
Military Pilots
Qualification**

- 15.** (1) A person who holds a current Rwanda Military pilot qualification may apply and be issued with a Rwanda Private Pilot Licence or Commercial Pilot Licence with the appropriate ratings, if that person:
- (a) has a licence which is not under an order of revocation or suspension;
 - (b) meets the minimum flying experience under these Regulations;
 - (c) holds a valid Medical Certificate issued by Rwanda Military; and
 - (d) demonstrates the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations.
- (2) An applicant for a pilot licence under this regulation shall submit to the Authority his personal military flying log book or any other equivalent document that has been certified by the base commander.
- (3) The applicant shall be required to have met the applicable aeronautical experience requirements for the licence or rating sought.
- (4) In addition to the requirements of sub-regulations(1), (2) and (3) the applicant shall be required to pass:
- (a) for Commercial Pilot Licence -
 - (i) an examination for the Class 1 Medical Certificate;
 - (ii) the composite paper comprising of air law, meteorology, aircraft general knowledge, flight planning, radio aids, navigation, flight performance, human performance, operational procedures, principles of flight; and
 - (iii) the initial instrument rating flight test if the rating is to be included in the licence.
 - (b) for Private Pilot Licence-
 - (i) an examination for the Class 2 Medical Certificate;
 - (ii) the composite paper comprising of air law, meteorology, aircraft general knowledge, flight planning, radio aids, navigation, flight performance, human performance, operational procedures, principles of flight and radiotelephony knowledge.
- (5) An applicant for a Commercial Pilot Licence or Airline Transport Pilot Licence is not eligible for grant of a licence unless there is an aircraft rating included in the licence for pilot-in-command or co-pilot respectively.
- (6) The Authority may consider a Military type rating qualification for the purpose of conversion of Commercial Pilot Licence or Airline Transport Pilot Licence, if:
- (a) the aircraft type is endorsed and certified in the applicants Military personal logbook;
 - (b) the pilot is current on the aircraft type; and
 - (c) the type of aircraft is registered in Rwanda.
- (7) An applicant for conversion who fails the knowledge test in three consecutive attempts shall be disqualified for further testing until a period of one month has elapsed from the date on which the last test was made.

- (8) The Authority shall prescribe the minimum passing grade for the knowledge test.
- (9) The applicant shall be required to have passed the composite paper for conversion of a Rwanda military pilot qualification within a period of six months preceding the date of the application for the licence.

Conversion of foreign pilot licences

- 16.** (1) A person who holds a current pilot licence issued by another Contracting State may apply and be issued an equivalent licence with the appropriate ratings, if the applicant:
- (a) has a licence which is not under an order of revocation or suspension by the country that issued the licence;
 - (b) meets all the ICAO standards for that licence;
 - (c) holds a valid Medical Certificate issued by the contracting State that issued the licence; and
 - (d) demonstrates the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations.
- (2) An applicant for a pilot licence under this regulation shall submit his licence and Medical Certificate in the English language or accompanied by an English language translation that has been signed by an official or representative of the foreign authority that issued the licence.
- (3) The applicant shall meet the applicable aeronautical experience requirements.
- (4) In addition to the requirements of sub-regulations(1), (2) and (3), the applicant is required to pass:
- (a) for Airline Air Transport Licence and Multi-crew Pilot Licence;
 - (i) the Class I Medical Certificate ;
 - (ii) the composite paper comprising of air law, meteorology, aircraft general knowledge, flight planning, radio aids, navigation, flight performance, human performance, operational procedures, principles of flight and radiotelephony knowledge;
 - (iii) an initial instrument rating flight test;
 - (b) for Commercial Pilot Licence;
 - (i) an examination for the Class 1 Medical Certificate ;
 - (ii) the composite paper comprising of air law, meteorology, aircraft general knowledge, flight planning, radio aids, navigation, flight performance, human performance, operational procedures, principles of flight and radiotelephony knowledge; and
 - (iii) the initial instrument rating flight test if the rating is to be included in the licence;
 - (c) for Private Pilot licence;
 - (i) an examination for the Class 2 Medical Certificate ;
 - (ii) the composite paper comprising of air law, meteorology, aircraft general knowledge, flight planning, radio aids, navigation, flight performance, human performance, operational procedures, principles of flight and radiotelephony knowledge;
 - (d) for lighter-than-air: as in (b) or (c) as appropriate except for Medical Certificate where in this case it is Class 2.
- (5) An applicant for a Commercial Pilot Licence, Multi-crew Pilot Licence or Airline Air Transport Licence shall not be eligible for grant of a licence unless there is included in the licence an aircraft type rating for either pilot in command or co-pilot respectively.
- (6) The Authority may transfer a type rating from a foreign licence for the purpose of conversion of Commercial Pilot Licence, Multi-crew Pilot Licence or Airline Air Transport Licence provided:
- (a) the aircraft type is endorsed on a foreign licence;
 - (b) the pilot is current on the aircraft type; and
 - (c) the type of aircraft is registered in Rwanda.

Conversion of flight engineer licence

17.

- (7) An applicant for conversion who fails the knowledge test in three consecutive attempts shall be disqualified for further testing until a period of one month has elapsed from the date on which the last test was made.
 - (8) The Authority shall prescribe the minimum passing grade for the knowledge test
 - (9) The applicant shall be required to have passed the composite paper for conversion of a foreign licence within a period of six months preceding the date of the application for the licence.
 - (10) The Authority shall verify the authenticity of the foreign licence, ratings and authorizations presented for conversion with the State of issuance.
- (1) A person who holds a current flight engineer licence issued by another Contracting State may apply and be issued with an equivalent licence with the appropriate ratings, if that person:
 - (a) has a licence which is not under an order of revocation or suspension by the country that issued the licence;
 - (b) holds a licence which meets all the ICAO standards for that licence;
 - (c) holds a valid Medical Certificate Class 1 issued by the Contracting State that issued the licence; and
 - (d) demonstrates the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations;
 - (2) An applicant for a flight engineer licence pursuant to this regulation shall submit the licence and Medical Certificate in the English language or accompanied by an English language translation that has been signed by an official or representative of the foreign authority that issued that licence.
 - (3) The applicant shall meet the applicable aeronautical experience requirements.
 - (4) In addition to the requirements of sub-regulations(1), (2) and (3) the applicant shall be required to pass:
 - (a) an examination for the Medical Certificate Class 1; and
 - (b) the composite paper comprising of Rwanda air law, meteorology, aircraft general knowledge, flight performance and planning, human performance, operational procedures, principles of flight and radiotelephony.
 - (5) The Authority may transfer a type rating from a foreign licence for the purpose of conversion of flight engineer licence if:
 - (a) the aircraft type is endorsed on a foreign licence;
 - (b) the flight engineer is current on the aircraft type; and
 - (c) the type of aircraft is registered in Rwanda.
 - (6) The applicant for conversion who fails the knowledge test in three consecutive attempts shall be disqualified for further testing until a period of one month has elapsed from the date on which the last test was made.
 - (7) The Authority shall prescribe the minimum passing grade for the knowledge test.
 - (8) The applicant shall be required to have passed the composite paper for conversion of a foreign licence within a period of six months preceding the date of the application for the licence.
 - (9) The Authority shall verify the authenticity of the foreign licence, ratings and authorizations presented for conversion with the State of issuance.

PART IV – VALIDATION, CONVERSION OF FOREIGN AIRCRAFT MAINTENANCE ENGINEER LICENCES AND RATINGS AND RECOGNITION OF ENGINEER MILITARY QUALIFICATIONS

**Validation of
Aircraft
Maintenance
Engineer
Licence**

18.

- (1) A person who holds a current and valid Aircraft Maintenance Engineer Licence issued by another Contracting State may apply for and may be issued a certificate of validation with the appropriate rating, if the applicant:
 - (a) holds a licence which is not under an order of revocation or suspension by the country that issued the licence;
 - (b) 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;
 - (c) does not currently hold a licence issued by the Authority; and
 - (d) demonstrates the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations.
- (2) The Authority may place upon a certificate of validation privileges not beyond those granted by a foreign licence.
- (3) A person who receives a certificate of validation under this Regulation shall:
 - (a) be limited to the privileges placed on the certificate;
 - (b) be subject to the limitations and restrictions on the certificate and the foreign Aircraft Maintenance Engineer Licence when exercising the privileges of that certificate on an aircraft registered in Rwanda; and
 - (c) not exercise the privileges of the certificate when the person's foreign licence has been revoked or suspended.
- (4) An applicant for a certificate of validation shall present to the Authority the foreign licence and evidence of the experience required by presenting a valid record.
- (5) The certificate of validation shall be valid for a maximum of 6 months, provided the foreign licence or in the case of a continuing licence, the rating remains valid.
- (6) An applicant for a certificate of validation shall, unless decided otherwise by the Authority:
 - (a) complete a skill test for the relevant ratings in the licence to be validated, relevant to the privileges of the licence held;
 - (b) demonstrate to the satisfaction of the Authority the knowledge, relevant to the licence to be validated, of air law; and
 - (c) demonstrate to the satisfaction of the Authority the knowledge, relevant to the licence to be validated of:
 - (i) *relevant aircraft maintenance principles; and*
 - (ii) *human performance.*
- (7) The Authority shall verify the authenticity of the foreign licence, ratings and authorizations presented for validation with the State of issuance.

Conversion of foreign Aircraft Maintenance Engineer Licence

19. (1) A person who holds a current Aircraft Maintenance Engineer Licence issued by another Contracting State may apply and be issued an equivalent licence with the appropriate ratings, if the applicant:
- (a) has a licence which is not under an order of revocation or suspension by the country that issued the licence;
 - (b) holds a licence which meets all the ICAO standards for that licence;
 - (c) is able to read, speak, write and understand the English language.
- (2) An applicant for an Aircraft Maintenance Engineer Licence under this regulation shall submit the licence in the English language or accompanied by an English language translation that has been signed by an official or representative of the foreign authority that issued the licence.
- (3) The applicant shall meet the applicable aeronautical experience requirements specified under these Regulations.
- (4) In addition to the requirements of sub-regulations (1), (2) and (3) the applicant shall pass a knowledge test in:
- (a) air law; and
 - (b) a composite paper comprising of subjects required for initial issue of a category and rating sought
- (5) The Authority may transfer a type rating from a foreign licence for the purpose of conversion of Aircraft Maintenance Engineer Licence if:
- (a) the aircraft type is endorsed on a foreign licence;
 - (b) that applicant is current on the aircraft type; and
 - (c) the type of aircraft is registered in Rwanda.
- (6) An applicant for conversion who fails the knowledge test shall be disqualified for further testing until after a proven practical experience of one month is gained.
- (7) The Authority shall prescribe the minimum passing grade for the knowledge test.
- (8) The applicant shall be required to have passed the air law and composite paper for conversion of a foreign licence within a period of six months preceding the date of the application for the licence.
- (9) The Authority shall verify the authenticity of the foreign licence, ratings and authorizations presented for conversion with the State of issue.

Recognition of military aircraft maintenance personnel qualifications

20. (1) 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.
- (2) The application shall be accompanied by:
- (a) a certificate of discharge from military service;
 - (b) 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
 - (c) a certificate, diploma or such other document showing proof of training in aircraft maintenance.
- (3) If the Authority is satisfied that the applicant meets the conditions in sub-regulations (2), the Authority shall require the applicant to demonstrate the knowledge and skill requirements for AMEL stipulated in these Regulations.

PART V - GENERAL REQUIREMENTS : TESTING AND TRAINING FOR PILOT LICENCES, RATINGS AND AUTHORIZATIONS

Knowledge test: prerequisites

21. (1) An applicant for a knowledge test shall have:
- (a) received an endorsement from an authorized instructor certifying that the

and passing grades

applicant has accomplished a ground-training required by these Regulations for the licence or rating sought and is prepared for the knowledge test; and

- (b) proper identification at the time of taking the test that includes the applicant's:
 - (i) photograph;
 - (ii) name;
 - (iii) signature;
 - (iv) date of birth, which shows that the applicant meets or will meet the age requirements of these Regulations for the licence sought before the expiry date of the applicant's knowledge test report; and
 - (v) mailing address.
- (2) The Authority shall specify the minimum passing grade for the knowledge test.
- (3) The validity of the knowledge test results for an applicant for a pilot licence shall be as follows:
 - (a) for Private Pilot Licence - six months after passing the test;
 - (b) for Commercial Pilot Licence - eighteen months after passing the test; and
 - (c) for Airline Transport Pilot licence and Multi-crew Pilot Licence - five years after passing the test.

Practical tests: prerequisites for flight crew

- 22. (1) To be eligible for a practical test, an applicant shall meet all applicable requirements for the licence or rating sought.
- (2) If an applicant for a practical test does not —
 - (a) complete all increments of a practical test for a licence or rating in one day, that applicant shall complete all remaining increments of the test not more than sixty days after that date; and
 - (b) satisfactorily complete all increments of the practical test for a licence or a rating within sixty days after beginning the test, that applicant shall retake the entire practical test, including those increments satisfactorily completed.
- (3) Except as provided in sub-regulation (4), to be eligible for a practical test for a licence or rating issued under these Regulations, an applicant for a practical test shall:
 - (a) pass the required knowledge test for the type rating within six months preceding the month the applicant completes the practical test;
 - (b) present the knowledge test report at the time of application for the practical test, if a knowledge test is required;
 - (c) have satisfactorily accomplished the required training and obtained the aeronautical experience prescribed by these Regulations for the licence or rating sought;
 - (d) meet the prescribed age requirement of these Regulations for the issue of the licence or rating sought; and
 - (e) have an endorsement in the applicant's logbook or training record that has been signed by an authorized instructor who certifies that the applicant:
 - (i) has received and logged training time within sixty days preceding the date of application in preparation for the practical test;
 - (ii) is prepared for the required practical test; and
 - (iii) has demonstrated satisfactory knowledge of the subject areas in which the applicant was deficient on the knowledge test.
- (4) An applicant for an Airline Transport Pilot Licence and Multi-crew Pilot Licence may take the practical test for that licence within two years of the expiration of a knowledge test, provided the applicant:
 - (a) has been continuously employed as a flight crew member by an air operator certificate holder from the time the knowledge test expired; and
 - (b) has satisfactorily accomplished that air operator certificate holder's approved:
 - (i) pilot-in-command aircraft qualification training programme that is appropriate to the licence; and
 - (ii) qualification training requirements appropriate to the licence and rating sought.

- Practical tests: general requirements for flight crew**
- 23.** (1) The ability of an applicant for a practical test to hold a pilot licence or rating shall be determined based upon the applicant's ability to safely, during a practical test:
- (a) perform the tasks specified in the areas of operation for the licence or rating sought within the prescribed standards;
 - (b) demonstrate mastery of the aircraft with the successful outcome of each task regarding Private Pilot Licence, Commercial Pilot Licence, Glider Pilot Licence, Free Balloon Pilot Licence, Airline Transport Pilot Licence and Multi-crew Pilot Licence and aircraft type rating tests;
 - (c) recognize and manage threats and errors;
 - (d) operate the aircraft within its limitations;
 - (e) complete all manoeuvres with smoothness and accuracy;
 - (f) demonstrate sound judgement and airmanship;
 - (g) apply aeronautical knowledge; and
 - (h) demonstrate single-pilot competence if the aircraft is type certified for single-pilot operations.
- (2) An applicant who fails any area of operation shall have failed the practical test and is not eligible for a licence or rating sought.
- (3) The examiner or the applicant may discontinue a practical test at any time:
- (a) when the applicant fails one or more of the areas of operation; or
 - (b) due to inclement weather conditions, aircraft airworthiness concerns or any other safety-of-flight concern.
- (4) If a practical test is discontinued, the Authority may give the applicant credit for those areas of operation already passed, but only if the applicant:
- (a) passes the remainder of the practical test within the sixty-day period after the date the practical test was begun;
 - (b) presents to the examiner for the retest the original test report or the discontinuance form prescribed by the Authority as appropriate; and
 - (c) satisfactorily accomplishes any additional training needed and obtains the appropriate instructor endorsements, if additional training is required.
- (5) The validity of the practical test results for applicants for a pilot licence and type rating shall be six months after passing the test.

- Practical tests: required aircraft and equipment**
- 24.** (1) Except when permitted to accomplish the entire flight increment of the practical test in an approved flight simulation training device trainer, an applicant for a licence or rating issued under these Regulations shall provide an aircraft registered in Rwanda for each required test that:
- (a) is of the category, class, and type, if applicable, applicable to the licence or rating sought; and
 - (b) has a certificate of airworthiness.
- (2) An applicant for a practical test shall use an aircraft that has:
- (a) the equipment for each area of operation required for the practical test;
 - (b) no prescribed operating limitations that prohibit the aircraft's use in any of the areas of operation required for the practical test;
 - (c) except as provided in sub-regulation (5), at least two pilot stations with adequate visibility for each person to operate the aircraft safely; and
 - (d) cockpit and outside visibility adequate to evaluate the performance of the applicant when an additional jump seat is provided for the examiner.
- (3) An applicant for a practical 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 practical test can be conducted safely in the aircraft without the controls being easily reached.
- (4) An applicant for a practical test that involves manoeuvring an aircraft solely by reference to instruments shall provide an aircraft with:
- (a) an equipment that permits the applicant to pass the areas of operation that apply to the rating sought; and

- (b) 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.
- (5) An applicant may complete a practical test in an aircraft having a single set of controls, if:
 - (a) the examiner agrees to conduct the test;
 - (b) the test does not involve a demonstration of instrument skills; and
 - (c) the proficiency of the applicant can be observed by an examiner who is in a position to observe the applicant.

Retesting after failure

- 25.**
- (1) An applicant for a knowledge or practical test who fails that test may reapply for the test only after the applicant has received:
 - (a) the necessary training from an authorized instructor who has determined that the applicant is proficient to pass the test; and
 - (b) an endorsement from an authorized instructor who gave the applicant the additional training.
 - (2) 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 practical test due to deficiencies in instructional proficiency on stall awareness, spin entry, spins, or spin recovery shall:
 - (a) comply with the requirements of sub-regulation (1) before being retested;
 - (b) bring to the retest an aircraft that is of the appropriate aircraft category for the rating sought and is certified for spins; and
 - (c) demonstrate satisfactory instructional proficiency on stall awareness, spin entry, spins, and spin recovery to an examiner during the retest.

Records of training time

- 26.**
- (1) A person shall document and record the following time in a manner acceptable to the Authority:
 - (a) training and aeronautical experience used to meet the requirements for a licence, rating, qualification, or authorization of these Regulations; and
 - (b) the aeronautical experience required to show recent flight experience requirements of these Regulations.
 - (2) For the purposes of meeting the requirements of these Regulations, a person shall enter the following information for each flight or lesson logged:
 - (a) general
 - (i) date;
 - (ii) total flight time;
 - (iii) location where the aircraft departed and arrived, or for lessons in an approved flight simulation training device trainer, the location where the lesson occurred;
 - (iv) type and identification of aircraft or approved flight simulation training device trainer, as appropriate;
 - (v) the name of a safety pilot, if required by the Civil Aviation (Operation of Aircraft) Regulations; and
 - (vi) the name of the authorized instructor if required;
 - (b) type of pilot experience or training:
 - (i) solo;
 - (ii) pilot-in-command ;
 - (iii) pilot-in-command under supervision ;
 - (iv) co-pilot;
 - (v) flight and ground training received from an authorized instructor; and
 - (vi) training received in an approved flight simulation training device trainer from an authorized instructor.
 - (c) Conditions of flight:
 - (i) day or night;
 - (ii) actual instrument; and
 - (iii) simulated instrument conditions in flight or in an approved flight simulation

training device trainer.

- (3) The pilot time described in this regulation may be used to:
 - (a) apply for a licence or rating issued under these Regulations; or
 - (b) satisfy the recent flight experience requirements of the Civil Aviation (Operation of Aircraft) Regulations.
- (4) Except for a student pilot acting as pilot-in-command 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.
- (5) A private or commercial pilot may log pilot-in-command time only for that flight time during which that person is:
 - (a) the sole manipulator of the controls of an aircraft for which the pilot is rated; or
 - (b) acting as pilot-in-command of an aircraft on which more than one pilot is required; or
 - (c) a sole occupant.
- (6) An airline transport pilot may log as pilot-in-command time all of the flight time while acting as pilot-in-command of an operation requiring an Airline Transport Pilot Licence.
- (7) An authorized instructor may log as pilot-in-command time all flight time while acting as an authorized instructor.
- (8) A student pilot may log pilot-in-command time when that student pilot:
 - (a) is the sole occupant of the aircraft; and
 - (b) is undergoing training for a pilot licence or rating.
- (9) A person may log co-pilot flight time only for that flight time during which that person:
 - (a) is qualified in accordance with the co-pilot requirements of the Civil Aviation (Operation of Aircraft) Regulations, and occupies a crew member station in an aircraft that requires more than one pilot by the aircraft's type certificate; or
 - (b) holds the appropriate category, class, and instrument rating if an instrument rating is required for the flight, for the aircraft being flown, and more than one pilot is required under the type certification of aircraft.
- (10) A person may log instrument flight time only for that flight time when that person operates the aircraft solely by reference to instruments under actual or simulated instrument flight conditions.
- (11) An authorized instructor may log instrument flight time when conducting instrument flight instruction in actual instrument flight conditions.
- (12) For the purposes of logging instrument flight time to meet the recent instrument experience requirements of the Civil Aviation (Operation of Aircraft) Regulations, the following information shall be recorded in a person's logbook:
 - (a) the location and type of each instrument approach accomplished; and
 - (b) the name of the safety pilot, if required.
- (13) An approved flight simulation training device trainer may be used by a person to log instrument flight time, provided an authorized instructor is present during the simulated flight.
- (14) A person may log training time when that person receives training from an authorized instructor in an aircraft or in an approved flight simulation training device trainer.
- (15) The training time shall be logged in a logbook and shall:
 - (a) be endorsed in a legible manner by the authorized instructor; and
 - (b) include a description of the training given, the length of the training lesson, and the instructor's signature, licence number and licence expiry date.

Limitations on the use of flight simulation training device

27. A person shall not receive credit for use of any flight simulation training device trainer for satisfying any training testing, or checking requirement of this regulation unless the flight simulation training device trainer is approved by the Authority for:
 - (a) training, testing, and checking for which it is used;
 - (b) each particular manoeuvre, procedure or crew member function performed; and
 - (c) 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.

- Use of flight simulation training devices for demonstrations of skill**
- 28.** (1) A use of a flight simulation training device used for performing any manoeuvre required during the demonstration of skill for the issue of a flight crew licence or rating shall be approved by Authority to ensure that the flight simulation training device used is appropriate to the task.
- (2) To maintain the competence required by these Regulations, a flight crew member may demonstrate his skills during proficiency flight checks in a flight simulation training device approved under sub-regulation (1).
- General requirements for pilot licences, ratings and authorizations**
- 29.** (1) A person shall not act as the pilot-in-command 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 receiving training for the purpose of obtaining an additional pilot licence or rating while under the supervision of an authorized instructor.
- (2) A person shall not act as a pilot of an aircraft that is carrying another person, or is operated for compensation or hire, unless that pilot holds a category, class, and type rating that applies to the aircraft.
- (3) Sub-regulation (2) does not require a category and class rating for an aircraft not type certified as an aeroplane, rotorcraft, glider, or lighter-than-air aircraft.
- (4) A person shall not act as pilot-in-command of a complex aircraft, high-performance aircraft, or a pressurized aircraft capable of flying 7,600 m (25,000 ft) above mean sea level, or an aircraft that the Authority has determined requires aircraft type specific training unless the person has:
- (a) received and logged ground and flight training from an authorized instructor in the applicable aircraft type, or in an approved flight simulation training device that is a representative of that aircraft, and has been found proficient in the operation and systems of that aircraft; and
- (b) received an endorsement in the pilot's logbook from an authorized instructor who certifies the person is proficient to operate that aircraft
- (5) A person shall not act as pilot-in-command of a tailwheel aeroplane unless that person has:
- (a) received and logged flight training from an authorized instructor in a tailwheel aeroplane on the manoeuvres and procedures; and
- (b) received an endorsement in the person's logbook from an authorized instructor who is satisfied that the person is proficient in the operation of a tailwheel aeroplane, to include at least normal and crosswind take-offs and landings, wheel landings (unless the manufacturer has recommended against such landings), and go around procedures .
- (6) 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 authorization with appropriate limitations for operations only within Rwanda if:
- (a) the applicant is able to meet all other certification requirements for the licence, rating, or authorization sought;
- (b) physical limitation, if any, has been recorded with the Authority on the applicant's medical records; and
- (c) the Authority determines that the applicant's inability to perform the particular area of operation shall not adversely affect safety.
- (7) The Authority may remove a limitation placed on a person's licence if 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.
- (8) Subject to these Regulations:
- (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 a Contracting State to be operated with a co-pilot, shall be entitled to be credited with 50% of the co-pilot flight time towards the total flight time required for a higher grade of pilot licence,
provided that the holder of a pilot licence shall be entitled to be credited in full towards the total flight time required if the aircraft is equipped to be operated by a co-pilot and the aircraft is operated in a multi-crew operation;
- (c) 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;
- (d) the holder of a pilot licence, when acting as pilot-in-command under supervision, shall be credited in full with this flight time towards the total flight time required for a higher grade of pilot Licence.

PART– VI - PILOT LICENCES

Student Pilot Licence

- | | |
|---------------------------------|---|
| Eligibility requirements | <p>30. (1) To be eligible to receive and log flight instructions, a person shall be in possession of a valid Student Pilot Licence.</p> <p>(2) To be eligible for issue of Student Pilot Licence, an applicant shall:</p> <ul style="list-style-type: none"> (a) be at least seventeen years of age for a licence other than the operation of a glider, airship or balloon; (b) be at least sixteen years of age for the operation of a glider or balloon; (c) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations; and (d) be in possession of a valid Class 2 Medical Certificate issued under these Regulations. |
| Solo flight requirements | <p>31. (1) A holder of a Student Pilot Licence shall not operate an aircraft in first solo flight unless that student has met the requirements of this regulation.</p> <p>(2) A student pilot shall pass an aeronautical knowledge test on the following subjects:</p> <ul style="list-style-type: none"> (a) applicable sections of these Regulations and the Civil Aviation (Operation of Aircraft) Regulations; (b) airspace structure and procedures for the airport where the student will perform solo flight; and (c) flight characteristics and operational limitations for the make and model of aircraft to be flown. <p>(3) The student's authorized instructor shall:</p> <ul style="list-style-type: none"> (a) administer the test; and (b) at the conclusion of the test, review all incorrect answers with the student before authorising that student to conduct a solo flight. <p>(4) Prior to conducting a solo flight, a student pilot shall have:</p> <ul style="list-style-type: none"> (a) received and logged flight training for the manoeuvres and procedures of this regulation that are appropriate to the make and model of aircraft to be flown; and (b) demonstrated satisfactory proficiency and safety, as judged by an authorized instructor, on the manoeuvres and procedures required by this regulation in the make and model of aircraft or similar make and model of aircraft to be flown. <p>(5) A student pilot who is receiving training for solo flight shall receive and log flight training for the required manoeuvres and procedures, including the following as applicable, for each category and class rating:</p> <ul style="list-style-type: none"> (a) proper flight preparation procedures, including pre-flight planning and |

- preparation, engine operation, and aircraft systems;
 - (b) taxiing or surface operations, including runups;
 - (c) take-offs and landings, including normal and crosswind;
 - (d) straight and level flight, and turns in both directions;
 - (e) climbs and climbing turns;
 - (f) airport traffic patterns,
 - (g) radio telephony, airport entry and departure procedures;
 - (h) collision avoidance, windshear avoidance, and wake turbulence avoidance;
 - (i) descents , with and without turns, using high and low drag configurations;
 - (j) flight at various airspeeds from cruise to slow flight;
 - (k) 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;
 - (l) emergency procedures and equipment malfunctions;
 - (m) ground reference manoeuvres;
 - (n) approaches to a landing area with simulated engine malfunctions;
 - (o) slips to a landing; and
 - (p) go-arounds.
- (6) A holder of student pilot licence who is receiving training for solo flight shall receive and log flight training for the following additional manoeuvres and procedures, as applicable, as indicated for each category and class rating:
- (a) in a multiengine aeroplane:
 - (i) proper flight preparation procedures, including pre-flight planning and preparation, powerplant operation, and aircraft systems;
 - (ii) taxiing or surface operations, including runups;
 - (iii) take-offs and landings, including normal and crosswind;
 - (iv) straight and level flight, and turns in both directions;
 - (v) climbs and climbing turns;
 - (vi) airport traffic patterns, including entry and departure procedures;
 - (vii) collision avoidance, windshear avoidance, and wake turbulence avoidance;
 - (viii) descents, with and without turns, using high and low drag configurations;
 - (ix) flight at various airspeeds from cruise to slow flight;
 - (x) stall entries from various flight attitudes and power combinations with recover initiated at the first indication of a stall, and recovery from a full stall;
 - (xi) emergency procedures and equipment malfunctions;
 - (xii) ground reference manoeuvres;
 - (xiii) approaches to a landing area with simulated engine malfunctions; and
 - (xiv) go-arounds;
 - (b) in a helicopter:
 - (i) approaches to the landing area;
 - (ii) hovering and hovering turns;
 - (iii) simulated emergency procedures, including autorotational descents with a power recovery and power recovery to a hover;
 - (iv) rapid decelerations; and
 - (v) simulated one-engine-inoperative approaches and landings for multiengine helicopter.
 - (c) in a gyroplane:
 - (i) approaches to the landing area;
 - (ii) high rates of descent with power on and with simulated power off, and recovery from those flight configurations; and.
 - (iii) simulated emergency procedures, including simulated power-off landings and simulated power failure during departures
 - (d) in a glider:
 - (i) the applicable manoeuvres and procedures shown in paragraph (a)
 - (ii) launches, including normal and crosswind;
 - (iii) inspection of towline rigging and review of signals and release procedures;

- (iv) aerotow, ground tow, or self-launch procedures;
- (v) procedures for disassembly and assembly of the glider;
- (vi) slips to a landing;
- (vii) procedures and techniques for thermalling; and
- (viii) emergency operations, including towline break procedures.

- (e) in an airship:
 - (i) rigging, ballasting, and controlling pressure in the ballonets, and superheating; and
 - (ii) landings with positive and with negative static trim
- (f) in a balloon:
 - (i) layout and assembly procedures;
 - (ii) ascents and descents;
 - (iii) landing and recovery procedures;
 - (iv) operation of hot air or gas source, ballast, valves, vents, and rip panels, as appropriate;
 - (v) use of deflation valves or rip panels for simulating an emergency;
 - (vi) the effects of wind on climb and approach angles; and
 - (vii) obstruction detection and avoidance techniques.

Privileges and limitations

- 32.**
- (1) A holder of a Student Pilot Licence shall be entitled to fly as a pilot-in-command of an aircraft for the purpose of becoming qualified for a grant or renewal of a Pilot's Licence.
 - (2) A holder of an Student Pilot Licence shall not act as pilot-in-command of an aircraft:
 - (a) that is carrying a passenger;
 - (b) that is carrying property for compensation or hire;
 - (c) that is operated for compensation or hire;
 - (d) in furtherance of a business;
 - (e) on an international flight;
 - (f) when the flight cannot be made under visual meteorological conditions (VMC) as specified under the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations; or
 - (g) in a manner contrary to any limitations placed in the pilot's logbook by an authorized instructor.
 - (3) A holder of an Student Pilot Licence shall not act as a required flight crew member on any aircraft for which more than one pilot is required by the aircraft type certificate or by these Regulations under which the flight is conducted, except when receiving flight training from an authorized instructor on board an airship, and no person other than a required flight crew member is carried on the airship.
 - (4) A holder of a Student Pilot Licence shall not operate an aircraft in solo flight unless that student pilot has received within the ninety days preceding the date of the flight an endorsement made in the student's logbook from an authorized instructor for the specific make and model of aircraft to be flown.
 - (5) A holder of a Student Pilot Licence shall not fly solo in an aircraft on an international flight unless by special or general arrangement between the Contracting States concerned.
 - (6) A holder of a Student Pilot Licence shall not act as a pilot-in-command of an aircraft unless his logbook has been endorsed by an authorized instructor that he is capable of communicating with air traffic control on radiotelephony.

Solo flight cross-country requirements

- 33.**
- (1) Except as provided in sub-regulation (4), a holder of a Student Pilot License shall meet the requirements of this regulation before:
 - (a) conducting a solo cross-country flight, or any flight greater than twenty five nautical miles from the airport from where the flight originated; or
 - (b) making a solo flight and landing at any location other than the airport of origin.
 - (2) Except as provided in sub-regulation (4), a student pilot who seeks solo cross-country flight privileges shall:
 - (a) have received flight training from an authorized instructor on the manoeuvres and procedures required by this regulation that are appropriate to the make and model

- of aircraft for which solo cross-country privileges are sought;
 - (b) have demonstrated cross-country proficiency on the appropriate manoeuvres and procedures required by this regulation to an authorized instructor;
 - (c) have satisfactorily accomplished the pre-solo flight manoeuvres and procedures required by this regulation in the make and model of aircraft or similar make and model of aircraft for which solo cross-country privileges are sought; and
 - (d) comply with any limitations included in the instructor's endorsement that are required by sub-regulation (5).
- (3) A holder of a Student Pilot Licence who seeks solo cross-country flight privileges must have received ground and flight training from an authorized instructor on the cross-country manoeuvres and procedures listed in this regulation that are appropriate to the aircraft to be flown.
- (4) A student pilot shall obtain an endorsement from an authorized instructor to make solo flights, subject to the following conditions:
- (a) a student pilot may make solo flights to another airport that is within twenty-five nautical miles from the airport where the student pilot normally receives training if:
 - (i) the authorized instructor who makes the endorsement gave the student pilot flight training at the other airport, and that training included flight in both directions over the route, entering and exiting the traffic pattern, and takeoffs and landings at the other airport;
 - (ii) the student pilot has a current solo flight endorsement in accordance with these regulations;
 - (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 airport.
 - (b) a student pilot may make repeated specific solo cross-country flights to another airport that is within fifty nautical miles of the airport from which the flight originated, if:
 - (i) the authorized 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 airport to be used;
 - (ii) the student has current solo flight endorsements in accordance with these regulations, and
 - (iii) the student has a current solo cross-country flight endorsement in accordance with sub-regulation (5), except that separate endorsements are not required for each flight made under this paragraph.
- (5) Except as specified in sub-regulation (4)(b), a student pilot shall have a solo cross-country endorsement placed in the student pilot's log book by the authorized instructor who conducted the training for each make and model aircraft the student will fly on each cross-country flight.
- (6) A student pilot who is receiving training for cross-country flight shall receive and log flight training in the following manoeuvres and procedures:
- (a) in an aeroplane or rotorcraft:
 - (i) use of aeronautical charts for visual flight rules navigation using pilotage and dead reckoning with the aid of a magnetic compass;
 - (ii) use of aircraft performance charts pertaining to cross-country flight;
 - (iii) procurement and analysis of aeronautical weather reports and forecasts, including recognition of critical weather situations and estimating visibility while in flight;
 - (iv) recognition, avoidance, and operational restrictions of hazardous terrain features in the geographical area where the student pilot will conduct cross-country flight;
 - (v) use of radios for VFR navigation and two-way communications;
 - (vi) climbs at best angle and best rate; and

- (vii) control and manoeuvring solely by reference to flight instruments, including straight and level flight, turns, descents, climbs, use of radio aids, and air traffic control clearances;
- (b) in a glider:
 - (i) the manoeuvres and procedure specified in sub-regulation (6)(a), as applicable;
 - (ii) landings accomplished without the use of the altimeter from at least 600 m (2,000 ft) above the surface; and
 - (iii) recognition of weather and upper air conditions favourable for cross-country soaring, ascending flight, descending flight, and altitude control;
- (c) in an airship:
 - (i) the manoeuvres and procedures specified in sub-regulation (6)(a), as applicable;
 - (ii) control of air pressure with regard to ascending and descending flight and altitude control;
 - (iii) control of the airship solely by reference to flight instruments; and
 - (iv) recognition of weather and upper air conditions conducive for the direction of cross-country flight.

Renewal requirements

34. A holder of a Student Pilot Licence may apply for renewal of the Licence if the holder has passed a Class II medical examination

Private Pilot Licence

Eligibility requirements

35. An applicant for a Private Pilot Licence, shall:
- (a) be at least seventeen years of age for a licence other than the operation of glider or balloon;
 - (b) be at least sixteen years of age for a licence in a glider or balloon;
 - (c) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations;
 - (d) receive an endorsement for the knowledge test from an authorized instructor who:
 - (i) conducted the training on the aeronautical knowledge areas listed in regulation 36, that apply to the aircraft category sought; and
 - (ii) certified that the person is prepared for the required knowledge test;
 - (e) be in possession of a valid Class 2 Medical Certificate issued under these Regulations;
 - (f) pass the required knowledge test on the aeronautical knowledge areas listed in regulation 36;
 - (g) receive flight training and a logbook endorsement from an authorized instructor who:
 - (i) conducted the training in the areas of operation listed in regulation 37, that apply to the aircraft category and class rating sought; and
 - (ii) certified that the person is prepared for the required practical test;
 - (h) meet the aeronautical experience requirements of this Sub-part that apply to the aircraft category and class rating sought before applying for the practical test;
 - (i) pass a practical test on the areas of operation listed in regulation 37 that apply to the aircraft category and class rating sought; and
 - (j) comply with the appropriate provisions of these Regulations that apply to the aircraft category and class rating sought.

Aeronautical knowledge requirements

36. (1) Subject to sub-regulation (2) an applicant for a Private Pilot Licence shall receive and log ground training from an authorized instructor on the aeronautical knowledge areas that apply to the aircraft category and class rating sought.
- (2) The aeronautical knowledge areas applicable to any relevant category and class rating shall be as follows:

- (a) air law: rules and regulations relevant to the holder of a Private Pilot Licence, rules of the air, altimeter setting procedures; appropriate air traffic services practices and procedures;
- (b) aircraft general knowledge:
 - (i) principles of operation and functioning of powerplants, systems and instruments;
 - (ii) operating limitations of the relevant category of aircraft and powerplants; relevant operational information from the flight manual or other appropriate document;
 - (iii) for helicopter and powered-lifts, transmission (power trains) where applicable;
 - (iv) for airships, physical properties and practical application of gases;
- (c) flight performance, planning and loading:
 - (i) effects of loading and mass distribution on flight characteristics; mass and balance calculations;
 - (ii) use and practical application of take-off, landing and other performance data;
 - (iii) pre-flight and en-route flight planning appropriate to private operations under VFR; preparation and filing of air traffic services flight plans; appropriate air traffic services procedures; position reporting procedures; altimeter setting procedures; operations in areas of high-density traffic;
- (d) human performance: human performance including principles of threat and error management;
- (e) meteorology: application of elementary aeronautical meteorology, use of, and procedures for obtaining, meteorological information, altimetry; hazardous weather conditions;
- (f) navigation: practical aspects of air navigation and dead-reckoning techniques; use of aeronautical charts;
- (g) operational procedures:
 - (i) application of threat and error management to operational performance;
 - (ii) altimeter setting procedures;
 - (iii) use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations;
 - (iv) appropriate precautionary and emergency procedures, including action to be taken to avoid hazardous weather, wake turbulence and other operating hazards;
 - (v) in the case of helicopter, 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;
- (h) principles of flight: principles of flight relating to aircraft;
- (i) radiotelephony: communication procedures and phraseology as applied to VFR operations and action to be taken in case of communication failure.

**Flight
instruction
requirements**

37. (1) An applicant for a Private Pilot License shall receive and log ground and flight training from an authorized instructor on the following areas of operation and the instructor shall ensure that the applicant has operational experience in at least the following areas to the level of performance required for the private pilot:
- (a) for all categories and class ratings, as applicable:
 - (i) pre-flight operations, including mass and balance determination, aeroplane inspection and servicing;
 - (ii) aerodrome and traffic pattern operations, collision avoidance precautions and procedures;
 - (iii) control of the aeroplane by external visual reference;
 - (iv) flight at critically slow airspeeds, recognition of, and recovery from, incipient and full stalls;
 - (v) flight at critically high airspeeds, recognition of, and recovery from, spiral dives;
 - (vi) normal and cross-wind take-offs and landings;
 - (vii) maximum performance (short field and obstacle clearance) take-offs and short-field landings;
 - (viii) flight by reference solely to instruments, including the completion of a level 180° turn;
 - (ix) cross-country flying using visual reference, dead reckoning and, where available, radio navigation aids;
 - (x) emergency operations, including simulated aeroplane equipment malfunctions;
 - (xi) operations to, from and transiting controlled aerodromes, compliance with air traffic services procedures, radiotelephony procedures and phraseology;
 - (xii) recognize and manage threats and errors; and
 - (xiii) communication procedures and phraseology.
 - (b) for aeroplane category rating, with a multi engine class rating the areas covered in sub-paragraph (a) and in addition the following requirements :
 - (i) emergency operations; including the applicant's knowledge and performance of the following tasks:
 - (aa) emergency descent;
 - (bb) engine failure during take-off before V_{mc}
 - (cc) engine failure after lift-off (simulated)
 - (dd) approach and landing with an inoperative engine (simulated); and
 - (ii) multi-engine operations; including the applicant's knowledge and performance of the following tasks:
 - (aa) manoeuvring with one engine inoperative;
 - (bb) V_{mc} demonstration; and
 - (cc) engine failure during flight (by reference to instruments).
 - (c) for rotorcraft category rating with a helicopter class rating the areas covered in sub-paragraph (a) and in addition the following:
 - (i) control of the helicopter by external visual reference;
 - (ii) recovery at the incipient stage from settling with power; recovery techniques from low-rotor rpm within the normal range of engine rpm;
 - (iii) ground manoeuvring and run-ups; hovering; take-offs and landings — normal, out of wind and sloping ground;
 - (iv) take-offs and landings with minimum necessary power; maximum performance take-off and landing techniques; restricted site operations; quick stops;
 - (v) cross-country flying using visual reference, dead reckoning and, where available, radio navigation aids, including a flight of at least one hour;
 - (vii) emergency operations, including simulated helicopter equipment malfunctions; autorotative approach and landing; and
 - (viii) the instructor shall ensure that the applicant has operational experience in

- flight by reference solely to instruments, including the completion of a level 180° turn, in a suitably instrumented helicopter;
- (d) for rotorcraft category rating with a gyroplane class rating the areas covered in sub-paragraph (a) and in addition flight at slow airspeeds;
 - (e) for airship category and class rating the following areas:
 - (i) recognize and manage threats and errors;
 - (ii) pre-flight operations, including balloon assembly, rigging, inflation, mooring, mass and balance determination, inspection and servicing;
 - (iii) ground reference manoeuvres;
 - (iv) techniques and procedures for the launching and ascent, take-off, including appropriate limitations, emergency procedures and signals used;
 - (v) aerodrome and traffic pattern operations, collision avoidance precautions and procedures;
 - (vi) control of the airship by external visual reference;
 - (vii) maximum performance (obstacle clearance) take-offs;
 - (viii) flight by reference solely to instruments, including the completion of a level 180° turn;
 - (ix) recognition of, and recovery from, rapid descents;
 - (x) navigation, cross-country flying using visual reference, dead reckoning and radio navigation aids;
 - (xi) take-offs, approaches, go-arounds and landings, including ground handling; and
 - (xii) emergency operations (recognition of leaks), including simulated airship equipment malfunctions; and
 - (xiii) communication procedures and phraseology.
 - (f) for powered-lift category rating the following areas:
 - (i) recognize and manage threats and errors;
 - (ii) pre-flight operations, including mass and balance determination, powered-lift inspection and servicing;
 - (iii) aerodrome and traffic pattern operations, collision avoidance precautions and procedures;
 - (iv) control of the powered-lift by external visual reference;
 - (v) ground manoeuvring and run-ups; hover and rolling take-offs and climb-out; hover and rolling approach and landings – normal, out of wind and sloping ground;
 - (vi) take-offs and landings with minimum necessary power; maximum performance take-off and landing-techniques; restricted site operations; quick stops;
 - (vii) flight by reference solely to instruments, including the completion of a level 180° turn;
 - (viii) recovery at the incipient stage for settling with power; recovery techniques from low-rotor rpm within the normal range of engine rpm;
 - (ix) cross-country flying around visual reference, dead reckoning and, where available, radio navigation aids, including a flight of at least one hour;
 - (x) emergency operations, including simulated powered-lift equipment malfunctions; power of reconversion to autorotation and autorotative approach, where applicable; transmission and interconnect driveshaft failure, where applicable;
 - (xi) operations to from and transiting controlled aerodromes, compliance with air traffic services procedures; and
 - (xii) communication procedures and phraseology; .
- (2) An applicant for a Private Pilot Licence shall have demonstrated the ability to perform as a pilot-in-command of an aircraft within the appropriate category of aircraft, the procedures and manoeuvres specified in this sub-part, with a degree of competency appropriate to the privileges granted to the holder of a Private Pilot Licence, and to :
- (a) recognize and manage threats and errors;

- (b) operate the aircraft within its limitations;
- (c) complete all manoeuvres with smoothness and accuracy;
- (d) exercise good judgment and airmanship;
- (e) apply aeronautical knowledge; and
- (f) maintain control of the aircraft at all times in a manner such that the successful outcome of a procedure or manoeuvre is assured;

**Aeronautical
experience
requirements**

- 38.** (1) An applicant for a Private Pilot Licence with an aeroplane category rating shall -
- (a) have completed for a single engine class rating for each category rating sought:
 - (i) not less than 40 hours of flight time as pilot of aeroplanes, a total of 5 hours may have been completed in a flight simulation training device; and
 - (ii) not less than 10 hours of solo flight time under the supervision of an authorized flight instructor, including 5 hours of solo cross-country flight time with at least one cross-country flight totalling not less than 270 km (150 NM) in the course of which full-stop landings at two different aerodromes shall be made;
 - (b) have completed for a multi engine class rating for each category sought, in addition to the requirements of paragraph (a):
 - (i) not less than 10 hours under the supervision of an authorized flight instructor in the category sought; and
 - (ii) pass a practical skill test on multi-engine aircraft as specified in regulation 23.
 - (c) not fly as pilot in command of such an aeroplane carrying passenger unless within the preceding 90 days he has made at least three take-offs and three landings as the sole manipulator of the controls of an aeroplane of the same type or class and, if such a flight is to be carried out at night, his licence includes instrument rating (aeroplane) except if otherwise specifically authorized by the Authority and he has made at least one of those take-offs and landings at night in the appropriate category of aircraft;
 - (d) not fly at night unless he received appropriate dual instruction in aircraft within the appropriate category of aircraft in night flying.
- (2) An applicant for a Private Pilot Licence with an rotorcraft category rating shall have completed, for rotorcraft:
- (a) not less than 40 hours of flight time as pilot of aeroplanes, a total of 5 hours may have been completed in a flight simulation training device; and
 - (b) not less than 10 hours of solo flight time under the supervision of an authorized flight instructor, including 5 hours of solo cross-country flight time with at least one cross-country flight totalling not less than 180 km (100 NM) in the course of which landings at two different points shall be made;
- (3) An applicant for a Private Pilot Licence with an airship class rating shall have completed twenty five hours of flight training in airships on the areas of operation which consists of at least:
- (a) three hours of cross-country flight training in an airship with a cross-country flight totalling not less than 45 km (25 NM);
 - (b) five take-offs and five landings to a full stop at an aerodrome with each landing involving a flight in the traffic pattern at an aerodrome;
 - (c) three hours of instrument time; and
 - (d) five hours as pilot assuming the duties of the pilot-in-command under the supervision of the pilot-in-command;
 - (e) five hours of solo flight in an airship with an authorized instructor.
 - (f) if the privileges of the licence are to be exercised at night, three hours of night flight training in an airship.
- (4) An applicant for a Private Pilot Licence, with powered-lift category rating, shall have completed:
- (a) not less than 40 hours of flight time as a pilot of powered-lifts; and

- (b) not less than 10 hours of solo flight time under the supervision of an authorized flight instructor, including 5 hours of solo cross-country flight time with at least one cross-country flight totalling not less than 270 km (150 NM) in the course of which full-stop landings at two different aerodromes shall be made including at least 20 hours of dual instruction time in powered-lifts from an authorized flight instructor
- (5) An applicant for Private Pilot Licence who has flight time as a pilot in other categories may be credited with 10 hours of the total flight time.

Privileges and limitations

39.

- (1) Except as provided in sub-regulations (2) to (7), a holder of a Private Pilot License shall not act as a pilot-in-command or co-pilot of an aircraft:
 - (a) carrying passengers or property for compensation or hire; or
 - (b) operated for compensation or hire.
- (2) A holder of a Private Pilot Licence may exercise the privileges of a holder of a flight radiotelephone operator licence as prescribed in regulation 113..
- (3) A holder of a Private Pilot Licence may, for compensation or hire, act as a crew member of an aircraft in connection with any business or employment if:
 - (a) the flight is only incidental to that business or employment; and
 - (b) the aircraft does not carry passengers or property for compensation or hire.
- (4) A holder of a Private Pilot Licence may act as a crew member of an aircraft used in a passenger-carrying flight sponsored by a charitable organization described in subparagraph (g), and for which the passengers make a donation to the organization, when the following requirements are met:
 - (a) the sponsor of the flight notifies the Authority at least seven days before the event and submits:
 - (i) a signed letter from the sponsor that shows the name of the sponsor, the purpose of the charitable event, the date and time of the event, and the location of the event; and
 - (ii) a photocopy of each crew member's pilot licence, Medical Certificate, and logbook entries that show the pilot has a valid licence and has logged at least two hundred hours of flight time;
 - (b) the flight is conducted from a public airport that is adequate for the aircraft to be used, or from another airport that has been approved by the Authority for the operation;
 - (c) no acrobatic or formation flights are conducted;
 - (d) each aircraft used for the charitable event holds a valid standard certificate of airworthiness;
 - (e) each aircraft used for the charitable event is airworthy and complies with the applicable requirements of the Civil Aviation (Operation of Aircraft) Regulations;
 - (f) each flight for the charitable event is made during day visual flight rules conditions; and
 - (g) the charitable organization is an organization identified as such by the appropriate authority of the government.
- (5) A holder of a Private Pilot Licence may be reimbursed for aircraft operating expenses that are directly related to search and rescue operations, if the expenses involve only fuel, oil, airport expenditures, or rental fees, and the operation is sanctioned and under the direction and control of—
 - (a) a government agency; or
 - (b) an organization that conducts search and rescue operations
- (6) A holder of a Private Pilot Licence who is an aircraft salesman and who has logged at least two hundred hours of logged flight time may demonstrate an aircraft in flight to a prospective buyer.
- (7) A holder of a Private Pilot Licence shall not pay less than the pro rata share of the operating expenses of a flight with passengers, if the expenses involve only fuel, oil, airport expenditures, or rental fees.
- (8) Except as provided in sub-regulations (2) through (7), a holder of a Private Pilot Licence

shall, not for compensation or hire, act as a co-pilot of an aircraft that is type certified for more than one pilot.

- (9) The holder of the Private Pilot's Licence with simple single engine aeroplane, microlight aeroplane or self launching motor glider (SLMG) rating shall be entitled to fly as pilot-in-command of any simple single engine aeroplane, microlight aeroplane or SLMG specified or otherwise falling within an aircraft rating included in the licence, provided :.
- (a) he shall not fly—
 - (i) such a simple single engine aeroplane or a microlight aeroplane outside Rwanda except with the permission of the competent authority for the airspace in which he flies; or
 - (ii) such a SLMG in or over the territory of a Contracting State other than Rwanda except in accordance with permission granted by the competent authority of that State provided that he may fly a SLMG outside Rwanda if his licence includes a SLMG rating and a medical certificate appropriate for such a flight.
 - (b) he shall not fly any such aeroplane for the purpose of public transport or aerial work except in the circumstances specified in sub-paragraph (c).
 - (c) the circumstances referred to in paragraph (b) are that he flies such an aeroplane for the purpose of aerial work which consists of towing another aeroplane or glider in flight—
 - (i) in an aeroplane owned, or operated under arrangements entered into, by a flying club of which the holder of the licence and any person carried in the towing aeroplane or in any aeroplane or glider being towed are members; or
 - (ii) in an aeroplane owned, or operated under arrangements entered into, by an organization approved by the Authority for the purpose of this provision when—
 - (aa) the holder of the licence is a member of an organization approved by the Authority for the purpose of this provision; and
 - (bb) any person carried in the towing aeroplane or in any aeroplane or glider being towed is a member of an organization approved by the Authority for the purpose of this provision.
 - (d) he shall not fly—
 - (i) as pilot-in-command of such a simple single engine aeroplane on a flight outside controlled airspace when the flight visibility is less than 5 km;
 - (ii) as pilot-in-command of such a SLMG or microlight aeroplane on a flight outside controlled airspace when the flight visibility is less than 3 km;
 - (iii) as pilot-in-command of any such aeroplane—
 - (aa) on a special VFR flight in a control zone in a flight visibility of less than 10 km;
 - (bb) out of sight of the surface; or
 - (cc) at night; or
 - (iv) as pilot-in-command of any such aeroplane in circumstances which require compliance with the Instrument Flight Rules.
 - (e) he shall not fly as pilot in command of any such aeroplane—
 - (i) when the total number of persons carried (including the pilot) exceeds four; or
 - (ii) when carrying passengers unless within the preceding 90 days he has made at least three take-offs and three landings as the sole manipulator of the controls of an aeroplane of the same class as that being flown.
 - (f) he shall not fly—
 - (i) as pilot-in-command of such a simple single engine aeroplane where—
 - (aa) the aeroplane is fitted with a tricycle undercarriage;
 - (bb) the aeroplane is fitted with a tail wheel;
 - (cc) the engine is fitted with either a supercharger or turbo-charger;
 - (dd) the engine is fitted with a variable pitch propeller;
 - (ee) the landing gear is retractable;

- (ff) a cabin pressurization system is fitted; or
- (gg) the aeroplane has a maximum continuous cruising speed in excess of 140 knots indicated airspeed;

unless appropriate differences training has been completed and recorded in his personal flying log book; or

- (ii) as pilot-in-command of such a microlight aeroplane where—
 - (aa) the aeroplane has 3 axis controls and his previous training and experience has only been in an aeroplane with flex wing controls; or
 - (bb) the aeroplane has flex wing controls and his previous training and experience has only been in an aeroplane with 3 axis controls;

unless appropriate differences training has been completed and recorded in his personal flying logbook.

Renewal requirements

- 40. A Private Pilot Licence may be renewed if the holder of the licence has logged the following hours as pilot-in-command on either category, class or type rating sought within the twelve months preceding the date of application for renewal,
 - (a) for aeroplane, rotorcraft and powered-lift, not less than 5 hours; and
 - (b) for airship not less than 3 hours.

Commercial Pilot Licence

Eligibility requirements

- 41. (1) An applicant for a Commercial Pilot Licence shall:
 - (a) be at least eighteen years of age;
 - (b) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations;
 - (c) receive a logbook endorsement from an authorized instructor who:
 - (i) conducted the required ground training on the aeronautical knowledge areas listed in regulation 42, 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.
 - (d) pass the required knowledge test on the aeronautical knowledge areas listed in regulation 42;
 - (e) receive the required training and a logbook endorsement from an authorized instructor who:
 - (i) conducted the training on the areas of operation listed in regulation 43 that apply to the aircraft category and class rating sought; and
 - (ii) certified that the person is prepared for the required practical test.
 - (f) be in possession of a Class 1 Medical Certificate issued under these Regulations;
 - (g) meet the aeronautical experience requirements of the applicable provisions of these Regulations that apply to the aircraft category and class rating sought before applying for the practical test
 - (h) pass the required practical test on the areas of operation listed in regulation 43 that apply to the aircraft category and class rating sought;
 - (i) hold a Private Pilot Licence issued under these Regulations or meet the requirements of regulation 14, pertaining to military licences; and
 - (j) comply with all sections of these Regulations which apply to the aircraft category and class rating sought.

Aeronautical knowledge requirements

- 42. (1) Subject to sub-regulation (2) an applicant for a Commercial Pilot Licence, shall receive and record ground training in a manner prescribed by the Authority, from an authorized instructor on the aeronautical knowledge areas that apply to the aircraft category and class rating sought.
- (2) The aeronautical knowledge areas applicable to any relevant category and class rating shall

be as follows:

- (a) air law: rules and regulations relevant to the holder of a Commercial Pilot Licence; rules of the air; appropriate air traffic services practices and procedures
- (b) aircraft general knowledge:
 - (i) principles of operation and functioning of aircraft powerplants, systems and instruments;
 - (ii) operating limitations of appropriate aircraft category and powerplants, relevant operational information from the flight manual or other appropriate document;
 - (iii) use and serviceability checks of equipment and systems of appropriate aircraft category;
 - (iv) maintenance procedures for airframes, systems and powerplants of appropriate aircraft category;
 - (v) for helicopter and powered-lifts, transmission (power trains) where applicable;
 - (vi) for airships, physical properties and practical application of gases;
- (c) flight performance and planning:
 - (i) effects of loading and mass distribution on aircraft handling, flight characteristics and performance, mass and balance calculations;
 - (ii) use and practical application of take-off, landing and other performance data;
 - (iii) pre-flight and en-route flight planning appropriate to operations under VFR;
 - (iv) preparation and filing of air traffic services flight plans and appropriate air traffic services procedures;
 - (v) in the case of airships, helicopter and powered-lifts, effects of external loading on handling;
- (d) human performance: human performance relevant to the Commercial Pilot Licence including principles of threats and error management;
- (e) meteorology:
 - (i) interpretation and application of aeronautical meteorological reports, charts and forecasts; use of, and procedures for obtaining, meteorological information, pre-flight and in-flight and altimetry;
 - (ii) 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 take-off, en-route and landing conditions;
 - (iii) causes, recognition and effects on icing; frontal zone penetration procedures; hazardous weather avoidance;
- (f) navigation:
 - (i) air navigation, including the use of aeronautical charts, instruments and navigation aids, understanding of the principles and characteristics of

appropriate navigation systems and operation of air borne equipment;

- (ii) in the case of airships :
 - (aa) use, limitation and serviceability of avionics and instruments necessary for control and navigation;
 - (bb) use, accuracy and reliability of navigation systems used in departure, en-route, approach and landing phases of flight, identification of radio navigation aids;
 - (cc) principles and characteristics of self-contained and external referenced navigations systems, operation of air borne equipment;
- (g) operation procedures:
 - (i) application of threat and error management to operational performance;
 - (ii) use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations;
 - (iii) altimeter setting procedures;
 - (iv) appropriate precautionary and emergency procedures;
 - (vi) operational procedures for carriage of freight, including external loads if applicable; potential hazards associated with dangerous goods;
 - (vii) requirements and practices for safety briefing to passengers, including precautions to be observed when embarking and disembarking from aircraft;
 - (viii) night and high altitude; and
 - (ix) in the case of helicopter, 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;
- (h) principles of flight: principles of flight relating to aircraft;
- (i) radiotelephony: radiotelephony procedures and phraseology as applied to VFR operations, action to be taken in case of communication failure.

Flight instruction requirements and skills

- 43.** (1) An applicant for a Commercial Pilot Licence shall receive and record ground and flight training from an authorized instructor who shall ensure that the applicant has operational experience in at least the following areas of operation of this regulation that apply to the aircraft category and class rating sought to the level of performance required for the commercial pilot:
- (a) for all categories and class ratings, as applicable:
 - (i) recognize and manage threats and errors;
 - (ii) pre-flight operations, including mass and balance determination, aircraft inspection and servicing;
 - (iii) aerodrome and traffic pattern operations, collision avoidance precautions and procedures;
 - (iv) control of the aircraft by external visual reference;
 - (v) flight with asymmetrical power for multi-engine class or type ratings;
 - (vi) flight at critically slow airspeeds; spin avoidance; recognition of, and recovery from, incipient and full stalls;
 - (vii) flight at critically high airspeeds; recognition of, and recovery from, spiral dives;
 - (viii) normal and cross-wind take-offs and landings;
 - (ix) maximum performance (short field and obstacle clearance) take-offs; short-field landings;

- (x) basic flight manoeuvres and recovery from unusual attitudes by reference solely to basic flight instruments;
 - (xi) cross-country flying using visual reference, dead reckoning and radio navigation aids; diversion procedures;
 - (xii) abnormal and emergency procedures and manoeuvres;
 - (xiii) operations to, from and transiting controlled aerodromes, compliance with air traffic services procedures, radiotelephony procedures and phraseology; and
 - (xiv) communication procedures and phraseology
- (b) in addition to the areas of operation specified in paragraph (a), the applicable areas of operation for a multi-engine class rating as follows:
- (i) emergency operations; including the applicant's knowledge and performance of the following tasks:
 - (aa) emergency descent;
 - (bb) engine failure during take-off before V_{mc} (simulated);
 - (cc) engine failure after lift-off (simulated);
 - (dd) approach and landing with one inoperative engine (simulated);
 - (ee) systems and equipment malfunctions; and
 - (ff) emergency equipment and survival gear
 - (ii) high altitude operations; including the applicant's knowledge and performance of the following tasks:
 - (aa) supplemental oxygen; and
 - (bb) pressurization.
 - (iii) multi-engine operations: including the applicant's knowledge and performance of the following tasks:
 - (aa) manoeuvring with one engine inoperative;
 - (bb) V_{mc} demonstration;
 - (cc) engine failure during flight (by reference to instruments); and
 - (dd) instrument approach with one engine inoperative (by reference to instruments).
- (c) for a rotorcraft category rating with a helicopter type rating:
- (i) recognize and manage threats and errors;
 - (ii) pre-flight operations, including mass and balance determination, helicopter inspection and servicing;
 - (iii) aerodrome and traffic pattern operations, collision avoidance precautions and procedures;
 - (iv) control of the helicopter by external visual reference;
 - (v) recovery at the incipient stage from settling with power; recovery techniques from low-rotor rpm within the normal range of engine rpm;
 - (vi) ground manoeuvring and run-ups; hovering; take-offs and landings — normal, out of wind and sloping ground; steep approaches;
 - (vii) take-offs and landings with minimum necessary power; maximum performance take-off and landing techniques; restricted site operations; quick stops;
 - (viii) hovering out of ground effect; operations with external load, if applicable; flight at high altitude;
 - (ix) basic flight manoeuvres and recovery from unusual attitudes by reference solely to basic flight instruments;
 - (x) cross-country flying using visual reference, dead reckoning and radio navigation aids; diversion procedures;
 - (xi) abnormal and emergency procedures, including simulated helicopter equipment malfunctions, autorotative approach and landing;
 - (xii) operations to, from and transiting controlled aerodromes, compliance with

- air traffic services procedures, and
- (xiii) communication procedures and phraseology
- (d) for a rotorcraft category rating with a gyroplane class rating: flight at slow airspeeds;
- (e) for a powered-lift category rating:
 - (i) recognize and manage threats and errors;
 - (ii) pre-flight operations, including mass and balance determination, powered-lift inspection and servicing;
 - (iii) aerodrome and traffic pattern operations, collision avoidance precautions and procedures;
 - (iv) control of the powered-lift by external visual reference;
 - (v) recovery at the incipient stage from settling with power; recovery techniques from low-rotor rpm within the normal range of engine rpm;
 - (vi) ground manoeuvring and run-ups; hovering; take-offs and landings — normal, out of wind and sloping ground; steep approaches;
 - (vii) take-offs and landings with minimum necessary power; maximum performance take-off and landing techniques; restricted site operations; quick stops;
 - (viii) hovering out of ground effect; operations with external load, if applicable; flight at high altitude;
 - (ix) basic flight manoeuvres and recovery from unusual attitudes by reference solely to basic flight instruments;
 - (x) cross-country flying using visual reference, dead reckoning and radio navigation aids; including a flight of at least one hour;
 - (xi) emergency operations, including simulated powered-lift equipment malfunctions; power of reconversion to autorotation and autorotative approach, where applicable; transmission and interconnect driveshaft failure, where applicable;
 - (xii) operations to, from and transitting controlled aerodromes, compliance with air traffic services procedures, and
 - (xiii) communication procedures and phraseology
- (f) for a airship caterogy:
 - (i) recognize and manage threats and errors;
 - (ii) pre-flight operations, including mass and balance determination assembly, rigging, inflation, mooring, inspection and servicing;
 - (iii) aerodrome and traffic pattern operations, collision avoidance precautions and procedures;
 - (iv) control of the lighter-than-air by external visual reference;
 - (v) recognition of leaks;
 - (vi) techniques and procedures for the take-off, including appropriate limitations, emergency procedures and signals used;
 - (vii) normal take-offs and landings;
 - (viii) maximum performance (short field and obstacle clearance) take-offs; short field landing;
 - (ix) flight under IFR;
 - (x) cross-country flying using visual reference, dead reckoning and, where available, radio navigation aids;
 - (xi) emergency operations, including simulated lighter-than-air malfunctions;;
 - (xii) operations to, from and transitting controlled aerodromes, compliance with air traffic services procedures, and
 - (xiii) communication procedures and phraseology.
- (2) An applicant for a Commercial Pilot Licence shall have demonstrated the ability to perform as a pilot-in-command of an aircraft within the appropriate category of aircraft, the procedures and manoeuvres specified in this sub-part, with a degree of competency appropriate to the privileges granted to the holder of a Commercial Pilot Licence, and to :
 - (a) recognize and manage threats and errors;

- (b) operate the aircraft within its limitations;
- (c) complete all manoeuvres with smoothness and accuracy;
- (d) exercise good judgment and airmanship;
- (e) apply aeronautical knowledge; and
- (f) maintain control of the aircraft at all times in a manner such that the successful outcome of a procedure or manoeuvre is assured

**Aeronautical
experience
requirements**

- 44.** (1) An applicant for a Commercial Pilot Licence, aeroplanes shall obtain the following hours of aeronautical experience:
- (a) not less than 200 hours of flight time, or 150 hours if completed during an integrated course of approved training provided for in an Approved Training Organization under the Civil Aviation (Approved Training Organization) Regulations, as a pilot of aeroplanes, of which 10 hours may have been completed in a flight simulation training device.
 - (b) in aeroplanes, not less than:
 - (i) 100 hours as pilot-in-command or, in the case of a course of approved training, 70 hours as pilot-in-command;
 - (ii) 20 hours of cross-country flight time as pilot-in-command 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;
 - (iii) 10 hours of instrument instruction time of which not more than 5 hours may be instrument time in the flight simulation training device;
 - (iv) 5 hours of night flying, including 5 take-offs and 5 landings as pilot-in-command.
 - (c) A holder of a pilot licence in another category may be credited towards the 200 hours of flight time as follows:
 - (i) 10 hours as pilot-in-command in a category other than helicopters; or
 - (ii) 30 hours as pilot-in-command holding a Private Pilot Licence on helicopters; or
 - (iii) 100 hours as pilot-in-command holding a Commercial Pilot Licence on helicopters.
- (2) An applicant for a Commercial Pilot Licence - helicopter licence shall have completed:
- (a) not less than 150 hours of flight time, or 100 hours if completed during an integrated course of approved training provided for in an approved training organization under the Civil Aviation (Approved Training Organization) Regulations, as a pilot of helicopters, of which 10 hours may have been completed in a flight simulation training device;
 - (b) not less than:
 - (i) 35 hours as pilot-in-command;
 - (ii) 10 hours of cross-country flight time as pilot-in-command including a cross-country flight in the course of which full-stop landings at two different points shall be made;
 - (iii) 10 hours of instrument instruction time of which not more than 5 hours may be instrument ground time; and
 - (iv) if the privileges of the licence are to be exercised at night, 5 hours of night flight time including 5 take-offs and 5 landing patterns as pilot-in-command.
 - (c) The holder of a pilot licence in the helicopter category may be credited towards the 150 hours of flight time as follows:
 - (i) 20 hours as pilot-in-command holding a Private Pilot Licence in aeroplanes; or
 - (ii) 50 hours as pilot-in-command holding a Commercial Pilot Licence in

- aeroplanes.
- (d) An applicant for a Commercial Pilot Licence - gyroplane licence shall have completed:
- (i) one hundred and fifty hours of flight time as a pilot, including at least one hundred hours in powered aircraft, of which twenty-five hours shall be in gyroplanes;
 - (ii) one hundred hours of pilot-in-command flight time, including at least:
 - (aa) ten hours in gyroplanes; and
 - (bb) three hours in cross-country flight in gyroplanes; and
 - (iii) twenty hours of training on the areas of operation listed in regulation 43, including at least:
 - (aa) five hours of instrument training in an aircraft;
 - (bb) one cross-country flight of at least two hours in a gyroplane in day VFR conditions, consisting of a total straight-line distance of more than fifty nautical miles from the original point of departure; and
 - (iv) ten hours of solo flight in a gyroplane on the areas of operation listed in regulation 43, including at least—
 - (aa) one cross-country flight with landings at a minimum of three points, with one segment consisting of a straight-line distance of at least fifty nautical miles from the original point of departure; and
 - (bb) five hours in night visual flight rules conditions with ten takeoffs and ten landings with each landing involving a flight in the traffic pattern.
- (3) An applicant for a Commercial Pilot Licence - powered-lift licence shall have completed:
- (a) not less than 200 hours of flight time in a powered-lift, or 150 hours if completed during an integrated course of approved training provided for in an approved training organization under the Civil Aviation (Approved Training Organization) Regulations, as a pilot of powered-lifts, of which 10 hours may have been completed in a flight simulation training device
 - (b) not less than:
 - (i) 50 hours as pilot-in-command;
 - (ii) 10 hours of cross-country flight time as pilot-in-command 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;
 - (iii) 10 hours of instrument instruction time of which not more than 5 hours may be instrument ground time; and
 - (iv) if the privileges of the licence are to be exercised at night, 5 hours of night flight time including 5 take-offs and 5 landing patterns as pilot-in-command.
 - (c) the holder of a pilot licence in the powered-lift category may be credited towards the 150 hours of flight time as follows:
 - (i) 20 hours as pilot-in-command holding a Private Pilot Licence in aeroplanes; or
 - (ii) 50 hours as pilot-in-command holding a Commercial Pilot Licence in aeroplanes.
- (4) An applicant for a Commercial Pilot Licence - lighter than air (airship category) licence shall have completed:
- (a) not less than 200 hours of flight time as a pilot;
 - (b) not less than:
 - (i) 50 hours as a pilot of airships
 - (ii) 30 hours in airships as pilot-in-command or pilot-in-command under supervision, to include not less than:
 - (aa) 10 hours of cross-country flight time; and
 - (bb) 10 hours of night flight in night visual flight rules conditions with ten

takeoffs and ten landings with each landing involving a flight in the traffic pattern.

- (iii) 40 hours of instrument instruction time of which 20 hours shall be in flight and 10 hours in flight in airships; and
- (iv) 20 hours of flight training in airships in the area of operation listed in Regulation 43(1)(e)

provided that the said flight time shall include:

- (i) one cross-country flight of at least one hour in duration in an airship in day visual flight rules conditions, consisting of a total straight-line distance of more than twenty-five nautical miles from the original point of departure; and
 - (ii) one cross-country flight of at least one hour in duration in an airship in night visual flight rules conditions consisting of a total straight-line distance of more than twenty-five nautical miles from the original point of departure; and
 - (iii) one cross-country flight with landings at a minimum of three points, with one segment consisting of a straight-line distance of at least twenty-five nautical miles from the original point of departure; and
- (5) An applicant for a Commercial Pilot Licence - lighter than air (balloon category) licence shall have completed 35 hours which consists of not less than 20 training flights in the areas of operation, that includes:
- (a) for a gas balloon:
 - (i) two training flights of not less than two hours each in the appropriate areas of operation within sixty days prior to application for the rating;
 - (ii) 10 hours as pilot-in-command; and
 - (iii) two flights involving a controlled ascent to 1,500 m (5,000 ft) above the launch site.
 - (b) for a balloon with an airborne heater:
 - (i) two training flights of two hours each in the appropriate areas of operation within sixty days prior to application for the rating;
 - (ii) 10 hours as pilot-in-command; and
 - (iii) two flights involving a controlled ascent to 1,500 m (5,000 ft) above the launch site.

Privileges and limitations

45. (1) A holder of a Commercial Pilot Licence may:
- (a) exercise all the privileges of the holder of a Private Pilot Licence in an aircraft within the appropriate aircraft category provided the requirements of Regulation 38(1) are met;;
 - (b) act as a pilot-in-command and co-pilot in an aircraft within the appropriate aircraft category engaged in operations other than commercial air transportation;
 - (c) act as a pilot-in-command in commercial air transportation in an aircraft within the appropriate aircraft category certificated for single pilot operation;
 - (d) act as a co-pilot in commercial air transportation in an aircraft within the appropriate aircraft category required to be operated with a co-pilot;
 - (e) exercise all the privileges of the holder of a flight radiotelephone operator licence as stipulated in regulation 113;
 - (f) for the airship category, to pilot an airship under IFR; and
 - (g) fly at night.
- (2) A holder of a Commercial Pilot Licence may act as pilot-in-command of an aircraft for compensation or hire, including the carriage of persons or property for compensation or hire, provided the pilot is qualified in accordance with the applicable regulations.
- (3) A holder of a Commercial Pilot Licence shall not act as a pilot-in-command of an aircraft certificated take-off mass of over 5,700 kg.

- Renewal requirements**
46. A holder of a Commercial Pilot Licence may apply for renewal of the licence if the holder of the licence has logged as pilot-in-command or co-pilot within the six months preceding the date of application for renewal, the following hours:
- (a) for aeroplanes and rotorcraft; not less than 6 hours and 6 take-offs and landings; and
 - (b) for lighter than air; 3 hours and 3 launches and landings.

Multi-crew Pilot Licence

- Eligibility requirements**
47. An applicant for a Multi-crew Pilot Licence shall
- (a) be at least eighteen years of age;
 - (b) meet the requirements specified in regulation 52 et seq. for the Airline Transport Pilot Licence appropriate to the aeroplane category in an approved training course;
 - (c) be in possession of a Class 1 Medical Certificate issued under these Regulations

- Aeronautical skills requirements.**
48. (1) An applicant for a Multi-crew Pilot Licence shall have demonstrated the skills required for fulfilling all the competency units specified in Appendix 3 – *Requirements for the Issue of the Multi-crew Pilot Licence- Aeroplane* to the latest effective edition of Annex 1 – *Personnel Licensing* to the Chicago Convention as pilot flying and pilot not flying, to the level required to perform as co-pilot of turbine-powered aeroplanes certificated for operation with minimum crew of at least two pilots under VFR and IFR, and to :
- (a) recognize and manage threats and errors;
 - (b) 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;
 - (c) operate the aeroplane in the mode of automation appropriate to the phase of flight and to maintain awareness of the active mode of automation;
 - (d) perform, in an accurate manner, normal, abnormal and emergency procedures in all phases of flight; and
 - (e) 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 and use of checklists.
- (2) The Authority shall continuously assess the progress in acquiring the skills specified in sub-regulation (1).

- Flight instruction requirements.**
49. (1) An applicant for a Multi-crew Pilot Licence shall have completed a course of approved training covering the experience requirements specified in sub-regulations (3) to (5);
- (2) An applicant for a Multi-crew Pilot Licence shall have received dual flight instruction in all the competency units specified in Appendix 3 – *Requirements for the Issue of the Multi-crew Pilot Licence- Aeroplane* to the latest effective edition of Annex 1 – *Personnel Licensing* to the Chicago Convention, 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;
- (3) An applicant for a Multi-crew Pilot Licence shall have completed in an approved training course not less than 240 hours as pilot flying and pilot not flying of actual and simulated flight.
- (4) Flight experience in actual flight shall include at least the experience requirements at regulation 38(1), upset recovery training, night flying and flight by reference solely to instruments.
- (5) In addition to meeting the provisions of sub-regulation (2), the applicant shall have gained, in a turbine-powered aeroplane certificated for operation with a minimum crew of at least two pilots, or in a flight simulation training device approved for that purpose

by the Authority in accordance with Appendix 3 – *Requirements for the Issue of the Multi-crew Pilot Licence- Aeroplane* to the latest effective edition of Annex 1 – *Personnel Licensing* to the Chicago Convention, paragraph 4, the experience necessary to achieve the advanced level of competency defined in the said Appendix

Aeronautical experience requirements.

50. (1) 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 specified in Regulation 81 appropriate to the aeroplane category;
- (2) Before exercising the privileges of a commercial pilot licence in a single-pilot operation in aeroplanes, the licence holder shall have:
- (a) 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;
 - (b) 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
 - (c) met the requirements for the commercial pilot licence specified in regulations 42(2), 43(1)(a) and (b), 44(1) (with the exception of 44(1)(b)(i)), appropriate to the aeroplane category.

Privileges and limitations.

51. A holder of a Multi-crew Pilot Licence may:
- (a) exercise all the privileges of the holder of a Private Pilot Licence in the aeroplane category provided the requirements of regulation 38(1) are met;
 - (b) exercise the privileges of the instrument rating in a multi-crew operation; and
 - (c) act as a co-pilot of an aeroplane required to be operated with a co-pilot;

Airline Transport Pilot Licence

Eligibility requirements

52. An applicant for an Airline Transport Pilot Licence shall:
- (a) be at least twenty one years of age;
 - (b) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations;
 - (c) 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 under regulation 14, to qualify for a Commercial Pilot Licence, and an instrument rating if the person is a rated military pilot or former rated military pilot; or
 - (iii) hold either a foreign Airline Transport Pilot Licence or a foreign Commercial Pilot Licence and an instrument rating issued by another Contracting State.
 - (d) meet the applicable aeronautical experience requirements of this sub-part before applying for the practical test;
 - (e) pass a knowledge test on the applicable aeronautical knowledge areas of regulation 53 that apply to the aircraft category and class rating sought; and
 - (f) pass the practical test on the applicable areas of operation specified in regulation 53, that apply to the aircraft category and class rating sought; and
 - (g) have a valid Class 1 Medical Certificate issued under these Regulations.
 - (h) demonstrate the ability to perform, as pilot-in-command of an aircraft within the appropriate category required to be operated with a co-pilot, the following

procedures and manoeuvres:

- (i) pre-flight procedures, including the preparation of the operational flight plan and filing of the air traffic services flight plan;
 - (ii) normal flight procedures and manoeuvres during all phases of flight;
 - (iii) abnormal and emergency procedures and manoeuvres related to failures and malfunctions of equipment, such as powerplant, systems and airframe;
 - (iv) procedures for crew incapacitation and crew coordination, including allocation of pilot tasks, crew cooperation and use of checklists; and
 - (v) in the case of aeroplanes and powered-lifts, procedures and manoeuvres for instrument flight described in Regulation 80 including simulated engine failure
- (i) in the case of an aeroplane, demonstrate the ability to perform the procedures and manoeuvres described in sub-paragraph (h) as pilot-in-command of a multi-engined aeroplane
 - (j) demonstrate the ability to perform the procedures and manoeuvres described in sub-paragraph (h) with a degree of competency appropriate to the privileges granted to the holder of an Air Transport Pilot Licence, and to:
 - (i) recognize and manage threats and errors;
 - (ii) 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;
 - (iii) operate the aircraft in the mode of automation appropriate to the phase of flight and to maintain awareness of the active mode of automation;
 - (iv) perform, in an accurate manner, normal, abnormal and emergency procedures in all phases of flight; and
 - (v) 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 and use of checklists.

**Aeronautical
knowledge
requirements**

- 53.** (1) Subject to sub-regulation (2) an applicant for a Airline Transport Pilot Licence, shall receive and record ground training in a manner prescribed by the Authority, on the aeronautical knowledge areas that apply to aeroplane and helicopter aircraft categories.
- (2) The aeronautical knowledge areas applicable to aeroplane, helicopter and powered-lift categories shall be as follows:
- (a) 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;
 - (b) aircraft general knowledge:
 - (i) general characteristics and limitations of electrical, hydraulic, pressurization and other aircraft systems; flight control systems, including autopilot and stability augmentation;
 - (ii) 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;
 - (iii) 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;
 - (iv) use and serviceability checks of equipment and systems of appropriate aircraft;
 - (v) 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;

- (vi) maintenance procedures for airframes, systems and powerplants of appropriate aircraft;
- (vii) for helicopters and powered-lifts, transmission (power trains) where applicable;
- (c) flight performance and planning:
 - (i) effects of loading and mass distribution on aircraft handling, flight characteristics and performance; mass and balance calculations;
 - (ii) use and practical application of take-off, landing and other performance data, including procedures for cruise control;
 - (iii) 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;
 - (iv) in the case of helicopters and powered-lifts, effects of external loading on handling;
- (d) human performance: human performance including principles of threat and error management;
- (e) meteorology:
 - (i) interpretation and application of aeronautical meteorological reports, charts and forecasts; codes and abbreviations; use of, and procedures for obtaining, meteorological information, pre-flight and in-flight; altimetry;
 - (ii) 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 take-off, en-route and landing conditions;
 - (iii) causes, recognition and effects of engine and airframe icing; frontal zone penetration procedures; hazardous weather avoidance;
 - (iv) practical high altitude meteorology, including interpretation and use of weather reports, charts and forecasts; jetstreams;
- (f) navigation
 - (i) air navigation, including the use of aeronautical charts, radio navigation aids and area navigation systems; specific navigation requirements for long-range flights;
 - (ii) use, limitation and serviceability of avionics and instruments necessary for the control and navigation of aircraft;
 - (iii) use, accuracy and reliability of navigation systems used in departure, en-route, approach and landing phases of flight; identification of radio navigation aids;
 - (iv) principles and characteristics of self-contained and external-referenced navigation systems; operation of airborne equipment;
- (g) operational procedures:
 - (i) application of threat and error management to operational performance;
 - (ii) 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;
 - (iii) precautionary and emergency procedures; safety practices;
 - (iv) operational procedures for carriage of freight and dangerous goods;
 - (v) requirements and practices for safety briefing to passengers, including precautions to be observed when embarking and disembarking from aircraft;
 - (vi) night and high altitude; and
 - (viii) 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
- (h) principles of flight: principles of flight relating to aircraft, including subsonic aerodynamics; compressibility effects, manoeuvre boundary limits, wing design characteristics, effects of supplementary lift and drag devices; relationships

between lift, drag and thrust at various airspeeds and in different flight configurations;

- (i) radiotelephony: radiotelephony procedures and phraseology; action to be taken in case of communication failure.

Flight instruction requirements

54. An applicant for Airline Transport Pilot Licence, aeroplanes, helicopters or powered-lifts shall have received the flight instruction required for the issue of Commercial Pilot Licence as prescribed in regulation 43; and
- (a) for Airline Transport Pilot Licence aeroplanes and powered-lifts shall receive the flight instructions required for the issue of the instrument rating prescribed in Regulation 80 and the knowledge requirements prescribed in Regulation 81;
 - (b) for Airline Transport Pilot Licence aeroplanes shall receive the flight instructions required for the issue of the multi-crew pilot licence prescribed in Regulation 49;
 - (b) for Airline Transport Pilot Licence helicopters if the privileges of instrument rating are to be exercised shall receive the flight instructions required for the issue of the instrument rating prescribed in Regulation 80.

Aeronautical experience requirements

55. (1) An applicant for an Airline Transport Pilot Licence, shall have completed, for aeroplanes or powered-lifts, not less than 1500 hours of flight time or in the case of helicopter not less than 1000 hours of flight time, of which a maximum of 100 hours may be obtained in a flight simulation training device; out of the 100 hours, not more than 25 hours shall have been acquired in a flight procedure trainer or a basic instrument flight trainer.
- (2) ***The applicant for the aeroplane category rating shall have completed in aeroplanes not less than:***
- (a) 500 hours as pilot-in-command under supervision or 250 hours, either as pilot-in-command, or made up by not less than 70 hours as pilot-in-command and the necessary additional flight time as pilot-in-command under supervision,;
 - (b) 200 hours of cross-country flight time, of which not less than 100 hours shall be as pilot-in-command or as pilot-in-command under supervision;
 - (c) 75 hours of instrument time, of which not more than 30 hours may be in instrument ground time; and
 - (d) 100 hours of night flight as pilot-in-command or as co-pilot.
- (3) ***The applicant for the helicopter category rating shall have completed in helicopters not less than:***
- (a) 250 hours, either as pilot-in-command, or made up by not less than 70 hours as pilot-in-command and the necessary additional flight time as pilot-in-command under supervision,;
 - (b) 200 hours of cross-country flight time, of which not less than 100 hours shall be as pilot-in-command or as pilot-in-command under supervision;
 - (c) 30 hours of instrument time, of which not more than 10 hours may be in instrument ground time; and
 - (d) 50 hours of night flight as pilot-in-command or as co-pilot
- (4) ***The applicant for the powered-lift category rating shall have completed in powered-lifts not less than:***
- (a) 250 hours, either as pilot-in-command, or made up by not less than 70 hours as pilot-in-command and the necessary additional flight time as pilot-in-command under supervision,;
 - (b) 100 hours of cross-country flight time, of which not less than 50 hours shall be as pilot-in-command or as pilot-in-command under supervision;
 - (c) 75 hours of instrument time, of which not more than 30 hours may be in

instrument ground time; and

(d) 25 hours of night flight as pilot-in-command or as co-pilot

- (5) When the applicant for Airline Transport Pilot Licence aeroplanes, helicopters or powered-lift has flight time as a pilot of either category, the applicant shall be credited with 50% of the flight time as pilot-in-command towards the flight time of the category sought as required in sub-regulation (1).

Additional aircraft category, class and type ratings

56. An applicant who holds a valid Airline Transport Pilot Licence and seeks additional aircraft category, class and type rating shall:
- (a) meet the applicable eligibility requirements;
 - (b) pass a knowledge test on the applicable aeronautical knowledge areas;
 - (c) meet the applicable aeronautical experience requirements; and
 - (d) pass the practical test on the areas of operation.

Privileges and limitations

57. (1) A holder of an Airline Transport Pilot Licence may:
- (a) exercise all the privileges of a holder of a Private Pilot Licence and Commercial Pilot Licence in an aircraft within the appropriate aircraft category and, in the case of a licence for the aeroplane and powered-lift categories, of Instrument Rating;
 - (b) act as pilot-in-command and co-pilot, in commercial air transport, of an aircraft within the appropriate category and certificated for operation with more than one pilot; and
 - (c) exercise all the privileges of the holder of a flight radiotelephone operator licence as stipulated in regulation 113.
- (2) 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 requirements established in Regulations 50(1), 50(2) and 51(a) as appropriate, and any limitation of privileges shall be endorsed on the licence.
- (3) A holder of an Airline Transport Pilot Licence may be authorized to act as a flight instructor, not being a holder of a flight instructor rating, when instructing pilots within an Air Operator Certificate holder's approved training programme in aircraft of the category, class, and type, as applicable, for which the airline transport pilot is rated, and in flight simulation training devices of those aircraft, and endorse the logbook or other training record of the person to whom training has been given.
- (4) A holder of an Airline Transport Pilot Licence shall not instruct in an aircraft or in an approved flight simulation training device except for the briefing and debriefing sessions:
- (a) for more than eight hours in any twenty four-consecutive-hour period; or
 - (b) for more than thirty six hours in any seven-consecutive-day period.
- (5) A holder of an Airline Transport Pilot Licence shall not instruct in Category II or Category III operations unless he has been trained and successfully tested under Category II or Category III operations, as applicable.

Renewal requirements

58. A holder of an Airline Transport Pilot Licence may apply for renewal of the licence if the holder of the licence has logged not less than six hours as pilot in command or co-pilot and has done six take-offs and landings within the six months preceding the date of application for renewal.

Glider Pilot Licence

Eligibility requirements

59. An applicant for a Glider Pilot Licence shall
- (a) be at least sixteen years of age;
 - (b) be in possession of a Class 2 Medical Certificate issued under these Regulations

**Aeronautical
knowledge
requirements**

- 60.** (1) An applicant for a Glider Pilot Licence shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a Glider Pilot Licence, in at least the following subjects:
- (a) air law: rules and regulations relevant to the holder of a Glider Pilot Licence, rules of the air, appropriate air traffic services practices and procedures;
 - (b) aircraft general knowledge:
 - (i) principles of operation of glider, systems and instruments;
 - (ii) operating limitations of glider; relevant operational information from the flight manual or other appropriate document;
 - (c) flight performance, planning and loading:
 - (i) effects of loading and mass distribution on flight characteristics; mass and balance calculations;
 - (ii) use and practical application of launching, landing and other performance data;
 - (iii) pre-flight and en-route flight planning appropriate to private operations under VFR; appropriate air traffic services procedures; altimeter setting procedures; operations in areas of high-density traffic;
 - (d) human performance: human performance relevant to the glider pilot including principles of threat and error management;
 - (e) meteorology: application of elementary aeronautical meteorology, use of, and procedures for obtaining, meteorological information, altimetry; hazardous weather conditions;
 - (f) navigation: practical aspects of air navigation and dead-reckoning techniques; use of aeronautical charts;
 - (g) operational procedures:
 - (i) use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations;
 - (ii) different launch methods and associated procedures;
 - (iii) appropriate precautions and emergency procedures, including action to be taken to avoid hazardous weather, wake turbulence and other operation hazards;
 - (h) principles of flight: principles of flight relating to gliders;
 - (i) radiotelephony: communication procedures and phraseology as appropriate to VFR operations and action to be taken in case of communication failure.

**Flight skill
requirements**

- 61.** (1) An applicant for a Glider Pilot Licence shall have demonstrated the ability to perform as pilot-in-command of a glider, the procedures and manoeuvres described in regulation 62(c) with a degree of competency appropriate to the privileges granted to the holder of a Glider Pilot Licence and to:
- (a) recognize and manage threats and errors;
 - (b) operate the glider within its limitations;
 - (c) complete all manoeuvres with smoothness and accuracy;
 - (d) exercise good judgment and airmanship;
 - (e) apply aeronautical knowledge; and
 - (f) maintain control of the glider at all times in a manner such that the successful

outcome of a procedure or manoeuvre is assured;

- (2) The Authority shall continuously assess the progress in acquiring the skills specified in sub-regulation (1).

**Aeronautical
experience
requirements**

62. Before exercising the privileges of a Glider Pilot Licence, the licence holder shall have:
- (a) completed not less than 6 hours of flight time as a pilot of gliders, and if passengers are to be carried, completed not less than ten hours of flight time as pilot of gliders, including, in both cases, two hours of solo flight time during which not less than 20 launches and landings have been performed;
 - (b) when the applicant for a Glider Pilot Licence has flight time as a pilot of aeroplanes, the applicant shall be credited with 33% of the flight time as pilot towards the flight time as required in sub-paragraph (a).
 - (c) gained, under appropriate supervision, operational experience in gliders in at least the following areas:
 - (i) pre-flight operations, including glider assembly and inspection;
 - (ii) techniques and procedures for the launching method used, including appropriate airspeed limitations, emergency procedures and signal used;
 - (iii) traffic pattern operations, collision avoidance precautions and procedures;
 - (iv) control of glider by external visual reference;
 - (v) flight throughout the flight envelope;
 - (vi) recognition of, and recovery from, incipient and full stalls and spiral dives;
 - (vii) normal and crosswind launches, approaches and landings;
 - (viii) cross-country flying using visual reference and dead reckoning;
 - (ix) emergency procedures.

**Privileges and
limitations**

63. The privileges of the holder of a Glider Pilot Licence shall be to act as pilot-in-command of any glider provided the licence holder has operational experience in the launching method used, and be subject to the provisions of regulation 39(9) in cases of self launching motor glider.

Free Balloon Pilot Licence

**Eligibility
requirements**

64. An applicant for a Free Balloon Pilot Licence shall
- (a) be at least sixteen years of age;
 - (b) be in possession of a Class 2 Medical Certificate issued under these Regulations

**Aeronautical
knowledge
requirements**

65. (1) An applicant for a Free Balloon Pilot Licence shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a Free Balloon Pilot Licence, in at least the following subjects:
- (a) air law: rules and regulations relevant to the holder of a Free Balloon Pilot Licence, rules of the air, appropriate air traffic services practices and procedures;
 - (b) aircraft general knowledge:
 - (i) principles of operation of free balloon, systems and instruments;
 - (ii) operating limitations of free balloons; relevant operational information from the flight manual or other appropriate document;
 - (iii) physical properties and practical application of gases used in free balloons;
 - (c) flight performance, planning and loading:

- (i) effects of loading on flight characteristics; mass calculations;
- (ii) use and practical application of launching, landing and other performance data, including effect of temperature;
- (iii) *pre-flight and en-route flight planning appropriate to private operations under VFR; appropriate air traffic services procedures; altimeter setting procedures; operations in areas of high-density traffic;*
- (d) human performance: human performance relevant to the free balloon pilot including principles of threat and error management;
- (e) meteorology: application of elementary aeronautical meteorology, use of, and procedures for obtaining, meteorological information, altimetry; hazardous weather conditions;
- (f) navigation: practical aspects of air navigation and dead-reckoning techniques; use of aeronautical charts;
- (g) operational procedures:
 - (i) *use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations;*
 - (ii) *appropriate precautions and emergency procedures, including action to be taken to avoid hazardous weather, wake turbulence and other operation hazards;*
- (h) *principles of flight: principles of flight relating to free balloons;*
- (i) radiotelephony: communication procedures and phraseology as appropriate to VFR operations and action to be taken in case of communication failure.

Flight skill requirements

- 66.** (1) An applicant for a Free Balloon Pilot Licence shall have demonstrated the ability to perform as pilot-in-command of a free balloon, the procedures and manoeuvres described in regulation 67(d) with a degree of competency appropriate to the privileges granted to the holder of a Free Balloon Pilot Licence and to:
- (a) recognize and manage threats and errors;
 - (b) operate the free balloon within its limitations;
 - (c) complete all manoeuvres with smoothness and accuracy;
 - (d) exercise good judgement and airmanship;
 - (e) apply aeronautical knowledge; and
 - (f) maintain control of the free balloon at all times in a manner such that the successful outcome of a procedure or manoeuvre is assured;
- (2) The Authority shall continuously assess the progress in acquiring the skills specified in sub-regulation (1).

Aeronautical experience requirements

- 67.** Before exercising the privileges of a Free Balloon Pilot Licence, the licence holder shall have:
- (a) completed not less than 16 hours of flight time as a pilot of free balloons, and including, at least 8 launches and ascents of which one shall be solo;
 - (b) if passengers are carried for remuneration or hire, completed the flight not less than 35 hours of flight time including 20 hours as a pilot of a free balloon;
 - (c) if the privileges of the licence are to be exercised at night, two flights at night under supervision involving a controlled ascent to 1,500 m (5,000 ft) above the launch site.
 - (d) gained, under appropriate supervision, operational experience in free balloons in at least the following areas:
 - (i) pre-flight operations, including balloon assembly and inspection;
 - (ii) techniques and procedures for the launching and ascent, including

- appropriate limitations, emergency procedures and signal used;
- (iii) collision avoidance precautions;
- (iv) control of free balloon by external visual reference;
- (v) recognition of, and recovery from, rapid descents;
- (vi) cross-country flying using visual reference and dead reckoning;
- (vii) approaches and landings, including ground handling;
- (ix) emergency procedures.

- Privileges and limitations** **68.** The privileges of the holder of a Free Balloon Pilot Licence shall be to act as pilot-in-command of any free balloon provided the licence holder has operational experience in hot air or gas balloons as appropriate.

PART VII: PILOT RATINGS AND AUTHORIZATIONS

- Category rating** **69.** A pilot seeking a category rating shall:
- (a) have received the required training and possess the aeronautical experience prescribed by these regulations for the aircraft category and, if applicable, class and type rating sought;
 - (b) have an endorsement in that pilot's logbook or training record from an authorized 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; and
 - (ii) areas of operation; and
 - (c) pass the knowledge and practical test that is appropriate to the pilot licence for the aircraft category and, if applicable, the class rating sought.

- Class ratings** **70** A pilot seeking an additional class rating:
- (a) shall have an endorsement in that pilot's logbook or training record from an authorized 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 area; and
 - (ii) areas of operation.
 - (b) shall pass the practical test applicable to the pilot licence for the aircraft class rating sought
 - (c) need not meet the training time requirements prescribed under these Regulations for the aircraft class rating sought; and
 - (d) need not take an additional knowledge test, if the applicant holds an aeroplane, rotorcraft or airship category at that pilot licence level.

- Type ratings** **71.** (1) To act as a pilot in command of:
- (a) an aircraft certificated for at least two pilots;
 - (b) any aircraft considered necessary by the Authority; or
 - (c) each type of helicopter,
- a pilot shall hold a type rating for that aircraft.
- (2) A person shall not act as a commercial pilot in an aeroplane of which the maximum certificated take-off mass of over 2,300 kg unless that person's licence includes an Instrument Rating.
- (3) 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 shall:
- (a) have an endorsement in the logbook or training record from an authorized instructor that the applicant has been found competent in the areas of operation

appropriate to the pilot licence for the aircraft category, class and type rating sought and the applicant has logged:

- (i) for aeroplanes of maximum certificated take-off mass of 5,700 kgs or below not less than 5 hours of flight time under the supervision of an authorized flight instructor in the aircraft type sought; and
 - (ii) for aeroplanes of maximum certificated take-off mass of over 5,700 kgs where training is conducted in a flight simulation training device not less than 30 hours of flight simulation training device time and 3 hours of actual flying time in the aircraft type sought.
- (b) pass the flight check-out for the aircraft type rating sought; and
 - (c) pass a knowledge test on the aircraft type on which the rating is sought.

**Category II
and III
operations
pilot
authorization
requirements**

- 72.**
- (1) An applicant for a Category II or Category III operations pilot authorization shall:
 - (a) hold a pilot licence with an instrument rating or an airline transport pilot licence;
 - (b) hold a category and class rating, and type rating, for the aircraft for which the authorization is sought; and
 - (c) complete the practical test requirements.
 - (2) An applicant for a Category II or Category III operations pilot authorization shall have at least:
 - (a) fifty hours of night flight time as pilot-in-command;
 - (b) seventy-five hours of instrument time under actual or simulated instrument conditions that may include not more than:
 - (i) a combination of twenty-five hours of simulated instrument flight time in an approved flight simulation training device; or
 - (ii) forty hours of simulated instrument flight time if accomplished in an approved course conducted by an appropriately rated approved training organization certified under the Civil Aviation (Approved Training Organizations) Regulations and
 - (c) two hundred fifty hours of cross-country flight time as pilot-in-command.
 - (3) Upon passing a practical test for a Category II or III operations pilot authorization, a pilot may renew that authorization for each type of aircraft for which the pilot holds the authorization.
 - (4) The Authority may not renew a Category II or Category III operations pilot authorization for a specific type aircraft for which an authorization is held beyond twelve months from the date the applicant passed a practical test in that type of aircraft.
 - (5) Where the holder of a Category II or Category III operations pilot authorization passes the practical test for a renewal in the month before the authorization expires, the Authority will consider that the holder passed it on the date the authorization expired.
 - (6) The Authority may issue a Category II or Category III pilot authorization by way of a letter, as a part of an applicant's instrument rating or pilot licence.
 - (7) Upon original issue the authorization shall contain the following limitations:
 - (a) for Category II operations, five hundred metres runway visual range (RVR) and a 45.5 m (150 ft) decision height (DH) ; and
 - (b) for Category III operations, as specified in the authorization document.
 - (8) To remove the limitations on a Category II or Category III pilot authorization:
 - (a) a Category II operations limitation holder may remove the limitation by showing that, since the beginning of the sixth preceding month, the holder has made three Category II operations ILS approaches with a 45.5 m (150 ft) - decision height to a landing under actual or simulated instrument conditions; or
 - (b) a Category III operations limitation holder may remove the limitation by showing experience as specified in the authorization.
 - (9) An authorization holder or an applicant for an authorization may use a flight simulation training device if that flight simulation training device is approved by the Authority for such use, to meet the experience requirement of sub-regulation (11), or for the practical test required by these Regulations for a Category II or a Category III operations pilot

- authorization, as applicable.
- (10) An applicant for the:
 - (a) issue or renewal of a Category II operations pilot authorization; and
 - (b) the addition of another type of aircraft to a Category II operations pilot authorization shall pass a practical test.
 - (11) To be eligible for the practical test for an authorization under this regulation, an applicant shall:
 - (a) meet the requirements of this regulation ;and
 - (b) if the applicant has not passed a practical test for this authorization within the twelve months preceding the date of the test:
 - (i) meet the requirements of the Civil Aviation (Operation of Aircraft) Regulations and
 - (ii) have performed at least six ILS approaches within the six calendar months preceding the date of the test, of which at least three of the approaches shall have been conducted without the use of an approach coupler.
 - (12) An applicant shall accomplish the approaches specified in sub-regulation (11)(b)(ii):
 - (a) under actual or simulated instrument flight conditions;
 - (b) to the minimum decision height for the ILS approach in the type aircraft in which the practical test is to be conducted, except that the approaches need not be conducted to the decision height authorized for Category II operations;
 - (c) to the decision height authorized for Category II operations only if conducted in an approved flight simulation training device qualified for Category II operations; and
 - (d) in an aircraft of the same category and class and type, as applicable, as the aircraft in which the practical test is to be conducted or in an approved flight simulation training device that—
 - (i) represents an aircraft of the same category and class and type, as applicable, as the aircraft in which the authorization is sought; and
 - (ii) is used in accordance with an approved course conducted by an approved training organization certified under the Civil Aviation (Approved Training Organizations) Regulations.
 - (13) The flight time acquired in meeting the requirements of sub-regulation (11)(b)(ii) may be used to meet the requirements of sub-regulation (11)(b)(i).
 - (14) A category II operations practical test consists of an oral and flight increment:
 - (a) in case of an oral increment test the applicant shall demonstrate knowledge of the following:
 - (i) required landing distance;
 - (ii) recognition of the decision height;
 - (iii) missed approach procedures and techniques using computed or fixed altitude guidance displays
 - (iv) use and limitations of runway visual range;
 - (v) use of visual clues, their availability or limitations, and altitude at which they are normally discernible at reduced runway visual range;
 - (vi) procedures and techniques related to transition from nonvisual to visual flight during a final approach under reduced runway visual range;
 - (vii) effects of vertical and horizontal windshear;
 - (viii) characteristics and limitations of the ILS and runway lighting system;
 - (ix) 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 operations equipment;
 - (x) assigned duties of the co-pilot during Category II approaches, unless the aircraft for which authorization is sought does not require an co-pilot; and
 - (xi) instrument and equipment failure warning systems.
 - (b) in the case of a flight increment test it shall be conducted in an aircraft of the same category, class, and type, as applicable, as the aircraft in which the authorization is sought or in an approved flight simulation training device that—

- (i) represents an aircraft of the same category and class, and type, as applicable, as the aircraft in which the authorization is sought; and
 - (ii) is used in accordance with an approved course conducted by an approved training organization certificated under the Civil Aviation (Approved Training Organizations) Regulations;
 - (aa) the flight increment shall consist of at least two ILS approaches to 30 m (100 ft) above including at least one landing and one missed approach;
 - (bb) all approaches performed during the flight increment shall be made with the use of an approved flight control guidance system, except if an approved auto approach coupler is installed, at least one approach shall be hand flown using flight director commands;
 - (cc) if a multiengine aeroplane with the performance capability to execute a missed approach with one engine inoperative is used for the practical test, the flight increment shall include the performance of one missed approach with an engine, which shall be the most critical engine, if applicable, set at idle or zero thrust before reaching the middle marker;
 - (dd) if an approved multi-engine flight simulation training device is used for the practical test, the applicant shall execute a missed approach with the most critical engine, if applicable, failed;
 - (ee) for an authorization for an aircraft that requires a type rating, the applicant shall pass a practical test in co-ordination with a co-pilot who holds a type rating in the aircraft in which the authorization is sought;
 - (ff) the Authority's inspector or evaluator may conduct oral questioning at any time during a practical test.
- (15) The Authority shall require that an applicant pass a practical test for:
- (a) issue or renewal of a Category III operations pilot authorization; or
 - (b) the addition of another type of aircraft to a Category III operations pilot authorization.
- (16) To be eligible for the practical test an applicant shall:
- (a) meet the requirements of this regulation; and
 - (b) if the applicant has not passed a practical test for this authorization during the twelve calendar months preceding the month of the test shall:
 - (i) meet the requirements of the Civil Aviation (Operation of Aircraft) Regulations and
 - (ii) have performed at least six ILS approaches during the six 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.
- (17) An applicant shall conduct the approaches specified in sub-regulation (16)(b)(ii):
- (a) under actual or simulated instrument flight conditions;
 - (b) to the alert height or decision height for the ILS approach in the type of aircraft in which the practical test is to be conducted;
 - (c) not necessarily to the decision height authorized for Category III operations;
 - (d) to the alert height or decision height, as applicable, authorized for Category III operations only if conducted in an approved flight simulation training device; and
 - (e) in an aircraft of the same category and class, and type, as applicable, as the aircraft in which the practical test is to be conducted or in an approved flight simulation training device that:
 - (i) represents an aircraft of the same category and class, and type, as applicable, as the aircraft for which the authorization is sought; and
 - (ii) is used in accordance with an approved course conducted by an approved training organization certificated under the Civil Aviation (Approved Training Organizations) Regulations.
- (18) An applicant for a Category III operations pilot authorization shall demonstrate knowledge of the following:
- (a) required landing distance;

- (b) determination and recognition of the alert height or decision height, as applicable, including use of a radio altimeter;
 - (c) recognition of and proper reaction to significant failures encountered prior to and after reaching the alert height or decision height, as applicable;
 - (d) missed approach procedures and techniques using computed or fixed attitude guidance displays and expected height loss as they relate to manual go-around or automatic go-around, and initiation altitude, as applicable;
 - (e) use and limitations of runway visual range, including determination of controlling runway visual range and required transmissometers;
 - (f) use, availability, or limitations of visual cues and the altitude at which they are normally discernible at reduced runway visual range readings including:
 - (i) unexpected deterioration of conditions to less than minimum runway visual range during approach, flare, and rollout;
 - (ii) demonstration of expected visual references with weather at minimum conditions;
 - (iii) the expected sequence of visual cues during an approach in which visibility is at or above landing minima; and
 - (iv) procedures and techniques for making a transition from instrument reference flight to visual flight during a final approach under reduced runway visual range;
 - (g) effects of vertical and horizontal windshear;
 - (h) characteristics and limitations of the ILS and runway lighting system;
 - (i) characteristics and limitations of the flight director system auto approach coupler, including split axis type if equipped, auto throttle system, if equipped, and other Category III operations equipment;
 - (j) assigned duties of the co-pilot during Category III operations, unless the aircraft for which authorization is sought does not require a co-pilot;
 - (k) recognition of the limits of acceptable aircraft position and flight path tracking during approach, flare, and, if applicable, rollout; and
 - (l) recognition of, and reaction to, airborne or ground system faults or abnormalities, particularly after passing alert height or decision height, as applicable.
- (19) An applicant for Category III operations pilot authorization may conduct the practical test in an aircraft of the same category and class, and type, as applicable, as the aircraft for which the authorization is sought, or in an approved flight simulation training device that:
- (a) represents an aircraft of the same category and class, and type, as applicable, as the aircraft in which the authorization is sought; and
 - (b) is used in accordance with an approved course conducted by an approved training organization certificated under the Civil Aviation (Approved Training Organizations) Regulations.
- (20) A Category III operations practical test shall consist of at least two ILS approaches to 30 m (100 ft) above ground level, including one landing and one missed approach initiated from a very low altitude that may result in a touchdown during the go-around manoeuvre
- (21) An applicant for Category III operations pilot authorization shall perform all approaches during the practical test with the approved automatic landing system or an equivalent landing system approved by the Authority.
- (22) If a multiengine aircraft with the performance capability to execute a missed approach with one engine inoperative is used for Category III operations pilot authorization practical test, the practical test shall include the performance of one missed approach with the most critical engine, if applicable, set at an idle or zero thrust before reaching the middle or outer marker.
- (23) If an approved multiengine flight simulation training device is used for the Category III operations pilot authorization practical test, the applicant shall execute a missed approach with an engine, which shall be the most critical engine, if applicable, failed.
- (24) For a Category III operations pilot authorization for an aircraft that requires a type rating the applicant shall pass a practical test in co-ordination with a co-pilot who holds a type rating in the aircraft in which the authorization is sought.

- (25) Subject to the limitations of this sub-regulation, for Category IIIB operations predicated on the use of a fail-passive rollout control system, the applicant shall execute at least one manual rollout using visual reference or a combination of visual and instrument references, and shall initiate the manoeuvre by a fail-passive disconnect of the rollout control system:
 - (a) after main gear touchdown;
 - (b) prior to nose gear touchdown;
 - (c) in conditions representative of the most adverse lateral touchdown displacement allowing a safe landing on the runway; and
 - (d) in weather conditions anticipated in Category III B operations.
- (26) A person authorized by the Authority may conduct an oral test at any time during the Category III operations pilot authorization practical test.

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| Balloon ratings | 73. | Where an applicant for a Private Pilot Licence or Commercial Pilot Licence balloon successful takes a practical test in: <ul style="list-style-type: none"> (a) 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; or (b) a gas balloon, the Authority shall place upon the pilot licence a limitation restricting the exercise of the privilege of that licence to a gas balloon. |
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Night Rating

- | | | |
|---|------------|--|
| General eligibility requirements | 74 | A Private Pilot Licence holder shall not act as a pilot in command by night in the aircraft unless a night rating or an instrument rating is included in his or her licence. |
| Flight instruction requirements | 75. | An applicant for a night rating shall have received five hours dual instruction under a qualified instructor in night flying, five flights as pilot in command including five take offs and landings in an aircraft. |
| Privileges and limitations | 76. | A night rating shall entitle a Private Pilot Licence holder to act as a pilot in command of an aircraft at night but does not entitle the holder to pilot an aircraft under IFR conditions. |
| Renewal requirements | 77 | An applicant for a night rating renewal shall have within the immediately preceding six months carried out as pilot in command not less than five takeoffs and five landings at night. |

Instrument Rating

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| General eligibility requirements | 78. | <ul style="list-style-type: none"> (1) A holder of a pilot licence shall not act either as pilot-in-command or as co-pilot of an aircraft under instrument flight rules unless such holder has received an instrument rating appropriate to the aircraft category. (2) An applicant for an instrument rating shall- <ul style="list-style-type: none"> (a) hold a Private Pilot Licence or Commercial Pilot Licence or Airline Transport Pilot Licence or a Multi-crew Pilot Licence with an aircraft category and type rating for the instrument rating sought; (b) receive a logbook or training record endorsement from an authorized instructor certifying that the person is prepared to take the required practical test; (c) pass the required knowledge test on the aeronautical knowledge areas, unless the applicant already holds an instrument rating in another category; and (d) pass the required practical test on the areas of operation in- |
|---|------------|--|

- (i) the aircraft category, and type appropriate to the rating sought; or
 - (ii) a flight simulation training device or a flight training device appropriate to the rating sought and approved for the specific manoeuvre or procedure performed.
- (e) be in possession of a valid Class 1 medical certificate issued under these Regulations.

Aeronautical knowledge requirements

79. An applicant for an instrument rating (aeroplanes, airships, helicopters and powered-lifts) shall receive ground training from an authorized instructor and have demonstrated a level of knowledge appropriate to the privileges granted to the holder of an instrument rating, in at least the following subjects:

- (a) air law: rules and regulations relevant to flight under Instrument Flight Rules (IFR); related air traffic services practices and procedures;
- (b) aircraft general knowledge for the aircraft category being sought
 - (i) use, limitation and serviceability of avionics, electronic devices and instruments necessary for the control and navigation of aircraft under IFR and in instrument meteorological conditions; use and limitations of autopilot;
 - (ii) compasses, turning and acceleration errors; gyroscopic instruments, operational limits and precession effects; practices and procedures in the event of malfunctions of various flight instruments;
- (c) flight performance and planning for the aircraft category being sought
 - (i) pre-flight preparations and checks appropriate to flight under IFR;
 - (ii) operational flight planning; preparation and filing of air traffic services flight plans under IFR; altimeter setting procedures;
- (d) human performance for the aircraft category being sought: human performance relevant to instrument flight in aircraft including principles of threat and error management;
- (e) meteorology for the aircraft category being sought
 - (i) application of aeronautical meteorology; interpretation and use of reports, charts and forecasts; codes and abbreviations; use of, and procedures for obtaining, meteorological information; altimetry;
 - (ii) causes, recognition and effects of engine and airframe icing; frontal zone penetration procedures; hazardous weather avoidance;
 - (iii) in the case of helicopters and powered-lifts, effects of rotor icing;
- (f) navigation
 - (i) practical air navigation using radio navigation aids;
 - (ii) use, accuracy and reliability of navigation systems used in departure, en-route, approach and landing phases of flight; identification of radio navigation aids;
- (g) operational procedures for the aircraft category being sought
 - (i) application of threat and error management to operational performance;
 - (ii) 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;
 - (iii) precautionary and emergency procedures; safety practices associated with flight under IFR;
- (h) radiotelephony: communication procedures and phraseology as applied to aircraft operations under IFR; action to be taken in case of communication failure.

Flight instruction requirements

- 80.**
- (1) An applicant for an Instrument Rating shall have 20 hours or more of the instrument flight time required in Regulation 81(1)(b) while receiving and logging dual instruction in aircraft from an authorized flight instructor in an aircraft or approved flight simulation training device, on the subjects listed in the Regulation 79.
 - (2) 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:

- (a) 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;
- (b) pre-flight inspection, use of checklists, taxiing and pre-take-off checks;
- (c) 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; and
 - (vii) landings from instrument approaches;
- (d) in-flight manoeuvres and particular flight characteristics; or
- (e) if the privileges of the instrument rating are to be exercised on multi-engined aircraft, operation of multi-engine aircraft solely by reference to instruments with one engine inoperative or simulated inoperative

Aeronautical experience and skill requirements

- 81.** (1) An applicant for instrument rating shall have completed not less than-
- (a) 50 hours of cross-country flight time as pilot-in-command of aircraft in categories acceptable to the Authority, of which not less than 10 hours shall be in the aircraft category sought; and
 - (b) 40 hours of instrument time in aircraft of which not more than 20 hours or 30 hours where a flight simulation training device is used may be instrument ground time under the supervision of an authorized instructor;
- (2) An applicant shall have demonstrated the ability to perform as pilot-in command of an aircraft of the category for which the instrument rating is being sought the procedures and manoeuvres described in regulation 80 with a degree of competency appropriate to the privileges granted to the holder of an Instrument rating and to:
- (a) recognize and manage threats and errors;
 - (b) operate the aircraft for the category for which the instrument rating is being sought within its limitations;
 - (c) complete all manoeuvres with smoothness and accuracy;
 - (d) exercise good judgement and airmanship;
 - (e) apply aeronautical knowledge; and
 - (f) maintain control of the aircraft at all times in a manner such that the successful outcome of the procedures or manoeuvre is assured.
- (3) An applicant shall have demonstrated the ability to operate a multi-engine aeroplane solely by reference to instruments with one engine inoperative, or simulated inoperative, if the privileges of the Instrument rating are to be exercised on such aeroplane.

Privileges and limitations

- 82.** (1) A holder of an instrument rating with a specific aircraft category may pilot that category of aircraft in accordance with instrument flight rules (IFR).
- (2) To exercise the privileges on a multi-engined aircraft, the holder shall have demonstrated the ability to operate such an aircraft within the appropriate category by reference solely to instruments with one engine inoperative, or simulated inoperative. .

Renewal requirements

- 83.** An applicant for renewal of instrument rating shall pass a flight test either on an aircraft or an approved flight simulation training device of an aircraft type rating included in the pilot licence.

Flight Instructor Rating

Eligibility

- 84.** (1) The Authority having issued a pilot licence shall not permit the holder thereof to carry flight

requirements

instruction required for the issue of a pilot licence or rating, unless such holder has received a flight instructor rating on the holder's licence or the authority to act as an agent of an Approved Training Organization authorized by the Authority to carry out flight instruction.

- (2) To be eligible for a flight instructor rating an applicant shall:
 - (a) be at least eighteen years of age;
 - (b) hold either a Commercial Pilot Licence, an Airline Transport Pilot Licence or a Multi-crew Pilot Licence with—
 - (i) an aircraft category and class rating that is appropriate to the flight instructor rating sought; and
 - (ii) instrument rating, if the person holds a Commercial Pilot Licence and is applying for a flight instructor rating with:
 - (aa) an aeroplane category and multiengine class rating; and
 - (bb) an instrument rating;
 - (c) have received a logbook endorsement from an authorized instructor on the fundamentals of instructing listed in regulation 85 appropriate to the required knowledge test;
 - (d) have passed a knowledge test on the areas listed in regulation 85;
 - (e) have received a logbook endorsement from an authorized instructor on the areas of operation listed in regulation 87, appropriate to the flight instructor rating sought;
 - (f) have passed the required practical test on the areas of operations listed in regulation 87, that is appropriate to the flight instructor rating sought in:
 - (i) an aircraft that is representative of the category and class of aircraft for the aircraft rating sought; or
 - (ii) an approved flight simulation 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 approved training organization certificated under the Civil Aviation (Approved Training Organizations) Regulations.
 - (g) have accomplished the following for a flight instructor rating with an aircraft rating:
 - (i) receive a logbook endorsement from an authorized 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 aircraft, as appropriate, that is certificated for spins; and
 - (ii) demonstrate instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures;
 - (h) have logged at least fifteen hours as pilot-in-command in the category and class of aircraft that is appropriate to the flight instructor rating sought; and
 - (i) have complied with the appropriate sections that apply to the flight instructor rating sought.
- (3) For the purpose of the requirement of sub regulation (1)(g)(ii), the Authority may accept the endorsement specified in paragraph (g)(i) as satisfactory evidence of instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures for the practical test, provided that the practical test is not a retest as a result of the applicant failing the previous test for deficiencies in those knowledge or skill areas.
- (4) If the retest referred in sub-regulation (2) 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 aircraft, as appropriate, that is certificated for spins.

Aeronautical knowledge requirements

- 85. (1) The applicant shall have met the knowledge requirements for the issue of a commercial pilot licence as prescribed in regulation 42 as appropriate to the category of aircraft included in the licence.
- (2) In addition, to the requirements of sub-regulation (1) the applicant shall have demonstrated

a level of knowledge appropriate to the privileges granted to the holder of a flight instructor rating, in at least the following areas:

- (a) techniques of applied instruction;
- (b) assessment of student performance in those subjects in which ground instruction is given;
- (c) the learning process;
- (d) elements of effective teaching;
- (e) student evaluation and testing, training philosophies;
- (f) training programme development;
- (g) lesson planning;
- (h) classroom instructional techniques;
- (i) use of training aids, including flight simulation training devices as appropriate;
- (j) analysis and correction of student errors;
- (k) human performance relevant to flight instruction including principles of threat and error management; and
- (l) hazards involved in simulating system failures and malfunctions in the aircraft.

- Aeronautical experience**
- 86.** (1) An applicant for a flight instructor rating shall have met the experience requirements for the issue of a commercial pilot licence as prescribed in regulation 44 for each aircraft category, as appropriate..
- (2) An applicant for a flight instructor rating 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.
- Instruction requirements**
- 87.** An applicant for a flight instructor rating shall, under the supervision of an authorized flight instructor:
- (a) have received instruction of not less than twenty hours in flight instructional techniques including demonstration, student practices, recognition and correction of common student errors; and
 - (b) have practised instructional techniques in those flight manoeuvres and procedures in which it is intended to provide flight instruction.
- Trainee's records**
- 88.** A holder of a flight instructor rating shall:
- (a) sign the logbook or any other approved record keeping document of each person to whom that instructor has given flight training or ground training;
 - (b) maintain a record in a logbook or a separate document that contains the following:
 - (i) the name of each person whose logbook 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
 - (c) retain the records required by this regulation for three years from the date of giving the flight training or ground training.
- Additional category**
- 89.** An applicant for an additional category flight instructor rating shall meet the eligibility requirements listed in regulation 84 that apply to the flight instructor rating sought.
- Privileges**
- 90.** (1) A flight instructor shall have the following privileges:
- (a) to supervise student pilots on solo flights;
 - (b) to carry out flight and ground instructions for the issue or renewal of:
 - (i) a Private Pilot Licence;
 - (ii) a Commercial Pilot Licence;
 - (iii) a Multi-crew Pilot Licence ;
 - (iv) an instrument rating; and
 - (v) a flight instructor rating.
- (2) To exercise the privileges in sub-regulation (1) a flight Instructor shall:

- (a) hold at least the licence and rating for which instruction is to be given, in the appropriate aircraft category;
- (b) holds the licence and rating necessary to act as the pilot-in-command of the aircraft on which the instruction is to be given; and
- (c) have the flight instructor privileges entered on the licence
- (d) in the case of Multi-crew Pilot Licence, comply with the specific provisions for flight instructors carrying out instruction for the Multi-crew Pilot Licence contained in Chapter 4 of the latest effective edition of the *Procedures for Air Navigation Services-Training*, document Nr. 9868, issued by the International Civil Aviation Organization (ICAO)..

Limitations and qualifications

- 91.**
- (1) A holder of a flight instructor rating shall observe the limitations and qualifications specified in this regulation.
 - (2) In any twenty four consecutive-hour period, a flight instructor may not conduct more than eight hours of flight training.
 - (3) A flight instructor shall not conduct flight training in any aircraft for which the flight instructor does not hold:
 - (a) a valid pilot licence with the applicable category and class rating and flight instructor rating;
 - (b) if appropriate, a type-rating;
 - (c) for instrument flight training or for training for a type rating not limited to visual flight rules (VFR), an appropriate instrument rating on his pilot licence and flight instructor rating.
 - (4) A flight instructor shall not endorse:
 - (a) a student pilot's logbook for solo flight privileges, unless that flight instructor has:
 - (i) given that student the flight training required for solo flight privileges required under these Regulations;
 - (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 the 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;
 - (b) a student pilot's logbook for a solo cross-country flight, unless the 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;
 - (c) a logbook of a pilot for a flight check-out, unless that instructor has conducted a review of that pilot in accordance with the requirements of regulation 23; and
 - (d) a logbook of a pilot for an instrument proficiency check, unless that instructor has tested that pilot in accordance with the requirements of Civil Aviation (Operation of Aircraft) Regulations.
 - (5) A flight instructor shall not give training required for the issue of a licence or rating in a multi-engined aircraft unless that flight instructor has at least five flight hours of pilot-in-command time in the specific make and model of multi-engined aircraft, as appropriate.
 - (6) A flight instructor shall not provide instruction to a pilot to qualify for a flight instructor rating unless that flight instructor:
 - (a) holds an appropriate valid flight instructor rating and has exercised the privileges of that rating within the last twenty four months;
 - (b) has given two hundred hours of flight training as a flight instructor in the relevant

- aircraft category; and
- (c) in the case of a Glider Pilot Licence, or glider rating, has given at least eighty hours of flight training as a flight instructor in gliders.

Renewal requirements

- 92.** A flight instructor rating may be renewed if the applicant:
- (a) passes a practical test for:-
 - (i) renewal of the flight instructor rating; or
 - (ii) an additional flight instructor privileges; or
 - (b) presents to the Authority:-
 - (i) a record of training students that shows that within twelve months preceding the date of application for renewal of the rating, the flight instructor has endorsed at least five students for a practical test for a licence or rating, and at least eighty percent of those students passed that test on the first attempt; or
 - (ii) a record that shows that within the preceding twelve months, the flight instructor has performed as a flight instructor or company check pilot and has logged not less than 20 instructional hours.
 - (iii) a certificate showing that the applicant has successfully completed an approved flight instructor refresher course consisting of ground training or flight training, or both, within the ninety days preceding the date of the expiry of the flight instructor rating.

Renewal of an expired flight instructor rating

- 93.** holder of an expired flight instructor rating shall pass a flight instructor's practical test in order to renew the expired flight instructor rating.

Flight Examiner Authorization

Flight examiner requirements

- 94..**
- (1) A flight examiner shall hold:
 - (a) a licence and rating for which he is authorized to conduct skill tests or proficiency checks; and
 - (b) appropriate flight instructor ratings for skill tests.
 - (2) To qualify for a flight examiner's authorization, a pilot shall have logged 1000 hours of flight time and 200 hours providing flight instruction.
 - (3) The ground, flight and synthetic flight training for examiner shall include the subjects listed in regulation 85.
 - (4) To qualify for a flight examiner's authorization, a pilot shall have conducted at least one skill test under the observation by the Authority, in the role of an examiner for which authorization is sought, including briefing, conduct of the skill test, assessment of the applicant to whom the skill test is given, debriefing and recording or documentation.
 - (5) Subject to compliance with the requirements specified in these Regulations, the privileges of the examiner's authorization are to conduct skill tests and proficiency checks for a licence and ratings.

Flight examiner training requirements

- 95.**
- (1) The ground training for examiners shall include:
 - (a) examiner duties, functions and responsibilities;
 - (b) applicable regulations and procedures;

- (c) appropriate methods, procedures and techniques for conducting the required tests and checks;
 - (d) proper evaluation of student performance including the detection of:
 - (i) improper and insufficient training; and
 - (ii) personal characteristics of an applicant that could adversely affect safety;
 - (e) appropriate corrective action in the case of unsatisfactory tests and checks; and
 - (f) approved methods, procedures and limitations for performing the required normal, abnormal and emergency procedures in the aircraft.
- (2) *The flight training shall include:*
- (a) training and practice in conducting flight evaluation from the left and right pilot seats for pilot examiners in the required normal, abnormal and emergency procedures to ensure competence to conduct the flight tests and checks;
 - (b) the potential results of improper, untimely or non-execution of safety measures during an evaluation; and
 - (c) the safety measures to be taken from either pilot seat for pilot check examiners for emergency situations that are likely to develop during an evaluation.
- (3) *The flight training for examiners in flight simulation training device shall include:*
- (a) training and practice in conducting flight checks in the required normal, abnormal and emergency procedures to ensure competence to conduct the evaluations tests and checks required under these Regulations; and
 - (b) training in the operation of flight simulation training device to ensure competence to conduct the evaluations required under these Regulations.

PART VIII – LICENCES FOR FLIGHT CREW MEMBERS OTHER THAN LICENCES FOR PILOTS

Flight Engineer Licence

- | | | |
|------------------------------------|------------|---|
| Licences and ratings required | 96. | A person shall not act as a flight engineer of an aircraft registered in Rwanda unless that person holds a flight engineer licence with appropriate ratings. |
| General eligibility requirements | 97. | An applicant for a flight engineer licence shall: <ul style="list-style-type: none"> (a) be at least eighteen years of age; (b) demonstrate the ability to read, speak, write and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations; (c) comply with the requirements of these Regulations that apply to the rating sought; and (d) possess a valid Class 2 Medical Certificate issued under these Regulations. |
| Additional aircraft ratings | 98. | An applicant for an additional aircraft class, category or type rating flight engineer licence, shall: <ul style="list-style-type: none"> (a) pass the knowledge test and practical test that is appropriate to the class category or type of aircraft for which an additional rating is sought; and (b) satisfactorily complete an approved flight engineer training program that is appropriate to the additional class rating sought. |
| Knowledge requirements | 99. | (1) An applicant for a flight engineer licence 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:

- (a) air law: 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;
- (b) aircraft general knowledge:
 - (i) *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;*
 - (ii) *principles of operation, handling procedures and operating limitations of aircraft powerplants, effects of atmospheric conditions on engine performance;*
 - (iii) *airframes, flight controls, structures, wheel assemblies, brakes and anti-skid units, corrosion and fatigue life, identification of structural damage and defects;*
 - (iv) ice and rain protection systems;
 - (v) pressurization and air-conditioning systems, oxygen systems;
 - (vi) *hydraulic and pneumatic systems;*
 - (vii) *basic electrical theory, electric systems (AC and DC), aircraft wiring systems, bonding and screening;*
 - (viii) *principles of operation of instruments, compasses, autopilots, radio communication equipment, radio and radar navigation aids, flight management systems, displays and avionics;*
 - (ix) *limitations of appropriate aircraft;*
 - (x) *fire protection, detection, suppression and extinguishing systems; and*
 - (xi) *use and serviceability checks of equipment and systems of appropriate aircraft;*
- (c) flight performance, planning and holding:
 - (i) *effects of loading and mass distribution on aircraft handling, flight characteristics and performance, mass and balance calculations; and*
 - (ii) *use and practical application of performance data including procedures for cruise control;*
- (d) human performance: human performance relevant to the flight engineer including principles of threat and error management;
- (e) operational procedures:
 - (i) *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;*
 - (ii) *normal, abnormal and emergency procedures; and*

(iii) *operational procedures for carriage of freight and dangerous goods;*

- (f) principles of flight: fundamentals of aerodynamics; and
- (g) radiotelephony: communication procedures and phraseology;
- (h) fundamentals of navigation: principles and operation of self-contained systems; and
- (i) operational aspects of meteorology.

(2) The validity of the knowledge test results for an applicant for a flight engineer licence shall be eighteen months after passing the examination.

**Aeronautical
experience
requirements**

- 100.**
- (1) An applicant for a flight engineer licence shall obtain and log the flight time used to satisfy the aeronautical experience requirements of sub-regulation (2) on an aeroplane on which a flight engineer is required by these Regulations.
 - (2) An applicant for a flight engineer licence with a type rating shall present, for the type rating sought, satisfactory evidence of one of the following, including the practical experience with the aircraft described in sub-regulation (1):
 - (a) not less than one hundred hours of flight time as a flight engineer under the supervision of a person accepted by the Authority, the applicant being entitled to be credited for flight time as a flight engineer in a flight simulator to a maximum of 50 hours; or
 - (b) at least a Commercial Pilot Licence with an instrument rating and at least five hours of flight training in the duties of a flight engineer; or
 - (c) at least two hundred hours of flight time in a transport category aeroplane as pilot-in-command or a co-pilot performing the functions of a pilot-in-command under the supervision of a pilot-in-command and at least five hours of flight training in the duties of a flight engineer; or
 - (d) within the ninety-day period before the application, successful completion of an approved flight engineer ground and flight course of instruction.
 - (3) An applicant for a flight engineer licence shall have 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:
 - (a) normal procedures:
 - (i) pre-flight inspections;
 - (ii) fuelling procedures, fuel management;
 - (iii) inspection of maintenance documents;
 - (iv) normal flight deck procedures during all phases of flight;
 - (v) crew coordination and procedures in case of crew incapacitation;
 - (vi) defect reporting;
 - (b) abnormal and alternate (standby) procedures:
 - (i) recognition of abnormal functioning of aircraft systems;
 - (ii) use of abnormal and alternate (standby) procedures;
 - (c) emergency procedures:
 - (i) recognition of emergency conditions;
 - (ii) use of appropriate emergency procedures.

**Skill
requirements**

- 101.**
- (1) An applicant for a flight engineer licence shall have demonstrated the ability to perform as flight engineer of an aircraft the duties and procedures described in regulation 99(1) with a degree of competency appropriate to the privileges granted to the holder of a flight engineer licence, and to:
 - (a) recognize and manage threats and errors;
 - (b) use aircraft systems within the aircraft's capabilities and limitations;
 - (c) exercise good judgement and airmanship;
 - (d) apply aeronautical knowledge;
 - (e) perform all duties as part of an integrated crew with the successful outcome assured; and
 - (f) communicate effectively with the other flight crew members.

- (2) An applicant for a flight engineer licence with a type rating shall:
- (a) pass a practical test on the duties of a flight engineer in the type of aircraft for which a rating is sought or an approved flight simulation training device replicating such an aircraft.;
 - (b) show satisfactorily performance in pre-flight inspection, servicing, starting, pre-takeoff and post-landing procedures;
 - (c) while in-flight, show satisfactorily performance of the normal duties and procedures relating to the aeroplane, aeroplane engines, propellers, if appropriate, systems and appliances; and
 - (d) while in-flight, in a flight simulation training device 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.

Privileges **102.** A holder of a flight engineer licence may:

- (a) act as flight engineer of any type of aircraft on which the holder is rated;
- (b) be authorized to act as a flight engineer instructor for issue or renewal of flight engineer licences or ratings; and
- (c) exercise all the privileges of the holder of a flight radiotelephone operator licence as stipulated in regulation 113

Renewal Requirements **103.** A holder of a Flight Engineer Licence may apply for renewal of the licence if the holder has logged not less than six hours as Flight Engineer within the six months preceding the date of application for renewal.

Flight Navigator Licence

Licences and ratings required **104.** A person shall not act as a flight navigator of an aircraft registered in Rwanda unless that person holds a flight navigator licence with appropriate ratings.

General eligibility requirements **105.** An applicant for a flight navigator licence shall:

- (a) be at least eighteen years of age;
- (b) demonstrate the ability to read, speak, write and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations;
- (c) comply with the requirements of these Regulations that apply to the rating sought; and
- (d) possess a valid Class 2 Medical Certificate issued under these Regulations.

Knowledge requirements **106.** (1) An applicant for a flight navigator licence shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a flight navigator licence, in at least the following subjects:

- (a) air law: rules and regulations relevant to the holder of a flight navigator licence, appropriate air traffic services practices and procedures;
- (b) flight performance, planning and holding:
 - (i) *effects of loading and mass distribution on aircraft performance;*
 - (ii) *use of take-off, landing and other performance data including procedures for cruise control;*
 - (iii) 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;

- (c) human performance: human performance relevant to the flight navigator including principles of threat and error management;
 - (d) navigation
 - (i) dead-reckoning, pressure-pattern and celestial navigation procedures; the use of aeronautical charts, radio navigation aids and area navigation systems; specific navigation requirements for long-range flights;
 - (ii) use, limitation and serviceability of avionics and instrument necessary for the navigation of the aircraft;
 - (iii) use, accuracy and reliability of navigation systems used in departure, en-route and approach phases of flight; identification of radio navigation aids;
 - (iv) principles, characteristics and use of self-contained and external-referenced navigation systems; operation of airborne equipment;
 - (v) the celestial sphere including the movement of heavenly bodies and their selection and identification for the purpose of observation and reduction sights; calibration of sextants; the completion of navigation documentation;
 - (vi) definitions, units and formulae used in air navigation;
 - (e) operational procedures: interpretation and use of aeronautical documentation such as AIP, NOTAM, aeronautical codes, abbreviations, and instrument procedure charts for departure, en-route, descent and approach;
 - (f) principles of flight; and
 - (g) radiotelephony: communication procedures and phraseology;
- (2) The validity of the knowledge test results for an applicant for a flight navigator licence shall be eighteen months after passing the examination.

Aeronautical experience requirements

- 107.** (1) An applicant for a flight navigator licence shall obtain and log the flight time in the performance of the duties of a flight navigator,
- (a) not less than two hundred hours of flight time acceptable by the Authority; or
 - (b) at least a Commercial Pilot Licence with an instrument rating and at least five hours of flight training in the duties of a flight navigator; or
 - (c) at least two hundred hours of flight time in a transport category aeroplane as pilot-in-command or a co-pilot performing the functions of a pilot-in-command under the supervision of a pilot-in-command and at least five hours of flight training in the duties of a flight navigator; or
- (2) An applicant for a flight navigator licence shall produce evidence of having satisfactorily determined the aircraft's position in flight, and used that information to navigate the aircraft, as follows:
- (a) by night – not less than 25 times by celestial observations; and
 - (b) by day – not less than 25 times by celestial observations in conjunction with self-contained or external-referenced navigation systems;

Skill requirements

- 108** (1) An applicant for a flight navigation licence shall have demonstrated the ability to perform as flight navigator of an aircraft with a degree of competency appropriate to the privileges granted to the holder of a flight navigator licence, and to:
- (a) recognize and manage threats and errors;
 - (b) exercise good judgement and airmanship;
 - (c) apply aeronautical knowledge;
 - (e) perform all duties as part of an integrated crew with the successful outcome assured; and
 - (f) communicate effectively with the other flight crew members.

Privileges

- 109.** A holder of a flight navigator licence may:
- (a) act as flight navigator of any aircraft;
 - (b) exercise all the privileges of the holder of a flight radiotelephony operator licence as stipulated in regulation 113.

Renewal Requirements **110.** A holder of a Flight Navigator Licence may apply for renewal of the licence if the holder has logged not less than six hours as flight Navigator within the six months preceding the date of application for renewal.

Flight Radiotelephony Operator Licence

General eligibility requirements **111.** (1) Except for a holder of a pilot licence, a person required to use radiotelephone apparatus aboard an aircraft shall hold a flight radiotelephony operator licence.
(2) An applicant for a flight radiotelephony operator licence shall:
(a) be at least seventeen years of age;
(b) demonstrate the ability to read, speak, write and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations;
(c) comply with the knowledge and skill requirements, for flight radiotelephony operator as contained in regulation 113; and
(d) demonstrate a level of knowledge appropriate to the privileges granted to a holder of a flight radiotelephone operator licence.

Skill and knowledge requirements **112.** (1) An applicant for a flight radiotelephony operator licence shall pass a practical and knowledge test covering the following areas:
(a) the ICAO spelling alphabet;
(b) departure and position reporting;
(c) obtaining meteorological information;
(d) transmission and procedures of distress and urgency signals;
(e) communication techniques and procedures;
(f) the necessity for brevity in radiotelephony communication and priorities;
(g) pre-flight briefing;
(h) classification of directional finding bearings;
(i) radiotelephony facilities and frequencies available in the Flight Information Region (FIR);
(j) elementary knowledge of the relationship between wavelength and frequency;
(k) radiotelephony procedures and phraseology; and
(l) ability to use the radio equipment of the type installed in the aircraft and including the ability to carry out emergency procedures.
(2) The knowledge test results for a radio telephony operator licence shall be valid for six months after passing the examination.

Privileges **113.** A holder of a flight radiotelephony operator licence shall have the privilege to use the radiotelephone on board an aircraft.

Renewal requirements **114.** A holder of a flight radiotelephony operator licence may apply for renewal of the licence if the holder has exercised the privileges of the licence in the six months preceding the date of application.

PART IX – LICENCES, CERTIFICATES, RATINGS AND AUTHORIZATIONS FOR PERSONNEL OTHER THAN FLIGHT CREW MEMBERS

General rules **115.** An applicant shall, before being issued with any licence or rating for personnel other than flight crew members, meet such requirements in respect of age, knowledge, experience and, where appropriate, medical fitness and skill, as are specified for the licence or rating.

Renewal requirements

116. An applicant, for any licence or rating, for personnel other than flight crew members, shall demonstrate, in a manner determined by the Authority, such requirements in respect of knowledge and skill as re specified for that licence or rating..

Air Traffic Controller Licence

Required licences and ratings or qualifications

117. (1) A person shall not act as an air traffic controller unless that person holds an air traffic controller licence issued under these Regulations.
- (2) A licence to act as an air traffic controller shall include:
- (a) one or more ratings as specified in regulation 4(8) specifying the type of air traffic control service which the holder of the licence is competent to provide; and
 - (b) a list of the places at which, and the type of radar equipment, if any, with the aid of which the licence holder may provide the service;
- (3) Where during a continuous period of six months the holder of an air traffic controller licence has not at any time provided at a particular place the type of air traffic control service specified in the rating, the rating shall cease to be valid for that place at the end of the six months period.
- (4) Upon a rating ceasing to be valid as specified for a place, in sub regulation (3) the holder of the air traffic controller licence shall forthwith inform the Authority to that effect and shall forward the licence to the Authority to enable the licence to be endorsed accordingly.

General eligibility requirements

118. An applicant for an air traffic controller licence shall:
- (a) be at least 21 years of age;
 - (b) demonstrate the ability to read, speak, write and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations without impediment of speech that would interfere with two way radio conversation; and
 - (c) comply with the knowledge requirements of regulations 119 and 120.

Knowledge requirements for an issue of air traffic controller licence

119. (1) An applicant for an air traffic controller licence shall have received and passed an approved training course in air traffic control conducted at an approved training organization in at least the following subjects,:
- (a) air law - rules and regulations relevant to the air traffic controller;
 - (b) air traffic control equipment - principles, use and limitations of equipment used in air traffic control;
 - (c) general knowledge - principles of flight; principles of operation and functioning of aircraft, powerplants and systems; aircraft performances relevant to air traffic control operations;
 - (d) human performance - human performance relevant to air traffic control;
 - (e) language - the language or languages nationally designated for use in air traffic control and ability to speak such language or languages without accent or impediment which would adversely affect radio communication;
 - (f) meteorology - aeronautical meteorology; use and appreciation of meteorological documentation and information; origin and characteristics of weather phenomena affecting flight operations and safety; altimetry;
 - (h) navigation - principles of air navigation; principle, limitation and accuracy of navigation systems and visual aids; and
 - (i) 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.
- (2) The applicant shall have undergone the actual control of air traffic under the supervision of an appropriately rated air traffic controller and acquired experience for the rating sought as

specified in regulation 120.

- (3) The applicant shall hold a current Class 3 Medical Certificate.
- (4) The validity of the knowledge test results for an applicant for a air traffic controller licence shall be eighteen months after passing the test.

Knowledge requirements for air traffic controller ratings

- 120.** (1) An applicant for air traffic controller rating shall have demonstrated a level of knowledge appropriate to the privileges granted, in at least the following subjects in so far as they affect the area of responsibility and not less than three months of satisfactory service engaged in the actual control of air traffic under the supervision of an appropriately rated air traffic controller:
- (a) aerodrome control rating:
 - (i) aerodrome layout, physical characteristics and visual aids;
 - (ii) airspace structure;
 - (iii) applicable rules, procedures and source of information;
 - (iv) air navigation facilities;
 - (v) air traffic control equipment and its use;
 - (vi) terrain and prominent landmarks;
 - (vii) characteristics of air traffic;
 - (viii) weather phenomena; and
 - (ix) emergency and search and rescue plans;
 - (b) approach control and area control ratings:
 - (i) airspace structure;
 - (ii) applicable rules, procedures and source of information;
 - (iii) air navigation facilities;
 - (iv) air traffic control equipment and its use;
 - (v) terrain and prominent landmarks;
 - (vi) characteristics of air traffic and traffic flow;
 - (vii) weather phenomena; and
 - (viii) emergency and search and rescue plans; and
 - (c) approach radar, approach precision radar and area radar control ratings: an applicant shall meet the requirements specified in paragraph (b) in so far as they affect the area of responsibility, and shall have demonstrated a level of knowledge appropriate to the privileges granted, in at least the following additional subjects:
 - (i) principles, use and limitations of radar, other surveillance systems and associated equipment; and
 - (ii) procedures for the provision of approach, precision approach or area radar control services, as appropriate, including procedures to ensure appropriate terrain clearance;
- (2) The validity of the knowledge test results for an applicant for a air traffic controller rating shall be twelve months after passing the test.
- (3) An applicant for air traffic controller rating shall undergo the actual control of air traffic under the supervision of an appropriately rated air traffic controller and acquire experience for the rating sought as follows:
- (a) aerodrome control rating: an aerodrome control service, for a period of not less than 90 hours or one month, whichever is greater, at the unit for which the rating is sought;
 - (b) approach, approach radar, area or area control 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;
 - (c) 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 unit and on the equipment for which the rating is sought;
- provided that:
- (i) the experience specified in this sub-regulation may be credited as part of

- (ii) the three month experience specified in sub-regulation (1);
 - (iii) the experience specified in this sub-regulation shall have been completed within the 6-month period immediately preceding application;
 - (iv) where 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 requirement can be reduced, and if so, to what extent; and
 - (v) 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 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.
- (4) 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.
- Skill requirements** **121.** (1) An applicant for air traffic controller rating shall have demonstrated, at a level appropriate to the privileges being granted, the skill, judgement and performance required to provide a safe, orderly and expeditious flow of air traffic.
- (2) An applicant for a unit rating at an air traffic control unit shall be required to pass a practical test on each area listed in regulation 120 that is applicable to each operating position at the control unit at which the rating is sought.
- Privileges and limitations** **122.** (1) Subject to sub-regulation (2) a holder of an air traffic controller licence which includes ratings of two or more of the classes specified in sub-regulation (2) shall not at any one time perform the function specified in respect of more than one of these ratings.
- (2) The functions of any one of the following groups of ratings may be exercised at the same time –
- (a) the aerodrome control rating and the approach control rating;
 - (b) approach control rating and the approach radar control rating; except that the functions of the approach radar control rating shall not be exercised at the same time as the functions of the approach radar control rating if the service being provided under the approach radar control is a surveillance radar approach terminating at a point less than two nautical miles from the point of intersection of the glide path with the runway, the two functions shall not be exercised at the same time;
 - (c) the area control rating and the area radar control rating; or
 - (d) by an aerodrome control tower or area control centre when it is necessary or desirable to combine under the responsibility of one unit of the functions of the approach control service with those of the aerodrome control service or area control service.
- Privileges of air traffic controller ratings** **123.** (1) The privileges of the holder of an air traffic controller licence endorsed with one or more of the under mentioned ratings shall be:
- (a) aerodrome control rating: to provide or to supervise the provision of aerodrome control service for the aerodrome for which the licence holder is rated;
 - (b) approach control 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 of the airspace, under the jurisdiction of the unit providing approach control service;
 - (c) approach radar control rating: to provide and/or supervise the provision of approach control service with the use of radar or other 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; and in case the holder complies with the rating the privileges shall include the provision of surveillance radar approaches;

- (d) 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;
 - (e) area control 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;
 - (f) area radar control rating: to provide and/or supervise the provision of area control service with the use of radar, within the control area or portion thereof, for which the licence holder is rated.
- (2) Before exercising the privileges indicated in sub-regulation (1), the air traffic controller licence holder shall be familiar with all pertinent and current information.
 - (3) The holder of an air traffic controller Licence shall not provide instruction in an operational environment except as authorized in writing by the Authority.

Validity of air traffic controller ratings

124. An air traffic controller rating becomes invalid when an air traffic controller has ceased to exercise the privileges of the rating for a period of six months and shall remain invalid until the controller's ability to exercise the privileges of the rating has been re-established.

Maximum working hours

125. (1) Except in an emergency, a Licenced air traffic controller shall not perform any duties for twenty four consecutive hours during each seven consecutive days.

(2) An air traffic controller may not serve or be required to serve –

- (a) for more than ten consecutive hours; or
- (b) 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.

Responsibilities over fatigue

126. 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.

Prohibition of unlicensed air traffic controllers

127. (1) An air traffic controller shall not provide any type of air traffic service at any aerodrome at which air traffic control service is required to be provided under the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations or at any other place, not being an aerodrome, at which air traffic control service is provided, whether or not under the direction of the Authority, unless he does so in accordance with the terms of:

- (a) a valid air traffic controller licence so granted authorising air traffic controller to provide that type of service at that aerodrome or other places;
- (b) a valid air traffic controller licence so granted which does not authorise air traffic controller to provide that type of service at the aerodrome or other place, but he is supervised by a person who is present at the time and who is the holder of a valid air traffic controller licence so granted which authorises him to provide at that aerodrome or other place the type of air traffic control service which is being provided; or
- (c) the air traffic controller's appointment as an air traffic controller trainee and he is supervised by a person who is present at the time and who is the holder of a valid air traffic controller's licence so granted which authorises him to provide that type of service at any aerodrome or at a place at which air traffic control service is provided:

provided that the air traffic controller licence shall not be required by any person who acts in the course of his duty as a member of the Rwanda military or a visiting force.

- (2) *A holder of an air traffic controller licence shall not perform any of the functions specified in regulation 123 in respect of a rating at any of the places referred to in sub-regulation (1) unless:*
 - (a) *his licence includes that rating and the rating is valid for the place at*

which, and the type of radar equipment, if any, with the aid of which functions are performed; or

- (b) *he is supervised by a person who is present at the time and who is the holder of a valid air traffic controller's licence granted under these Regulations which authorises him to provide at that aerodrome or other place the type of air traffic control service which is being provided.*
- (3) Nothing in this regulation shall prohibit a holder of a valid air traffic controller licence from providing at any place for which the licence includes a valid rating, information to aircraft in flight in the interests of safety.

Renewal requirements

- 128.** An air traffic controller licence may be renewed if the holder demonstrates, at a level appropriate to the privileges being renewed, the skill, judgement and performance required to provide a safe, orderly and expeditious control service within the six months preceding the date of application for renewal.

Ground Instructor Licence

Eligibility requirements

- 129.** (1) An applicant for a ground instructor licence shall:
- (a) be at least eighteen years of age;
 - (b) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations;
 - (c) pass a knowledge test on the fundamentals of instructing including:
 - (i) the learning process;
 - (ii) elements of effective teaching;
 - (iii) student evaluation and testing;
 - (iv) course development;
 - (v) lesson planning;
 - (vi) classroom training techniques;
 - (vii) techniques of applied instructions;
 - (viii) use of training aids;
 - (ix) analysis and correction of student errors; and
 - (x) human performance relevant to ground instruction;
 - (d) pass a knowledge test on the aeronautical knowledge areas specified in regulations 36, 42 and 53.
- (2) A ground instructor licence shall be issued with either one of the following ratings:
- (a) basic ;
 - (b) advanced;
 - (c) instrument.
- (3) The knowledge test specified in sub-regulation (1)(c) is not required if the applicant holds a flight instructor rating issued under these Regulations.
- (4) The knowledge test results for a ground instructor licence shall be valid for eighteen months after passing the examination.

Privileges

- 130.** (1) A holder of a ground instructor licence may exercise the privileges appropriate to the rating as follows:
- (a) for a holder of a basic ground instructor rating:
 - (i) ground training in the aeronautical knowledge areas required for the issue of a private pilot licence or associated ratings;
 - (ii) ground training required for a private pilot flight check-out; and
 - (iii) a recommendation for a knowledge test required for the issuance of a private pilot licence ;
 - (b) for a holder of an advanced ground instructor rating:
 - (i) ground training in the aeronautical knowledge areas required for the issue of any pilot licence or rating;
 - (ii) ground training required for any flight check out; and

- (iii) a recommendation for a knowledge test required for the issue of any licence;
- (c) for a holder of an instrument ground instructor rating:
 - (i) ground training in the aeronautical knowledge areas required for the issue of an instrument rating;
 - (ii) ground training required for an instrument proficiency check; and
 - (iii) a recommendation for a knowledge test required for the issue of an instrument rating.
- (2) A person who holds a ground instructor licence shall be authorized, 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 specified in sub-regulation (1).

Requirements for ratings

- 131.** An applicant for a ground instructor licence is required to hold or have held a Commercial Pilot Licence or Airline Transport Pilot Licence or Multi-crew Pilot Licence as appropriate or pass the following:
- (a) basic ground instructor rating: aeronautical knowledge requirements for Commercial Pilot Licence as prescribed in 42.
 - (b) advanced ground instructor rating: aeronautical knowledge requirements for Airline Transport Pilot Licence as prescribed in regulation 53, or the requirements for Multi-crew Pilot Licence, as prescribed in regulation 48;
 - (c) instrument ground instructor rating:
 - (i) meet the requirements of either (a) or (b) and in addition the instrument rating knowledge requirements as prescribed in regulation 79; and
 - (ii) be a holder of a valid instrument rating.

Renewal Requirements

- 132** A holder of a ground instructor licence shall not perform the duties of a ground instructor unless within the twelve preceding months the person has served for three months as a ground instructor.

Flight Operations Officer Licence

General eligibility requirements

- 133.** An applicant for a flight operations officer licence shall—
- (a) be at least twenty one years of age;
 - (b) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations; and
 - (c) comply with the knowledge requirements, experience or training requirements and skill requirements for flight operations officer as contained in these Regulations.

Knowledge requirements

- 134.** (1) An applicant for a flight operations officer licence shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a flight operations officer licence, in at least the following subjects:
- (a) air law: rules and regulations relevant to the holder of a flight operations officer licence and appropriate air traffic services practices and procedures;
 - (b) aircraft general knowledge:
 - (i) principles of operation of aeroplane powerplants, systems and instruments;
 - (ii) operating limitations of aeroplanes and powerplants; and
 - (iii) minimum equipment list;
 - (c) flight performance calculation, planning procedures and loading:
 - (i) effects of loading and mass distribution on aircraft performance and flight characteristics; mass and balance calculations;
 - (ii) operational flight planning, fuel consumption and endurance calculations, alternate airport selection procedures, en-route cruise control and extended range operation;
 - (iii) preparation and filing of air traffic services flight plans; and

- (iv) basic principles of computer-assisted planning systems;
 - (d) human performance: human performance relevant to dispatch duties;
 - (e) meteorology:
 - (i) 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; and
 - (ii) interpretation and application of aeronautical meteorological reports, charts and forecasts, codes and abbreviations, use of, and procedures for obtaining, and meteorological information;
 - (f) navigation: principles of air navigation with particular reference to instrument flight;
 - (g) operational procedures:
 - (i) use of aeronautical documentation;
 - (ii) operational procedures for the carriage of freight and dangerous goods;
 - (iii) procedures relating to aircraft accidents and incidents and emergency flight procedures; and
 - (iv) procedures relating to unlawful interference and sabotage of aircraft;
 - (h) principles of flight: principles of flight relating to the appropriate category of aircraft; and
 - (i) radio communication: procedures for communicating with aircraft and relevant ground stations.
- (2) The knowledge test results for a flight operations officer licence shall be valid for eighteen months after passing the examination.

Experience or training requirements

- 135.** (1) An applicant for a flight operations officer licence shall present documentary evidence satisfactory to the Authority that the applicant has the experience or training as follows:
- (a) a total of two years of service in any one or in any combination of the capacities specified in sub-paragraphs (i), (ii), (iii) 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 air transportation; or
 - (ii) a meteorologist in an organization dispatching aircraft in air transportation; or
 - (iii) an air traffic controller or technical supervisor of flight operations officers or air transportation flight operations systems; or
 - (b) at least one year as an assistant in the dispatching of aircraft used in air transport; or
 - (c) has satisfactorily completed an approved course training.
- (2) An applicant shall have served under the supervision of a flight operations officer for at least ninety days within the six months immediately preceding the application.

Skill requirements

- 136.** An applicant for a flight operations officer licence shall demonstrate the ability to:
- (a) make an accurate and operationally acceptable weather analysis from a series of daily weather maps and weather reports;
 - (b) provide an operationally valid briefing on weather conditions prevailing in the general neighbourhood of a specific air route;
 - (c) forecast weather trends pertinent to air transportation with particular reference to destination and alternates;
 - (d) determine the optimum flight path for a given segment and create accurate manual and/or computer generated flight plans; and
 - (e) 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 operations officer licence.

Privileges

- 137.** Subject to compliance with the requirements set forth in these Regulations, the privileges of a holder of a flight operations officer licence shall be to serve in that capacity with responsibility for each area for which the applicant meets the requirements specified in the Civil Aviation (Operation

of Aircraft) Regulations.

Renewal requirements

- 138.** A flight operations officer licence may be renewed if the holder has performed his duties in the six months preceding the date of application for renewal exercising the privileges of the licence.

Aircraft Maintenance Engineer

General eligibility requirements

- 139.** (1) An applicant for a grant of an Aircraft Maintenance Engineer licence shall:
- (a) be at least eighteen years of age;
 - (b) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations and interpret technical reports and maintenance publications and carry out technical discussions in the English language;
 - (c) comply with the knowledge, experience and competency requirements prescribed for the rating sought; and
 - (d) pass all of the prescribed examinations for the rating sought, within twelve months preceding the date of filing the application.
- (2) A licensed aircraft maintenance engineer who applies for an additional rating shall meet the requirements of regulation 141.

Aeronautical knowledge and skill requirements

- 140.** (1) An applicant for an aircraft maintenance engineer licence shall demonstrate the level of knowledge relevant to the privileges to be granted and appropriate to the responsibilities of an aircraft maintenance holder, in at least the following subjects:
- (a) air law and airworthiness requirements: 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 organization and procedures;
 - (b) natural science and aircraft general knowledge: basic mathematic; units of measurement; fundamental principles and theory of physics and chemistry applicable to aircraft maintenance;
 - (c) aircraft engineering: characteristics and application 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;
 - (d) aircraft maintenance: 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
 - (e) human performance: human performance relevant to aircraft maintenance.
- (2) The knowledge test results for an aircraft maintenance engineer licence shall be valid for twelve months after passing the examination.

Experience requirements: licence with or without type rating

- 141.** (1) Except as specified in sub-regulation (2) applicants for the issue or extension of a licence in categories A, C, X and R must show confirmed minimum specific periods of aircraft maintenance engineering experience totalling 3 years.
- (2) An applicant for Category 'X' – Compass Compensation and Adjustment shall hold a Licence Without Type Ratings in both Categories 'A' and 'C' or 'X' or 'R' and shall have a minimum of six months engineering experience relating to the maintenance of operating aircraft in the two years preceding the date of application with a minimum of six compass swings
- (3) An applicant must demonstrate the following minimum experience gained while maintaining operating aircraft and not in component workshops or on static or non-flying

aircraft:

- (a) for a Category 'A' or 'C' Licence Without Type Ratings, twenty four months relating to Airframe and/or Engine maintenance, twelve months of which shall be in the two years immediately preceding the date of application; or
 - (b) for any Category 'R' or 'X' Licence Without Type Ratings (excluding Category 'X' – Compass Compensation and Adjustment), twenty four months related to avionic systems, twelve months of which shall be in the two years immediately preceding the date of application; and
 - (c) Six months, within the twelve months referred to in (a) and (b), relevant to the specific Licence Without Type Ratings for which application is being made.
- (4) Where an applicant for category 'X' electrical holds a valid licence which includes both Category 'A' and Category 'C' Licence Without Type Ratings sub divisions, the experience in sub-regulation (3) (b) need not be complied with and the applicant need show only the six months experience relevant to the Licence Without Type Ratings required in sub-regulation 3(c).
- (5) An applicant for a Licence Without Type Ratings in one category holding a valid licence in another category the experience requirement of sub-regulation (3)(a) and (3)(b) may be reduced dependent on the total practical experience accumulated while holding that licence and training attended but in any case shall demonstrate the experience requirements of sub-regulation 3(c). Any of the periods specified above may be concurrent
- (6) Subject to sub-regulation (7) extension of a licence to include a type rating:
- (a) shall not require a period of general experience additional to that required for the relevant Licence Without Type Ratings which shall be held before a type rating is granted; and
 - (b) shall require satisfactory record of experience, gained within the three years before the application, appropriate to the type rating sought;
- (7) An applicant for a type rating from a holder of a Licence Without Type Ratings which was gained following successful completion of an approved initial course shall show confirmed evidence that he has obtained at least twelve months relevant aircraft engineering experience with an organization engaged in the maintenance of operational aircraft in addition to that gained during the course.

Privileges and limitations

142.

- (1) Except as specified in sub-regulations (4) and (5), a holder of an aircraft maintenance engineer licence may perform or supervise the maintenance, preventive maintenance, or modification of, or after inspection, approve for return to service, any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof, for which the holder of an aircraft maintenance engineer licence is rated, provided the holder has:
- (a) satisfactorily performed the work at an earlier date;
 - (b) demonstrated the ability to perform the work to the satisfaction of the Authority;
 - (c) received training acceptable to the Authority on the tasks to be performed; or
 - (d) performed the work while working under the direct supervision of a holder of an aircraft maintenance engineer licence or an aviation repair specialist who is appropriately authorized and has:
 - (i) previous experience in the specific operation concerned; or
 - (ii) received training acceptable to the Authority on the task to be performed.
- (2) Except as specified in sub-regulation (4) and (5), a holder of an aircraft maintenance engineer licence with an airframe rating may, after he has performed the inspection required by the Civil Aviation (Operation of Aircraft) Regulations on an airframe or any related part or appliance, approve and return the airframe or any related part or appliance to service.
- (3) Except as specified in sub-regulations (4) and (5), a holder of an aircraft maintenance engineer licence with an engine rating may perform the inspection required by the Civil Aviation (Operation of Aircraft) Regulations on an engine or propeller or any related part or appliance and approve and return the airframe or any related part or appliance to service.
- (4) Except as specified in sub-regulation (5) a holder of an aircraft maintenance engineer licence with a radio, electrical, instruments and compass rating may inspect, repair, maintain,

function, test and return to service aircraft radio, electrical, instruments and compass systems and components respectively.

- (5) A holder of an aircraft maintenance engineer licence with an airframe, engine or radio, electrical, instruments and compass rating shall not supervise the maintenance, preventive maintenance, or modification of, or approve and return to service, any aircraft, airframe, engine, propeller, appliance, component or part thereof, for which the holder of an aircraft maintenance engineer licence is rated unless the holder has satisfactorily performed the work concerned at an earlier date.

Recency and renewal requirement

- 143.** (1) A holder of an Aircraft Maintenance Engineers Licence shall apply for renewal of licence at least two months before the expiry period in a form and manner prescribed by the Authority.
- (2) The holder must have performed work comparable with that required for the grant of the licence for periods totalling at least six months during the twenty four months preceding the date of the expiry of the licence.
- (3) A person who fails to renew his licence after the expiry period may do so within the next twelve months provided that he proves that he has been continuously engaged in practical work for the entire extended period.
- (4) A person who does not apply for a renewal within the extended period as provided for in sub-regulation (3) or fails to prove that he has continuously been engaged in practical work during that period will be required to sit for an exam before his licence is renewed

Aviation Repair Specialist Authorization

Eligibility requirements

- 144.** An applicant for an aviation repair specialist authorization shall:
- (a) be at least eighteen years of age;
- (b) demonstrate the ability to read, speak, write, and understand the English language in accordance with the language proficiency requirements contained in the First Schedule to these Regulations and interpret technical reports and maintenance publications and carry out technical discussions in the English language;
- (c) be specially qualified to perform maintenance on aircraft or aircraft components appropriate to the job for which the aviation repair specialist was employed;
- (d) be employed for a specific job requiring special qualifications by an approved maintenance organisation certificated under the Civil Aviation (Approved Maintenance Organisation) Regulations;
- (e) be recommended for certification by the aviation repair specialist's employer, to the satisfaction of the Authority, as able to satisfactorily maintain aircraft or components, appropriate to the job for which the aviation repair specialist is employed; and
- (f) either:
- (i) have at least eighteen 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) have completed formal training acceptable to the Authority and specifically designed to qualify the applicant for the job on which the applicant is to be employed.

Privileges and limitations

- 145.** (1) An applicant for aviation repair specialist authorization who is employed by an approved maintenance organization shall be concurrent with the rating issued to the approved maintenance organisation limited to the specific job for which the aviation repair specialist is employed to perform, supervise or approve for return to service.
- (2) An applicant for an aviation repair specialist authorization in respect of airframe, engine, avionics or other systems shall not be issued with that authorization for purposes of circumventing the process of obtaining an aircraft maintenance engineer licence (AMEL).
- (3) An aviation repair specialist may perform or supervise the maintenance, preventive

maintenance or alteration of aircraft, airframes, engines, propellers, appliances, components and parts appropriate to the designated speciality area for which the aviation repair specialist is or authorized and rated, but only in connection with employment by a maintenance organisation approved under the Civil Aviation (Approved Maintenance Organization) Regulations.

- (4) An aviation repair specialist shall not perform or supervise duties unless the aviation repair specialist understands the current instructions of the employing approved maintenance organisation and the instructions for continued airworthiness, which relate to the specific operations concerned.

Display of authorization

146. A person who holds an aviation repair specialist authorization shall keep that authorization within the immediate area where the person normally exercises the privileges of the authorization and shall present it for inspection upon the request of the Authority or any other person authorized by the Authority.

Surrender of authorization

147. A holder of an aviation repair specialist authorization shall surrender the authorization to the Authority when it is suspended, revoked or at the time the holder leaves the employment of the approved maintenance organisation.

Aeronautical Station Operator Licence

Eligibility requirements

148. An applicant for a Aeronautical Station Operator Licence shall be at least eighteen years of age;

Aeronautical knowledge requirements

149. An applicant for a Aeronautical Station Operator Licence shall have demonstrated a level of knowledge appropriate to the privileges granted to the holder of a Aeronautical Station Operator Licence, in at least the following subjects:
- (a) general knowledge: air traffic services provided within Rwanda
 - (b) language: comprehensive knowledge of the English language for use in air-ground communications and ability to speak such language or languages without accent or impediment which would adversely affect radio communication;
 - (c) operational procedures: radiotelephony procedures; phraseology; telecommunication network;
 - (d) rules and regulations: rules and regulations applicable to the aeronautical station operator; and
 - (e) telecommunication equipment: principles, use and limitations of telecommunication equipment in an aeronautical station.

Skill requirements

150. An applicant for a Aeronautical Station Operator Licence shall demonstrate, or have demonstrated, competency in:
- (a) the manipulation and operation of typical transmit / receive equipment and controls, including ancillary facilities, and radio direction finding apparatus in use;
 - (b) the visual inspection and daily operational check of the radio equipment he uses in such detail as is necessary to detect faults which should be revealed in such inspection, and to correct such faults that do not require the use of special tools or instruments;
 - (c) the transmission of radiotelephony messages with efficiency and accuracy, including correct microphone technique, enunciation, and speech quality;
 - (d) the reception of radiotelephony messages with efficiency and accuracy and, where relevant, the ability to copy radio signals and messages directly on to a typewriter, and
- if an extension of privileges to include operation of radiotelegraphy equipment is sought, the applicant shall demonstrate, or have demonstrated competency in:
- (e) the transmission and aural reception of International Morse Code in groups (letters, figures and signs of punctuation) at a speed of not less than 16 groups per minute

and plain language at a speed of not less than 20 words per minute. Code groups shall average five characters, each figure or punctuation mark counting as two characters, and plain language shall average five characters to the word. Each test shall be of not less than five minutes' duration; and

- (f) the manipulation and adjustment of the operating controls of a typical aeronautical station's radiotelegraph apparatus.

- Experience requirements** **151.** Before exercising the privileges of an Aeronautical Station Operator Licence, the licence holder shall have:
- (a) 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
 - (b) satisfactorily served under a qualified aeronautical station operator for not less than six months during the 12 months immediately preceding application.

- Privileges, limitations and renewal requirements** **152.**
- (1) The privileges of the holder of an Aeronautical Station Operator Licence shall be to act as an operator in an aeronautical station provided that he has familiarized himself with all pertinent and current information regarding the types of equipment and operating procedures used at that aeronautical station.
 - (2) Where the knowledge and skill of the applicant has also been established in respect of radiotelegraphy, the Authority shall endorse the licence for the operation of radiotelegraphy equipment.
 - (3) The holder of a licence with the endorsement referred to in sub-regulation (3) may operate radiotelegraphy as well as radiotelephony equipment in an aeronautical station.
 - (4) Aeronautical station operator licences issued by the Authority may be, in principle, revalidated for periods not longer than 24 months; if the licence holder applies for revalidation, the Authority has to be satisfied that the holder has exercised the appropriate privileges of the licence for not less than 6 months and has at least performed 70 hours of service as an aeronautical station operator officer in the last 12 months preceding the expiry date of the licence, as a minimum requirement.

Cabin Crew Member Certificate

- Required certificate, ratings and qualifications** **153..**
- (1) A person shall not act as a cabin crew member unless that person holds:
 - (a) a cabin crew member certificate;
 - (b) a rating for the specific aircraft type or is operating under the supervision of a rated cabin crew for the purpose of qualifying for the rating;
 - (c) the required knowledge for the type of aircraft and operating position;
 - (d) the current Medical Certificate Class 2;
 - (2) A person undergoing training to qualify for a cabin crew member certificate or rating shall not:
 - (a) form a part of the required minimum number of cabin crew member for that aircraft;
 - (b) be assigned to an operating position that requires a cabin crew member.
 - (3) In this regulation, operating position means a duty station assigned to the cabin crew member for execution of emergency duties.

- Eligibility requirements.** **154.** An applicant for cabin crew member certificate shall-
- (a) be at least eighteen years of age;
 - (b) be able to read, speak and understand the English language sufficiently to adequately carry out the responsibilities of a cabin crew member;
 - (c) have completed a course of training approved by the Authority; and
 - (d) have passed a knowledge test.

- Knowledge** **155.** (1) An applicant for a cabin crew member certificate shall have demonstrated a level of

requirements.

knowledge appropriate to the privileges granted to the holder of a cabin crew member certificate, in the following subjects:

- (a) fire and smoke training to include:
 - (i) emphasis on the responsibility of cabin crew to deal promptly with emergencies involving fire and smoke and, in particular, emphasis on the importance of identifying the actual source of the fire;
 - (ii) the importance of informing the flight crew immediately, as well as the specific actions necessary for co-ordination and assistance, when fire or smoke is discovered;
 - (iii) the necessity for frequent checking of potential fire-risk areas including toilets and the associated smoke detectors;
 - (iv) the classification of fires and the appropriate type of extinguishing agents and procedures for particular fire situations, the techniques of application of extinguishing agents, the consequences of misapplication, and of use in a confined space; and
 - (v) the general procedures of ground based emergency services at aerodromes.
- (b) water survival training to include the actual donning and use of personal flotation equipment in water by each cabin crew member; before first operating on an aeroplane fitted with life-rafts or other similar equipment, training must be given on the use of this equipment, as well as actual practice in water;
- (c) survival training appropriate to the areas of operation such as polar, desert, jungle or sea;
- (d) medical aspects and first aid to include –
 - (i) instruction on first aid and the use of first-aid kits;
 - (ii) first aid associated with survival training and appropriate hygiene; and
 - (iii) the physiological effects of flying and with particular emphasis on hypoxia;
- (e) passenger handling to include the following-
 - (i) advice on the recognition and management of passengers who are, or become, intoxicated with alcohol or are under the influence of drugs or are aggressive;
 - (ii) methods used to motivate passengers and the crowd control necessary to expedite an aeroplane evacuation;
 - (iii) regulations covering the safe stowage of cabin baggage including cabin service items and the risk of the baggage becoming a hazard to occupants of the cabin or otherwise obstructing or damaging safety equipment or aeroplane exits;
 - (iv) the importance of correct seat allocation with reference to aeroplane mass and balance with particular emphasis given on the seating of disabled passengers and the necessity of seating able-bodied passengers adjacent to unsupervised exits;
 - (v) duties to be undertaken in the event of encountering turbulence including securing the cabin;
 - (vi) precautions to be taken when live animals are carried in the cabin;
 - (vii) dangerous goods training as prescribed in Civil Aviation (Operation of Aircraft) Regulations and Civil Aviation (Air Operator Certification and Administration) Regulations; and
 - (viii) security procedures, including the provisions of Civil Aviation (Operation of Aircraft) Regulations and Civil Aviation (Air Operator Certification and Administration) Regulations;
- (f) communication - emphasis shall be placed on the importance of effective communication between cabin crew and flight crew including technique, common language and terminology;
- (g) discipline and responsibilities:
 - (i) the importance of cabin crew performing their duties in accordance with the Operations Manual;
 - (ii) continuing competence and fitness to operate as a cabin crew member with

- (iii) special regard to flight and duty time limitations and rest requirements;
 - (iv) an awareness of the aviation regulations relating to cabin crew member and the role of the Authority;
 - (v) general knowledge of relevant aviation terminology, theory of flight, passenger distribution, meteorology and areas of operation;
 - (vi) pre-flight briefing of the cabin crew member and the provision of necessary safety information with regard to their specific duties;
 - (vii) the importance of ensuring that relevant documents and manuals are kept up-to-date with amendments provided by the operator;
 - (viii) the importance of identifying when cabin crew members have the authority and responsibility to initiate an evacuation and other emergency procedures;
 - (ix) the importance of safety duties and responsibilities and the need to respond promptly and effectively to emergency situations; and
- (h) Crew Resource Management (CRM) to include appropriate provisions of the Civil Aviation (Operation of Aircraft) Regulations in relation to cabin crew member.
- (2) The knowledge test results for a cabin crew member certificate shall be valid for twelve months after passing the examination.

Skill requirements

156. An applicant for a cabin crew member certificate shall have demonstrated the ability to perform as cabin crew member of an aircraft in the following procedures:
- (a) to execute those safety duties and functions which the cabin crew member is assigned to perform in the event of an emergency or in a situation requiring emergency evacuation;
 - (b) drilled and capable 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 and first-aid kits;
 - (c) when serving on aeroplanes operated above 10,000 feet, knowledge as regards the effect of lack of oxygen and, in the case of pressurized aeroplanes, as regards physiological phenomena accompanying a loss of pressurisation;
 - (d) aware of other crew members' assignments and functions in the event of an emergency so far as is necessary for the fulfilment of the cabin crew member's own duties;
 - (e) aware of the types of dangerous goods which may, and may not, be carried in a passenger cabin and has completed the dangerous goods training programme required by Civil Aviation (Operation of Aircraft) Regulations;
 - (f) knowledge about human performance as related to passenger cabin safety duties including flight crew-cabin crew co-ordination.

Privileges

157. A holder of a cabin crew member certificate may:
- (a) act as a cabin crew member in aircraft of types specified in the certificate when such aircraft are engaged in commercial transport operations; and
 - (b) be authorized to act as a cabin crew member instructor for issue or renewal of cabin crew certificate and aircraft type ratings.

Renewal requirements

158. A holder of a cabin crew member certificate may apply for renewal if the holder has successfully completed the annual safety and emergency procedure training approved by the Authority every twelve months.

PART X – AVIATION MEDICAL STANDARDS AND CERTIFICATION

General

- Medical Certificates issued by the Authority** **159.** (1) An applicant for a Licence shall, when applicable, hold a Medical Certificate issued in accordance with these Regulations;
- (2) The Authority shall issue classes of Medical Certificate that are intended to indicate the minimum medical standards as follows:
- (a) Class 1 Medical Certificate: applies to applicants for, or holders of:
 - (i) Commercial Pilot Licences: aeroplane, airship, helicopter and powered-lift;
 - (ii) Multi-crew Pilot Licences - aeroplane
 - (iii) Airline transport Pilot Licences: aeroplane, helicopter and powered-lift;
 - (b) Class 2 Medical Certificate: applies to applicants for or holders of:
 - (i) Flight Engineer Licences;
 - (ii) Flight Navigator Licences;
 - (iii) Private Pilot Licences: aeroplane, airship, helicopter, and powered-lifts;
 - (iv) Glider Pilot Licences;
 - (v) Free Balloon Pilot Licences;
 - (vi) Student Pilot Licence: for all aircraft;
 - (c) Class 3, applies to applicants for, or holders of air traffic controller licences.
- Aviation medical examiner, designation and qualifications** **160.** (1) The Authority shall designate a medical doctor who meets the qualifications specified in sub-regulation (2) as an aviation medical examiner to conduct medical examinations for fitness of applicants for the issue or renewal of licences, ratings or certificates specified in these Regulations.
- (2) For a medical doctor to be designated as an aviation medical examiner, he shall:
- (a) be qualified and licenced in the practice of medicine;
 - (b) have obtained aviation medicine training at an institution recognised by the Authority;
 - (c) demonstrate adequate competence in aviation medicine; and
 - (d) have practical knowledge and experience of the conditions in which the holders of licences and ratings carry out their duties.
- (3) A medical examiner shall receive refresher training at regular intervals as prescribed by the Authority.
- (4) A medical examiner shall be submit sufficient medical information to the Authority to enable the Authority to audit his Medical Certificates.
- Delegation of authority** **161.** (1) The Authority may delegate to an aviation medical examiner the authority to:
- (a) accept applications for physical examinations necessary for issue of a Medical Certificate under these Regulations;
 - (b) examine applicants for and holders of Medical Certificates to determine whether the applicants meet applicable medical standards; and
 - (c) recommend issuance, renewal, denial or withdrawal of Medical Certificates to an applicant based on meeting or failing to meet applicable medical standards.
- (2) The Authority shall use the services of medical assessors to evaluate reports submitted to it by medical examiners.
- (3) The Authority shall retain the right to reconsider any action of an aviation medical examiner.
- (4) The medical examiner shall be required to submit sufficient medical information to the Authority to enable the Authority to audit Medical Assessments.

Medical Certification Procedures

- Statement and Medical records** **162.** (1) An applicant for a Medical Certificate shall sign and furnish the medical examiner with a personally certified statement:

- (a) of medical facts concerning personal, familiar and hereditary history that is as complete and accurate as the applicant's knowledge permits; and
 - (b) indicating whether he has previously undergone such an examination and, if so, the date, place and result of the last examination, indicating to the examiner whether a Medical Certificate has previously been refused, revoked or suspended and, if so, the reason for such refusal, revocation or suspension;
- the Authority may prescribe a form and manner to that effect.
- (2) Any false declaration to a medical examiner made by an applicant for a Licence or rating shall be reported to the Authority for such action as may be considered appropriate.
 - (3) Where the aviation medical examiner finds that additional medical information or history is needed, the aviation medical examiner shall request that the applicant to furnish that information, or authorize any clinic, hospital, physician, or other person to release to the aviation medical examiner all available information or records concerning that history.
 - (4) Where an applicant for a Medical Certificate fails within a reasonable period to provide the requested medical information or history, or fails to authorize the release so requested, the Authority may deny the application as well as suspend, modify or revoke all Medical Certificates held by the applicant.
 - (5) Where a Medical Certificate is suspended or modified under sub-regulation (3), the suspension or modification remains in effect until:
 - (a) the holder provides the requested information, history, or authorization to the Authority; and
 - (b) the Authority determines that the holder meets the medical standards.

Aviation medical examiner submission of signed medical evaluation report

- 163.**
- (1) An aviation medical examiner who is authorized to conduct a medical examination under regulation 160 shall:
 - (a) sign the required report and Medical Certificate and submit directly to the Authority the full details in the form and manner that may be prescribed by the Authority, detailing the results of the examination and evaluating the findings with regard to medical fitness;
 - (b) report to the Authority any individual case where in the aviation medical examiner's judgement, an applicant has failed to meet any requirement that is likely to jeopardize flight safety; and
 - (c) having commenced a medical evaluation of an applicant, submit to the Authority the report, whether the evaluation is terminated prior to completion, yielded sub-standard results, or was completed satisfactorily.
 - (2) If the medical report is submitted to the Authority in electronic format, adequate identification of the examiner shall be established.
 - (3) If the medical examination is carried out by two or more medical examiners, the Authority shall appoint one of these to be responsible for coordinating the results of the examination, evaluating the findings with regard to medical fitness, and signing the report.

Issue of Medical Certificate

- 164.**
- (1) An aviation medical examiner shall issue the applicable Medical Certificate to any person who meets the medical standards prescribed in these Regulations, based on medical examination and evaluation of the applicant's history and condition.
 - (2) A person to be issued with a Medical Certificate shall undergo a medical examination based on the physical and mental, visual and colour perception and hearing standards contained in these Regulations.
 - (3) An aviation medical examiner shall use the criteria applicable for Class 1, Class 2 and Class 3 of Medical Certificate detailed in Fourth Schedule of these Regulations - Chapter 6 of Annex 1 – *Personnel Licensing* to the Chicago Convention.,

Denial of Medical Certificate

- 165.**
- (1) An applicant for a Medical Certificate may be denied a certificate if, upon medical examination, the applicant does not meet the physical and mental standards specified in these Regulations.
 - (2) The denial of the Medical Certificate is effective:
 - (a) the date of the medical evaluation that determined the applicant did not meet the

- physical and mental standards specified in these Regulations; and
- (b) until such time that the applicant is again determined by the Authority to be fit to exercise the privileges through:
 - (i) an accredited medical conclusion;
 - (ii) a special flight test; or
 - (iii) with respect to a transient condition, until a subsequent satisfactory report is acceptable to the Authority.
- (2) An applicant who is denied a Medical Certificate by an aviation medical examiner may, within thirty days after the date of the denial, apply in writing to the Authority for reconsideration of the denial.
 - (3) Upon receiving an application for reconsideration, the Authority shall appoint more than one medical examiner to conduct medical examination on the applicant and shall designate one of the medical examiners to be responsible for coordinating the results of the examination, evaluation and findings with regard to medical fitness, and signing the report.
 - (4) Where the applicant does not apply for reconsideration during the thirty day period after the date of the denial, the Authority shall consider that applicant has withdrawn the application for a medical assessment.
- Medical confidentiality** **166.** (1) Medical confidentiality shall be respected at all times and all medical reports and records shall be securely held with accessibility restricted to authorized personnel.
- (2) When justified by operational considerations, a medical assessor shall determine to what extent pertinent medical information, in addition to the information contained in the medical report submitted under regulation 163, is presented to relevant officials of the Authority.
- Issue of Medical Certificate with a limitation** **167.** The Authority may issue or renew a Medical Certificate with a limitation to an applicant who does not meet the applicable standards for a Medical Certificate if the following conditions are fulfilled to the satisfaction of the Authority that:
- (a) 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 jeopardize flight safety;
 - (b) relevant ability, skill, and experience of the applicant and operational conditions have been given due consideration; and
 - (c) 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.
- Duration of Medical Certificate** **168.** Except where otherwise stated in Chapter 6 to Annex 1 – *Personnel Licensing* to the Chicago Convention, Class 1, Classe 2 and Class 3 shall be renewed at intervals no exceeding those specified in regulation 8.
- Renewal of Medical Certificate** **169.** (1) The requirements for the renewal of a Medical Certificate are the same as those for the initial assessment except where otherwise specifically stated.
- (2) When required to obtain or renew correcting lenses, the applicant for medical examination shall advise the aviation medical examiner conducting the medical examination of the new prescription, including revised reading distances:
- (a) for a Class 1 Medical Certificate, for the visual cockpit tasks relevant to the types of aircraft in which the applicant is likely to function;
 - (b) for a Class 2 Medical Certificate, for the visual cockpit and cabin tasks relevant to the types of aircraft in which the applicant is likely to function; and
 - (c) for a Class 3 Medical Certificate, for the air traffic control duties the applicant is to perform.
- Prohibition of Medical certification** **170.** A person shall not hold or be issued with a Medical Certificate if that person suffers from any disease or disability that could render that person likely to become suddenly unable to either perform assigned duties safely or operate an aircraft safely.

- Medical requirements** **171.** A person shall not hold, be issued or renewed a Medical Certificate if that person does not meet the standards and recommended practices detailed in the latest effective edition in force of Chapter 6 to Annex 1 - *Personnel Licensing* to the Chicago Convention, issued by ICAO.
- Issue of Medical Certificate for persons under oral drugs** **172.** A Medical Certificate may be issued to an applicant where oral drugs are administered under conditions permitting appropriate medical supervision and control and which, according to an accredited medical conclusion, are compatible with the safe exercise of the applicant's licence and rating privileges.

PART XI- GENERAL

- Content and Possession of the license** **173.** (1) Personnel licences issued by the Authority in accordance with the relevant provisions of these Regulations shall conform with the specifications contained in the latest effective edition of Chapter 5. – *Specifications for Personnel Licences* to Annex 1 to the Chicago Convention issued by ICAO;
- (2) A holder of a licence, certificate or authorization issued by the Authority shall have in his physical possession or at the work site when exercising the privileges of that licence, certificate or authorization.
- (3) A crew member of a foreign registered aircraft shall hold a valid licence, certificate or authorization, including an appropriate and current Medical Certificate, issued by the State of Registry and have it in his or her physical possession or at the work station when exercising the privileges of that licence, certificate or authorization.
- Use of psychoactive substances** **174.** (1) A holder of a Licence, rating or a certificate issued under these Regulations shall not exercise the privileges of the licence, rating or certificate while under the influence of any psychoactive substance, by reason of which human performance is impaired.
- (2) A person whose function is critical to the safety of aviation shall not undertake that function while under the influence of any psychoactive substance, by reason of which human performance is impaired.
- (3) The person referred to in sub-regulation (1) and (2) shall not engage in any kind of problematic use of psychoactive substances.
- Drug and alcohol testing and reporting** **175.** (1) 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.
- (2) 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:
- (a) 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
- (b) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.
- (3) 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:
- (a) 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
- (b) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.
- (4) 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:

- (a) 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
- (b) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.

PART XII– OFFENCES AND PENALTIES

Offences and penalties

- 176.** (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) A person who contravenes any provision specified as an “A” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) A person who contravenes any provision specified as a “B” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

FIRST SCHEDULE

LANGUAGE PROFICIENCY REQUIREMENTS

- (1) To meet the language proficiency requirements contained in regulation 6, an applicant for a licence or a licence holder shall demonstrate, in a manner acceptable to the Authority, compliance with the holistic descriptors at paragraph (2) and with the Operational Level (Level 4) of the Language Proficiency Rating Scale in paragraph (3).
- (2) Holistic descriptors - proficient speakers shall:
- (a) communicate effectively in voice-only (telephone/radiotelephone) and in face-to-face situations;
 - (b) communicate on common, concrete and work-related topics with accuracy and clarity;
 - (c) 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;
 - (d) 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
 - (e) use a dialect or accent which is intelligible to the aeronautical community.
- (3) Rating scales:
- (a) Operational Level (Level 4):
 - (i) Pronunciation: Pronunciation, stress, rhythm and intonation are influenced by the first language or regional variation but only sometimes interfere with understanding.
 - (ii) Structure: Basic grammatical structures and sentence patterns are used creatively and are usually well controlled. Errors may occur, particularly in unusual or unexpected circumstances, but rarely interfere with meaning.
 - (iii) Vocabulary: Vocabulary range and accuracy are usually sufficient to communicate effectively on common, concrete, and work related topics. Can often paraphrase successfully when lacking vocabulary in unusual or unexpected circumstances.

- (iv) Fluency: Produces stretches of language at an appropriate tempo. There may be occasional loss of fluency on transition from rehearsed or formulaic speech to spontaneous interaction, but this does not prevent effective communication. Can make limited use of discourse markers or connectors. Fillers are not distracting.
 - (v) Comprehension: Comprehension is mostly accurate on common, concrete, and work- related topics when the accent or variety used is sufficiently intelligible for an international community of users. When the speaker is confronted with a linguistic or situational complication or an unexpected turn of events, comprehension may be slower or require clarification strategies.
 - (vi) Interactions: Responses are usually immediate, appropriate and informative. Initiates and maintains exchanges even when dealing with an unexpected turn of events. Deals adequately with apparent misunderstandings by checking, confirming or clarifying.
- (b) Extended Level (Level 5)
- (i) Pronunciation: Pronunciation, stress, rhythm, and intonation, though influenced by the first language or regional variation, rarely interfere with ease of understanding.
 - (ii) Structure: Basic grammatical structures and sentence patterns are consistently well controlled. Complex structures are attempted but with errors which sometimes interfere with meaning.
 - (iii) Vocabulary: Vocabulary range and accuracy are sufficient to communicate effectively on common, concrete, and work related topics. Paraphrases consistently and successfully. Vocabulary is sometimes idiomatic.
 - (iv) Fluency: Able to speak at length with relative ease on familiar topics, but may not vary speech flow as a stylistic device. Can make use of appropriate discourse markers or connectors.
 - (v) Comprehension: Comprehension is accurate on common, concrete, and work related topics and mostly accurate when the speaker is confronted with a linguistic or situational complication or an unexpected turn of events. Is able to comprehend a range of speech varieties (dialect and/or accent) or registers.
 - (vi) Interactions: Responses are immediate, appropriate, and informative. Manages the speaker/listener relationship effectively.
- (c) Expert Level (Level 6)
- (i) Pronunciation: Pronunciation, stress, rhythm, and intonation, thought possibly influenced by the first language or regional variation, almost never interfere with ease of understanding.
 - (ii) Structure: Both basic and complex grammatical structures and sentence patterns are consistently well controlled.
 - (iii) Vocabulary: Vocabulary range and accuracy are sufficient to communicate effectively on a wide variety of familiar and unfamiliar topics. Vocabulary is idiomatic, nuanced, and sensitive to register.
 - (iv) Fluency: Able to speak at length with a natural, effortless flow. Varies speech flow for stylistic effect, e.g. to emphasize a point. Uses appropriate discourse markers and connectors spontaneously.
 - (v) Comprehension: Comprehension is consistently accurate in nearly all contexts and includes comprehension of linguistic and cultural subtleties.
 - (vi) Interactions: Interacts with ease in nearly all situations. Is sensitive to verbal and non-verbal cues, and responds to them appropriately.

SECOND SCHEDULE

OFFENCES AND PENALTIES Regulation 176

REG. NO.	TITLE	part
8	Validity of Licences	A
9	Decrease in medical fitness	A
12	Curtailement of privileges of pilots	A

29(3),(4),(6),(7)	General requirements for pilot licences , ratings and authorizations	A
31(1)	Solo flight requirements	A
32	Privileges and Limitations	B
39(1),	Private Pilot Licence: Privileges and limitations.	B
45	Commercial Pilot Licence: Privileges and limitations	B
51	Multi-crew Pilot Licence: Privileges and limitations	B
57	Air Transport Pilot Licence: Privileges and limitations..	B
63	Glider Pilot Licence: Privileges and limitations	B
68	Free Balloon Pilot Licence: Privileges and limitations	B
71(2)	Type ratings	A
74	Night rating: general eligibility requirements.	A
78(1)	Instrument rating: general eligibility requirements.	A
88	Trainee Records	A
91(2)(3),(4),(5), (6)	Flight instructor: limitations and qualifications.	A
96	Flight engineer: licences and ratings required.	A
104	Flight navigator: licences and ratings required	A
111	Flight radiotelephony operator: licences and ratings required	A
117	Air traffic controller: Required licences and ratings or qualifications.	A
122	Air traffic controller : Privileges and limitations.	A
123	Privileges of air traffic controller ratings.	A
125	Air traffic controller: Maximum working hours.	A
126	Responsibilities over fatigue	A
127(1),(3)	Prohibition of unlicensed air traffic controllers.	A
129 to 131	Ground Instructor Licence: requirements and privileges	A
133 to 137	Flight Operations Officer Licence: requirements and privileges	A
139 to 142	Aircraft Maintenance Engineer Licence: requirements and privileges	A
145	ARS: Privileges and limitations.	A
146	ARS: Display of authorization.	A
147	ARS: Surrender of authorization.	A
148 to 152	ASO: Requirements and privileges	
153	CCMC; Required certificate, ratings and qualifications.	A
154	General eligibility requirements.	A
163	Aviation medical examiner submission of signed medical evaluation report.	A
164	Issue of Medical Certificate.	A
166	Medical confidentiality.	A
170	Prohibition of medical certification.	A
171	Medical requirements.	A
177	Use of psychoactive substances.	B
178(2),(3)	Drug and alcohol testing and reporting.	B

**Seen to be annexed to the Presidential Order n°60/01 Of 20/10/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic

KAGAME Paul

(sé)

The Prime Minister

MAKUZA Bernard

(sé)

The Minister of Infrastructure

BIHIRE Linda

(sé)

The Minister of Finance and Economic Planning

MUSONI James

(sé)

Minister of Defence

General GATSINZI Marcel

(sé)

The Minister of Internal Security

Sheikh HARERIMANA MUSSA Fazil

(sé)

The Minister of Public

Service and Labour

MUREKEZI Anastase

(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General

KARUGARAMA Tharcisse

(sé)

ANNEX VI TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (RULES OF THE AIR AND AIR TRAFFIC CONTROL) REGULATIONS, 2008

ARRANGEMENT OF REGULATIONS

PART I – PRELIMINARY

Regulation

1. Citation.

PART II - GENERAL RULES

Protection of persons and property

2. Compliance with the rules of the air and air traffic control.
3. Negligent or reckless operation of aircraft.
4. Low flying.
5. Formation flights.
6. Unmanned free balloons.
7. Acrobatic flight.
8. Right-hand traffic rule.
9. Prohibited areas and restricted areas
10. Flights over game parks, game reserves and national parks.
11. Cruising levels.
12. Dropping, spraying, towing and parachute descents.
13. Proximity to other aircraft.
14. Right-of-way rules: air operations.
15. Right of way rules: ground operations.
16. Right-of-way rules: water operations.
17. Lights to be displayed by aircraft.
18. Failure of lights by night
19. Conditions for lights to be displayed by an aircraft.
20. Balloons, kites, airships, gliders and parascending parachutes.
21. Captive balloons and kites.
22. Airships.
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Penalties

THE CIVIL AVIATION (RULES OF THE AIR AND AIR TRAFFIC CONTROL) REGULATIONS, 2008

PART I – PRELIMINARY

- Citation** 1. These Regulations may be cited as the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, 2008.

PART II - GENERAL RULES

- Compliance with the rules of the air and air traffic control** 2. (1) Every person and every aircraft including State Aircraft shall comply with these Regulations.
(2) 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
(3) Subject to the provisions of sub-regulation (4), it shall be an offence to contravene, to permit the contravention of, or to fail to comply with, these Regulations.
(4) 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:
(a) to avoid immediate danger or in an emergency situation;
(b) to comply with the law of any State other than Rwanda within which the aircraft then is;
(5) 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.

- (6) 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.
- (7) 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.
- (8) 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.

Protection of persons and property

Negligent or reckless operation of aircraft

- 3. A person shall not operate an aircraft willfully, negligently or recklessly in a manner so as to endanger life or property of others.

Low flying

- 4. (1) Subject to the provisions of sub-regulations (2) and (3):
 - (a) 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;
 - (b) 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;
 - (c) 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;
 - (d) 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

- (e) an aircraft shall not fly less than 150 m (500 ft) above ground or water.
- (2) (a) The provisions of sub-regulations 1(d) and (e) shall not apply to an aircraft which is being used for police purposes;
- (b) the provisions of sub-regulation 1(e) 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;
- (c) the provisions of sub-regulations 1(d) and (e) 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;
- (d) the provisions of sub-regulation 1(a) 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.
- (3) Nothing in this regulation shall prohibit any aircraft from:
 - (a) taking off, landing or practising approaches to landing; or
 - (b) 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
 - (c) flying in such a manner as may be necessary for the purpose of saving life: provided that in the case of practising approaches to landing, such practising is confined to the airspace customarily used by aircraft when landing or taking off in accordance with normal aviation practice at the aerodrome concerned.
- (4) The provisions of this regulation shall not apply to any captive balloon or kite.

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| Formation flights | 5. | 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: <ul style="list-style-type: none"> (a) the formation operates as a single aircraft with regard to navigation and position reporting; (b) 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 (c) 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. |
| Unmanned free balloons | 6. | 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 4 to the latest effective edition of Annex 2 – <i>Rules of the Air</i> to the Chicago Convention. |
| Acrobatic flight | 7. | 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. |
| Right-hand traffic rule | 8. | 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. |
| Prohibited and restricted areas | 9. | 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.

Flights over game parks, game reserves and national parks

10. 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.

Cruising levels

- 11.**
- (1) Cruising levels at which a flight or a portion of a flight is to be conducted shall be in terms of:
 - (a) flight levels, for flights at or above the lowest usable flight level or, where applicable, above the transition altitude;
 - (b) altitudes, for flights below the lowest usable flight level or, where applicable, at or below the transition altitude.
 - (2) Subject to sub-regulation (5), 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 75.
 - (3) Subject to sub-regulation (5), 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 Table 1.
 - (4) 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 Table 1.
 - (5) 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.
 - (6) 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.

TABLE 1 –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.

Dropping, spraying, towing and parachute descents

12. A person shall not:
- (a) drop any article, substance or spray any substance from an aircraft in flight;
 - (b) tow an aircraft or other object; or
 - (c) 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.

Proximity to other aircraft

13. A person shall not operate an aircraft in such proximity to other aircraft as to create a collision hazard.

Right-of-way rules: air operations

14. (1) 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.
- (2) 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.

- (3) An aircraft in distress has the right-of-way over all other air traffic.
- (4) 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:
 - (a) power-driven heavier-than-air aircraft shall give way to airships, gliders and balloons;
 - (b) airships shall give way to gliders and balloons;
 - (c) gliders shall give way to balloons;
 - (d) power-driven aircraft shall give way to aircraft which are seen to be towing other aircraft or objects.
- (5) An aircraft towing or refueling other aircraft has the right-of-way over all other engine-driven aircraft, except aircraft in distress.
- (6) Where two aircraft are approaching head-on or nearly so, and there is danger of collision, each pilot shall alter course to the right.
- (7) 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.
- (8) In sub-regulations 14(7) and 15(5), “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.
- (9) 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.
- (10) 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:
 - (a) 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
 - (b) 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.

Right of way rules: ground operations

- 15. (1) This regulation shall apply to aircraft and vehicles on the movement area of a land aerodrome.
- (2) 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.
- (3) Emergency vehicles proceeding to the assistance of aircraft in distress shall be afforded priority over all other surface movement traffic.
- (4) (a) Aircraft and vehicles shall give way to aircraft which are taking off or about to take off or landing or about to land;
- (b) aircraft taxiing on the manoeuvring area shall stop and hold at all runway-holding positions unless otherwise authorized by the aerodrome control tower;
- (c) 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) vehicles towing aircraft shall give way to aircraft which are landing, taking off or taxiing;
- (e) vehicles which are not towing aircraft shall give way to aircraft; and
- (f) vehicles shall give way to other vehicles towing aircraft.
- (5) Subject to the provisions of sub-regulation (4) and of regulation 19(4), in case of danger of

collision between two aircraft taxiing on the movement area:

- (a) 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;
 - (b) 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;
 - (c) 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.
- (6) Subject to the provisions of sub-regulation (4)(d) a vehicle shall:
- (a) overtake another vehicle so that the other vehicle is on the left of the overtaking vehicle;
 - (b) keep to the left when passing another vehicle which is approaching head-on or approximately so.

Right-of-way rules: water operations

16. (1) 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.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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.

Lights to be displayed by aircraft

17. An aircraft shall be equipped with lights which meet the following requirements:
- (a) for aeroplanes, the characteristics detailed in section F.4 - *Navigation lights and Anti-collision Lights* of Sub-Part F of the latest effective edition of Annex 8 – *Airworthiness of Aircraft* to the Chicago Convention;
 - (b) for aeroplanes, the specifications detailed in Appendix I of Part I and Part II to the latest effective edition of Annex 6 – *Operation of Aircraft* to the Chicago Convention and Volume II, Part A, Chapter 4 of the latest effective edition of the *Airworthiness Manual* (Document 9760) issued by the International Civil Aviation Organization; and
 - (c) for helicopters, the specifications detailed in Part A, Chapter 5, of of the latest effective edition of the *Airworthiness Manual* (Document 9760) issued by the International Civil Aviation Organization.

Failure of lights by night

18. 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.

Conditions for lights to be displayed by an aircraft.

19. (1) Except as provided by sub-regulation (5), 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:
- (a) anti-collision lights intended to attract attention to the aircraft; and
 - (b) 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) Except as provided by sub-regulation (5), from sunset to sunrise or during any other period prescribed by the appropriate authority:

- (a) 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;
 - (b) 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;
 - (c) all aircraft operating on the movement area of an aerodrome shall display lights intended to attract attention to the aircraft; and
 - (d) all aircraft on the movement area of an aerodrome whose engines are running shall display lights which indicate that fact.
- (3) Except as provided by sub-regulation (5), all aircraft in flight and fitted with anti-collision lights to meet the requirement of sub-regulation(1)(a) shall display such lights also outside the period specified in sub-regulation (1)
- (4) Except as provided by sub-regulation (5), all aircraft:
- (a) operating on the movement area of an aerodrome and fitted with anti-collision lights to meet the requirement of sub-regulation (2)(c); or
 - (b) on the movement area of an aerodrome and fitted with lights to meet the requirement of sub-regulation (2)(d);
- shall display such lights also outside the period specified in sub-regulation (2).
- (5) 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 (1), (2), (3) and (4) if they do or are likely to:
- (a) adversely affect the satisfactory performance of duties; or
 - (b) subject an outside observer to harmful dazzle.
- (6) 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.

Balloons, kites, airships, gliders and parascending parachutes

20. (1) A person shall not, within Rwanda:
- (a) fly a captive balloon or kite at a height of more than 60 m (200 ft) above the ground level or within 60 m (200 ft) of any vessel, vehicle or structure;
 - (b) fly a captive balloon within 3 nautical miles of an aerodrome;
 - (c) 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;
 - (d) fly a kite within 3 nautical miles of an aerodrome;
 - (e) moor an airship;
 - (f) fly a free balloon at night; or
 - (g) 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.
- (2) 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.

Captive balloons and kites

21. (1) 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:
- (a) 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;
 - (b) 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;

- (c) 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.
- (2) 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.
- (3) A kite flown in the circumstances referred to in sub-regulation (2) shall have attached to its mooring cable either-
 - (a) tubular streamers as specified in sub-regulation (2); or
 - (b) 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 inches) wide.

Airships

- 22. (1) Except as provided in sub-regulation (2), an airship while flying at night shall display the following steady lights-
 - (a) a white light of at least five candelas showing through angles of 110 degrees from dead ahead to each side in the horizontal plane;
 - (b) 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;
 - (c) 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
 - (d) 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.
- (2) 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:
 - (a) the white lights referred to in sub-regulations (1)(a) and (1)(d) of sub-regulation (1);
 - (b) 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
 - (c) if an airship is making way but not otherwise, the green and red lights referred to in sub-regulations (1)(b) and (1)(c):
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 (1).
- (3) An airship, while moored within Rwanda by night, shall display the following lights:
 - (a) when moored to a mooring mast, at or near the rear, a white light of at least five candelas showing in all directions; and
 - (b) a white light of at least five candelas showing through angles of 70 degrees from dead astern to each side in the horizontal plane.
- (4) 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.
- (5) For the purpose of this regulation:
 - (a) 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;

- (b) an airship shall be deemed to be making way when it is not moored and is in motion relative to the air.

- Anti Collision Light** 23.
- (1) When operating by day, an aircraft fitted with an anti-collision light shall display such light in flight.
 - (2) An aircraft shall display, when stationary on the apron by day or night with engines running, a red anti-collision light when fitted.
 - (3) When operating by night all aircraft shall display anti-collision lights, intended to attract attention to the aircraft.
 - (4) 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.
 - (5) 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.

- Simulated instrument flight conditions** 24.
- (1) A person shall not operate an aircraft in simulated instrument flight conditions unless:
 - (a) that aircraft has fully functioning dual controls;
 - (b) a qualified pilot occupies a control seat to act as safety pilot for the person who is flying under simulated instrument conditions;
 - (c) 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.
 - (2) A person shall not engage in simulated instrument flight conditions during commercial air transport operations.

- Practice instrument approaches** 25.
- Within Rwanda, an aircraft shall not carry out instrument approach practices when flying in visual meteorological conditions (VMC) unless:
- (a) the appropriate air traffic control unit has previously been informed that the flight is to be made for the purpose of instrument approach practice; and
 - (b) 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.

- Aerodromes not having air traffic control units** 26.
- (1) 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.
 - (2) The pilot-in-command flying in the zone referred to in sub-regulations 26(1) or 27(1) or moving on such an aerodrome shall:
 - (a) observe other aerodrome traffic for the purpose of avoiding collision;
 - (b) conform with or avoid the pattern of traffic formed by other aircraft in operation;
 - (c) make all turns to the left, when approaching for a landing and after taking off, unless otherwise instructed; and
 - (d) take off and land into the wind, unless safety, the runway configuration, or air traffic considerations determine that a different direction is preferable..
 - (3) A person shall not land an aircraft on a runway at such an aerodrome unless the runway is clear of other aircraft.
 - (4) Where takeoffs and landings are not confined to a runway:
 - (a) 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
- (b) an aircraft about to take off shall take up position and manoeuvre in such a way as to leave clear on its left any aircraft which is already taking off or is about to take off.
- (5) An aircraft after landing shall move clear of the landing area in use as soon as it is possible to do so.

Aerodromes having Air Traffic Control Units

27. (1) 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.
- (2) The pilot-in-command flying in the aerodrome traffic zone of an aerodrome having an air traffic control unit or moving on the manoeuvring area of such an aerodrome shall, in addition to the requirements of sub-regulation 26(2):
- (a) 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
- (b) not taxi, take off or land except with the permission of the air traffic control unit.

Operations on or in the vicinity of a controlled aerodrome.

28. (1) 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.
- (2) When arriving at an aerodrome, a pilot-in-command shall establish communications required by sub-regulation (1) on prior to four nautical miles from the aerodrome when operating from the surface up to and including 76,5 m (2,500 ft).
- (3) When departing from an aerodrome, a pilot-in-command shall establish communications with the control tower prior to taxi.
- (4) 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.
- (5) A clearance to taxi to –
- (a) 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;
- (b) any other point on the aerodrome is a clearance to cross all runways that intersect the taxi route to the assigned point.
- (6) If the radio fails or two-way communication is lost, a pilot-in-command may continue a VFR flight operation and land if:
- (a) the weather conditions are at or above basic VFR minimums; and
- (b) clearance to land is received by light signals.
- (7) During IFR operations, the two-way communications failure procedures prescribed in regulation 57 shall apply.

Access to and Movement in the Manoeuvring Area

29. (1) 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.
- (2) 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.
- (3) 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.

Flight plans

- Pre-flight action** **30.** (1) A pilot-in-command shall, before commencing a flight, be familiar with all available information appropriate to the intended operation.
- (2) 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:
- (a) a careful study of available current weather reports and forecasts taking into consideration fuel requirements; and
- (b) an alternative course of action if the flight cannot be completed as planned.
- (3) 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 kilometres 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 that aerodrome permission to enter the aerodrome traffic zone.
- Flight plan** **31.** Except as authorized by the Authority a person shall not commence a flight if he has not filed a flight plan.
- Submission of a flight plan.** **32.** (1) 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.
- (2) A pilot-in-command shall, prior to operating one of the following, file a flight plan for:
- (a) any flight, or portion thereof, to be provided with air traffic control service;
- (b) any instrument flight rules (IFR) flight within advisory airspace;
- (c) 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;
- (d) 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;
- (e) any flight across international borders; and
- (f) any flight departing from an aerodrome manned by the Authority.
- (3) 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.
- (4) 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:
- (a) 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
- (b) 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.
- (5) 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.
- (6) 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.

- (7) 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.
- (8) 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.

Contents of a flight plan

- 33. (1) A person filing an instrument flight rules (IFR) or visual flight rules (VFR) flight plan shall include in it the following information:
 - (a) aircraft identification;
 - (b) flight rules and type of flight;
 - (c) number and type(s) of aircraft and wake turbulence category;
 - (d) equipment;
 - (e) departure aerodrome
 - (f) estimated off-block time;
 - (g) cruising speed(s);
 - (h) cruising level(s);
 - (i) route to be followed;
 - (j) destination aerodrome and total estimated elapsed time;
 - (k) alternate aerodrome(s);
 - (l) fuel endurance;
 - (m) total number of persons on board;
 - (n) emergency and survival equipment; and
 - (o) other information referred to in sub-regulation (2)..
- (2) A flight plan, for whatever purpose it is submitted, shall contain information, as applicable:
 - (a) 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
 - (b) 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.

Changes to a flight plan

- 34. (1) Subject to regulation 49, 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.
- (2) Subject to regulation 49, 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.
- (3) 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.

Closing a flight plan

- 35. (1) 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.
- (2) 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.
- (3) 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.

- (4) 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.
- (5) The transmission referred to in sub-regulation (4) 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.
- (6) A pilot-in-command shall include the following elements of information in his arrival reports:
 - (a) aircraft identification;
 - (b) departure aerodrome;
 - (c) destination aerodrome, only in the case of a diversionary landing;
 - (d) arrival aerodrome; and
 - (e) time of arrival.
- (7) 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 or more.

Signals

- | | | |
|-----------------------------------|------------|--|
| Universal aviation signals | 36. | <ol style="list-style-type: none">(1) Where a signal is given or displayed, or whenever any marking specified in regulations 41 up to and including 43 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.(2) Upon observing or receiving any of the signals specified in sub-regulation (1), a pilot-in-command shall take such action as may be required by the interpretation of the signal specified in these Regulations.(3) 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.(4) 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.(5) 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.(6) Daylight-fluorescent wands, table-tennis bats or gloves shall be used for all signalling by all participating ground staff during daylight hours, while illuminated wands shall be used at night or in low visibility.(7) 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. |
| Distress signals | 37. | <p>The following signals, used either together or separately, mean that grave and imminent danger threatens, and immediate assistance is requested:</p> <ol style="list-style-type: none">(a) a signal made by radiotelegraphy or by any other signalling method consisting of the group SOS (••• — — — ••• in the Morse Code);(b) a radiotelephony distress signal consisting of the spoken word MAYDAY;(c) a distress message sent via data link which transmits the intent of the word MAYDAY;(d) rockets or shells throwing red lights, fired one at a time at short intervals;(e) a parachute flare showing a red light. |
| Urgency | 38. | <ol style="list-style-type: none">(1) The following signals, used either together or separately, mean that an aircraft wishes to |

signals

give notice of difficulties which compel it to land without requiring immediate assistance:

- (a) the repeated switching on and off of the landing lights; or
 - (b) the repeated switching on and off of the navigation lights in such manner as to be distinct from flashing navigation lights.
- (2) 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:
- (a) a signal made by radiotelegraphy or by any other signalling method consisting of the group XXX;
 - (b) a signal sent by radiotelephony consisting of the spoken words PAN, PAN;
 - (c) an urgency message sent via data link which transmits the intent of the words PAN, PAN.

Aircraft interception and interception signals

- 39.**
- (1) When intercepted by a military or government aircraft, the pilot-in-command shall comply with, by interpreting and responding to visual signals as shown in Table 2.
 - (2) The intercepting aircraft shall interpret visual signals from an intercepted aircraft as shown in Table 3.

Table 2 - SIGNALS INITIATED BY INTERCEPTING AIRCRAFT AND RESPONSES BY INTERCEPTED AIRCRAFT

Series	INTERCEPTING Aircraft Signals	Meaning	INTERCEPTED Aircraft Responds	Meaning
1	<p>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.</p> <p>Note 1. — Meteorological conditions or terrain may require the intercepting aircraft to reverse the positions and direction of turn given above in Series 1.</p> <p>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.</p>	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 manoeuvre 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.

Table 3 - SIGNALS INITIATED BY INTERCEPTED AIRCRAFT AND RESPONSES BY INTERCEPTING AIRCRAFT				
Series	INTERCEPTED Aircraft Signals	Meaning	INTERCEPTING Aircraft Responds	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 the Series 1 signals prescribed for intercepting aircraft. If it is decided to release the intercepted 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.

Visual signals to warn an unauthorized aircraft entering notified airspaces

40. 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.

Signals for

41. (1) Aerodrome controllers shall use and pilots shall obey the following lights and pyrotechnic

aerodrome traffic.

- signals shown in Table 4 herebelow and illustrated in Figure 10.
- (2) Pilots shall acknowledge aerodrome controller signals as follows:
 - (a) 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.
 - (b) 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.
 - (3) Aerodrome authorities shall use the visual ground signals as shown in figures 11 to 20 during the situations indicated therein.

TABLE 4 - 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 Steady red`	<ul style="list-style-type: none"> • Cleared to land • Give way to other aircraft and continue circling 	Cleared for take-off Stop
	Series of green flashes Series of red flashes Series of white flashes	<ul style="list-style-type: none"> • Return for landing* • Aerodrome unsafe, do not land 	Cleared to taxi Taxi clear of landing area in use Return to starting point on the aerodrome
Red pyrotechnic		Notwithstanding any previous instructions, do not land for the time being	
* Clearances to land and to taxi will be given in due course.			

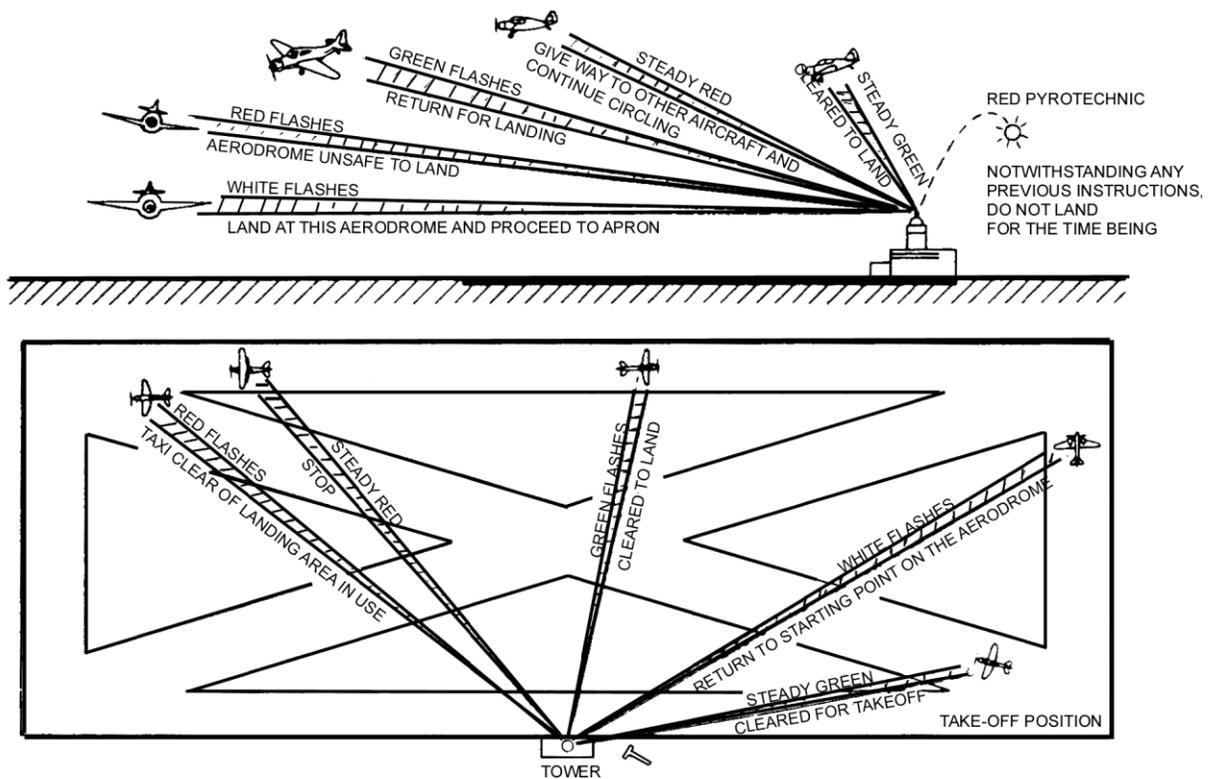


Figure 10: Light and Pyrotechnic Signals from Aerodrome Control

- (a) 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;

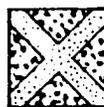


Figure 11

- (b) 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

- (c) use of runways and taxiways:

- (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;

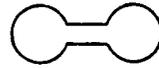


Figure 13

- (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;

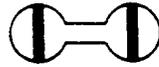


Figure 14

- (d) 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

- (e) 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 night, the landing T is either illuminated or outlined in white coloured lights.

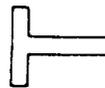


Figure 16

- (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

- (f) 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;

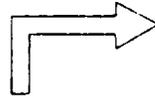


Figure 18

- (g) 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;

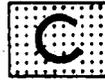


Figure 19

- (h) 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;

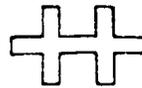


Figure 20

- (i) 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;

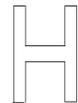
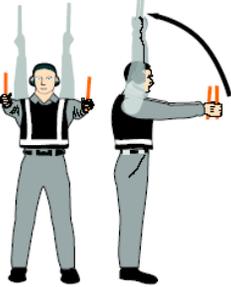
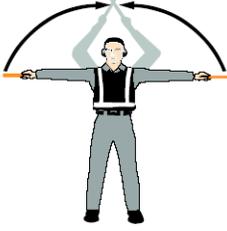


Figure 21

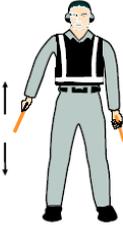
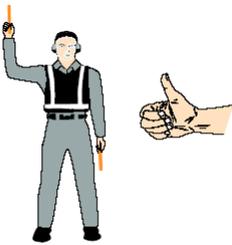
**Marshalling
signals:
signalman to a
pilot**

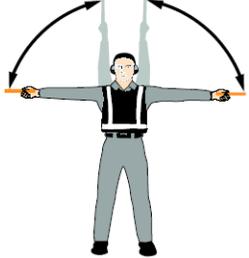
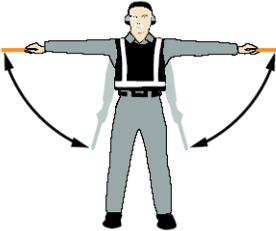
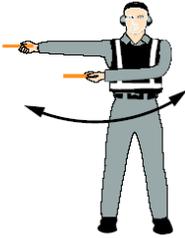
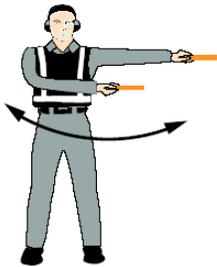
- 42.**
- (1) The marshalling signals shown in figures 22 to 56 below shall be used from a signalman to a pilot of an aircraft.
 - (2) The signals are designed for use by the signalman, with hands illuminated as necessary to facilitate observation by the pilot, and facing the aircraft in a position:
 - (a) for fixed-wing aircraft, the signalman shall be positioned forward of the left-wing tip within view of the pilot and,
 - (b) for helicopters, where the signalman can best be seen by the pilot.
 - (3) The meaning of the relevant signals remains the same if bats, illuminated wands or torchlights are held.
 - (4) The aircraft engines are numbered, for the signalman facing the aircraft, from right to left (i.e.No. 1 engine being the port outer engine).
 - (5) Signals marked with an asterisk are designed for use to hovering helicopters.
 - (6) 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.

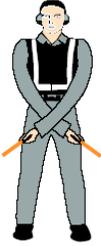
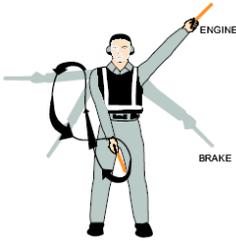
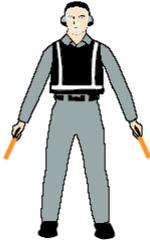
 <p>Figure 22</p>	<p>1. Wingwalker/guide</p> <p>Raise right hand above head level with wand pointing up; move left-hand wand pointing down toward body.</p> <p><i>Note.— This signal provides an indication by a person positioned at the aircraft wing tip, to the pilot/ marshaller/ push-back operator, that the aircraft movement on/off a parking position would be unobstructed.</i></p>
 <p>Figure 23</p>	<p>2. Identify gate</p> <p>Raise fully extended arms straight above head with wands pointing up.</p>
 <p>Figure 24</p>	<p>3. Proceed to next signalman or as directed by tower/ground control</p> <p>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.</p>
 <p>Figure 25</p>	<p>4. Straight ahead</p> <p>Bend extended arms at elbows and move wands up and down from chest height to head.</p>
 <p>Figure 26</p>	<p>5 a). Turn left (from pilot's point of view)</p> <p>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.</p>

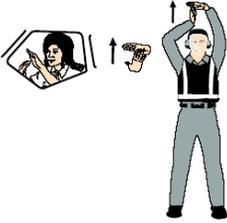
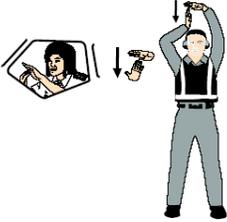
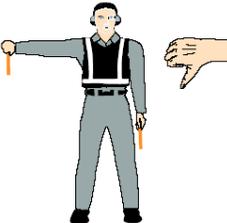
 <p>Figure 27</p>	<p>5 b). Turn right (from pilot's point of view)</p> <p>With left arm and wand extended at a 90-degree angle to body, make "come ahead" signal with right hand. The rate of signal motion indicates to pilot the rate of aircraft turn.</p>
 <p>Figure 28</p>	<p>6 a). Normal stop</p> <p>Fully extend arms and wands at a 90-degree angle to sides and slowly move to above head until wands cross.</p>
 <p>Figure 29</p>	<p>6 b). Emergency stop</p> <p>Abruptly extend arms and wands to top of head, crossing wands.</p>
 <p>Figure 30</p>	<p>7 a). Set brakes</p> <p>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.</p>
 <p>Figure 31</p>	<p>7 b). Release brakes</p> <p>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.</p>

 <p>Figure 32</p>	<p>8 a). Chocks inserted</p> <p>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.</p>
 <p>Figure 33</p>	<p>8 b). Chocks removed</p> <p>With arms and wands fully extended above head, move wands outward in a “jabbing” motion. Do not remove chocks until authorized by flight crew.</p>
 <p>Figure 34</p>	<p>9. Start engine(s)</p> <p>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.</p>
 <p>Figure 35</p>	<p>10. Cut engines</p> <p>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.</p>
 <p>Figure 36</p>	<p>11. Slow down</p> <p>Move extended arms downwards in a “patting” gesture, moving wands up and down from waist to knees.</p>

 <p>Figure 37</p>	<p>12. Slow down engine(s) on indicated side</p> <p>With arms down and wands toward ground, wave either <i>right</i> or <i>left</i> wand up and down indicating engine(s) on <i>left</i> or <i>right</i> side respectively should be slowed down.</p>
 <p>Figure 38</p>	<p>13. Move back</p> <p>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).</p>
 <p>Figure 39</p>	<p>14 a). Turns while backing (for tail to starboard)</p> <p>Point left arm with wand down and bring right arm from overhead vertical position to horizontal forward position, repeating right-arm movement.</p>
 <p>Figure 40</p>	<p>14 b). Turns while backing (for tail to port)</p> <p>Point right arm with wand down and bring left arm from overhead vertical position to horizontal forward position, repeating left-arm movement.</p>
 <p>Figure 41</p>	<p>15. Affirmative/all clear</p> <p>Raise right arm to head level with wand pointing up or display hand with “thumbs up”; left arm remains at side by knee.</p> <p><i>Note.— This signal is also used as a technical/servicing communication signal.</i></p>

 <p>Figure 42</p>	<p>*16. Hover</p> <p>Fully extend arms and wands at a 90-degree angle to sides.</p>
 <p>Figure 43</p>	<p>*17. Move upwards</p> <p>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.</p>
 <p>Figure 44</p>	<p>*18. Move downwards</p> <p>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.</p>
 <p>Figure 45</p>	<p>*19 a). Move horizontally left (from pilot's point of view)</p> <p>Extend arm horizontally at a 90-degree angle to right side of body. Move other arm in same direction in a sweeping motion.</p>
 <p>Figure 46</p>	<p>*19 b). Move horizontally right (from pilot's point of view)</p> <p>Extend arm horizontally at a 90-degree angle to left side of body. Move other arm in same direction in a sweeping motion.</p>

 <p>Figure 47</p>	<p>*20. Land</p> <p>Cross arms with wands downwards and in front of body.</p>
 <p>Figure 48</p>	<p>21. Fire</p> <p>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.</p>
 <p>Figure 49</p>	<p>22. Hold position/stand by</p> <p>Fully extend arms and wands downwards at a 45-degree angle to sides. Hold position until aircraft is clear for next manoeuvre.</p>
 <p>Figure 50</p>	<p>23. Dispatch aircraft</p> <p>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.</p>
 <p>Figure 51</p>	<p>24. Do not touch controls (technical/servicing communication signal)</p> <p>Extend right arm fully above head and close fist or hold wand in horizontal position; left arm remains at side by knee.</p>

 <p>Figure 52</p>	<p>25. Connect ground power (technical/servicing communication signal)</p> <p>Hold arms fully extended above head; open left hand horizontally and move finger tips of right hand into and touch open palm of left hand (forming a “T”). At night, illuminated wands can also be used to form the “T” above head.</p>
 <p>Figure 53</p>	<p>26. Disconnect power (technical/servicing communication signal)</p> <p>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.</p>
 <p>Figure 54</p>	<p>27. Negative (technical/servicing communication signal)</p> <p>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.</p>
 <p>Figure 55</p>	<p>28. Establish communication via interphone (technical/servicing communication signal)</p> <p>Extend both arms at 90 degrees from body and move hands to cup both ears.</p>
 <p>Figure 56</p>	<p>29. Open/close stairs (technical/servicing communication signal)</p> <p>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.</p> <p><i>Note.— This signal is intended mainly for aircraft with the set of integral stairs at the front.</i></p>

Marshalling signals: pilot to a signalman

43. A pilot shall use the signals shown in Table 5 when communicating with a signalman on the ground:

TABLE 5 – 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.

Time

- Time** **44.**
- (1) A pilot-in-command flying an aircraft shall use Co-ordinated Universal Time which shall be expressed in hours and minutes and, when required, seconds of the twenty four hour day beginning at midnight.
 - (2) 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.
 - (3) Wherever time is utilized in the application of data link communications, it shall be accurate to within one second of Co-ordinated Universal Time.

Air traffic control service

- Air Traffic Control clearances** **45.**
- (1) 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.
 - (2) A pilot-in-command shall request air traffic control clearance referred to in sub-regulation (1) through the submission of a flight plan to an air traffic control unit.
 - (3) 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.
 - (4) 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.
 - (5) 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:

- (a) is able to fly in uninterrupted visual meteorological conditions (VMC) for so long as he remains in controlled airspace; and
- (b) 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.

Potential re-clearance in flight

- 46.** 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.

Adherence to air traffic control clearances

- 47.**
- (1) A pilot-in-command shall, except as provided for in regulations 45 and 49, adhere to the current flight plan or the applicable portion of a current flight plan submitted for a controlled flight 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 pilot-in-command, 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.
 - (2) Sub-regulation (1) does not prohibit a pilot-in-command from cancelling an instrument flight rules (IFR) clearance when operating in visual meteorological conditions (VMC) or cancelling a controlled flight clearance when operating in airspace that does not require controlled flight.
 - (3) When operating in airspace requiring controlled flight, a pilot-in-command shall not operate contrary to air traffic control instructions, except in an emergency.
 - (4) A pilot-in-command who deviates from an air traffic control clearance or instructions in an emergency shall notify air traffic control of that deviation as soon as possible.

Route to be flown

- 48.**
- (1) 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:
 - (a) when on an established air traffic services (ATS) route, operate along the defined centre line of that route; or
 - (b) when on any other route, operate directly between the navigation facilities and/or points defining that route.
 - (2) A pilot-in-command shall notify the appropriate air traffic control unit of any deviation from the requirements in sub-regulation (1).
 - (3) 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.

Air traffic control clearance: inadvertent changes

- 49.** (1) A pilot-in-command of an aircraft shall take the following action in the event that a controlled flight inadvertently deviates from its current flight plan:
- (a) if the aircraft is off track, the pilot-in-command shall forthwith take action to adjust the heading of the aircraft to regain track as soon as practicable.
 - (b) the pilot-in-command shall inform the appropriate air traffic control unit if the average true airspeed at cruising level between reporting points varies from that given in the flight plan or is expected to vary by plus or minus five per cent of the true airspeed; and
 - (c) the pilot-in-command shall notify the appropriate air traffic control unit and give a revised estimated time given as soon as possible if the time estimate for the next applicable reporting point, flight information region boundary, or destination aerodrome, whichever comes first, is found to be in error in excess of three minutes from that notified to air traffic services, or such other period of time as is prescribed by the appropriate ATS authority or on the basis of air navigation regional agreements.
- (2) In addition to sub-regulation (1), when an automatic dependent surveillance agreement is in place, air traffic services unit shall be informed automatically via data link whenever changes occur beyond the threshold values stipulated by the automatic dependent surveillance event contract.

Air traffic control clearance: intended changes

- 50.** A pilot-in-command requesting for air traffic control clearance changes shall include the following information in the request:
- (a) for change of cruising level:
 - (i) aircraft identification;
 - (ii) requested new cruising level and cruising speed at this level; and
 - (iii) revised time estimates, when applicable, at subsequent flight information region boundaries;
 - (b) for change of route:
 - (i) destination unchanged-
 - (aa) aircraft identification;
 - (bb) flight rules;
 - (cc) description of new route of flight including related flight plan data beginning with the position from which requested change of route is to commence;
 - (dd) revised time estimates; and
 - (ee) any other pertinent information;
 - (ii) destination changed-
 - (aa) aircraft identification;
 - (bb) flight rules;
 - (cc) 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;
 - (dd) revised time estimate;
 - (ee) alternate aerodrome(s); and
 - (ff) any other pertinent information.

- Position reports** **51.** (1) Unless exempted by the appropriate air traffic services authority, or by the 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:

- (a) 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;
 - (b) any unforecasted weather conditions encountered; and
 - (c) any other information relating to the safety of flight, such as hazardous weather or abnormal radio station indications.
- (2) A pilot of a controlled flight shall make position reports in relation to additional points when requested by the appropriate air traffic control unit.
 - (3) 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.
 - (4) 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.
 - (5) 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.

Air traffic control clearances for VFR flights

- 52.** A pilot of a visual flight rules (VFR) flight shall comply with the provisions of regulations 45, 46, 47, 48, 49, 50, 51 54, 56 and 57 when:
- (a) operated within Classes C and D airspace, and, when used in a Flight Information Region, Class B;
 - (b) forming part of aerodrome traffic at controlled aerodromes; or
 - (c) operated as special VFR.

VFR flight within designated areas

- 53.** A pilot-in-command operating a VFR flight within or into areas, or along routes, designated by the Authority in accordance with sub-regulation 32 (2)(c) or (d) 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.

Weather deterioration below VMC

- 54.** 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:
- (a) 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;
 - (b) 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;
 - (c) if operating within a control zone, request authorization to operate as a special VFR; or
 - (d) request clearance to operate in instrument flight rules (IFR), if currently rated for IFR operations.

- 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;
- (b) 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;
 - (c) 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;
 - (d) 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 (e) below, hold over this aid or fix until commencement of descent;
 - (e) commence descent from the navigation aid or fix specified in (d) 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;
 - (f) complete a normal instrument approach procedure as specified for the designated navigation aid or fix; and
 - (g) 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 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.

Communication failure: ground-

- 58.** (1) 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-air

- to be listening, the station shall:
- (a) request other aeronautical stations to render assistance by calling the pilot-in-command and relaying traffic information, if necessary;
 - (b) request pilots-in-command of other aircraft on the route to attempt to establish communication with the aircraft and relay traffic information, if necessary.
- (2) The provisions of sub-regulation (1) shall also be applied:
- (a) on request of the air traffic services unit concerned;
 - (b) 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.
- (3) The time period referred to in sub-regulation (2)(b) shall be prescribed by the Authority.
- (4) Where the attempts specified in sub-regulation (1) 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.

Unlawful interference and interception of aircraft

Unlawful interference

- 59.**
- (1) A pilot-in-command of an aircraft which is being subjected to unlawful interference shall endeavour 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.
 - (2) 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.
 - (3) 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.

Interception of civil aircraft

- 60.**
- (1) Interception of civil aircraft shall:
 - (a) be undertaken only as a last resort;
 - (b) if undertaken, be limited to determining the identity of the aircraft, unless it is necessary to return the aircraft to its planned track, direct it beyond the boundaries of national airspace, guide it away from a prohibited, restricted or danger area or instruct it to effect a landing at a designated aerodrome;
 - (c) not be undertaken for practice of interception of civil aircraft;
 - (d) ensure that navigational guidance and related information will be given to an intercepted aircraft by radiotelephony, whenever radio contact can be established; and
 - (e) ensure that, in the case where an intercepted civil aircraft is required to land in the territory overflown, the aerodrome designated for the

- landing is suitable for the safe landing of the aircraft type concerned.
- (2) A pilot-in-command of a civil aircraft, when intercepted shall immediately:
 - (a) follow the instructions given by the intercepting aircraft, interpreting and responding to visual signals in accordance with the specifications in regulation 39;
 - (b) notify, if possible, the appropriate air traffic services unit;
 - (c) 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;
 - d) if equipped with SSR transponder, select Mode A, Code 7700, unless otherwise instructed by the appropriate air traffic services unit.
 - (3) 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.
 - (4) 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.
 - (5) 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.
 - (6) 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 prevent 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.
 - (7) 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 Table 6 and transmitting each phrase twice:

Table 6 - PHRASES AND PRONUNCIATIONS USED DURING INTERCEPTION

Phrases for use by INTERCEPTING aircraft			Phrases for use by INTERCEPTED aircraft		
Phrase	Pronunciation ¹	Meaning	Phrase	Pronunciation ¹	Meaning
CALL SIGN	KOL SA-IN	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
DESCEND	DEE-SEND	Descend for landing	CAN NOT	KANN NOTT	Unable to comply
YOU LAND	YOU LAAND	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
			HIJACK ³	HI-JACK	I have been hijacked
			LAND (place name)	LAAND (place name)	I request to land at (place name)
			DESCEND	DEE-SEND	I require descent
1. In the second column, syllables to be emphasized are underlined.					
2. The call sign required to be given is that used in radiotelephony communications with air traffic services units and corresponding to the aircraft identification in the flight plan.					
3. Circumstances may not always permit, nor make desirable, the use of the phrase "HIJACK".					

Miscellaneous

Reporting of hazardous conditions

61. 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.

- Altimeter settings** **62.** 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:
- (a) the State where the aircraft may be; or
 - (b) the Aeronautical Information Publication.
- Classification of airspace** **63.** ATS airspaces classification in Rwanda is shown in the AIP and classified and designated in accordance with Table 7.

TABLE 7 CLASSIFICATION OF ATS AIRSPACES

Class	Type of flight	Separation provided	Service provided	VMC visibility and distance from cloud minima¹	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 of the transition altitude is lower than 3050 m (10 000 FT) AMSL, FL100 should be used in lieu of 10 000 FT.

- Authority of the pilot-in-command of an aircraft** **64.** The pilot-in-command shall have final authority as to the disposition of the aircraft while in command.
- Weather limitations for VFR flights** **65.** 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.
- Flight in Class A airspace** **66.** In relation to flights in visual meteorological conditions (VMC) in Class A airspace the pilot-in-command shall comply with regulations 32 and 51 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 32(7).
- Co-ordination of activities potentially hazardous to aircraft** **67.**
- (1) 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.
 - (2) Notwithstanding the generalities of sub-regulation (1):
 - (a) 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;
 - (b) 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;
 - (c) 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.
 - (3) A person shall not release into the atmosphere any radio active material or toxic chemicals which could affect the safety of aircraft operating within the Rwandan airspace.

PART III - VISUAL FLIGHT RULES

- Visual meteorological conditions** **68.** Except when operating a special VFR flight, a person shall conduct a VFR flight so that the aircraft is flown in conditions of visibility and distance from clouds equal to or greater than those specified in Table 8.

TABLE 8 - 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
 - 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.

- VFR within a control zone** **69.** 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:
- (a) the ceiling is less than 450 m (1,500 ft); or
 - (b) the ground visibility is less than 5 km;
- except when a clearance is obtained from an air traffic control unit.

- Minimum safe VFR altitudes and flight above 900 m** **70.** (1) 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:
- (a) over congested areas of cities, towns or settlements or over an open-air 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;
 - (b) elsewhere than specified in paragraph (a), at a height less than 150 m (500 ft) above the ground or water.

- (2) 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 Table 9.

- Choice of VFR or IFR** 71. (1) Subject to regulation 66, a person shall fly an aircraft in accordance with VFR or IFR, provided that:
- (a) 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 72;
- (b) 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.
- (2) Unless authorized by an appropriate air traffic services authority, a person shall not operate an aircraft in VFR:
- (a) above flight level 170; or
- (b) at supersonic or transonic speeds or
- (c) except as may be prescribed by the Authority and operated in accordance with the conditions prescribed by the Authority, between sunset and sunrise,
- VFR outside and within controlled airspace** 72. A pilot-in-command flying an aircraft:
- (a) 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;
- (b) 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 flown in accordance with any instructions given by the appropriate air traffic control unit.
- Changing from VFR to IFR** 73. A pilot-in-command operating in VFR who wishes to change to IFR shall:
- (a) if a flight plan was submitted, communicate the necessary changes to be effected to the current flight plan; or
- (b) when so required by provisions of regulation 32 submit a flight plan to the appropriate air traffic control unit and obtain a clearance prior to proceeding IFR when in controlled airspace.

PART IV - INSTRUMENT FLIGHT RULES

- Aircraft equipment** 74. A pilot-in-command shall ensure an aircraft is equipped with suitable instruments and with navigation equipment appropriate to the route to be flown.
- IFR flights in controlled airspace.** 75. A pilot-in-command of an aircraft operating an IFR flight in controlled airspace shall:
- (a) 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 Table 9; or
- (ii) a modified table of cruising levels, when so prescribed in accordance with Table 9 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.
 (b) comply with the provisions of regulations 45, 46, 47, 48, 49, 50, 51, 56 and 57.

TABLE 9 - 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			
430	13 100	43 000				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.

**IFR flights
outside
controlled
airspace**

76. (1) A pilot-in-command operating an IFR flight outside a controlled airspace:
- (a) 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
 - (b) a modified table of cruising levels, when so prescribed in accordance with Table 9 for flight above FL 410.
- (2) A pilot-in-command operating an IFR flight outside a controlled airspace:
- (a) but within or into areas, or along routes specified in sub-regulation 32(2)(c) or (d) 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;

- (b) 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 51 for controlled flights.

Minimum flight altitudes for IFR operations

77. (1) Except when necessary for take off 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:
- (a) 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
 - (b) elsewhere than as specified in subparagraph (a), 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.
- (2) 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.

Change from IFR flight to VFR flight

78. (1) 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.
- (2) 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.

PART VI – OFFENCES AND PENALTIES

Penalties

79. (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an “A” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

SCHEDULE

REGULATION 79

PENALTIES

REG. N°.	TITLE	PART
4	Low flying.	A
5	Formation flights.	A
6	Unmanned free balloons.	A
7	Acrobatic flight.	A
9	Prohibited areas and restricted areas.	B
10	Flights over game parks, game reserves and national parks.	A
12	Dropping, spraying, towing and parachute descents	A
13	Proximity to other aircraft.	A
15	Right of way: ground rules	A
16	Right-of-way rules: water operations.	A
20	Balloons, kites, airships, gliders and parascending parachutes.	A
21.	Captive balloons and kites.	A
22.	Airships.	A
23	Anti Collision Light.	A
24	Simulated instrument flight conditions.	A
25	Practice instrument approaches.	A
26	Aerodromes not having air traffic control units.	A
27	Aerodromes having Air Traffic Control Units.	A
28	Operations on or in the vicinity of a controlled aerodrome.	A
29	Access to and Movement in the Manoeuvring Area.	A
31	Flight plan.	A
35	Closing a flight plan.	A
36	Universal aviation signals.	A
39	Aircraft interception and interception signals.	A
41	Signals for aerodrome traffic.	A
45	Air Traffic Control clearances.	A
47	Adherence to air traffic control clearances.	A
48	Route to be flown.	A
55	Visual meteorological conditions.	A
59.	Communications.	A
60	Interception of civil aircraft.	A
62	Altimeter settings.	A
65	Weather limitations for VFR flights.	A
66	Flight in Class A airspace.	A
67.	Co-ordination of activities potentially hazardous to aircraft.	B
68.	Visual meteorological conditions.	A
69.	VFR within a control zone.	A
70.	Minimum safe VFR altitudes.	A
71	Choice of VFR or IFR.	A
74	VFR outside and within controlled airspace.	A
75	Changing from VFR to IFR.	A
76	IFR flights outside controlled airspace.	A
77	Minimum flight altitudes for IFR operations.	A
78	Change from IFR flight to VFR flight.	A

**Seen to be annexed to the Presidential Order n°60/01 Of 20/10/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic

KAGAME Paul

(sé)

The Prime Minister

MAKUZA Bernard

(sé)

The Minister of Infrastructure

BIHIRE Linda

(sé)

The Minister of Finance and Economic Planning

MUSONI James

(sé)

Minister of Defence

General GATSINZI Marcel

(sé)

The Minister of Internal Security

Sheikh HARERIMANA MUSSA Fazil

(sé)

The Minister of Public

Service and Labour

MUREKEZI Anastase

(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General

KARUGARAMA Tharcisse

(sé)

ANNEX VII TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (INSTRUMENTS AND EQUIPMENT) REGULATIONS, 2008

ARRANGEMENT OF REGULATIONS

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PART II - GENERAL REQUIREMENTS FOR AIRCRAFT EQUIPMENT AND INSTRUMENTS

2. General instrument and equipment requirements

PART III- FLIGHT AND NAVIGATIONAL INSTRUMENTS

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4. Navigation equipment.
5. Minimum flight and navigational instruments: VFR operations.
6. Instruments for operations requiring two pilots: VFR operations
7. Minimum flight and navigation instruments: IFR operations
8. Additional systems and equipment for single engine turbine powered aeroplanes: night and IMC operations.
9. Instruments for operations requiring two pilots: IFR operations
10. Standby attitude indicator.
11. Instrument and equipment required for Category II operations.
12. Approval and maintenance of instruments and equipment required for Category II operations.
13. Maintenance programme for instruments and equipment required for Category II operations.
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15. Equipment for operations in reduced vertical separation minimum airspace (RVSM).
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31. Cockpit voice recorders: duration - aeroplane.
32. Cockpit voice recorders: general requirements - aeroplane.
33. Cockpit voice recorders: helicopters.
34. Cockpit voice recorders: duration - helicopters.
35. Cockpit voice recorders: performance requirements.
36. Cockpit voice recorders: inspections.
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73. Materials for cabin interiors.
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75. Power supply, distribution and indication system.
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issued in conjunction with the certificate; provided that when the certificate and the associated authorizations, conditions and limitations are issued by the State of the operator in a language other than English, and English translation shall be included.

- (b) the operations manual prescribed in regulation 34 of the Civil Aviation (Air Operator Certification and Administration) Regulations or those parts of it that pertain to flight operations;
 - (c) the flight manual for the aircraft, or other documents containing performance data required for the application of regulations 102 et seq. on Aircraft Operating and Performance Limitations of the Civil Aviation (Operation of Aircraft) Regulations and any other information necessary for the operation of the aircraft within the terms of its certificate of airworthiness, unless these data are available in the operations manual; and
 - (d) 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.
- (7) For all aircraft, all required instruments and equipment shall be approved and installed in accordance with applicable airworthiness requirements.
 - (8) Prior to operation in Rwanda of any foreign registered aircraft that uses an airworthiness inspection program approved or accepted by the State of registry, the owner or operator shall ensure that instruments and equipment required by these Regulations but not installed in the aircraft are properly installed and inspected in accordance with the requirements of the State of registry.
 - (9) An air operator certificate holder shall ensure that a flight does not commence unless the required equipment:
 - (a) meets the minimum performance standard and the operational and airworthiness requirements;
 - (b) is installed such that the failure of any single unit required for either communication or navigation purposes, or both, shall not result in the inability to communicate or navigate safely on the route being flown; and
 - (c) is in operable condition for the kind of operation being conducted, except as provided in the minimum equipment list.
 - (10) If equipment is to be used by one flight crew member at his station during flight, that equipment shall be installed so as to be readily operable from his station.
 - (11) Where a single item of equipment is required to be operated by more than one flight crew member, the equipment shall be installed so as to be readily operable from any station at which it is required to be operated

PART III- FLIGHT AND NAVIGATIONAL INSTRUMENTS

General requirements

- 3. (1) A person shall not fly an aircraft unless it is equipped with flight and navigational instruments which shall enable the flight crew to:
 - (a) control the flight path of the aircraft;
 - (b) carry out any required procedural manoeuvres; and
 - (c) observe the operating limitations of the aircraft in the expected operating conditions.
- (2) Where a means is provided on any aircraft 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.
- (3) For all aircraft, those instruments that are used by any one flight crew member shall be so arranged as to permit the flight crew member to see the indications readily from his station, with the minimum practicable deviation from the position and line of vision which the flight crew member normally assumes when looking forward along the flight path.

Navigation equipment

4. (1) A person shall not operate an aircraft unless it is equipped with navigation equipment which shall enable it to proceed in accordance with: –
- (a) the operational flight plan;
 - (b) prescribed required navigational performance types; and
 - (c) the requirements of air traffic services.
- (2) The requirements of sub-regulation (1) shall not apply where navigation under visual flight rules is accomplished by visual reference to landmarks, if not precluded by the appropriate authority for the route and airspace.
- (3) No person shall 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 shall enable the aircraft to continue navigating in accordance with the requirements
- (4) A radio navigation system fitted in an aircraft 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.

Minimum flight and navigational instruments: VFR operations

5. (1) An operator shall not operate an aircraft in accordance with visual flight rules (VFR) unless it is equipped with the following flight and navigational instruments and associated equipment where applicable:
- (a) a magnetic compass;
 - (b) an accurate timepiece showing the time in hours, minutes, and seconds;
 - (c) a sensitive pressure altimeter;
 - (d) an airspeed indicator;
 - (e) a vertical speed indicator;
 - (f) a turn and slip indicator, or a turn coordinator incorporating a slip indicator;
 - (g) an attitude indicator;
 - (h) a stabilised direction indicator;
 - (i) a means of indicating in flight crew compartment the outside air temperature calibrated in degrees Celsius;
 - (j) a secondary surveillance radar (SSR) transponder with mode C (pressure-altitude reporting together with identification) for all aircraft except gliders, balloons, airships, kites and aircraft whose original certification does not include an engine powered electrical system and has not been subsequently certified for installation of such a system, provided it is operated in accordance with the latest effective edition of Volume IV- *Surveillance Radar and Collision Avoidance System* of Annex 10 – *Aeronautical Telecommunications* to the Chicago Convention.; and
 - (k) such additional instruments or equipment as may be prescribed by the Authority; provided that for flights which do not exceed sixty minutes duration, which take off and land at the same aerodrome, and which remain within fifty nautical miles of that aerodrome, the instruments prescribed in sub-paragraphs (f), (g) and (h), and regulations 6(1)(d), (e), and (f), may all be replaced by either a turn and slip indicator, or a turn coordinator incorporating a slip indicator, or both an attitude indicator and a slip indicator;
- (2) An operator shall not operate an aircraft in accordance with VFR which is operated as controlled flight unless it is equipped with the flight and navigational instruments and associated equipment where applicable set for IFR operations in regulation 7.

Instruments for operations requiring two pilots: VFR operations

6. (1) An operator shall not operate an aircraft that requires two pilots to operate unless each pilot's station is equipped with separate instruments as follows:
- (a) a sensitive pressure altimeter;
 - (b) an airspeed indicator;
 - (c) a vertical speed indicator;
 - (d) a turn and slip indicator, or a turn co-ordinator incorporating a slip indicator;
 - (e) an attitude indicator; and
 - (f) a stabilised direction indicator.
- (2) Whenever two pilots are required to operate an aircraft an airspeed indicating system shall be equipped with a heated pitot tube or equivalent means for preventing malfunction due

to either condensation or icing for:

- (a) aeroplanes with a maximum certificated take-off mass of over 5,700 kg or having a maximum approved passenger seating configuration of more than nine;
 - (b) helicopters with a maximum certificated take-off mass over 3,180 kg or having a maximum approved passenger seating configuration of more than nine.
- (3) Whenever duplicate instruments are required to operate an aircraft, separate displays for each pilot and separate selectors or other associated equipment where appropriate shall be provided.
 - (4) Whenever two pilots are required to operate an aircraft, the aircraft shall be equipped with means for indicating when power is not adequately supplied to the required flight instruments;
 - (5) Whenever two pilots are required to operate an aircraft an operator shall not conduct VFR operations unless the aeroplane is equipped with a headset with boom microphone or equivalent for each flight crew member on cockpit duty.

Minimum flight and navigational instruments: IFR operations

- 7. (1) A person shall not fly an aircraft in accordance with instrument flight rules (IFR), or when the aircraft cannot be maintained to a desired altitude without reference to one or more flight instruments, unless the aircraft is equipped with:
 - (a) a magnetic compass;
 - (b) an accurate timepiece showing the time in hours, minutes, and seconds;
 - (c) two sensitive pressure altimeters with counter drum-pointer or equivalent presentation and in the case of general aviation operations, a sensitive pressure ;
 - (d) an airspeed indicating system with a means of preventing malfunctioning due to either condensation or icing;
 - (e) a turn and slip indicator;
 - (f) an attitude indicator (artificial horizon);
 - (g) a heading indicator (directional gyroscope);
 - (h) a means of indicating whether the supply of power to the gyroscopic instruments is adequate;
 - (i) a means of indicating in the flight crew compartment the outside air temperature;
 - (j) vertical speed indicator;
 - (k) a rate-of climb and descent indicator;
 - (l) for aeroplanes only, two independent static pressure systems, except that for propeller driven aeroplanes with maximum certificated take off mass of 5,700 kg or less, one static pressure system and one alternate source of static pressure is allowed;
 - (m) for helicopters only, a stabilization system, unless it has been demonstrated to the satisfaction of the certifying authority that the helicopter possesses, by nature of its design, adequate stability without such system;
 - (n) a secondary surveillance radar (SSR) transponder with mode C (pressure-altitude reporting together with identification), except gliders, airships, kites, general aviation operations and aircraft whose original certification does not include an engine powered electrical system and has not been subsequently certified for installation of such a system, provided it is operated in accordance with the latest effective edition of Volume IV-*Surveillance Radar and Collision Avoidance System* of Annex 10 – *Aeronautical Telecommunications* to the Chicago Convention; and
 - (o) such additional instrument or equipment as may be prescribed by the appropriate authority..
- (2) A person shall not operate an aeroplane under IFR unless the aeroplane is equipped with

navigation equipment in accordance with the requirements of air traffic services in the areas of operation, but not less than:

- (a) one VHF Omnidirectional radio range receiving system, automatic directional finder system, one distance measuring equipment, one Marker Beacon receiving system.
 - (b) one instrument landing system (ILS) or microwave landing system (MLS) where ILS or MLS is required for approach navigation purposes;
 - (c) an Area Navigation System when area navigation is required for the route being flown;
 - (d) an additional VHF omnidirectional radio range (VOR) receiving system on any route, or part thereof, where navigation is based only on VOR signals; and
 - (e) an additional automatic direction finder (ADF) system on any route, or part thereof, where navigation is based only on non-directional beacon (NDB) signals.
- (3) All aircraft intended to land in instrument meteorological conditions (IMC) or at night shall be provided with radio navigation equipment capable of receiving signals providing guidance to:
- (a) a point from which a visual landing can be effected;
 - (b) each aerodrome at which it is intended to land in IMC; and
 - (c) any designated alternate aerodromes.
- (4) An air operator certificate holder shall not conduct single pilot IFR operations unless the aeroplane is equipped with an autopilot with at least altitude hold and heading mode.
- (5) An aircraft shall be sufficiently provided with navigation equipment to ensure that, in the event of the failure of one item of equipment at any stage of the flight, the remaining equipment will enable the aeroplane to navigate in accordance with these Regulations.

Additional Systems and equipment for single-engine turbine-powered aeroplanes: Night and IMC operations

8. Single-engine turbine-powered aeroplanes approved by the Authority to operate at night and/or in instrument meteorological conditions (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:
- (a) 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 at night and/or in IMC;
 - (b) a radio altimeter;
 - (c) 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 pitot heater, which must serve an air speed indicator clearly visible to the pilot;
 - (iv) provide for operation of the landing light specified in (j);
 - (v) provide for one engine restart, if applicable; and
 - (vi) provide for the operation of the radio altimeter;
 - (d) two attitude indicators, powered from independent sources;
 - (e) a means to provide for at least one attempt at engine re-start;
 - (f) airborne weather radar;
 - (g) a certified area navigation system capable of being programmed with the positions of aerodromes and safe forced landing areas, and providing instantly available track and distance information to those locations;
 - (h) 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;
 - (i) in pressurized aeroplanes, sufficient supplemental oxygen 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;
- (j) 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
- (k) an engine fire warning system.

Instruments for operations requiring two pilots: IFR operations

9. An operator shall not operate an aircraft that requires two pilots to operate unless the second pilot's station has separate instruments as follows:
- (a) a sensitive pressure altimeter calibrated in feet with a sub-scale setting, calibrated in hectopascals or millibars, adjustable for any barometric pressure likely to be set during flight;
 - (b) an airspeed indicating system with a means of preventing malfunctioning due to either condensation or icing;
 - (c) a vertical speed indicator;
 - (d) a turn and slip indicator, or a turn coordinator incorporating a slip indicator;
 - (e) an attitude indicator; and
 - (f) a stabilised direction indicator;

Standby attitude indicator

10. (1) A person shall not operate an aeroplane with a maximum certificated take-off mass of over 5,700 kg., or a helicopter of performance Class 1 and 2 operated under instrument flight rules (IFR), unless it is equipped with an attitude indicator (artificial horizon) visible to the pilot-in-command, that:
- (a) operates independently of any other attitude indicating system;
 - (b) is powered continuously during normal operation;
 - (c) after a total failure of the normal electrical generating system, is automatically powered for a minimum of thirty minutes from a source independent of the normal electrical generating system; and
 - (d) is appropriately illuminated during all phases of operation.
- (2) Where the attitude indicator referred to in sub-regulation (1):
- (a) is being operated by emergency power, it shall be clearly evident to the flight crew that it is operated by emergency power; and
 - (b) has its own dedicated power supply there shall be an associated indication, either on the instrument or on the instrument panel when this supply is in use.
- (3) Where the standby attitude instrument system is installed and usable through flight attitudes of 360° of pitch and roll, the turn and slip indicators may be replaced by slip indicators.

Instruments and equipment required for Category II operations

11. (1) A person shall not fly an aircraft in a Category II operation unless the aircraft is fitted with the following instruments and equipment:
- (a) two localizer and glide slope receiving systems;
 - (b) a communications system that does not affect the operation of at least one of the instrument landing system systems;
 - (c) a marker beacon receiver that provides distinctive aural and visual indications of the outer and the middle markers;
 - (d) two gyroscopic pitch and bank indicating systems;
 - (e) two gyroscopic direction indicating systems;
 - (f) two airspeed indicators;
 - (g) two sensitive altimeters adjustable for barometric pressure, having markings at 6 m (20 ft) intervals and each having a placarded correction for altimeter scale error and for the wheel height of the aircraft;
 - (h) two vertical speed indicators;
 - (i) the flight control guidance system may be operated from one of the receiving systems required by sub-paragraph (a) that consists of either:
 - (i) flight director system capable of displaying computed information as steering command in relation to an instrument landing system localizer and, on the same instrument, either computed information as pitch command in relation to an instrument landing system (ILS) glide slope or basic

- instrument landing system glide slope information;
 - (ii) an automatic approach coupler capable providing at least automatic steering in relation to an ILS localiser;
 - (j) for Category II operations with decision heights below 45.5 m (150 ft) either a marker beacon receiver providing aural and visual indications of the inner marker or a radio altimeter;
 - (k) warning systems for immediate detection by the pilot of system faults in items specified in sub-paragraphs (a), (d), (e) and (i) and, if installed for use in Category III operations, the radio altimeter and autothrottle system;
 - (l) dual controls;
 - (m) an externally vented static pressure system with an alternate static pressure source;
 - (n) a windshield wiper or equivalent means of providing adequate cockpit visibility for a safe visual transition by either pilot to touchdown and rollout; and
 - (o) a heat source for each airspeed system pitot tube installed or an equivalent means of preventing malfunctioning due to icing of the pitot system.
- (2) The instruments and equipment specified in this regulation shall be approved in accordance with the provisions of the Maintenance Programme referred under regulation 12 before being used in Category II operations.

Approval and maintenance of instruments and equipment required for Category II operations

12. (1) A person shall not fly an aircraft unless the instruments and equipment required by regulation 11 have been approved as provided in this regulation for use in Category II operations.
- (2) Before presenting an aircraft for approval of the instruments and equipment, it shall be shown that since the beginning of the 12th calendar month of the date of submission:
- (a) the instrument landing system localizer and glide slope equipment were bench checked according to the manufacturer's instructions and found to meet the standards specified by the Authority;
 - (b) the altimeters and the static pressure systems were tested and inspected and found to meet the requirements of the manufacturers maintenance manual; and
 - (c) all other instruments and items of equipment specified in this regulation that are listed in the proposed maintenance program were bench checked and found to meet the manufacturer's maintenance manual.
- (3) All components of the flight control guidance system shall be approved as installed by the evaluation program specified in this regulation if they have not been approved for Category III operations under applicable type or supplemental type certification procedures.
- (4) Any subsequent changes to make, model, or design of the components shall be approved by the Authority and related systems or devices, such as the autothrottle and computed missed approach guidance system, shall be approved in the same manner if they are to be used for Category II operations.
- (5) A radio altimeter shall meet the performance criteria of this sub-regulation for original approval and after each subsequent alteration:
- (a) it shall display to the flight crew clearly and positively the wheel height of the main landing gear above the terrain;
 - (b) it shall display wheel height above the terrain to an accuracy of $\pm 1,5$ m (5 ft) or 5 percent, whichever is greater, under the following conditions—
 - (i) pitch angles of zero to $\pm 5^\circ$ about the mean approach attitude;
 - (ii) roll angles of zero to 20° in either direction;
 - (iii) forward velocities from minimum approach speed up to 200 knot; and
 - (iv) sink rates from zero to 4,6 m (15 ft) per second at altitudes from 30 m (100 ft) to 60 m (200 ft);
 - (c) over level ground, it shall track the actual altitude of the aircraft without significant lag or oscillation;
 - (d) with the aircraft at an altitude of 60 m (200 ft) or less, any abrupt change in terrain representing no more than ten percent of the aircraft's altitude shall not cause the

- altimeter to unlock, and indicator response to such changes shall not exceed 0.1 seconds. If the system unlocks for greater changes, it shall reacquire the signal in less than one second;
- (e) systems that contain a push to test feature shall test the entire system with or without an antenna at a simulated altitude of less than 150 m (500 ft); and
 - (f) the system shall provide to the flight crew a positive failure warning display any time there is a loss of power or an absence of ground return signals within the designed range of operating altitudes.
- (6) All other instruments and items of equipment required by regulation 11 shall be capable of performing as necessary for Category II operations and shall be approved by the Authority after each subsequent alteration to these instruments and items of equipment.
- (7) (a) Approval by evaluation is requested as a part of the application for approval of the Category II manual.
- (b) Unless otherwise authorized by the Authority, the evaluation program for each aircraft requires the following demonstrations:
- (i) at least fifty instrument landing system approaches shall be flown with at least five approaches on each of three different instrument landing system facilities and no more than one half of the total approaches on any one instrument landing system facility.
 - (ii) all approaches shall be flown under simulated instrument conditions to a 30 m (100 ft) decision height and ninety percent of the total approaches made shall be successful, a successful approach is one in which:
 - (aa) at the 30 m (100 ft) decision height, the indicated airspeed and heading are satisfactory for a normal flare and landing (speed shall be ± 5 knots of programmed airspeed, but shall not be less than computed threshold speed if autothrottles are used);
 - (bb) the aircraft at the 30 m (100 ft) decision height, is positioned so that the cockpit is within, and tracking so as to remain within, the lateral confines of the extended runway;
 - (cc) deviation from glide slope after leaving the outer marker does not exceed fifty percent of full-scale deflection as displayed on the ILS indicator;
 - (dd) no unusual roughness or excessive attitude changes occur after leaving the middle marker; and
 - (ee) in the case of an aircraft equipped with an approach coupler, the aircraft is sufficiently in trim when the approach coupler is disconnected at the decision height to allow for the continuation of a normal approach and landing.
- (8) During the evaluation program the following information shall be maintained by the applicant for the aircraft with respect to each approach and made available to the Authority upon request:
- (a) each deficiency in airborne instruments and equipment that prevented the initiation of an approach;
 - (b) the reasons for discontinuing an approach, including the altitude above the runway at which it was discontinued,
 - (c) speed control at the 30 m (100 ft) decision height if auto throttles are used;
 - (d) trim condition of the aircraft upon disconnecting the auto coupler with respect to continuation to flare and landing;
 - (e) position of the aircraft at the middle marker and at the decision height indicated both on a diagram of the basic instrument landing system display and a diagram of the runway extended to the middle marker, with the estimated touchdown point indicated on the runway diagram;
 - (f) compatibility of flight director with the auto coupler, if applicable; and
 - (g) quality of overall system performance.
- (9) A final evaluation of the flight control guidance system is made upon successful

completion of the demonstrations. If no hazardous tendencies have been displayed or are otherwise known to exist, the system is approved as installed.

- (10) Any bench check required by this regulation and regulation 13 shall:
- (a) be performed by an approved maintenance organization holding one of the following ratings as appropriate to the equipment checked: –
 - (i) an instrument rating;
 - (ii) a radio rating; or
 - (iii) computer rating,
 - (b) consist of removal of an instrument or item of equipment and performance of the following:
 - (i) a visual inspection for cleanliness, impending failure, and the need for lubrication, repair, or replacement of parts;
 - (ii) correction of items found by that visual inspection; and
 - (iii) calibration to at least the manufacturer's specifications unless otherwise specified in the approved Category II manual for the aircraft in which the instrument or item of equipment is installed.

Maintenance programme for instruments and equipment required for Category II operations

13. (1) A maintenance program for Category II instruments and equipment shall contain the following:
- (a) a list of each instrument and item of equipment specified in regulation 11 that is installed in the aircraft and approved for Category II operations, including the make and model of the instruments and items specified in that regulation;
 - (b) a schedule that provides for the performance of inspections under paragraph (e) within three months after the date of the previous inspection, subject to the following:
 - (i) the inspection shall be performed by a person authorized by the Civil Aviation (Airworthiness) Regulations, except that each alternate inspection may be replaced by a functional flight check; and
 - (ii) the functional flight check shall be performed by a pilot holding a Category II operation pilot authorization for the type aircraft checked;
 - (c) a schedule that provides for the performance of bench checks for each listed instrument and item of equipment that is specified in regulation 11 within twelve months after the date of the previous bench check;
 - (d) a schedule that provides for the performance of a test and inspection of each static pressure system within twelve months after the date of the previous test and inspection;
 - (e) the procedures for the performance of the periodic inspections and functional flight checks to determine the ability of each listed instrument and item of equipment specified in regulation 11 to perform as approved for Category II operations, including a procedure for recording functional flight checks;
 - (f) a procedure for assuring that the pilot is informed of all defects in listed instruments and items of equipment;
 - (g) a procedure for assuring that the condition of each listed instrument and item of equipment upon which maintenance is performed is at least equal to its Category II approval condition before it is returned to service for Category II operations;
 - (h) a procedure for an entry in the maintenance records that shows the date, airport, and reasons for each discontinued Category II operation because of a malfunction of a listed instrument or item of equipment; and
 - (i) A bench check required by this regulation shall comply with the requirements specified in regulation 12(10).
- (2) After the completion of one maintenance cycle of twelve months, a request to extend the period for checks, tests, and inspections may be approved if it is shown that the performance of particular equipment justifies the requested extension.

Navigation equipment for

14. (1) An air operator certificate holder shall not operate an aeroplane minimal navigation performance specification airspace unless it is equipped with navigation equipment that-

operations in minimal navigation performance specification airspace. (MNPS)

- (a) 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; and
 - (b) has been authorized by the State of Registry for minimal navigation performance specification operations concerned.
- (2) All equipment referred to in sub-regulation (1) shall comply with the minimal navigation performance specification prescribed in the latest effective edition of ICAO Doc. 7030 *Regional Supplementary Procedures*.
- (3) The navigation equipment required for air operator certificate holder operations in minimal navigation performance specification airspace shall be visible and usable by either pilot seated at his duty station.
- (4) For unrestricted operation in minimal navigation performance specification airspace, an aeroplane operated by an air operator certificate holder shall be equipped with two independent long-range navigational systems.
- (5) For operation in minimal navigation performance specification airspace along notified special routes, an aeroplane operated by an air operator certificate holder shall be equipped with one long range navigational systems, unless otherwise specified.

Equipment for operations in reduced vertical separation minimum airspace (RVSM)

15. (1) A person shall not operate an aeroplane in reduced vertical separation minimum airspace unless it is provided with equipment which is capable of:
- (a) indicating to the flight crew the flight level being flown;
 - (b) automatically maintaining a selected flight level;
 - (c) providing an alert to the flight crew when a deviation occurs from the selected flight level, with the threshold for the alert not exceeding 90 m (300 ft); and
 - (d) automatically reporting pressure-altitude.
- (2) The equipment referred to in sub-regulation (1) of this regulation shall comply with minimum requirements prescribed in the latest effective edition of ICAO Doc 9574 *Manual for the Implementation of a 300m (1000ft) Vertical Separation Minimum Between FL 290 and FL 410 inclusive*.

Mach number indicator

16. A person shall not operate an aeroplane with speed limitations expressed in terms of Mach number, unless it is equipped with a Mach number indicator.

PART IV- COMMUNICATION EQUIPMENT

Radio equipment

17. (1) A person shall not operate an aircraft unless it is equipped with radio equipment:
- (a) that complies with the law of the State of registry;
 - (b) required for the kind of operation being conducted; and
 - (c) capable of receiving meteorological information at any time during the flight.
- (2) In any particular case, the Authority may direct that an aircraft registered in Rwanda shall carry such additional or special radio equipment as specified by the Authority for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations, or the survival of the persons carried in the aircraft.
- (3) All aircraft operated under visual flight rules (VFR) or instrument flight rules (IFR) shall be equipped with radio communication equipment capable of conducting two-way communication for aerodrome control purposes, and capable of conducting two-way communication at any time during the flight with those aeronautical stations and on the frequencies prescribed by the Authority, including the aeronautical emergency frequency 121.5 MHz, this requirement is considered fulfilled if the ability to conduct the communications specified therein is established during radio propagation conditions which are normal for the route.
- (4) Subject to sub-regulation (13), a person shall not operate an aircraft under IFR, or VFR over routes that cannot be navigated by reference to visual landmarks, unless the aeroplane is equipped with communication and navigation equipment in accordance with its operational flight plan and with the requirements of air traffic services in the area of operation, but not less than two independent radio communication systems necessary

under normal operating conditions to communicate with an appropriate ground station from any point on the route including diversions.

- (5) A radio system referred to in sub-regulation (4) shall have an independent antenna installation except that where rigidly supported non-wire antennae or other antennae installations of equivalent reliability are used, only one antenna is required.
- (6) Where an air operator certificate holder is required to use more than one equipment unit required for either communications or navigation purposes or both, each unit shall be independent of the other or others to the extent that a failure in any one shall not result in failure of any other.
- (7) A person shall not operate an aircraft under IFR unless the aircraft is equipped with an audio selector panel accessible to each required flight crew member.
- (8) An air operator certificate holder shall not conduct single pilot IFR or night operations unless the aircraft is equipped with a headset with / or equivalent and a transmit button on the control wheel.
- (9) All aircraft when flying under IFR while making an approach to landing shall be equipped with a radio apparatus capable of receiving signals from one or more aeronautical radio stations on the surface, to enable the aircraft to be guided to a point from which a visual landing can be made at the aerodrome at which the aircraft is to land.
- (10) Subject to such exceptions as may be prescribed, the radio equipment provided in compliance with this regulation in any aircraft registered in Rwanda shall be maintained in a serviceable condition.
- (11) All radio equipment installed in any aircraft registered in Rwanda, in addition to the equipment required under these Regulations, shall be of a type approved by the Authority in relation to the purpose for which it is to be used, and shall, be installed in a manner approved by the Authority and licenced by the Communication Commission of Rwanda, and neither the equipment nor the manner in which it is installed shall be modified except with the approval of the Authority.
- (12) A person shall not operate an aircraft unless there is a boom or throat microphone available at each required flight crew member flight duty station
- (13) In case of general aviation operations, the visual landmarks referred to in sub-regulation (4) shall be located at least every 110 km (60 NM).

Airborne collision avoidance system 18.

- (1) A person shall not fly a turbine-engined aeroplane in a commercial air transport operation of a maximum certificated take-off-mass of over 5,700 kg or authorized to carry more than nineteen passengers unless the aeroplane is equipped with an airborne collision avoidance system (ACAS II) operated in accordance with the latest effective edition Volume IV-*Surveillance Radar and Collision Avoidance System* of Annex 10 – *Aeronautical Telecommunications* to the Chicago Convention.
- (2) A person shall not fly a turbine-engined aeroplane in a general aviation operation of a maximum certificated take-off-mass of over 15,000 kg or authorized to carry more than thirty passengers unless the aeroplane is equipped with an airborne collision avoidance system (ACAS II) operated in accordance with the latest effective edition of Volume IV-*Surveillance Radar and Collision Avoidance System* of Annex 10 – *Aeronautical Telecommunications* to the Chicago Convention.

Altitude Reporting transponder 19.

- (1) A person shall not operate an aeroplane or helicopter in airspace that requires a pressure-altitude reporting transponder unless that equipment is operative.
- (2) No person may operate an aeroplane in reduced vertical separation minimum (RVSM) airspace unless it is equipped with a system that is automatically reporting pressure altitudes.
- (3) A person shall not operate an aeroplane or helicopter in commercial air transport unless it is equipped with a pressure-altitude reporting transponder that operates in accordance with the air traffic control requirements.

Crew member interphone 20.

- (1) An air operator certificate holder shall not operate an aeroplane on which a flight crew of more than one is required unless it is equipped with a flight crew interphone system,

system: aeroplane

including headsets and microphones, not of a handheld type, for use by all members of the flight crew.

- (2) An air operator certificate holder shall not operate an aeroplane with a maximum certified take-off mass exceeding 15,000 kg or having a maximum approved passenger seating configuration of more than nineteen unless it is equipped with a crew member interphone system that:
- (a) operates independently of the public address system except for handsets, headsets, microphones, selector switches and signalling devices;
 - (b) provides a means of two-way communication between the flight crew compartment and each-
 - (i) passenger compartment;
 - (ii) galley located other than on a passenger deck level; and
 - (iii) remote crew compartment that is not on the passenger deck and is not easily accessible from a passenger compartment;
 - (c) is readily accessible for use:
 - (i) from each of the required flight crew stations in the flight crew compartment; and
 - (ii) at required cabin crew member stations close to each separate or pair of floor level emergency exits;
 - (d) has an alerting system incorporating aural or visual signals for use by flight crew members to alert the cabin crew and for use by cabin crew members to alert the flight crew;
 - (e) has a means for the recipient of a call to determine whether it is a normal call or an emergency call; and
 - (f) provides on the ground a means of two-way communication between ground personnel and at least two flight crew members.

Crew member interphone system: helicopter

21. An air operator certificate holder shall not operate a helicopter carrying a crew member other than a flight crew member unless it is equipped with a crew member interphone system which:
- (a) operates independently of the public address system except for handsets, headsets, microphones, selector switches and signalling devices;
 - (b) provides a means of two-way communication between the flight crew compartment and each crew member station;
 - (c) has readily accessible for use from each of the required flight crew stations in the flight crew compartment;
 - (d) is readily accessible for use at required cabin crew stations close to each separate or pair of floor level emergency exits;
 - (e) has an alerting system incorporating aural or visual signals for use by flight crew members to alert the flight crew; and
 - (f) has a means for the recipient of a call to determine whether it is a normal call or an emergency call.

PART V - INSTRUMENTS AND EQUIPMENT

Aircraft lights and instrument illumination

22. A person shall not operate an aircraft unless it is equipped with:
- (a) for flight by day:
 - (i) anti-collision light system;
 - (ii) lighting supplied from the aircraft electrical system to provide adequate illumination for all instruments and equipment essential for the safe operation of the aircraft;
 - (iii) lighting supplied from the aircraft electrical system to provide adequate illumination in all passenger compartments; and
 - (iv) an electric torch for each required crew member readily accessible to crew member when seated at their designated station;

- (b) for flight by night, in addition to the equipment specified in regulation 7:
 - (i) the lights required by the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations for aircraft in flight or operating on the movement area of an aerodrome;
 - (ii) lighting supplied from the aircraft electrical system to provide adequate illumination for all instruments and equipment essential for the safe operation of the aircraft that are used by the flight crew;
 - (iii) lights in all passenger compartments;
 - (iv) an electric torch for each crew member station; and
 - (v) two landing lights or a single landing light having two separately energized filaments or, in case of an general aviation operations, one single landing light.

Engine instruments

23. (1) A person shall not conduct any commercial air transport operations in any aircraft without the following engine instruments, where applicable:
- (a) a fuel pressure indicator for each engine;
 - (b) a fuel flowmeter;
 - (c) a means for indicating fuel quantity in each fuel tank to be used;
 - (d) an oil pressure indicator for each engine;
 - (e) an oil quantity indicator for each oil-tank when a transfer or separate oil reserve supply is used;
 - (f) an oil-in temperature indicator for each engine;
 - (g) a tachometer for each engine; and
 - (h) 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.
- (2) In addition to the equipment listed in sub-regulation (1), a reciprocating engine aircraft shall have the following:
- (a) a carburettor air temperature indicator for each engine,
 - (b) a cylinder head temperature indicator for each air-cooled engine,
 - (c) a manifold pressure indicator for each engine,
 - (d) a device for each reversible propeller, to indicate to the pilot when the propeller is in reverse pitch, that complies with the following-
 - (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 shall not give an indication at or above the normal low pitch stop position; and
 - (ii) the source of indication shall be actuated by the propeller blade angle or be directly responsive to it.
- (3) In addition to the equipment listed in sub-regulation (1), an air operator certificate holder operating turbine engine aircraft shall have the following:
- (a) a gas temperature indicator for each engine;
 - (b) an indication of engine thrust or gas stream pressure that can be related to thrust for each turbojet engine;
 - (c) a torque indicator for each turbo propeller engine;
 - (d) a blade position indicating means for each turbo-propeller engine propeller to provide an indication to the flight crew when the propeller blade angle is below the flight low pitch position;
 - (e) a position indicator to the flight crew to indicate thrust reverse position; and
 - (f) an indicator to indicate the functioning of the powerplant ice protection system.

Warning Instruments and Systems

Machmeter and speed warning devices

24. (1) A person shall not operate an aeroplane with compressibility limitations not otherwise indicated by the required airspeed indicator unless the aeroplane is equipped with a machmeter at each pilot station.

- (2) A person shall not operate an aeroplane requiring a speed warning device unless the device installed is capable of giving effective aural warnings differing distinctively from aural warnings used for other purposes, whenever the speeds exceeds the maximum operating limit speed V_{MO} plus 6 knots or $M_{MO} + 0.01$
- Loss of pressurisation device** 25. An operator shall not operate a pressurized aircraft intended to be operated at flight altitudes at which the atmospheric pressure is less than 376hPa unless the aircraft is equipped with a device to provide positive warning to the flight crew of any dangerous loss of pressurisation
- Landing gear: aural warning device** 26. (1) A person shall not operate an aeroplane equipped with a retractable landing gear unless the aeroplane has landing gear aural warning device that functions continuously under the following conditions:
 (a) for aeroplanes with an established approach wing-flap position, whenever the wing flaps are extended beyond the maximum certified approach or climb configuration position in the Aeroplane Flight Manual and the landing gear is not fully extended and locked; and
 (b) for aeroplanes without an established approach climb wingflap position, whenever the wing flaps are extended beyond the position at which landing gear extension is normally performed and the landing gear is not fully extended and locked.
 (2) The warning system required under sub-regulation (1):
 (a) shall not have a manual shut off;
 (b) shall be in addition to the throttle-actuated device installed under the type certification airworthiness requirements; and
 (c) may utilise any part of the throttle-actuated system including the aural warning device.
 (3) The flap position-sensing unit required under sub-regulation (1) may be installed at any suitable place in the aeroplane.
- Altitude alerting system** 27. (1) A person shall not operate a turbojet-powered aeroplane unless that aeroplane is equipped with an approved altitude alerting system or device that is in operable condition and meets the requirements of sub-regulation (2).
 (2) An altitude alerting system or device required under sub-regulation (1) shall be able to:
 (a) alert the flight crew upon approaching a pre-selected altitude in either ascent or descent, by a sequence of-
 (i) both aural and visual signals in sufficient time to establish level flight at that pre-selected altitude; or
 (ii) visual signals in sufficient time to establish level flight at that pre-selected altitude, and when deviating above and below that pre-selected altitude, by an aural signal;
 (b) provide the required signals from sea level to the highest operating altitude approved for the aeroplane in which it is installed;
 (c) pre-select altitudes in increments that are commensurate with the altitudes at which the aircraft is operated;
 (d) be tested without special equipment to determine proper operation of the alerting signals, and
 (e) accept necessary barometric pressure settings if the system or device operates on barometric pressure; however, for operation below 900 m (3,000 ft) above ground level (AGL), the system or device need only provide one signal, either visual or aural, to comply with this paragraph; a radio altimeter may be included to provide the signal if the operator has an approved procedure for its use to determine decision height or minimum deviation altitude, as appropriate.
 (3) An operator to which this regulation applies shall establish and assign procedures for the use of the altitude alerting system or device and each flight crew shall comply with those procedures assigned to him.
- Ground proximity** 28. (1) A person shall not fly a turbine-engined aeroplane of a maximum certificated take-off

**warning system
(GPWS)**

- mass of over 5,700 kg or authorized to carry more than nine passengers unless the aeroplane is equipped with a ground proximity warning system.
- (2) All turbine-engined aeroplanes of a maximum certificated take-off mass of over 15,000 kg or authorized to carry more than thirty passengers shall be equipped with a ground proximity warning system which has a forward looking terrain avoidance function.
 - (3) All turbine-engined aeroplanes of over 5,700 kg maximum certificated take-off mass of over 5,700 kg or authorized to carry more than nine passengers, shall be equipped with a ground proximity warning system which has a forward looking terrain avoidance function.
 - (4) All piston-engined aeroplanes of a maximum certificated take-off mass of over 5,700 kg or authorized to carry more than nine passengers, and all turbine-engined aeroplanes of a maximum certificated take-off mass of over 5,700 kg or authorized to carry more than five but less than nine passengers, shall be equipped with a ground proximity warning system which provides the warnings in sub-regulation (6) (a) and (c), warning of unsafe terrain clearance and a forward looking terrain avoidance function.
 - (5) A ground proximity warning system shall provide automatically a timely and distinctive warning to the flight crew when the aeroplane is in potentially hazardous proximity to the earth's surface.
 - (6) A ground proximity warning system shall provide, unless otherwise specified herein, warnings of the following circumstances:
 - (a) excessive descent rate;
 - (b) excessive terrain closure rate;
 - (c) excessive altitude loss after take-off or go-around;
 - (d) unsafe terrain clearance while not in landing configuration—
 - (i) gear not locked down;
 - (ii) flaps not in a landing position; and
 - (e) excessive descent below the instrument glide path.

Weather radar

- 29.**
- (1) An air operator certificate holder shall not operate:
 - (a) a pressurized aeroplane; or
 - (b) an unpressurized aeroplane which has a maximum certificated take-off mass of over 5,700 kg; or
 - (c) an unpressurized aeroplane/aircraft having a maximum approved passenger seating configuration of more than 9 seats, or
 - (d) a helicopter when carrying passengersunless it is equipped with airborne weather radar equipment whenever such an aircraft is being operated at night or in instrument meteorological conditions in areas where thunderstorms or other potentially hazardous weather conditions, regarded as detectable with airborne weather radar, may be expected to exist along the route.
 - (2) The airborne weather radar equipment in propeller driven pressurized aeroplanes having a maximum certificated take-off mass of over 5,700 kg with a maximum approved passenger seating configuration not exceeding nine seats, operated by an air operator certificate holder at night and in instrument meteorological conditions referred to in sub-regulation (1) may be replaced by other equipment capable of detecting thunderstorms and other potentially hazardous weather conditions, regarded as detectable with airborne weather radar equipment, subject to approval by the Authority.

PART VI – FLIGHT DATA RECORDER AND COCKPIT VOICE RECORDER

**Cockpit voice
recorders:
aeroplane**

- 30.** An air operator certificate holder shall not operate an aeroplane unless the aeroplane is equipped with a cockpit voice recorder, to record the aural environment on the flight deck during flight time, in compliance with the Standards and Recommended Practices of Section 6.3 of Part I in case of commercial air transport operations, and Section 6.10 of Part II in case of general aviation operations, to the latest effective edition of Annex 6 – *Operations of Aircraft* to the Chicago Convention..

- Cockpit voice recorders: duration - aeroplane.**
31. (1) A person shall not fly an aeroplane unless the aeroplane is equipped with a cockpit voice recorder installed as required under regulation 30, capable of retaining the information recorded during at least the last thirty minutes of its operation.
- (2) A cockpit voice recorder installed in 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 2003, shall be capable of retaining the information recorded during at least the last two hours of its operation.
- Cockpit voice recorders: general requirements- aeroplane**
32. (1) A person shall not fly an aeroplane unless the aeroplane is equipped with a cockpit voice recorder installed as required under regulation 30, designed to record at least the following:
- (a) voice communication transmitted from or received in the aeroplane by radio;
 - (b) aural environment on the flight deck;
 - (c) voice communication of flight crew members on the flight deck using the aeroplane's interphone system;
 - (d) voice or audio signals identifying navigation or approach aids introduced in the headset or speaker;
 - (e) voice communication of flight crew members using the passenger address system, if installed; and
 - (f) digital communications with air traffic services (ATS), unless recorded by the flight data recorder.
- (2) A cockpit voice recorder container shall:
- (a) be painted a distinctive orange or yellow colour;
 - (b) carry reflective material to facilitate its location; and
 - (c) have securely attached an automatically activated underwater locating device.
- (3) To aid in voice and sound discrimination, microphones in the cockpit shall be located in the best position for recording voice communications originating at the pilot and co-pilot stations and voice communications of other crew members on the flight deck when directed to those stations by wiring suitable boom microphones to record continuously on separate channels.
- (4) A cockpit voice recorder shall be installed so that:
- (a) the probability of damage to the recording is minimized by:
 - (i) locating the recorder as far aft as practicable, and
 - (ii) in the case of pressurized aeroplanes, locating the cockpit voice recorder in the vicinity of the rear pressure bulkhead;
 - (b) it receives its electrical power from a bus that provides the maximum reliability for the operation of the cockpit voice recorder without jeopardizing service to essential or emergency loads;
 - (c) there is an aural or visual means for pre-flight checking of the cockpit voice recorder for proper operation; and
 - (d) if the cockpit voice recorder has a bulk erasure device, the installation is designed to prevent operation of the device during flight time or crash impact.
- Cockpit voice recorders: helicopters**
33. (1) Subject to sub-regulation (2), a person shall not fly a helicopter for which the individual certificate of airworthiness was first issued before, on or, as the case may be, after 1 January 1987 of a maximum certificated take-off mass of 3,180 kg or above unless the helicopter is equipped with a cockpit voice recorder (CVR) the objective of which is the recording of the aural environment on the flight deck during flight time.
- (2) Where the helicopter is not equipped with an flight data recorder (FDR) the main rotor speed shall be recorded on one track of the cockpit voice recorder (CVR).
- Cockpit voice recorders: duration- helicopters**
34. (1) Except as provided in sub-regulation (2), a person shall not fly a helicopter unless the helicopter is equipped with a cockpit voice recorder (CVR) capable of retaining the information recorded during at least the last 30 minutes of its operation.
- (2) A cockpit voice recorder (CVR) installed in a helicopter for which the individual certificate of airworthiness is first issued after 1 January 2003 shall be capable of retaining

the information recorded during at least the last two hours of its operation.

Cockpit voice recorders: performance requirements

35. (1) A person shall not fly a helicopter unless the helicopter is equipped with a cockpit voice recorder installed as required by regulation 33, capable of recording on at least four tracks simultaneously:
- (a) to ensure accurate time correlation between tracks, the cockpit voice recorder shall record in an in-line format,
 - (b) if a bidirectional configuration is used, the in-line format and track allocation shall be retained in both directions.
- (2) The track allocation in a cockpit voice recorder shall be:
- (a) track 1 – co-pilot headphones and live boom microphone;
 - (b) track 2 – pilot-in-command headphones and live boom microphone;
 - (c) track 3 – area microphones; and
 - (d) track 4 – time reference plus the third and fourth crew members’ headphone and live microphone, if applicable.
- (3) The cockpit voice recorder shall, when tested by methods approved by the appropriate authority, be demonstrated to be suitable for the environmental extremes, which it is designed to operate.
- (4) Where a cockpit voice recorder is installed in an aircraft, means shall be provided for an accurate correlation between the cockpit voice recorder and the flight data recorder.

Cockpit voice recorders: inspections

36. (1) Prior to the first flight of the day, the built-in test features on the cockpit for the cockpit voice recorder, when installed, shall be monitored.
- (2) Annual inspections of a cockpit voice recorder shall be conducted as follows:
- (a) the read-out of the recorded data shall ensure that the recorder operates correctly for the nominal duration of the recording;
 - (b) an annual examination of the recorded signal on the cockpit voice recorder shall be carried out by replay of the cockpit voice recorder recording;
 - (c) while installed in the aircraft, the cockpit voice recorder shall record text signals from each aircraft source and from relevant external sources to ensure that all required signals meet intelligibility standards; and
 - (d) during the annual examination, a sample of in-flight recordings of the cockpit voice recorders shall be examined for evidence that the intelligibility of the signal is acceptable.
- (3) A report of the annual inspection referred to in sub-regulation (2) shall be made available to the Authority.

Flight data recorders

37. (1) A person shall not operate:
- (a) an aeroplane unless it is equipped with an approved flight data recording systems, in compliance at as minimum with the Standards and Recommended Practices of Section 6.3 to Part I for commercial air transport operations, and of Section 6.10 of Part II for general aviation operations, to the latest effective edition of Annex 6 – *Operation of Aircraft* to the Chicago Convention.
 - (b) a helicopter unless it is equipped with an approved flight data recording systems, in compliance at as minimum with the Standards and Recommended Practices of Section 4.3 to Part III – Section II for commercial air transport operations, and of Section 4.9 of Part III- Section III for general aviation operations, to the latest effective edition of Annex 6 – *Operation of Aircraft* to the Chicago Convention
- (2) The flight recorders referred to in sub-regulation (1) shall:
- (a) 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;
 - (b) be calibrated and maintained in accordance with a maintenance schedule approved by the Authority, with a valid certificate of release to service certifying that maintenance has been carried out in accordance with such maintenance schedule; and

- (c) have an approved device to assist in locating that recorder under water.
- (3) An aircraft, which utilizes data link communications and is required to carry a cockpit voice recorder shall record on a flight recorder, all data link communications to and from the aeroplane; the minimum recording duration shall be equal to the duration of the cockpit voice recorder, and shall be correlated to the recorded cockpit audio.
- (4) Sufficient information to derive the content of the data link communications message and, whenever practicable, the time the message was displayed to or generated by the crew, shall be recorded.
- (5) Inspections of flight data records shall be conducted annually and a report of the annual inspection shall be made available to the Authority.
- (6) The use of engraving metal foil flight data recorders or photographic film flight data recorders is prohibited

Flight data recorders: aeroplanes

38. (1) A person shall not fly an aeroplane for which the individual certificate of airworthiness was first issued on or after 1 January 1989:
- (a) of a maximum certificated take-off mass of over 27,000 kg unless it is equipped with a Type 1 flight data recorder (FDR), as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention; and
 - (b) of a maximum certificated take-off mass of over 5,700 kg, up to and including 27 000 kg , unless it is equipped with a Type II FDR, as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention.
- (2) A turbine-engined aeroplanes for which the individual certificate of airworthiness was first issued on or after 1 January 1987 but before 1 January 1989 being of a maximum certificated take-off mass of —
- (a) over 5,700 kg shall, except those referred to in paragraph (b), unless it is equipped with a flight data recorder (FDR) which shall record time, altitude, airspeed, normal acceleration and heading; and
 - (b) over 27,000 kg of the 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, as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention.
- (3) A turbine-engined aeroplane for which the individual certificate of airworthiness was first issued before 1 January 1987, being of a maximum certificated take-off mass of over 5 700 kg , unless it is equipped with a flight data recorder (FDR) which shall record time, altitude, airspeed, normal acceleration and heading.
- (4) A aeroplane for which the individual certificate of airworthiness is first issued after 1 January 2005 of a maximum certificated take-off mass of over 5 700 kg unless it is equipped with a Type IA FDR, as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention.
- (5) A multi-engined turbine powered aeroplane 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, as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention.

Flight data recorders: helicopters

39. A person shall not fly a helicopter of a maximum certificated take-off mass of over:
- (a) 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 IV FDR, as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention;
 - (b) 2,730 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, as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention; and
 - (c) 3,180 kg for which the individual certificate of airworthiness is first issued after 1 January 2005 unless it is equipped with a Type IVA FDR, as defined in Annex 6 – *Operation of Aircraft*, to the Chicago Convention, with a recording duration of at least 10 hours.

- Flight data recorder duration** 40. A person shall not fly an aircraft unless it is equipped with a flight data recorder capable of retaining the information recorded during at least the last twenty-five hours of the operation, except for the type of flight data recorders (referred to as Type II A in Annex 6 – *Operation of Aircraft* to the Chicago Convention) which shall be capable of retaining the information recorded during at least the last thirty minutes of its operation.
- Flight data recorder: information recorded** 41. A person shall not fly an aircraft unless it is equipped with a flight data recorder specified in this Part shall record the information specified in the Table set out in the latest effective edition of Attachment D, Table D-1, to Part I and Attachment B, Table B-1, to Part III, to Annex 6 – *Operation of Aircraft* to the Chicago Convention.
- Recording of data link communication** 42. (1) The minimum recording duration of all data link communications to and from the aeroplane shall be equal to the duration of the cockpit voice recorder (CVR), and shall be correlated to the recorded cockpit audio.
(2) The recording shall contain 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.
(3) An aircraft required to be equipped with a flight data recorder (FDR) and a cockpit voice recorder (CVR) may alternatively be equipped with the following number of combination (FDR/CVR) recorders-
(a) two - for all aeroplanes of a certificated takeoff mass of over 5 700kg;
(b) one - for all multi-engined turbine powered aeroplanes of 5 700kg or less; and
(c) one – for all helicopters of a maximum certificated take-off mass of over 2,700kg.

PART VII - EMERGENCY, RESCUE AND SURVIVAL EQUIPMENT

- Emergency equipment: all aircraft** 43. (1) A person shall not operate an aircraft unless that aircraft is equipped with emergency and flotation equipment that is:
(a) readily accessible to the crew and, with regard to equipment located in the passenger compartment, to passengers without appreciable time for preparatory procedures;
(b) clearly identified and clearly marked to indicate its method of operation;
(c) marked to indicate the date of last inspection; and
(d) when carried in a compartment or container, marked to indicate the contents and the compartment or container or the item itself.
(2) An item of emergency and flotation equipment referred to in sub-regulation (1) shall be inspected regularly in accordance with inspection periods approved by the Authority.
- Means for emergency evacuation** 44. (1) An air operator certificate holder shall not operate an aeroplane with passenger emergency exit sill heights:
(a) which are more than 1.83 m (6 ft) above the ground with the aeroplane on the ground and the landing gear extended; or
(b) which would be more than 1.83 m (6 ft) above the ground after the collapse of, or failure to extend of, one or more legs of the landing gear and for which a Type Certificate was first applied for on or after 1 April 2000, unless it has equipment or devices available at each exit, where sub-regulations (1) or (2) apply, to enable passengers and crew to reach the ground safely in an emergency.
(2) The equipment or device referred to in sub-regulations (1) need not be provided at overwing exits if the designated place on the aeroplane structure at which the escape route terminates is less than 1.83 m (6 ft) from the ground with the aeroplane on the ground, the landing gear extended, and the flaps in the take off or landing position whichever flap positions is higher from the ground.
(3) An aeroplane required to have a separate emergency exit for the flight crew and for which-
(a) the lowest point of the emergency exit is more than 1.83 m (6 ft) above the ground

- with the landing gear extended; or,
- (b) a Type Certificate was first applied for on or after 1 April 2000, would be more than 1.83 m (6 ft) above the ground after the collapse of, or failure to extend of, one or more legs of the landing gear,
- shall have a device to assist all members of the flight crew in descending to reach the ground safely in an emergency.

Emergency lighting

45. (1) A person shall not operate a passenger carrying aeroplane of a maximum approved passenger seating configuration of more than nine unless the aeroplane is provided with an emergency lighting system having an independent power supply to facilitate the evacuation of the aeroplane.
- (2) The emergency lighting system must include:
- (a) for aeroplanes which have a maximum approved passenger seating configuration of more than nineteen-
- (i) sources of general cabin illumination;
 - (ii) internal lighting in floor level emergency exit areas;
 - (iii) illuminated emergency exit marking and locating signs;
 - (iv) for aeroplanes for which the application for the type certificate or equivalent was filed in an appropriate authority when flying by night, exterior emergency lighting at all overwing exits, passenger emergency exits and at exits where descent assist means are required; and
 - (v) for aeroplanes for which the type certificate was first issued by an appropriate authority on or after 1 January 1958, floor proximity emergency escape path marking system in the passenger compartment(s);
- (b) for aeroplanes which have a maximum approved passenger seating configuration of 19 or less:
- (i) sources of general cabin illumination;
 - (ii) internal lighting in emergency exit areas; and
 - (iii) illuminated emergency exit marking and locating signs.
- (c) after 1 April 1998 an operator shall not, by night, operate a passenger carrying aeroplane which has a maximum approved passenger seating configuration of nine or less unless it is provided with a source of general cabin illumination to facilitate the evacuation of the aeroplane. The system may use dome lights or other sources of illumination already fitted on the aeroplane and which are capable of remaining operative after the aeroplane's battery has been switched off.

Exits

46. (1) A person shall not fly an aircraft unless, every exit and every internal door in the aircraft is in working order, and, subject to sub-regulations (2), (3) and (4), during take-off and landing and during any emergency, every such exit and door shall be kept free of obstruction and operating handle shall not be fastened by locking or otherwise so as to prevent, hinder or delay door operation during emergency.
- (2) An exit may be obstructed by cargo if it is an exit which, in accordance with arrangements approved by the Authority, either generally or in relation to a class of aircraft or a particular aircraft, is not required for use by passengers.
- (3) Every exit from the aircraft, being an exit intended to be used by passengers in normal circumstances, shall be marked with the word "EXIT" and "SORTIE" in capital letters and every exit, being an exit intended to be used by passengers in an emergency only, shall be marked with the words "EMERGENCY EXIT" and "SORTIE DE SECOURS" in capital letters.
- (4) Every exit from the aircraft shall be marked with instructions and with diagrams, to indicate the correct method of opening the exit and the markings shall be placed on or near the inside surface of the door or other closure of the exit and, if it can be opened from the outside of the aircraft, an or near the exterior surface.
- (5) Subject to compliance with sub-regulation (5), if one, but not more than one, exit from an aircraft becomes inoperative at a place where it is not reasonably practicable for it to be

repaired or replaced, nothing in this regulation shall prevent that aircraft from carrying passengers until it next lands at a place where the exit can be repaired or replaced.

- (6) On any flight pursuant to this sub-regulation:
- (a) the number of passengers carried and the position of the seats which the passengers occupy shall be in accordance with arrangements approved by the Authority either in relation to the particular aircraft or to a class of aircraft; and
 - (b) in accordance with arrangements so approved, the exit shall be fastened by locking or otherwise, the words ‘EXIT’ and “SORTIE” and ‘EMERGENCY EXIT’ and “SORTIE DE SECOURS” shall be covered, and the exit shall be marked by a red disc at least 23 centimetres in diameter with a horizontal white bar across it bearing the words ‘NO EXIT’ and “SANS ISSUE” in red letters.
- (7) In sub-regulations (3) and (6)(b), “SORTIE DE SECOURS” may be substituted by “ISSUE DE SECOURS”.

**Flights over
designated land
areas: all aircraft**

47. A person shall not operate an aircraft across land areas which have been designated by the State concerned as areas in which search and rescue would be especially difficult, unless equipped with such signalling devices and life saving equipment, including means of sustaining life as may be appropriate to the area overflown.

**Survival
equipment**

48. An air operator certificate holder shall not operate an aircraft across areas in which search and rescue would be especially difficult unless the aircraft is equipped with the following:
- (a) signalling equipment to make the pyrotechnical distress signals as specified in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations;
 - (b) at least one emergency locator transmitter capable of transmitting on both the distress frequencies 406 MHz and 121.5 MHz simultaneously; and
 - (c) additional survival equipment for the route to be flown taking account of the number of persons on board, except that the equipment in the documents referred to in sub-paragraph (b) need not be carried when the aeroplane either-
 - (i) remains within a distance from an area where search and rescue is not especially difficult corresponding to:
 - (aa) one hundred and twenty minutes at the one engine inoperative cruising speed for aeroplanes capable of continuing the flight to an aerodrome with the critical power unit(s) becoming inoperative at any point along the route or planned diversions; or
 - (bb) thirty minutes at cruising speed for all other aeroplanes, or,
 - (ii) for large turbine powered aeroplanes, no greater distance than that corresponding to ninety minutes at cruising speed from an area suitable for making an emergency landing.

**Emergency
locator
transmitter;
Aeroplanes**

49. (1) A person shall not operate an emergency locator transmitter in accordance with this regulation unless he operates it in accordance with the latest effective edition of Chapter 5 *Emergency Locator Transmitter (ELT) for Search and Rescue* of Volume III – Part II, of Annex 10 – *Aeronautical Telecommunications* of the Chicago Convention;
- (2) A person shall not operate an aeroplane unless the aircraft is equipped with an automatically activated emergency locator transmitter capable of transmitting on 121.5 MHz and 406 MHz.
- (3) A person shall not operate an aeroplane in flights over water and at more than a distance corresponding to:
- (a) one hundred and twenty (120) minutes at cruising speed or seven hundred forty km (740 km) or four hundred nautical miles (400 NM), whichever is the lesser, away from the land suitable for making an emergency landing in the case of aircraft operated in accordance with regulations 125 (6)(b) (*En route-one power-unit inoperative*) and (c) (*En route-two power-units inoperative*) of the Civil Aviation (Operation of Aircraft) Regulations ; or
 - (b) thirty (30) minutes at cruising speed or one hundred eighty-five (185) km or one hundred (100) nautical miles, whichever is the lesser, for all other aeroplanes,

unless that aeroplane has two survival type emergency locator transmitters, one of which shall be automatic, that transmits simultaneously on 121.5 and 406 MHz.

- (4) A person shall not operate an aeroplane on flights over land areas which have been designated by the State concerned as areas in which search and rescue would be especially difficult unless the aeroplane has one automatic emergency locator transmitter that can transmit simultaneously on 121.5 and 406 MHz.
- (5) A person operating an aircraft in over water operations shall install at least one survival type emergency locator transmitter referred to in sub-regulation (2) in each life raft carried.
- (6) For all aircraft, batteries used in emergency locator transmitters shall be replaced, or recharged if the battery is rechargeable, when-
 - (a) the transmitter has been in use for more than one cumulative hour; or
 - (b) 50 percent of their useful life, or for rechargeable batteries, 50 percent of their useful life of charge, has expired.
- (7) The expiration date for a replacement or recharged emergency locator transmitter battery shall be legibly marked on the outside of the transmitter on all aircraft.
- (8) An operator shall ensure that an emergency locator transmitter that is capable of transmitting on 406 MHz shall be coded as prescribed by the Authority and registered with the national agency responsible for initiating search and rescue or another nominated agency.
- (9) For all aircraft, the useful life of a battery or useful life of charge requirements shall not apply to batteries such as water-activated batteries that are essentially unaffected during probable storage intervals.

Emergency locator transmitter: helicopters

- 50.**
- (1) A person shall not operate a helicopter unless it is fitted with automatic emergency locator transmitter.
 - (2) A person shall not operate a helicopter on a flight over water at a distance from land corresponding to more than ten minutes flying time at normal cruising speed when operating in Performance Class 1 or 2 or beyond autorotation or safe forced landing distance from land when operating in Performance Class 3 unless it has one automatic survival emergency locator transmitter and at least one survival emergency locator transmitter in a raft that transmits simultaneously on 121.5 or 406 MHz.
 - (3) A person shall not operate a helicopter over a designated land area unless it has one automatic emergency locator transmitter that transmits on 121.5 or 406 MHz.
 - (4) A person shall not operate an emergency locator transmitter in accordance with this regulation unless he operates it in accordance with the latest effective edition of Chapter 5 *Emergency Locator Transmitter (ELT) for Search and Rescue* of Volume III – Part II, of Annex 10 – *Aeronautical Telecommunications* of the Chicago Convention..

Portable fire extinguishers

- 51.**
- (1) A person shall not operate an aircraft unless hand fire extinguishers are provided for use in crew, passenger, and as applicable, cargo compartments and galleys in accordance with the following:
 - (a) the type and quantity of extinguishing agent is suitable for the kinds of fires likely to occur in the compartment where the extinguisher is intended to be used and, for personnel compartments, shall minimise the hazard of toxic gas concentration;
 - (b) at least one hand fire extinguisher, shall be conveniently located on the cockpit for use by the flight crew;
 - (c) at least one hand fire extinguisher shall be located in, or readily accessible for use in, each passenger compartment that is separate from the pilot's compartment and that is not readily accessible to the flight crew;
 - (d) at least one readily accessible hand fire extinguisher shall be available for use in

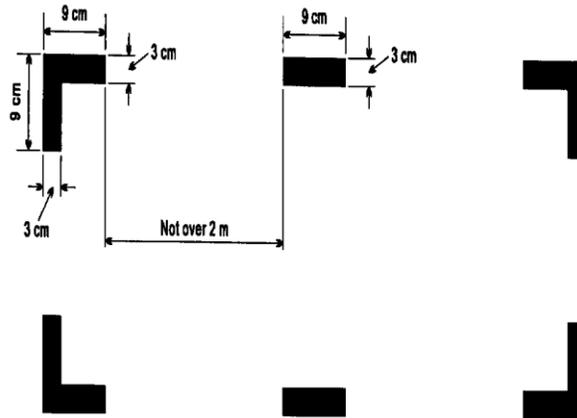
- each Class A or Class B cargo or baggage compartment and in each Class E cargo compartment that is accessible to crew members in flight; and
- (e) at least the following number of hand fire extinguishers shall be conveniently located in the passenger compartment and, in the event that two or more extinguishers are required, they shall be evenly distributed in the passenger compartment:

Maximum approved passenger seating configuration	Number of Extinguishers
7 to 30	1
31 to 60	2
61 to 200	3
201 to 300	4
301 to 400	5
401 to 500	6
501 to 600	7
601 or more	8

- Lavatory fire extinguisher** **52.** (1) A person shall not operate an aircraft carrying passengers unless each lavatory in the aeroplane is equipped with a built-in fire extinguisher for each disposal receptacle for towels, paper, or waste located within the lavatory.
- (2) The built-in lavatory fire extinguishers referred in sub-regulation (1) shall be designed to discharge automatically into each disposal receptacle upon occurrence of a fire in the receptacle.
- Lavatory smoke detector** **53.** A person shall not operate a passenger-carrying aircraft unless each lavatory in the aircraft is equipped with a smoke detector system or equivalent that provides-
- (a) warning light in the cockpit; or
- (b) a warning light or audio warning in the passenger cabin, which shall be readily detected by a cabin crew member, taking into consideration the positioning of cabin crew members throughout the passenger compartment during various phases of flight.
- Crash axe** **54.** (1) A person shall not operate an aircraft with a maximum certificated take-off mass of over 5,700 kg or having a maximum approved passenger seating configuration of more than nine seats unless it is equipped with at least one crash axe or crowbar located in the cockpit.
- (2) Where the maximum approved passenger-seating configuration is more than two hundred an additional crash axe or crowbar shall be carried and located in or near the most rearward galley area.
- (3) Crash axes and crowbars located in the passenger compartment shall not be visible to the passengers.

Marking of break-in points

55. (1) A person shall not operate an aeroplane or helicopter unless the areas of the fuselage suitable for break-in by rescue crews in emergency are marked on aeroplanes and helicopters, such areas shall be marked upon the exterior surface of its fuselage with markings to show the areas, in this regulation referred to as “break-in areas”, which can, for purposes of rescue in an emergency, be most readily and effectively broken into by persons outside the aeroplane or helicopter.
- (2) The break-in areas shall be rectangular in shape and shall be marked by right-angled corner markings, each area of which shall be 9 cm in length along its outer edge and 3 cm in width.
- (3) Where the corner markings referred to in sub-regulation (2) 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.
- (4) The words “CUT HERE IN EMERGENCY” shall be marked across the centre of each break-in area in capital letters.
- (5) The markings required under this regulation shall be:
- (a) painted, or affixed by other equally permanent means;
 - (b) red or yellow and, in any case in which the colour of the adjacent background is such as to render red or yellow markings not readily visible, be outlined in such a manner that shall be readily distinguishable from the surrounding fuselage area by contrast in colour; and
 - (c) kept clean and unobscured at all times.
- (6) Where areas of the fuselage suitable for break-in by rescue crews in emergency, are marked on an aeroplane such areas shall be marked as shown in the following diagram:



Marking of Break-In Points

First-aid and emergency medical kit

56. (1) An air operator certificate holder shall not operate an aircraft unless the aircraft is equipped with accessible and adequate medical supplies appropriate to the number of passengers the aeroplane is authorized to carry.
- (2) The medical supplies referred to in sub-regulation (1) shall comprise:
- (a) one or more first aid kits; and
 - (b) a medical kit, for the use of medical doctors or other qualified persons in treating in-flight medical emergencies for passenger flights requiring a cabin crew.
- (3) The number of first-aid kits to be carried on an air operator certificate -operated aircraft shall be to the following scale:

Number of passenger seats installed	Number of first-aid kits required
-------------------------------------	-----------------------------------

0 to 50	1
51 to 150	2
151 to 250	3
251 and more	4

- (4) The first-aid kits referred to in sub-regulation (2) shall be distributed as evenly as practicable throughout the passenger cabin.
- (5) The required first-aid kits referred to in sub-regulation (2) shall be readily accessible to cabin crew, and, in view of the possible use of medical supplies outside the aeroplane in an emergency situation, shall be located to the extent practicable near an exit.
- (6) The first aid kits required under this regulation shall include the following contents:
- (a) a handbook on first aid;
 - (b) ground-air visual signal code for use by survivors as specified in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations;
 - (c) materials for treating injuries;
 - (d) ophthalmic ointment;
 - (e) a decongestant nasal spray;
 - (f) insect repellent;
 - (g) emollient eye drops;
 - (h) sunburn cream;
 - (i) water-miscible antiseptic/skin cleanser;
 - (j) materials for treatment of extensive burns;
 - (k) oral drugs, including analgesic, antispasmodic, central nervous system stimulant, circulatory stimulant, coronary vasodilator, antidiarrhoeic and motion sickness medications; and
 - (l) an artificial plastic airway and splints.
- (7) The medical kit required under this regulation shall contain the following equipment and drugs:
- (a) equipment:
 - (i) one pair of sterile surgical gloves;
 - (ii) sphygmomanometer;
 - (iii) stethoscope;
 - (iv) sterile scissors;
 - (v) haemostatic forceps;
 - (vi) haemostatic bandages or tourniquet;
 - (vii) sterile equipment for suturing wounds;
 - (viii) disposable syringes and needles; and
 - (ix) disposable scalpel handle and blade.
 - (b) drugs:
 - (i) coronary vasodilators;
 - (ii) analgesics;
 - (iii) diuretics;
 - (iv) anti-allergics;
 - (v) steroids;
 - (vi) sedatives;
 - (vii) ergometrine;
 - (viii) where compatible with Regulations of the appropriate authority, a narcotic drug in injectable form; and
 - (ix) injectable bronchodilator.

Supplemental oxygen: pressurized aeroplanes

57. (1) An air operator certificate holder shall not operate a pressurized aeroplane at pressure altitudes above 3,000 m (10,000 ft) unless supplemental oxygen equipment capable of storing and dispensing the oxygen supplies is provided.
- (2) The amount of supplemental oxygen shall be determined on the basis of cabin pressure

altitude, flight duration and the assumption that a cabin pressurisation failure will occur at the pressure altitude or point of flight that is most critical from the standpoint of oxygen need and the aeroplane will descend in accordance with emergency procedures specified in the Aeroplane Flight Manual to a safe altitude for the route to be flown that will allow continued safe flight and landing.

- (3) In the event of failure, the cabin pressure altitude shall be considered the same as the aeroplane pressure 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 pressure altitude; under these circumstances this lower cabin pressure altitude may be used as a basis for determination of oxygen supply.

**Oxygen
equipment and
supply
requirements**

- 58. (1) An air operator certificate holder shall not operate an aeroplane unless the members of the flight crew on cockpit duty are supplied with supplemental oxygen in accordance with minimum requirements prescribed in Table 1.
- (2) Where all occupants of cockpit seats are supplied from the flight crew source of oxygen supply, they shall be considered as flight crew members on flight deck duty for the purpose of oxygen supply.
- (3) The cockpit seat occupants who are not supplied by the flight crew source of oxygen supply and flight crew members not covered under sub-regulations (1) and (2) shall be considered as passengers for the purpose of oxygen supply.
- (4) Oxygen masks to be installed in an aeroplane shall be:
 - (a) located so as to be within the immediate reach of flight crew members while at their assigned duty station; and
 - (b) of a quick donning type for use by flight crew members in pressurized aeroplanes operating at pressure altitudes above 7,600 m (25,000 ft).
- (5) Passengers in an aeroplane shall be supplied with supplemental oxygen in accordance with Table 1.
- (6) An operator who operates an aeroplane intended to be operated at pressure altitudes above 7,600 m (25,000 ft) shall ensure that the aeroplane is provided with:
 - (a) sufficient spare outlets and masks or sufficient portable oxygen units with masks for use by all required cabin crew members;
 - (b) spare outlets or portable oxygen units distributed evenly throughout the cabin to ensure immediate availability of oxygen to each required cabin crew member regardless of his location;
 - (c) an oxygen dispensing unit connected to oxygen supply terminals immediately available to each occupant, wherever seated; and
 - (d) total number of dispensing units and outlets which exceeds the number of seats by at least ten percent and the extra units evenly distributed throughout the cabin.
- (7) An aeroplane intended to be operated at pressure altitudes above 7,600 m (25,000 ft) or which, if operated at or below 7,600 m (25,000 ft), cannot descend safely within four minutes to 4,000 m (13,000 ft), shall be provided with automatically deployable oxygen equipment immediately available to each occupant wherever seated and the total number of dispensing units and outlets shall exceed the number of seats by at least ten percent with the extra units evenly distributed throughout the cabin.
- (8) The oxygen supply requirements specified in the Table 1 may, in the case of aeroplanes not certificated to fly above 7,600 m (25,000 ft), be reduced to the entire flight time between 3,000 m (10,000 ft) and 4,000 m (13,000 ft) cabin pressure altitudes for all required cabin crew members and for at least ten percent of the passengers if, at all points along the route to be flown, the aeroplane is able to descend safely within four minutes to a cabin pressure altitude of 4,000 m (13,000 ft).

TABLE 1 - Oxygen –Minimum Requirements for Supplemental Oxygen for Pressurized Aeroplanes (Note 1)

SUPPLY FOR:	DURATION AND CABIN PRESSURE ALTITUDE
1. All occupants of flight deck seats on flight deck duty	Entire flight time when the cabin pressure altitude exceeds 4,000 m (13,000 ft) and entire flight time when the cabin pressure altitude exceeds 3,000 m (10,000 ft) but does not exceed 4,000 m (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 7,600 m (25,000 ft) (Note 2) (ii) 2 hours for aeroplanes certificated to fly at altitudes more than 600 m (2,000 ft) (Note 3)
2. All required cabin crew members	Entire flight time when cabin pressure altitude exceeds 4,000 m (13,000 ft) but not less than 30 minutes (Note 2), and entire flight time when cabin pressure altitude is greater than 3,000 m (10,000 ft) but does not exceed 4,000 m (13,000 ft) after the first 30 minutes at these altitudes.
3. 100% of passengers (Note 5)	Entire flight time when the cabin pressure altitude exceeds 4,550 m (15,000 ft) but in no case less than 10 minutes (Note 4)
4. 30% of passengers (Note 5)	Entire flight time when the cabin pressure altitude exceeds 4,250 m (14,000 ft) but does not exceed 4,550 m (15,000 ft)
5. 10% of passengers (Note 5)	Entire flight time when the cabin pressure altitude exceeds 3,000 m (10,000 ft) but does not exceed 14,000 ft after the first 30 minutes at these altitudes.

Note 1: The supply provided must 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 3,000 m (10,000 ft) in 10 minutes and followed by 20 minutes at 3,000 m (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 3,000 m (10,000 ft) in 10 minutes and followed by 110 minutes at 3,000 m (10,000 ft). The oxygen required under regulation 58 (1) 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 4,550 m (15,000 ft) in 10 minutes.

Note 5: For the purpose of this Table 'passengers' means passengers actually carried and includes infants.

Supplemental oxygen: non-pressurized aircraft

59. (1) An operator shall not operate a non-pressurized aircraft at altitudes above 3,000 m (10,000 ft) unless supplemental oxygen equipment capable of storing and dispensing the oxygen supplies is provided.
- (2) The amount of supplemental oxygen for sustenance required for a particular operation shall be determined on the basis of flight altitudes and flight duration, 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.

Oxygen supply requirements:non-pressurized aircraft

- 60.** (1) A member of the flight crew on cockpit duty shall be supplied with supplemental oxygen in accordance with Table 2 where all occupants of cockpit seats are supplied from the flight crew source of oxygen supply then they shall be considered as flight crew members on cockpit duty for the purpose of oxygen supply.
- (2) Cabin crew members and passengers shall be supplied with oxygen in accordance with Table 2 and 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.

Table 2 - Supplemental oxygen for non-pressurized aircraft

SUPPLY FOR:	DURATION AND PRESSURE ALTITUDE
1. All occupants of flight deck seats on flight deck duty	Entire flight time at pressure altitudes above 3,000 m (10000 ft)
2. All required cabin crew members	Entire flight time at pressure altitudes above 4,000 m (13000 ft) and for any period exceeding 30 minutes at pressure altitudes above 3,000 m (10000 ft) but not exceeding 4,000 m (13000 ft)
3. 100% of passengers (See Note)	Entire flight time at pressure altitudes above 4,000 m (13000ft.)
4. 10% of passengers (See Note)	Entire flight time after 30 minutes at pressure altitudes greater than 3,000 m (10000 ft) but not exceeding 4,000 m (13000ft).
Note: For the purpose of this Table 'passengers' means passengers actually carried and includes infants under the age of 2.	

Protective breathing equipment

- 61.** (1) Subject to sub-regulation (2), an air operator certificate holder shall not operate an aeroplane with a maximum certificated takeoff mass of over 5,700 kg having a maximum approved seating configuration of more than nineteen seats unless:
- (a) it has protective breathing equipment to protect the eyes, nose and mouth of each flight crew member while on cockpit duty and to provide oxygen for a period of not less than fifteen minutes; and
- (b) it has sufficient protective breathing equipment to protect the eyes, nose and mouth of all required cabin crew members and to provide oxygen for a period of not less than fifteen minutes.
- (2) When the flight crew is more than one and a cabin crew member is not carried, portable protective breathing equipment shall be carried to protect the eyes, nose and mouth of one member of the flight crew and to provide oxygen for a period of not less than fifteen minutes.
- (3) The oxygen supply for protective breathing equipment may be provided by the required supplemental oxygen system.
- (4) The protective breathing equipment intended for flight crew use shall be conveniently located on the cockpit and be easily accessible for immediate use by each required flight crew member at their assigned duty station.
- (5) The protective breathing equipment intended for cabin crew use shall be installed adjacent to each required cabin crew member duty station.
- (6) Easily accessible portable protective breathing equipment shall be provided and located at or adjacent to the required hand fire extinguishers except that, where the fire extinguisher is located inside a cargo compartment, the protective breathing equipment shall be stowed

outside but adjacent to the entrance to that compartment.

- (7) The protective breathing equipment shall not while in use prevent required communication.

First-aid oxygen dispensing units

- 62.** (1) An air operator certificate holder shall not conduct a passenger carrying operation in a pressurized aeroplane with a seating capacity of more than nineteen seats at altitudes above 7,600 m (25,000 ft) unless it is equipped with:
- (a) undiluted first-aid oxygen for passengers who, for physiological reasons, may require oxygen following a cabin depressurisation; and
 - (b) a sufficient number of dispensing units, but in no case less than two, with a means for cabin crew to use the supply.
- (2) The amount of first-aid oxygen required under sub-regulation (1)(a), for a particular operation and route shall be determined on the basis of:
- (a) flight duration after cabin depressurisation at cabin altitudes of more than 2,450 m (8,000 ft);
 - (b) an average flow rate of at least three litres standard temperature pressure dry per minute per person; and
 - (c) at least two percent of the passengers carried, but in no case for less than one person.
- (3) The amount of first-aid oxygen required for a particular operation shall be determined on the basis of cabin pressure altitudes and flight duration consistent with the operating procedures established for each operation and route.
- (4) The oxygen equipment provided shall be capable of generating a mass flow to each user of at least four litres per minute, standard temperature pressure dry, means may be provided to decrease the flow to not less than two litres per minute, standard temperature pressure dry, at any altitude.

Megaphones: aeroplane

- 63.** (1) An air operator certificate holder shall not operate a passenger-carrying aeroplane unless that aeroplane is equipped with portable battery-powered megaphones readily accessible to the crew members assigned to direct emergency evacuation.
- (2) The number and location of megaphones required by sub-regulation (1) shall be determined as follows:
- (a) on aeroplanes with a seating capacity of more than sixty and less than one hundred passengers, one megaphone shall be located at the most rearward location in the passenger cabin where it would be readily accessible to a normal flight attendant seat; and
 - (b) on aeroplanes with a seating capacity of more than ninety nine passengers, two megaphones in the passenger cabin with one installed at the forward end and the other at the most rearward location where it would be readily accessible to a normal flight attendant seat.
- (3) For aeroplanes with more than one passenger deck in all cases where the total passenger seating configurations is more than sixty, at least one megaphone is required.

Megaphones: helicopters

- 64.** An operator shall not operate with a helicopter with a total maximum approved passenger-seating configuration of more than nineteen unless the helicopter is equipped with portable battery –powered megaphones readily available for use by crew members during emergency evacuation.

Individual flotation devices

- 65.** (1) In a case of commercial air transport operation, an air operator certificate holder shall not operate an aircraft other than a seaplane or an amphibian operated as a seaplane:
- (a) when flying over water and at a distance of more than 93 km (50 NM) away from the shore, in the case of such an aircraft operated with regulations 125(6)(b) (*En route-one power-unit inoperative*) and (c) (*En route-two power-units inoperative*) of the Civil Aviation (Operation of Aircraft) Regulations;
 - (b) when flying over water beyond gliding distance from the shore, when sub-paragraph (a) is not applicable; the distance being specified in sub-regulation

- 70(7)(a) in case of a helicopter; and
- (c) when taking off or landing at an aerodrome where, in the opinion of the Authority, the take-off or approach path is so disposed over water that in the event of mishap there would be a likelihood of a ditching, unless the aircraft is equipped with one life jacket or equivalent individual flotation device for each person on board the aircraft.
- (2) The life jackets or equivalent individual flotation devices referred to in sub-regulation (1), shall be stowed in a position easily accessible from the seat or berth of the person for whose use it is provided.
- (3) An air operator certificate holder who operates an aircraft on extended overwater operations shall ensure that each individual flotation device is fitted with an approved survivor locator light.
- (4) All seaplanes and amphibians operated as seaplanes for all flights shall be equipped with:
- (a) a life jacket or equivalent individual flotation device, for each person on board, stowed in a position easily accessible from the seat or berth of the person for whose use it is provided,
- (b) equipment for making the sound signals prescribed in the International Regulations for Preventing Collisions at Sea, where applicable; and
- (c) one sea anchor (drogue) or, in case of general aviation operations, one anchor and, when necessary to assist in manoeuvring, on sea anchor (drogue).
- (5) In the case of general aviation operations, all single-engined landplanes, including amphibians operated as landplanes, shall be equipped with, when flying en route over water beyond gliding distance from the shore, with one life jacket or equivalent individual flotation device for each person on board, stowed in a position easily accessible from the seat or berth of the person for whose use it is provided.
- (6) In the case of general aviation operations, all aeroplanes, when operated on extended flights over water shall be equipped with:
- (a) when the aeroplane may be over water at a distance of more than 93 km (50 NM) away from land suitable for making an emergency landing – one life jacket or equivalent individual flotation device for each person on board, stowed in a position easily accessible from the seat or berth of the person for whose use it is provided;
- (b) when over water away from land suitable for making an emergency landing at a distance of more than 185 km (100 NM), in the case of single-engined aeroplanes, and more than 370 km (200 NM), in the case of multi-engined aeroplanes capable of continuing flight with one engine inoperative:
- (i) life-saving rafts in sufficient numbers to carry all persons on board, stowed so as to facilitate their ready use in emergency, provided with such life-saving equipment including means of sustaining life as is appropriate to the flight to be undertaken; and
- (ii) equipment for making the pyrotechnical distress signals described in the Civil Aviation (Rules of Air and Traffic Control) Regulations..

Life rafts and flights over designated areas

66. (1) In addition to the equipment prescribed in regulation 65, an air operator certificate holder shall not operate an aeroplane in commercial air transport when used over routes on which the aeroplane may be over water and at more than a distance corresponding to:
- (a) one hundred and twenty (120) minutes at cruising speed or seven hundred forty km (740 km) or four hundred nautical miles (400 NM), whichever is the lesser, away from the land suitable for making an emergency landing in the case of aircraft operated in accordance with regulations 125(6)(b) (*En route-one power-unit inoperative*) and (c) (*En route-two power-units inoperative*) of the Civil Aviation (Operation of Aircraft) Regulations ; or
- (b) thirty (30) minutes at cruising speed or one hundred eighty-five (185) km or one hundred (100) nautical miles, whichever is the lesser, for all other aeroplanes, without having on the aeroplane life-saving rafts in sufficient numbers to carry all person on board; provided with such life-saving equipment including means of sustaining life

- with rated capacities and buoyancy.
- (2) Unless excess rafts of enough capacity are provided, the buoyancy and seating capacity of the rafts referred in sub-regulation (1) shall accommodate all occupants of the aeroplane in the event of a loss of one raft of the largest rated capacity.
 - (3) The life rafts to be provided under this regulation shall be stowed so as to facilitate readily use in emergency and be equipped with:
 - (a) a survivor locator light;
 - (b) a survival kit;
 - (c) life lines, and means of attaching one life raft with another;
 - (d) an emergency locator transmitter as specified in regulation 49;
 - (e) a sea anchor;
 - (f) means of protecting the occupants from the elements;
 - (g) paddles or other means of propulsion;
 - (h) marine-type pyrotechnic signalling distress devices in compliance with the Civil Aviation (Rules of Air and Traffic Control) Regulations;
 - (i) a waterproof torch;
 - (j) means of making sea water drinkable, unless the full quantity of fresh water is carried as specified in sub-regulation (1)(ii);
 - (k) for each 4 or proportion of 4 persons the liferaft is designed to carry:
 - (i) 100 grammes of glucose toffee tablets;
 - (ii) 1/2 litre of fresh water in durable containers or in any case in which it is not reasonably practicable to carry the 1/2 litre of water, as large a quantity of fresh water as is reasonably practicable in the circumstances:

provided that, in no case shall the quantity of water carried be less than is sufficient, when added to the amount of fresh water capable of being produced by means of the equipment specified in paragraph (k) to provide 1/2 litre of water for each 4 or proportion of 4 persons the liferaft is designed to carry;
 - (l) first aid equipment; and
 - (m) two survival beacon radio apparatus for every eight life rafts, and an additional survival beacon radio apparatus for every additional fourteen or proportion of fourteen life rafts.
 - (4) The items specified in sub-regulation (3) (i) to (m) shall be contained in one pack.
 - (5) The life rafts to be provided under this regulation 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) All seaplanes and amphibian aircraft shall be equipped with life rafts.
 - (7) On any helicopter for which the individual certificate of airworthiness is first issued on or after 1 January 1991, at least 50 per cent of the life rafts carried in accordance with this regulation shall be deployable by remote control.
 - (8) An operator shall operate
 - (a) a helicopter intended to be flown over water at a distance from land corresponding to more than ten minutes flying time at normal cruising speed when operating in Performance Class 1 or 2 or three minutes flying time at normal cruising speed when operating in Performance Class 3; or
 - (b) a performance Class 2 or Class 3 helicopter when taking off or landing at a heliport where, in the opinion of the Authority, the take-off or approach point is so disposed over water that in the event of a mishap there would be likelihood of a ditching;

provided it carries, in the case of a helicopter carrying:

 - (i) less than twelve persons, a minimum of one life-raft with a rated capacity of not less than the maximum number of persons on board;
 - (ii) more than eleven persons, a minimum of two life-rafts sufficient together to accommodate all persons capable of being carried on board, where one life-raft of the largest rated capacity may be lost.

Life jackets: helicopters **67.** An operator shall not operate a helicopter for any operations on water or flight over water when operating performance:

- (a) Class 3 beyond autorotational distance from land; or
- (b) Class 1 or 2 at a distance from land corresponding to more than 10 minutes flying time at normal cruise speed; or
- (c) Class 2 or 3 when taking off or landing at a heliport where the take off or approach path is over water;

unless it is equipped with life jackets equipped with a survivor locator light, for each person on board stowed in an easily accessible position with safety emergency locator transmitter or harness fastened, from the seat or berth of the person for whose use it is provided and an individual infant flotation device, equipped with a survivor locator light, for use by each infant on board.

Flotation devices for helicopter ditching **68.** (1) A person shall not fly a helicopter over water at a distance from land corresponding to more than ten minutes at normal cruise speed in the case of performance Class 1 or 2 helicopters, or flying over water beyond auto-rotational or safe forced landing distance from land in the case of performance Class 3 helicopters, unless the helicopter is equipped with a permanent or rapidly deployable means of flotation so as to ensure safe ditching of the helicopter.

(2) All helicopters on flights over water in accordance with sub-regulation (1) shall be certificated for ditching, and sea state shall be an integral part of ditching information.

PART VIII - MISCELLANEOUS SYSTEMS AND EQUIPMENT

Seats, safety belts and shoulder harnesses **69.** (1) A person shall not operate an aircraft in passenger operations unless it is equipped with the following seats, safety belt and shoulder harnesses that meet the airworthiness requirements for type certification of that aircraft:

- (a) a seat or berth with safety belt for each person on board over the age of two years;
- (b) a supplementary loop belt or another restraint device for each infant;
- (c) a berth designed to be occupied by two persons, such as a multiple lounge or divan seat, shall be equipped with an approved safety belt for use by two occupants during en route flight only;
- (d) a safety harness, which includes shoulder straps and a safety belt which may be used independently, for each flight crew seat;
- (e) a safety harness for each pilot seat which shall incorporate a device which shall automatically restrain the occupant's torso in the event of rapid deceleration.
- (f) seat in the passenger compartment for each cabin crew member.

(2) The safety harness referred to in sub-regulation (1) for each pilot seat shall incorporate a device to prevent a suddenly incapacitated pilot from interfering with the flight controls.

(3) In the case of an aircraft carrying out erect spinning, the Authority may permit a safety belt with one diagonal shoulder harness strap to be fitted if the Authority determines that such restraint is sufficient for carrying out erect spinning in that aircraft, and that it is not reasonably practicable to fit a safety harness in that aircraft.

Passenger and pilot compartment doors **70.** (1) An operator shall not operate an aeroplane which is equipped with a flight crew compartment door unless the door is capable of being locked and has means by which cabin crew can discreetly notify the flight crew in the event of suspicious activity or security breaches in the cabin.

(2) 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 which shall be capable of being locked and unlocked from either pilot's station, that is designed to resist penetration, by small firearms and grenade shrapnel, and forcible intrusions by unauthorized persons and this

- door shall be capable of being locked and unlocked from either pilot's station..
- (3) In all aeroplanes which are equipped with a flight crew compartment door in accordance with sub-regulation (2);
- (a) this door shall be closed and locked from the time all external doors are closed following embarkation until any such door is opened for disembarkation, except when necessary to permit access and egress by authorized persons; and
- (b) 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.

Passenger information signs

71. An air operator certificate holder shall not operate a passenger-carrying aircraft unless—
- (a) it is equipped with passenger information sign visible from passenger seats notifying:
- (i) when smoking is prohibited;
- (ii) when and how oxygen equipment is to be used if the carriage of oxygen is required;
- (b) it is equipped with passenger instructions and information on
- (i) restrictions on smoking;
- (ii) when and how oxygen equipment is to be used if the carriage of oxygen is required;
- (iii) location and use of jackets or equivalent individual flotation devices where their carriage is required;
- (iv) location and method of opening emergency exits; and
- (v) when seat belts are to be fastened.
- (c) if the pilot-in-command cannot, from his own seat, see all the passengers' seats in the aircraft, a means of indicating to passengers that the seat belt should be fastened; and
- (d) it is equipped with a sign or placard affixed to each forward bulkhead and each passenger seat back that reads "Fasten Seat Belt While Seated".

Public address system

72. An air operator certificate holder shall not operate a passenger carrying aeroplane with a maximum approved passenger seating configuration of more than nineteen unless a public address system is installed that:
- (a) operates independently of the interphone systems except for handsets, headsets, microphones, selector switches and signalling devices;
- (b) for each required floor level passenger emergency exit which has an adjacent cabin crew seat, has a microphone which is readily accessible to the seated cabin crew member, except that one microphone may serve more than one exit, provided the proximity of the exits allows unassisted verbal communication between seated cabin crew members;
- (c) is capable of operation within ten seconds by a cabin crew member at each of those stations in the compartment from which its use is accessible; and
- (d) is audible and intelligible at all passenger seats, toilets, and cabin crew seats and workstations.

Materials for cabin interiors

73. An operator shall not operate an aeroplane unless the seat cushions in any compartment occupied by crew or passengers other than those on flight crew member seat meet requirements pertaining to fire protection as specified by the Authority.

Materials for cargo and baggage compartments

74. (1) An air operator certificate holder shall not operate a passenger carrying aeroplane unless, each Class C cargo compartment greater than 60 cubic m (200 cubic feet) in volume in a transport category has ceiling and sidewall liner panels which are constructed of:
- (a) glass fibre reinforced resin; or
- (b) materials which meet the test requirements for flame resistance of cargo compartment liners as prescribed for type certification.
- (2) In this regulation 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.

- (3) A Class C cargo or baggage compartment is one in which:
- (a) there is a separate approved smoke detector or fire detector system to give warning at the pilot or flight engineer station;
 - (b) there is an approved built-in fire extinguishing or suppression system controllable from the cockpit;
 - (c) there is means to exclude hazardous quantities of smoke, flames, or extinguishing agent, from any compartment occupied by the crew or passengers; and
 - (d) there are means to control ventilation and drafts within the compartment so that the extinguishing agent used can control any fire that may start within the compartment.

Power supply, distribution, and indication system

- 75.** (1) An air operator certificate holder shall not operate an aeroplane unless it is equipped with an electrical power supply and distribution system that:
- (a) meets the airworthiness requirements for certification of an aeroplane in the transport category, as specified by the Authority; or
 - (b) is able to produce and distribute the load for the required instruments and equipment, with use of an external power supply if any one electrical power source or component of the power distribution system fails, and a means for indicating the adequacy of the electrical power being supplied to required flight instruments.
- (2) An air operator certificate holder shall not operate an aircraft unless it is equipped with spare electrical fuses of appropriate ratings for replacement of those accessible in flight.
- (3) Engine-driven sources of energy when used shall be on separate engines.

Protective circuit fuses

- 76.** An air operator certificate holder shall not operate an aeroplane in which protective circuit fuses are installed unless there are spare protective circuit fuses available for use in flight equal to at least ten percent of the number of fuses of each rating or three of each rating whichever is the greater.

Aeroplanes in icing conditions

- 77.** An air operator certificate holder shall not operate an aeroplane in circumstances in which icing conditions are reported to exist or are expected to be encountered, unless the aeroplane is certificated and equipped to cope with such conditions.

Icing detection

- 78.** (1) An air operator certificate holder shall not operate an aircraft in expected or actual icing conditions at night unless it is equipped with a means to illuminate or detect the formation of ice.
- (2) Any illumination that is used on an air operator certificate holder-operated aircraft shall be of a type that shall not cause glare or reflection that would handicap crew members in the performance of their duties.

Pitot indication systems

- 79.** An air operator certificate holder shall not operate an aeroplane equipped with a flight instrument pitot heating system unless the aeroplane is also equipped with an operable pitot heat indication system that complies with the following requirements:
- (a) the indication provided shall incorporate an amber light that is in clear view of a flight crew member; and
 - (b) the indication provided shall be designed to alert the flight crew if either the pitot heating system is switched "off," or the pitot heating system is switched "on" and any pitot tube heating element is inoperative.

Static pressure system

- 80.** An air operator certificate holder shall not operate an aeroplane in accordance with IFR or by night unless the aeroplane is equipped with two independent static pressure systems, except that for propeller -driven aeroplanes with maximum certificated take-off mass of 5,700 kg or less, one static pressure system and one alternate source of static pressure is allowed

Windshield wipers

- 81.** An air operator certificate holder shall not operate an aeroplane with a maximum certificated

take off mass of over 5,700 kg, unless it is equipped at each pilot station with a windshield wiper or equivalent means to maintain a clear portion of the windshield during precipitation.

- Chart holder** **82.** An air operator certificate holder shall not operate an aeroplane in accordance with IFR or by night unless the aeroplane is equipped with a chart holder installed in an easily readable position which can be illuminated for night operations.
- Cosmic radiation detection equipment** **83.** An air operator certificate holder shall not operate an aeroplane above 15,000 m (49,000 ft) unless:
- (a) that aeroplane is equipped with an instrument, readily visible to a flight crew member, to measure and indicate continuously the dose rate of total cosmic radiation being received, that is the total of ionizing and neutron radiation of galactic and solar origin, and the cumulative dose on each flight;
 - (b) a system of in-board quarterly radiation sampling acceptable to the Authority is established.
- Seaplanes and amphibians: miscellaneous equipment** **84.** An air operator certificate holder shall not operate a seaplane or an amphibian aircraft on water unless it is equipped with:
- (a) a sea anchor and other equipment necessary to facilitate mooring, anchoring or manoeuvring the aircraft on water, appropriate to its size, weight and handling characteristics; and
 - (b) equipment for making the sound signals prescribed in the Convention on the International Regulation for Prevention of Collision at Sea, 1972 where applicable.

PART IX - OFFENCES AND PENALTIES

- Penalties** **85.** (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command is not the person who contravened that provision he shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an “A” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

SCHEDULE

REGULATION 85

PENALTIES

REG. NO.	TITLE	PART
2	General instrument and equipment requirements	B
3	General requirements.	A
4	Navigation Equipment	A
5	Minimum flight and navigational instruments: VFR operations.	A
6	Instruments for operations requiring two pilots:	A
7	Minimum Flight Navigation Instruments: IFR Operations	A
9	Instruments for operations requiring two pilots:	A
10	Standby attitude indicator.	A
11	Instrument and equipment required for Category II operations.	A
12	Approval and maintenance of instruments and equipment required for Category II operations	A
14	Navigation equipment for operations in minimal navigation performance specification airspace (MNPS)	B
15	Equipment for operations in reduced vertical separation minimum airspace (RVSM).	B
16	Mach number indicator	A
17	Radio equipment	A
18	Airborne collision avoidance system.	A
19	Altitude Reporting transponder.	A
20	Crew member interphone system: aeroplane.	A
21	Crew member interphone system: helicopter.	A
22	Aircraft lights and instrument illumination.	A
23	Engine instruments.	A
24	Machmeter and speed warning devices.	B
25	Loss of pressurisation indicator.	B
26	Landing gear: aural warning device.	B
27	Altitude alerting system.	B
28	Ground proximity warning system.	A
29	Weather radar.	A
30	Cockpit voice recorders: aeroplane.	A
31	Cockpit voice recorders: duration – aeroplane.	A
32	Cockpit voice recorders: general requirements – aeroplane.	A
33	Cockpit voice recorders: helicopters.	A
34	Cockpit voice recorders: duration – helicopters.	A
35	Cockpit voice recorders: performance requirements.	A
36	Cockpit voice recorders: inspections.	A
37	Flight data recorders.	A
38	Flight data recorders for aeroplanes	A
39	Flight data recorders for helicopters	A
40	Flight data recorder duration	A
41	Flight data recorder: information recorded	A
42	Recording of data link communication.	A
43	Emergency equipment: all aircraft.	A
44	Means for emergency evacuation.	A
45	Emergency lighting.	A
46	Exits.	A

47	Flights over designated land areas: all aircraft.	A
48	Survival equipment.	A
49	Emergency locator transmitter: aeroplanes	A
50	Emergency locator transmitter: helicopters.	A
51	Portable fire extinguishers.	A
52	Lavatory fire extinguisher.	A
53	Lavatory smoke detector.	A
54	Crash axe.	A
55	Marking of break-in points.	A
56	First-aid and emergency medical kit.	A
57	Supplemental oxygen pressurized aeroplanes.	A
58	Oxygen equipment and supply requirements.	A
59	Supplemental oxygen – non-pressurized aeroplanes.	A
60	Oxygen supply requirements – non-pressurized aircraft.	A
61	Protective breathing equipment.	A
62	First-aid oxygen dispensing units.	A
63	Megaphones: aeroplane.	A
64	Megaphones: helicopters.	A
65	Individual flotation devices.	A
66	Life rafts.	A
67	Life jackets: helicopters.	A
68	Flotation devices for helicopters ditching.	A
69	Seats, safety belts and shoulder harnesses.	A
70	Passenger and pilot compartment doors.	A
71	Passenger information signs.	A
72	Public address system.	A
73	Materials for cabin interiors.	A
74	Materials for cargo and baggage compartments.	A
75	Power supply, distribution and indication system.	A
76	Protective circuit fuses.	A
77	Aeroplanes in icing conditions.	A
78	Icing detection.	A
79	Pitot indication systems.	A
80	Static pressure system.	A
81	Windshield wipers.	A
82	Chart holder.	A
83	Cosmic radiation detection equipment.	A
84	Seaplanes and amphibians – miscellaneous equipment.	A

**Seen to be annexed to the Presidential Order n°60/01 Of 20/10/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX VIII TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008.RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (PARACHUTE OPERATIONS) REGULATIONS, 2008

ARRANGEMENT OF REGULATIONS

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2. Application

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4. Authorisation types.
5. Skill requirements.

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6. Conditions of authorisation.
7. Descent requirements.
8. Aircraft used for parachute jumping.
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THE CIVIL AVIATION (PARACHUTE OPERATIONS) REGULATIONS, 2008

PART 1- PRELIMINARY

- Citation** 1. These Regulations shall be cited as the Civil Aviation (Parachute Operations) Regulations, 2008.
- Application** 2. These Regulations shall, apply to:
- (a) parachute operations other than:
 - (i) emergency parachute descents; and
 - (ii) parachute descents which are not from aircraft; and

- (b) parachute equipment; and
- (c) parachute maintenance.

PART II - PARACHUTE PERSONNEL

Parachute Jumping

- | | |
|---------------------------------|--|
| Eligibility requirements | <p>3. (1) An applicant for a parachute jumping authorization shall:</p> <ul style="list-style-type: none"> (a) be at least eighteen years of age; (b) demonstrate a level of knowledge appropriate to the privileges granted to a holder of a Parachute Jumping Authorization; and (c) comply with the provisions of these Regulations that apply to the Parachute Jumping Authorization sought. <p>(2) In addition to the requirements of sub-regulation (1), an applicant for a tandem master authorization shall hold a Class 2 Medical Certificate specified in the Civil Aviation (Personnel Licensing) Regulations.</p> |
| Authorization types | <p>4. The Authority may issue the following types of parachute jumping authorizations:</p> <ul style="list-style-type: none"> (a) student jumper; (b) jumper; (c) jump master; or (d) tandem master |
| Skill requirements | <p>5. An applicant for:</p> <ul style="list-style-type: none"> (a) a jumper authorization shall have logged not less than 25 jumps and have demonstrated to the Authority his competency in the following areas: <ul style="list-style-type: none"> (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”. (b) a jump master authorization shall have: <ul style="list-style-type: none"> (i) successfully completed a jump master’s course; (ii) made 500 freefall jumps; and (iii) satisfactorily completed a post course of jump mastering ten students under supervision of an authorized instructor. (c) 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. |

General requirements

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|------------------------------------|--|
| Conditions of authorization | <p>6. (1) A holder of a parachute jumping authorization shall maintain a parachuting logbook of jumps.</p> <p>(2) Parachute jumping shall be made only at locations approved by the Authority.</p> <p>(3) 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.</p> <p>(4) 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</p> |
| Descent requirements. | <p>7. (1) A parachute jumper shall not make or attempt to make a parachute descent unless wearing two airworthy parachutes from exit to activation.</p> <p>(2) All reserve parachutes shall be inspected and packed by an authorized parachute rigger not more than four months preceding each jump.</p> <p>(3) The main parachute may be packed by either the jumper or the parachute rigger.</p> |

- (4) 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.

Aircraft used for parachute jumping. 8. Parachute descents shall be made only from aircraft types that have been authorized by the Authority.

Pilot experience and training requirements. 9. (1) A pilot for the aircraft to be used for parachute jumping shall:
 (a) be a qualified pilot and have a minimum of 200 hours of pilot-in-command time; and
 (b) demonstrate competence to the Authority by performing at least one drop of parachute jumpers.
 (2) The demonstration referred to in sub-regulation (1)(b) 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.

Validity and renewal requirements. 10. (1) A parachute jump master and tandem master authorization shall be valid for a period of twelve months from the date of issue or renewal.
 (2) 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.
 (3) A holder of a student and jumper authorization shall not require renewal.

Visiting foreign parachuting jumpers. 11. (1) 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.
 (2) Where the Authority recognizes an authorization tendered under subregulation (1), the holder shall be exempted from regulations 3 to 12 of these Regulations.
 (3) A holder of an authorization under this regulation shall not be engaged in instructing students in parachute jumping or tandem operations.

Parachute Rigger

Parachute rigger authorization requirements 12. An applicant for a parachute rigger authorization shall:
 (a) apply to the Authority on the prescribed form;
 (b) be at least eighteen years of age;
 (c) be able to read, speak, write and understand the English language.

Issue of Parachute Rigger Authorization 13. Where the Authority is satisfied that an applicant for a parachute rigger authorization under regulation 12 meets the requirements for issue of such authorization, the Authority may issue the authorization.

Restrictions and limitations of Parachute Rigger Authorization 14. (1) 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.
 (2) Except as provided for by sub-regulation (3), 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.
 (3) 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

Experience, 15. Except as provided in regulation 17, an applicant for a parachute rigger authorization shall:

knowledge and skill requirements.		<ul style="list-style-type: none"> (a) 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; (b) 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.
Authorization requirements for current or former military parachute rigger.	16.	<p>Notwithstanding regulation 12, 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:</p> <ul style="list-style-type: none"> (a) 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 (b) has the experience required by regulation 15.
Performance standards	17.	<p>A holder of a parachute rigger authorization shall not:</p> <ul style="list-style-type: none"> (a) pack, maintain or modify any parachute unless he is authorized for that type; (b) pack a parachute that is not safe for emergency use; (c) pack a parachute that has not been thoroughly dried and aired; (d) alter a parachute in a manner that is not specifically authorized by the Authority or the manufacturer; (e) pack, maintain or modify a parachute in any manner that deviates from procedures approved by the Authority or the manufacturer of the parachute; or (f) exercise the privileges of the authorization unless he understands the current manufacturer's instructions for the operation involved and 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.
Records to be kept by Parachute Rigger.	18.	<ul style="list-style-type: none"> (1) A holder of parachute rigger authorization shall keep a record of the packing, maintenance and modifications of parachutes performed or supervised. (2) 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. (3) The record required by sub-regulation (1) shall contain, with respect to each parachute worked on, a statement of: <ul style="list-style-type: none"> (a) type and make; (b) serial number; (c) the name and address of the owner or user of the parachute; (d) the kind and extent of the work performed; (e) the date when, and the place where the work was performed; and (f) the results of any drop tests made with it. (4) A person who makes a record under sub-regulation (1) shall keep that record for at least two years after the date the record is made.
Privileges.	19.	<p>A holder of a parachute rigger authorization may:</p> <ul style="list-style-type: none"> (a) pack, maintain or modify any type of parachute for which he is authorized; and (b) supervise other persons in packing, maintaining or modifying any type of parachute for which the holder of authorization is authorized.
Validity and renewal requirements	20.	<ul style="list-style-type: none"> (1) A parachute rigger authorization shall be valid for a period of twenty four months from the date of issue or renewal. (2) 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.

PART III - PARACHUTE OPERATIONS CERTIFICATE

General

- Certificate requirements** 21. (1) A person shall not conduct parachute operations unless that person:
- (a) holds a parachute operations certificate;
 - (b) complies with the privileges and limitations of the authorization referred to in sub-paragraph (a);
 - (c) complies with operational standards and procedures contained in the parachute Operations Manual approved by the Authority; and
 - (d) complies with the currency requirements determined by the Authority.
- (2) A person shall not conduct parachute operations unless there is available for use a parachute Operations Manual approved by the Authority.
- (3) In this Part ,“person” includes an association, organization or club.
- Application for parachute operations certificate** 22. (1) An applicant for a parachute operations certificate shall complete and submit an application form prescribed by the Authority which shall include the following information:
- (a) the radius of the drop zone around the target expressed in kilometres or nautical miles;
 - (b) the location of the centre of the drop zone in relation to the nearest airport, town or city;
 - (c) each altitude above mean sea level at which the aircraft will be operated when parachutists or objects exist the aircraft;
 - (d) the name, address, and telephone number of the person who requests the authorization or gives notice of the parachute operation;
 - (e) 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.
- (2) The Authority may issue a parachute operations certificate if an applicant meets the requirements of these Regulations.
- Amendment of a parachute operations certificate** 23. (1) A parachute operations certificate may be amended:
- (a) on the Authority's own initiative, under applicable laws and regulations; or
 - (b) upon application by the holder of that authorization.
- (2) A holder of an authorization shall submit an application to amend an authorization by completing a form prescribed by the Authority.
- (3) 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.
- (4) 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.
- Validity of a parachute operations certificate** 24. (1) 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:
- (a) a shorter period is specified by the authority;
 - (b) the Authority amends, suspends, revokes or otherwise terminates the certificate;
 - (c) the certificate holder surrenders it to the Authority; or
 - (d) the certificate holder suspends operations.
- (2) The holder of a certificate that is suspended or revoked shall return it to the Authority.
- Parachute operations manual.** 25. (1) 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:
- (a) introduction and common abbreviations;
 - (b) basic safety requirements;

- (c) student training syllabus;
 - (d) skills programme;
 - (e) formation parachuting rules;
 - (f) artistic events;
 - (g) canopy formation;
 - (h) camera persons;
 - (i) tandem operations;
 - (j) extra ordinary activities;
 - (k) wing suits;
 - (l) jump master certification course syllabus;
 - (m) rigging rules;
 - (n) drop zone and landing area operating procedures;
 - (o) briefings for new jumpers;
 - (p) miscellaneous forms.
- (2) The operations manual referred to in sub-regulation (1) 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
- (3) 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.
- (4) 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.

- Designation of a safety and training personnel** 26. 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:
- (a) a qualified experienced jump master with a minimum of 1000 free fall jumps and at least 2 years experience in parachute operations; and
 - (b) must have successfully completed a training in safety and parachute operating procedures recognized by the Authority.

PART IV : OPERATING RULES

- Use of drugs or alcohol** 27. 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:
- (a) alcohol, or
 - (b) any drug that affects that person's faculties in any way contrary to safety.

- Hazard** 28. 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.

- Exit from an aircraft.** 29. A person shall not exit from an aircraft to make a parachute descent unless authorized to do so by:
- (a) the pilot-in-command; or
 - (b) a person nominated by a pilot-in-command for that purpose.

- Minimum parachute activation** 30. 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:
- (a) a student parachutist, who shall activate the main parachute at not less than 900

altitude		m (3,000 ft) above ground level; or (b) 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.
Parachute drop zone	31.	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.
Parachute landing area	32.	(1) 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. (2) Simultaneous parachute and aircraft movements may be conducted at aerodromes if the parachute landing area is located clear of: (a) any movement area in use; (b) the strip area of any runway in use; (c) a taxiway which is in use; and (d) the approach and take-off areas of any runway or heliport in use. (3) A person shall not make a parachute descent into water unless: (a) the parachute landing area has a clearly defined perimeter; and (b) adequate arrangements have been made to retrieve all parachutists.
Ground signal	33.	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.
Controlled airspace	34.	A person shall not make a parachute descent in a controlled airspace unless he: (a) obtains an air traffic control clearance; and (b) descends in accordance with that clearance.
Descents onto manned aerodromes	35.	A person shall not make a parachute descent onto an aerodrome unless he: (a) has prior approval from the owner or operator of the aerodrome; (b) obtains clearance from the air traffic control unit at the aerodrome; and (c) lands within the parachute landing area.
Descents onto unmanned aerodromes	36.	A person shall not make a parachute descent onto an unmanned aerodrome unless he: (a) has prior approval from the owner or operator of the aerodrome; (b) observes other aerodrome traffic operating within the parachute descent zone for the purpose of avoiding collision; (c) conforms with or avoids the pattern of traffic formed by other aircraft operating within the parachute descent zone at the aerodrome; and (d) lands within the parachute landing area.
Descents within restricted areas	37.	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.
Visibility and clearance from cloud	38.	(1) Except as provided in sub-regulation (2) a person shall not make a parachute descent unless he remains clear of cloud. (2) 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.
Descents from higher altitudes	39.	(1) A person shall not make a parachute descent from an un-pressurized aircraft unless: (a) 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

- (b) 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.
- (2) 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.
- (3) 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.
- (4) 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.

Parachute operations over or into a congested area or an open-air assembly of persons

40. 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.

PART V-PARACHUTE EQUIPMENT AND FACILITIES

Parachutes

41. (1) 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.
- (2) A person or tandem pair shall not make a parachute descent unless equipped with a reserve parachute assembly which:
- (a) complies with the technical standards of a parachute organization; and
 - (b) 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.
- (3) A tandem rider shall not make a parachute descent unless he wears a harness which:
- (a) complies with the technical standards of a parachute organization; and
 - (b) is properly secured to a marching tandem master harness.

Altimeter

42. A person or tandem pair shall not make a free-fall descent of more than 10 seconds unless:
- (a) he is equipped with, and use, a serviceable altimeter of a type suitable for parachuting; and
 - (b) prior to take-off, zero the altimeter to the parachute landing area height.

Automatic activation devices

43. 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:
- (a) 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;
 - (b) calibrated in accordance with the manufacturer's operating instructions;
 - (c) 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;
- (d) inspected by the parachute rigger in accordance with the manufacturer's instructions; and
- (e) check-calibrated within the previous six months.

Safety equipment

- 44.**
- (1) 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.
 - (2) 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.
 - (3) 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.
 - (4) A tandem pair shall not make a parachute descent unless equipped with protective head gear approved by the parachute organization.

PART VI - PARACHUTE MAINTENANCE

Facilities and equipment requirements

- 45.**
- A 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:
- (a) a smooth surface;
 - (b) suitable housing that is adequately lighted and ventilated for drying and airing parachutes;
 - (c) enough packing tools and other equipment to pack and maintain the types of parachutes serviced; and
 - (d) adequate housing facilities to perform applicable duties and to protect tools and equipment.

Airworthiness and safety directives

- 46.**
- A person who intends to use a parachute for jumping shall ensure that the parachute complies with:
- (a) applicable airworthiness directives issued by the Authority;
 - (b) applicable safety directive issued by the parachute operations certificate holder; and
 - (c) mandatory modifications or instructions issued by the manufacturer.

Parachute serviceability

- 47.**
- (1) Each person who finds a parachute assembly to be unserviceable or not airworthy shall have the assembly:
 - (a) re-inspected and returned to a serviceable and airworthy condition; or
 - (b) withdrawn from service.
 - (2) A person shall not return to service a parachute assembly that has been marked as unserviceable until it has been re-inspected and returned to serviceable and airworthy condition before use.

Modification and repair

- 48.**
- 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

Parachute assembly check

- 49.**
- (1) Except as provided by provisions of sub-regulations (2) and (3), no person shall make a parachute descent unless he has checked the state of serviceability of the parachute assembly by:
 - (a) reference to the assembly packing record for the parachute assembly;
 - (b) a comprehensive external check;

- (c) checking that all the equipment is properly set to operate;
 - (d) ensuring that no item being carried will interfere with the proper functioning of the parachute assembly; and
 - (e) ensuring that the seal is not broken or interfered with.
- (2) 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 sub-regulation (1).
 - (3) For tandem riders, the tandem master shall inspect the equipment being worn by the tandem passenger in accordance with sub-regulation (1).

Seal

- 50. (1) An authorized parachute rigger shall have a seal with an identifying mark and a seal press prescribed by the Authority.
- (2) After packing a parachute, the parachute rigger shall seal the pack with a seal referred to sub-regulation (1) in accordance with the manufacturer's recommendation for that type of parachute.

Parachute records

- 51. (1) Each owner of a parachute assembly shall maintain a permanent record of which shall be kept in the assembly at all times, in:
 - (a) a logbook; or
 - (b) a separable log page, approved by the parachute operations certificate holder.
- (2) The owner referred to in sub-regulation (1) shall make the record available for inspection when required by an authorized officer, inspector or authorized person.

Access for inspection

- 52. A holder of a parachute operations certificate shall for the purpose of inspection to determine compliance with applicable regulations and requirements:
 - (a) grant the Authority unrestricted access to any of its organization's, facilities and aircraft; and
 - (b) 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.

PART VII – GENERAL

Drug and alcohol testing and reporting

- 53. (1) 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.
- (2) 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:
 - (a) 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
 - (b) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.
- (3) 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:
 - (a) 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
 - (b) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.
- (4) 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:

- (a) 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
- (b) have their licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.

- Penalties** **54** (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an “A” provision in the First Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

SCHEDULE

REGULATION 54

PENALTIES

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9	Pilot experience and training requirements.	A
11(3)	Visiting foreign parachuting jumpers.	A
14	Restrictions and limitations of Parachute Rigger Authorization.	B
17	Performance standards.	B
18	Records to be kept by Parachute Rigger..	A
21	Records to be kept by Parachute Rigger..	B
23	Amendment of a parachute operations certificate.	A
24	Validity of a parachute operations certificate.	A
25	Parachute operations manual	A
26	Designation of a safety and training personnel.	A
27	Use of drugs or alcohol	B
28	Hazard	A
29	Exit from an aircraft.	A
30	Minimum parachute activation altitude	A
31	Parachute drop zone	A
32	Parachute landing area	A
33	Ground signal.	A
34	Controlled airspace	A
35	Descents onto manned aerodromes.	A
36	Descents onto unmanned aerodromes.	A

37	Descents within restricted areas.	B
38	Visibility and clearance from cloud	A
39	Descents from higher altitudes	A
40	Parachute operations over or into a congested area or an open-air assembly of persons.	A
41	Parachutes	A
42	Altimeter	A
43	Automatic activation devices	A
44	Safety equipment	A
45	Facilities and equipment requirements	A
46	Airworthiness and safety directives	B
47	Parachute serviceability.	A
48	Modification and repair	A
49	Parachute assembly check	A
50	Seal	B
51	Parachute records	A
52	Access for inspection	A
53	Drug and alcohol testing and reporting	B

Seen to be annexed to the Presidential Order n°60/01 of 20/10/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic

KAGAME Paul

(sé)

The Prime Minister

MAKUZA Bernard

(sé)

The Minister of Infrastructure

BIHIRE Linda

(sé)

The Minister of Finance and Economic Planning

MUSONI James

(sé)

Minister of Defence

General GATSINZI Marcel

(sé)

The Minister of Internal Security

Sheikh HARERIMANA MUSSA Fazil

(sé)

The Minister of Public

Service and Labour

MUREKEZI Anastase

(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General

KARUGARAMA Tharcisse

(sé)

ANNEX IX TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION) REGULATIONS, 2008

ARRANGEMENT OF REGULATION

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4. Application for an air operator certificate.
5. Issuance of air operator certificate.
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12. Management personnel required for commercial air transport operations.
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30. Designation of pilot-in-command
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35. Performance planning manual
36. Performance data control system.

- 37. Aircraft loading and handling manual.
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SCHEDULE

PENALTIES

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION) REGULATIONS

PART I – PRELIMINARY

- Citation** 1. These Regulations may be cited as the Civil Aviation (Air Operator Certification and Administration) Regulations, 2008.
- Application** 2. (1) These Regulations apply to air operators carrying passengers, cargo or mail for remuneration or hire whose principal place of business or permanent residence is located in Rwanda.
(2) Except where specifically noted, these Regulations applies to all commercial air transport operations by air operator certificate holders for which Rwanda is the State of the operator.

PART II - AIR OPERATOR CERTIFICATE

- Compliance with an air operator certificate** 3. (1) An operator shall not engage in commercial air transport operations unless that operator holds a valid air operator certificate issued by the Authority.
(2) An air operator certificate referred to in sub-regulation (1) shall authorize the operator to conduct commercial air transport operations in accordance with the authorizations, conditions and limitations that may be specified in the air operator certificate.
The issue of an air operator certificate by the Authority shall be dependent upon the operator demonstrating an adequate organization, method of control and supervision of flight operations, training programme and maintenance arrangements consistent with the nature and extent of the operations specified.
- Application for an air operator certificate** 4. An operator applying to the Authority for an air operator certificate shall submit an application:
(a) on a form and manner prescribed by the Authority; and
(b) containing any other information the Authority requires the applicant to submit.
(2) Except for the Operations Manual and the Maintenance Control Manual which shall be submitted at least ninety days before the date of intended operation, an applicant shall make the application for an initial issue or reissue of an air operator certificate at least sixty days before the date of the intended operation.
- Issuance of air operator certificate** 5. (1) The Authority may issue an air operator certificate to an applicant if that applicant:
(a) has its principal place of business and it is registered in Rwanda;
(b) meets the applicable regulations and standards for the holder of an air operator certificate;
(c) has an adequate organization, method of control and supervision of flight operation, training programme as well as ground handling, is properly qualified and adequately staffed and equipped to conduct safe operations in commercial air transport and maintenance of the aircraft; and
(d) has met any other requirements as specified by the Authority.
(2) The Authority may reject an application for an air operator certificate, or suspend or revoke an air operator certificate, if, *inter alia*:
(a) the applicant does not meet the requirements specified in sub-regulation (1);
(b) the applicant previously held an air operator certificate which was revoked;
(c) the applicant is not suitable by reason of previous conduct and experience to properly maintain an air operator certificate; or
(d) an individual who has previously contributed to the circumstances that caused the revocation of an air operator certificate obtains a substantial ownership in the

applicant organization or is employed in a management position in the applicant organization.

- Contents of air operator certificate** 6. (1) An air operator certificate shall consist of:
- (a) a certificate for public display issued by the Authority; and
 - (b) operation specifications containing the terms and conditions applicable to the certificate.
- (2) The certificate mentioned in sub-regulation (1)(a) shall contain:
- (a) a certificate number specifically assigned to the air operator certificate;
 - (b) name and location of the main place of business of the air operator certificate; and
 - (c) date of issue and period of validity.
- (3) Operation specifications mentioned in sub-regulation (1)(b) shall contain:
- (a) a certificate number specifically assigned to the air operator certificate;
 - (b) name and location of the main place of business of the air operator certificate
 - (c) date of issue and period of validity
 - (d) a description of the type of operations authorized;
 - (e) the type of aircraft authorized for use;
 - (f) the authorized areas of operations or routes; and
 - (g) other special authorizations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the operations and maintenance conducted by the air operator certificate holder.
- Validity and renewal of an air operator certificate** 7. (1) An air operator certificate issued by the Authority shall be valid for twelve months from the date of issue or renewal, unless a shorter period is specified by the Authority or:
- (a) the Authority amends, suspends, revokes or otherwise terminates the certificate;
 - (b) an air operator certificate holder surrenders it to the Authority;
 - (c) the Authority establishes that the air operator has suspended operations for more than 60 continuous days; or
 - (d) the air operator certificate holder notifies the Authority of the suspension of operations.
- (2) An air operator certificate which is suspended or revoked shall be returned to the Authority.
- (3) An application for renewal of an air operator certificate shall be made on a form prescribed by the Authority not later than sixty days before the certificate expires.
- (4) An applicant for an air operator certificate which has expired shall make an initial application.
- Amendment of an air operator certificate** 8. (1) The Authority may amend an air operator certificate if:
- (a) the Authority determines that the amendment is necessary for the safety in commercial air transport and in public interest; or
 - (b) the air operator certificate holder applies for an amendment, and the Authority determines that the amendment is necessary for safety in commercial air transport and in the public interest.
- (2) Where the Authority stipulates in writing that an emergency exists requiring the immediate amendment of the air operator certificate in the public interest with respect to safety in commercial air transportation, such an amendment is effective on the date the air operator certificate holder receives notice of the amendment.
- (3) An air operator certificate holder shall operate in accordance with the amendment unless it is subsequently withdrawn.
- (4) Amendments stipulated by the Authority, other than emergency amendments, shall become effective thirty days after notice is issued to the air operator certificate holder.
- (5) Amendments proposed by the air operator certificate holder shall be made at least thirty days prior to the intended date of any operation under that amendment.
- (6) A person shall not perform a commercial air transport operation for which an air operator certificate amendment is required, unless that person has received notice of the approval from the Authority

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| Access for inspection | 9. | <ul style="list-style-type: none"> (1) An air operator certificate holder shall for the purpose of inspection: <ul style="list-style-type: none"> (a) grant the Authority unrestricted access to any of its organizations, facilities and aircraft; (b) ensure that the Authority is granted unrestricted access to any organization or facilities that it has contracted for services associated with commercial air transport operations and maintenance for services; and (c) grant the Authority unrestricted access to the cockpit of the aircraft during flight operations. (2) An air operator certificate holder shall provide to the Authority a forward observer's seat on the air operator certificate holder's aircraft from which the flight crew's actions and conversations may be easily observed. (3) Where the seat specified in sub-regulation (2) is not suitable for purposes of inspection, the suitability of the seat location and the ability to monitor crew member actions, conversations and radio communications shall be determined by the Authority. |
| Conducting tests and inspections | 10. | <ul style="list-style-type: none"> (1) The Authority shall conduct surveillance on the air operator certificate holder to ensure continued eligibility to hold an air operator certificate and associated approvals. (2) An air operator certificate holder shall allow the Authority to conduct tests and inspections, at any time or place, to determine whether the air operator certificate holder is complying with the applicable laws, regulations and the terms and conditions of the air operator certificate. (3) An air operator certificate holder shall make available at its principal base of operations the current: <ul style="list-style-type: none"> (a) air operator certificate and its operation specifications; (b) operations and maintenance manuals; and (c) a list that includes the location and individual positions responsible for each record, document and report required to be kept by the air operator certificate holder under the applicable Regulations or standards. (4) Upon failure by an air operator certificate holder to make available to the Authority upon request, any document, certificate or report, the Authority may suspend the air operator certificate or any of its operation specifications. |

PART III - AIR OPERATOR CERTIFICATION AND CONTINUED VALIDITY

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| Base of operations | 11. | <ul style="list-style-type: none"> (1) An air operator certificate holder shall maintain a principal base of operations in Rwanda. (2) An air operator certificate holder shall submit written notification to the Authority, to establish or change the location of a principal base of operation at least thirty days before the proposed change. |
| Management personnel required for commercial air transport operations | 12. | <ul style="list-style-type: none"> (1) An air operator certificate holder shall ensure that all operations and maintenance activities are financed and carried out to the highest safety standards required by the Authority. (2) When conducting commercial air transport operations, the air operator certificate holder shall have qualified personnel, with proven competency in civil aviation.. (3) For the purposes of sub-regulation (2) "competency in civil aviation" means that an individual shall have a technical qualification and management experience acceptable to the Authority for the position served. (4) An air operator certificate holder 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. (5) An air operator certificate holder shall ensure that: <ul style="list-style-type: none"> (a) 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; and (b) the 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.

- (6) An air operator certificate holder or a designated representative shall have responsibility for operational control.
- (7) Responsibility for operational control shall be delegated only to the pilot-in-command and to a flight operations officer/flight dispatcher if an operator's approved method of control and supervision of flight inspections requires the use of flight operations officer/flight dispatcher personnel
- (8) If an emergency situation which endangers the safety of the aircraft or persons becomes known first to the flight operations officer/flight dispatcher, their action(s) shall include, where necessary, notification to the appropriate authorities of the nature of the situation without delay, and requests for assistance if required.
- (9) 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 pilot-in-command shall notify the appropriate local authority without delay; if required by the State in which the incident occurs, the pilot-in-command shall submit a report on any such violation to the appropriate authority of such State; in that event, the pilot-in-command shall also submit a copy of it to the Rwanda Civil Aviation Authority; such reports shall be submitted as soon as possible and normally within ten days.
- (10) An air operator certificate holder shall ensure that pilots-in-command have available on board the aircraft all the essential information concerning the search and rescue services in the area over which the aeroplane will be flown
- (11) An air operator certificate holder shall ensure that flight crew members demonstrate the ability to speak and understand the language used for radiotelephony communications as specified in Annex 1 – *Personnel Licensing* to the Chicago Convention and the Civil Aviation (Personnel Licensing) Regulations.
- (12) An air operator certificate holder shall make arrangements to ensure continuity of supervision if operations are conducted in the absence of any management personnel.
- (13) Management personnel shall be contracted to work sufficient hours, to ensure that the management functions of the air operator certificate holder are fulfilled.

Submission and revision of policy and procedure manuals

13. (1) A person who develops and maintains a manual required by these Regulations shall ensure that the manual:
 - (a) includes instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities safely;
 - (b) is in a form that is easy to revise and contains a system which allows personnel to determine the current revision status of each manual;
 - (c) has a date of the last revision on each revised page;
 - (d) is not contrary to any applicable Laws of Rwanda and the air operator certificate holder's operations specifications; and
 - (e) includes a reference to the appropriate civil aviation regulations.
- (2) A person shall not implement any policy or procedure for flight operations or airworthiness functions prior to approval or acceptance by the Authority as appropriate.
- (3) An air operator certificate holder shall submit the proposed policy or procedure to the Authority at least thirty days prior to the date of intended implementation.

Retention and maintenance of personnel and other records

14. (1) An air operator certificate holder shall maintain current records detailing the qualifications and training of all its employees and the employees of contractors involved in the operational control, flight operations, ground operations and maintenance of the air operator.
- (2) An air operator certificate holder shall maintain records for a minimum period of two years for those employees performing crew member or flight dispatch duties in sufficient detail to determine whether the employee meets the experience and qualification requirements for duties in commercial air transport operations.
- (3) An air operator certificate holder shall retain the following records for the period specified:

- (a) flight and duty records, two years;
- (b) flight crew records, two years;
 - (c) fuel and oil records, maintained to enable the Authority to ascertain that, for each flight, the requirements of regulation 94 of the Civil Aviation Authority (Operation of Aircraft) Regulations are complied with, three months;
 - (d) completed load manifests, six months;
 - (e) mass and balance records, six months;
 - (f) dispatch releases, six months;
 - (g) flight plans, six months;
 - (h) passenger manifests, six months;
 - (i) weather reports, six months;
 - (j) journey logs, two years;
 - (k) completed flight preparation forms referred to in regulation 85 of the Civil Aviation (Operation of Aircraft) Regulations, three months. and
 - (l) aircraft technical logbook, two years.

- Inspection of personnel and other records** **15.** (1) An air operator certificate holder shall whenever called upon to do so by an authorized person:
- (a) produce for the inspection of that person all records referred to in regulation 14; and
 - (b) furnish to that person all information that person may require, in connection with the records and produce, for, that person's inspection all log-books, certificates, papers and other documents which that person may reasonably require to examine for the purpose of determining whether the records are complete or of verifying the accuracy of their contents.
- (2) The air operator certificate holder shall, at the request of any person in respect of whom that person is required to keep records as specified above, furnish to that person, or to any operator of aircraft for the purpose of commercial air transport by whom that person may subsequently be employed, particulars of any qualifications obtained by such person while in the service of the air operator certificate holder.

- Flight recorders records** **16.** (1) An air operator certificate holder shall retain:
- (a) the most recent flight data recorder calibration, including the recording medium from which this calibration is derived; and
 - (b) the flight data recorder correlation for one aircraft of any group of aircraft operated by the air operator certificate 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.
- (2) In the event of an accident or incident that requires immediate notification to the Authority, the air operator certificate holder shall remove and keep recorded information from the cockpit voice recorder and flight data recorder for at least sixty days or, if requested by the Authority, for a longer period.

- Aircraft record** **17.** (1) An air operator certificate holder shall maintain a current list of each aircraft it operates and shall send a copy of the list to the Authority, as well as each change to the list, prior to the intended change.
- (2) An aircraft of another air operator certificate holder operated under an interchange agreement shall be incorporated in the current list of aircraft required by sub-regulation (1).

- Authorized aircraft** **18.** (1) An air operator certificate holder shall not operate an aircraft in commercial air transport unless that aircraft:
- (a) has an appropriate current airworthiness certificate;

**Dry leasing of
foreign
registered
aircraft**

19.

- (b) is in an airworthy condition; and
 - (c) meets the applicable airworthiness requirements for the operations the air operator certificate holder intends to carry out, including those related to identification and equipment.
- (2) A person shall not operate any specific type of aircraft in commercial air transport until it has completed satisfactory initial certification, which includes the issuance of an air operator certificate listing that type of aircraft
- (3) A person shall not operate additional or replacement aircraft of a type for which it is currently authorized unless that person can show that the aircraft has been approved by the Authority for inclusion in the air operator certificate holder's fleet.
- (1) An air operator certificate holder may dry-lease a foreign-registered aircraft for commercial air transport as authorized by the Authority.
- (2) An air operator certificate holder shall not operate a foreign registered aircraft unless:
- (a) there is in existence a current agreement between the Authority and the State of registry that, while the aircraft is operated by the Rwanda air operator certificate holder, these Regulations governing the issuance of the Rwandan air operator certificate and its operation specification shall apply;
 - (b) there is in existence a current agreement between the Authority and the State of registry that:
 - (i) while the aircraft is operated by the air operator certificate holder, the Airworthiness Regulations of the State of registry are applicable; or,
 - (ii) if the State of registry agrees to transfer some or all of the responsibility for airworthiness to the Authority under Article 83*bis* of the Chicago Convention, the Civil Aviation (Airworthiness) Regulations shall apply to the extent agreed upon by the Authority and the State of registry;
 - (iii) the agreement acknowledges that the Authority shall have unrestricted access to the aircraft at any place and any time.
- (3) Pursuant to sub-regulation (2), an air operator certificate holder may operate a foreign registered aircraft for a period not exceeding six consecutive months.
- (4) The total number of dry leased aircraft shall be such that an air operator certificate holder will not be predominantly dependent on foreign registered aircraft.
- (5) A person who wishes to operate a dry leased aircraft shall provide the Authority with the following information:
- (a) the aircraft type and serial number;
 - (b) the name and address of the registered owner;
 - (c) the State of registry and registration marks;
 - (d) the Certificate of Airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of registry;
 - (e) the name, address and signature of the lessee who shall be responsible for the operational control of the aircraft under the lease agreement, including a statement that the lessee fully understands the responsibilities under the applicable regulations;
 - (f) a copy of the lease and maintenance agreement ;
 - (g) the duration of the lease; and
 - (h) any other information as the Authority deems necessary.
- (6) A Rwanda air operator certificate holder may dry lease an aircraft registered in another contracting State for the purpose of commercial air transportation provided that the following conditions are met:
- (a) the aircraft carries an appropriate airworthiness certificate issued, in accordance with Annex 8 - *Airworthiness* to the Chicago Convention by the State of registry and meets the aircraft registration and marking requirements of that state;
 - (b) 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;

- (c) the aircraft is maintained according to an approved maintenance programme; and
 - (d) the aircraft is operated by Rwanda licenced flight crew employed by the Rwanda air operator certificate holder.
- (7) An air operator certificate holder operating a dry leased aircraft shall have operational control of that aircraft.
 - (8) An air operator certificate holder shall provide satisfactory evidence that the aircraft has been deleted from the lessor's air operator certificate before the Authority lists the aircraft on the lessee's air operator certificate.
 - (9) An air operator certificate holder engaged in the dry leasing of aircraft shall make the dry lease agreement explicit concerning the maintenance programme and the minimum equipment list (MEL) to be followed during the lease period.
 - (10) Where the lease arrangement is determined to be a dry lease involving aircraft that possess valid certificates of registration and airworthiness issued by the State of the registry, and the dry lease is acceptable to the Authority, operations specifications shall be developed by the air operator certificate holder containing at least the following:
 - (a) the names of the parties to the lease agreement and the duration thereof;
 - (b) the nationality and registration marks of each aircraft involved in the agreement;
 - (c) the type of aircraft to be used;
 - (d) the area of operation; and
 - (e) the regulations applicable to the operation.

Interchange agreement

20.

- (1) An air operator certificate holder shall not interchange aircraft with another air operator certificate holder without the approval of the Authority.
- (2) Prior to operating an aircraft under an interchange agreement, the air operator certificate holder shall show that:
 - (a) the procedures for the interchange operation conform with safe operating practices;
 - (b) the required crew members and flight operations officers meet approved training requirements for the aircraft and equipment to be used and are familiar with the communications and dispatch procedures to be used;
 - (c) the maintenance personnel meet the approved training requirements for the aircraft and equipment, and are familiar with the maintenance procedures to be used;
 - (d) the flight crew members and flight operations officers meet approved appropriate route and airport qualifications;
 - (e) the aircraft to be operated is essentially similar to the aircraft of the air operator certificate holder with whom the interchange is effected; and
 - (f) the arrangement of flight instruments and controls that are critical to safety are essentially similar, unless the Authority determines that the air operator certificate holder has adequate training programmes to ensure that any potentially hazardous dissimilarities are safely overcome by flight crew familiarisation.
- (3) An air operator certificate holder operating an aircraft under an interchange agreement shall include the pertinent provisions and procedures of the agreement in its manuals.
- (4) An air operator certificate holder shall:
 - (a) amend its operations specifications to reflect an interchange agreement; and
 - (b) 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.

Wet-leasing of aircraft

21.

- (1) A holder of an air operator certificate issued under these Regulations may enter into a wet-lease arrangement with another air operator subject to the approval of the Authority and any terms, conditions or limitations imposed by the Authority.

- (2) Where a holder of an air operator certificate issued under these Regulations enters into a wet lease arrangement, the air operator certificate holder shall maintain operational control of the leased aircraft and crew. The air operator certificate holder shall demonstrate how it will maintain operational control to the satisfaction of the Authority.
- (3) The air operator certificate holder shall apply to the Authority for approval of the wet lease. In support of its application for approval, the air operator certificate holder shall provide the Authority with the following information:
 - (a) the aircraft type and serial number;
 - (b) the name and address of the registered owner;
 - (c) the details of the crew members;
 - (d) the State of registry and registration marks;
 - (e) the certificate of airworthiness and statement from the registered owner that the aircraft fully complies with the airworthiness requirements of the State of registry;
 - (f) the name, address and signature of the air operator certificate holder responsible for the operational control of the aircraft under the lease agreement, including a statement that the air operator certificate holder fully understands the responsibilities under the applicable regulations;
 - (g) a copy of the lease and maintenance agreement;
 - (h) the duration of the lease; and
 - (i) any other information as the Authority deems necessary.
- (4) The operations specifications of an air operator certificate holder engaged in a wet lease operation shall contain the following information:
 - (a) the names of the parties to the agreement and the duration of the agreement;
 - (b) the make, model, series, serial number, nationality and registration marks of each aircraft referred to in the agreement;
 - (c) the kind of operation;
 - (d) the expiration date of the lease agreement;
 - (e) a statement specifying the party deemed by the Authority to have operational control; and
 - (f) any other item, condition, or limitation the Authority deems necessary.

**Emergency
evacuation**

- 22.**
- (1) An air operator certificate holder shall establish, to the satisfaction of the Authority, the minimum number of cabin crew required for each type of aeroplane, based on seating capacity or the number of passengers carried, in order to effect a safe and expeditious evacuation of the aeroplane, and the necessary functions to be performed for each type of aeroplane in an emergency or a situation requiring emergency evacuation
 - (2) An air operator certificate holder shall not use an aircraft type and model with total seating capacity of 44 and above in commercial air transport passenger-carrying operations unless it has first conducted, for the Authority, an actual full capacity emergency evacuation demonstration for the configuration in ninety seconds or less.
 - (3) The full capacity actual demonstration referred to in sub-regulation (2) may not be required, if the air operator certificate holder applies to the Authority for an exemption with evidence that:
 - (a) a satisfactory full capacity emergency evacuation for the aircraft to be operated was demonstrated during the aircraft type certification or during the certification of another air operator; and
 - (b) there is an engineering analysis, which shows that an evacuation is still possible within the ninety second standard, if the air operator certificate holder's aircraft configuration differs with regard to number of exits or exit type or number of cabin crew member or location of the cabin crew member.
 - (4) Where an air operator certificate holder requests for a exemption under sub-regulation (3) and the exemption is approved, the air operator certificate holder shall conduct a partial emergency evacuation and ditching evacuation, observed by the Authority, that demonstrates the effectiveness of the air operator certificate holder's crew members

- emergency training and evacuation procedures.
- (5) Where a full capacity demonstration is not required, an air operator certificate holder shall not use an aircraft type and model in commercial air transport passenger-carrying operations unless the air operator certificate holder has first demonstrated to the Authority that its available personnel, procedures and equipment shall provide sufficient open exits for evacuation in fifteen seconds or less.
 - (6) An air operator certificate holder shall not use an aircraft in extended overwater operations unless the air operator certificate holder has first demonstrated to the Authority that it has the ability and equipment to efficiently carry out its ditching procedures.
 - (7) An air operator certificate holder shall apply to the Authority for approval to conduct the emergency evaluation demonstration at least thirty days before the intended date of the emergency evacuation demonstration.
 - (8) Cabin crew member to be used in the emergency evacuation demonstrations shall:
 - (a) be selected at random by the Authority;
 - (b) have completed the air operator certificate holder's Authority-approved training programme for the type and model of aircraft; and
 - (c) have passed the drills and competence check on the emergency equipment and procedures.
 - (9) To conduct a partial emergency evacuation demonstration, the air operator certificate holder's assigned cabin crew members shall, using the air operator certificate holder's line operating procedures:
 - (a) demonstrate the opening of fifty percent of the required floor-level emergency exits and fifty percent of the required non-floor-level emergency exits, whose opening by a cabin crew member is defined as an emergency evacuation duty and deployment of fifty percent of the exit slides, selected by the Authority; and
 - (b) prepare for use those exits and slides within fifteen seconds.
 - (10) To conduct the ditching evacuation demonstration, the air operator certificate holder's assigned cabin crew members shall:
 - (a) demonstrate their knowledge and use of each item of required emergency equipment;
 - (b) prepare the cabin for ditching within six minutes after the intention to ditch is announced;
 - (c) remove each life raft from storage, one of which as selected by the Authority shall be launched and properly inflated or one slide life raft properly inflated; and
 - (d) enter the raft, which shall include all required emergency equipment, and completely set it up for extended occupancy.

Demonstration flights 23.

- (1) An air operator certificate holder shall not operate an aircraft type in commercial air transport unless the air operator certificate holder first conducts demonstration flights to the satisfaction of the Authority.
- (2) An air operator certificate holder shall not operate an aircraft in a designated special area or using a specialised navigation system unless the air operator certificate holder conducts demonstration flight to the satisfaction of the Authority.
- (3) The demonstration flights required under sub-regulation (1) shall be conducted in accordance with the regulation applicable to the type of operation and aircraft type used.
- (4) An air operator certificate holder shall conduct demonstration flights for each type of aircraft, including aircraft materially altered in design, and for each kind of operation the air operator certificate holder intends to conduct.
- (5) An air operator certificate holder shall conduct demonstration flights of at least:
 - (a) one hundred total hours of flight time, unless the Authority determines that a satisfactory level of proficiency has been demonstrated in fewer hours;
 - (b) five hours of night time, if night flights are to be authorized;
 - (c) five instrument approach procedures under simulated or actual instrument weather conditions, if instrument flight rules (IFR) flights are to be authorized; and

- (d) entry into a representative number of en-route airports, as determined by the Authority.
- (6) A person shall not carry passengers in an aircraft during demonstration flights, except those required to make the demonstration flight and those designated by the Authority.
- (7) The Authority shall determine the necessity and extent of demonstration flights for those air operator certificate holders operating aircraft of less than 5,700 kg.

- Facilities** **24.** (1) An air operator certificate holder shall maintain operational and airworthiness support facilities at the air operator certificate holders' principal base of operation, appropriate for the area and type of operation.
- (2) An air operator certificate holder shall arrange appropriate ground handling facilities necessary to ensure the safe servicing and loading of its aircraft at each airport used.

- Operations schedule** **25.** (1) In establishing flight operations schedules, an air operator certificate holder shall:
- (a) allow enough time for the proper servicing of aircraft at intermediate stops; and
 - (b) consider the prevailing winds en route and cruising speed for the type of aircraft.
- (2) The cruising speed referred to in sub-regulation (1) shall not be more than that resulting from the specified cruising output of the engines.

PART IV – AIR OPERATOR CERTIFICATE FLIGHT OPERATIONS MANAGEMENT

- Operations manual** **26.** (1) An air operator certificate holder shall issue to the crew members and persons assigned operational control functions, an operations manual drafted in accordance with the requirements specified in Appendix 2 to Part I, or, as appropriate, Appendix 1 to Part III, to the latest effective edition of Annex 6, *Operation of Aircraft*, to the Chicago Convention;
- (2) The Operations Manual referred to in sub-regulation (1) 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.
- (3) An air operator certificate holder shall submit to the Authority with a copy of the air operator certificate holder's entire operations manual for the time being in force or of such parts thereof as the Authority may specify.
- (4) An air operator 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 the aircraft or of persons or cargo carried therein, and of the safety, efficiency or regularity of air navigation.
- (5) The Operations Manual issued under sub-regulation (1) shall contain the overall, general company policies and procedures regarding the flight operations it conducts.
- (6) An air operator certificate holder shall prepare and keep current an operations manual which contains the air operator certificate holders procedures and policies for the use and guidance of its personnel.
- (7) An air operator certificate holder shall issue the Operations Manual, or pertinent portions, together with all amendments and revisions, to all personnel that are required to use it.
- (8) An air operator certificate holder shall not provide for use of its personnel in commercial air transport any Operations Manual or its part which has not been reviewed and found acceptable or approved for the air operator certificate holder by the Authority.
- (9) An air operator certificate holder shall ensure that the contents and structure of the Operations Manual are in accordance with these Regulations and includes at least those subjects designated by the Authority that are applicable to the air operator certificate holder's area and type of operations.
- (10) An air operator certificate holder shall include in the Operations manual:
- (a) a minimum equipment list (MEL), approved by the Authority, 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; where the State of operator is not the State of

registry, the State of the operator shall ensure that the minimum equipment list (MEL) does not affect the aeroplane's compliance with the airworthiness requirements applicable in the State of registry; and

- (b) in case of an aeroplane, operating instructions and information on aeroplane climb performance with all engines operating 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; or
 - (c) in case of a helicopter, operating instructions and information on helicopter climb performance with all engines operating to enable the pilot-in-command to determine the climb gradient that can be achieved during the take-off and initial climb phase for the existing take-off conditions and intended take-off technique
- (11) The Operations Manual may be published in parts, as a single document, or as a series of volumes,
- (12) An air operator certificate holder may design an Operations Manual to be more restrictive than the Authority's requirements.

Instructions and training programmes

- 27.**
- (1) An air operator certificate 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.
 - (2) An air operator certificate holder shall have training programmes approved by the Authority which shall:
 - (a) include ground and flight training facilities and properly qualified instructors as determined by the State of the operator;
 - (b) consist of ground and flight training in the type(s) of aeroplane on which the flight crew member serves;
 - (c) include proper flight crew coordination and training in all type(s) of emergency and abnormal situations or procedures caused by power plant, airframe or systems malfunctions, fire or other abnormalities;
 - (d) include training in knowledge and skills related to visual and instrument flight procedures for the intended area of operation, human performance including threat and error management and in the transport of dangerous goods;
 - (e) ensure that all flight crew members know 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; and
 - (f) be given on a recurrent basis, as determined by the State of the operator and shall include an assessment of competence.
 - (3) The requirements for recurrent flight training in a particular type of aeroplane shall be considered fulfilled by:
 - (a) the use, to the extent feasible by the State of the operator, of flight simulation training devices approved by that State for that purpose; or
 - (b) the completion within the appropriate period of the proficiency check required by the Civil Aviation (Operation of Aircraft) Regulations.
 - (4) An air operator certificate holder shall submit to the Authority any revision to an approved training programme, and shall receive approval of the revision from the Authority before that revision can be effected.
 - (5) The training programmes specified in sub-regulation (2) shall be described in detail either in the operations or in a training manual which would form part of the operations manual but may be issued as a separate volume.

Aircraft operating manual

- 28.**
- (1) A holder or applicant for an air operator certificate shall submit a proposed aircraft operating manual 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 and provide them after their approval to operations staff and flight crew.
 - (2) An aircraft operating manual shall:
 - (a) be based upon the aircraft manufacturer's data for the specific aircraft type and variant operated by the air operator certificate holder and shall include specific

operating parameters, details of the aircraft systems and of the checklists to be used applicable to the operations of the air operator certificate holder that are approved by the Authority;

(b) be designed and utilized so as to observe human factors principles; and

(c) be issued to the flight crew members and persons assigned operational control functions to each aircraft operated by the air operator certificate holder.

(3) The checklists provided in accordance with this regulation shall be used by flight crews prior to, during and after all phases of operations, and in emergency, to ensure compliance with the operations procedures contained in the aircraft operating manual and the flight manual or other documents associated with the certificate of airworthiness and otherwise in the operations manual, are followed, and the design and utilization of checklists shall observe human factors principles..

(4) The pilot-in-command shall ensure that the checklists specified in this regulation are complied with in detail

Air operator certificate holder's journey log

- 29.**
- (1) An air operator certificate holder shall maintain a journey log containing the following information for each flight:
- (a) aircraft nationality and registration marks;
 - (b) date of the flight;
 - (c) name(s) of crew members;
 - (d) duty assignments of crew members;
 - (e) place of departure;
 - (f) place of arrival;
 - (g) time of departure;
 - (h) time of arrival;
 - (i) duration of flight;
 - (j) purpose of flight;
 - (k) incidents, and observations, if any; and
 - (l) signature of the pilot-in-command.
- (2) The Authority may waive the requirement of sub-regulation (1) if the relevant information is available in the aircraft technical logbook referred to in regulation 23 of the Civil Aviation (Operation of Aircraft) Regulations.
- (3) An air operator certificate holder shall ensure that all entries in the journey log are made concurrently and are permanent in nature.

Designation of pilot-in-command

- 30.** An air operator certificate holder shall, for each commercial air transport operation, designate, in writing, one pilot as the pilot-in-command.

Required cabin crew members

- 31.**
- (1) An air operator certificate holder shall schedule, and the pilot-in-command shall ensure that the minimum number of required cabin crew members is on board passenger-carrying flights.
- (2) The number of cabin crew members may not be less than the minimum prescribed by the Authority in the air operator certificate holders' operations provisions or the following, whichever is greater:
- (a) in the case of an aircraft with a total seating capacity of twenty to fifty passengers, one cabin crew member;
 - (b) in the case of an aircraft with a total seating capacity of not more than two hundred, the number of cabin crew members carried on such flight shall be not less than one cabin crew member for every fifty, or a fraction of fifty passengers carried;
 - (c) in the case of an aircraft with a total seating capacity of more than two hundred, the number of cabin crew members carried on such flights shall be not less than half the number of the main exits in the aircraft, and in addition, when more than two hundred passengers are carried, one additional cabin crew member for every twenty-five, or a fraction of twenty-five, of such passengers above two hundred.

- (3) Where the number of cabin crew members specified in sub-regulation (2), calculated in accordance with that sub-regulation exceeds the number of main exits in the aircraft, it shall be sufficient compliance with this regulation if the number of cabin crew members carried is equal to the number of main exits in the aircraft.
- (4) Where passengers are on board a parked aircraft, the minimum number of cabin crew members shall be half of the number required for the flight operation, but in any case a minimum of one cabin crew member or another person qualified in the emergency evacuation procedures for the aircraft.
- (5) Where one-half of the cabin crew members specified in sub-regulation (1) would result in a fractional number, the tally of requisite cabin crew members may be rounded down to the next whole number.
- (6) Notwithstanding the preceding provisions of this regulation the Authority may give a direction to an air operator certificate holder requiring him to include among the crew thereof, whenever the aircraft is flying for the purpose of commercial air transport operations, at least one cabin crew notwithstanding that the aircraft may be carrying fewer than twenty passengers.

Carriage of special situation passengers	32.	<p>An air operator certificate holder shall not allow the transportation of special situation passengers, except-</p> <ul style="list-style-type: none"> (a) as otherwise provided in the air operator certificate holder's operations manual procedures; and (b) with the knowledge and concurrence of the pilot-in-command.
Cockpit check procedure	33.	<ul style="list-style-type: none"> (1) Air operator certificate holder shall issue to each flight crew member and make available on each aircraft at each flight crew member position, the cockpit checklist procedures approved by the Authority appropriate for the type and variant of aircraft. (2) An air operator certificate holder shall ensure that approved 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. (3) An air operator certificate holder shall ensure that the checklist procedures are designed so that a flight crew member shall not need to rely upon their memory for items to be checked. (4) An air operator certificate holder shall make the approved procedures readily available in the cockpit of each aircraft and the flight crew shall be required to follow them when operating the aircraft
Minimum equipment list and configuration deviation list	34	<ul style="list-style-type: none"> (1) An air operator certificate holder shall provide for the use of the flight crew members, maintenance personnel, and persons assigned operational control functions during the performance of their duties, minimum equipment list (MEL) approved by the Authority. (2) The MEL shall be specific to the aircraft type and variant and shall contain the circumstances, limitations and procedures for release or continuance of flight of the aircraft with inoperative components, equipment or instruments. (3) An air operator certificate 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. (4) An air operator certificate holder's Operations Manual shall contain those procedures acceptable to the Authority for operations in accordance with the CDL requirements
Performance planning manual	35.	<ul style="list-style-type: none"> (1) An air operator certificate 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. (2) The performance planning manual shall be specific to the aircraft type and variant and shall contain adequate performance information to accurately calculate the performance in all normal phases of flight operation.

Performance data control system	36.	<p>(1) An air operator certificate 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 the air operator certificate holder uses.</p> <p>(2) The system specified in sub-regulation (1) approved by the Authority shall provide current obstacle data for departure and arrival performance calculations, which shall enable the air operator certificate holder, who shall take account of charting accuracy, to comply with regulation 135 of the Civil Aviation (Operation of Aircraft) Regulations.</p>
Aircraft loading and handling manual	37.	<p>(1) An air operator certificate 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.</p> <p>(2) The loading manual shall be specific to the aircraft type and variant which contains the procedures and limitations for servicing and loading of the aircraft.</p>
Mass and balance data control system	38.	An air operator certificate 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 by that air operator certificate holder.
Cabin crew member manual	39.	<p>(1) An air operator certificate holder shall issue to the cabin crew member for use during the performance of their duties, a cabin crew member manual acceptable to the Authority.</p> <p>(2) The cabin crew member manual shall contain the operational policies and procedures applicable to cabin crew member and the carriage of passengers.</p> <p>(3) An air operator certificate holder shall issue to the cabin crew member a manual specific to the aircraft type and variant, containing the information deemed necessary by the Authority including details of normal, abnormal and emergency procedures and the location and operation of emergency equipment.</p> <p>(4) The manuals specified in sub-regulation (3) may be combined into one manual for use by the cabin crew member.</p>
Passenger briefing cards	40.	<p>(1) An air operator certificate holder shall carry on each passenger-carrying aircraft, in convenient locations for the use of each passenger, printed briefing cards supplementing the oral briefing and containing:</p> <p>(a) diagrams and methods of operating the emergency exits;</p> <p>(b) other instructions necessary for use of the emergency equipment; and</p> <p>(c) information regarding the restrictions and requirements associated with sitting in an exit seat row.</p> <p>(2) An air operator certificate holder shall ensure that each card contains information that is pertinent only to the type and variant of aircraft used for that flight.</p> <p>(3) An air operator certificate holder shall, at each exit seat, provide passenger information cards that include the following information in English and French languages:</p> <p>(a) functions required of a passenger in the event of an emergency in which a crew member is not available to assist-</p> <p>(i) locate the emergency exit;</p> <p>(ii) recognise the emergency exit opening mechanism;</p> <p>(iii) comprehend the instructions for operating the emergency exit;</p> <p>(iv) operate the emergency exit;</p> <p>(v) assess whether opening the emergency exit will increase the hazards to which passengers may be exposed;</p> <p>(vi) follow oral directions and hand signals given by a crew member;</p> <p>(vii) stow or secure the emergency exit door so that it will not impede use of the exit;</p> <p>(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;</p> <p>(ix) pass expeditiously through the emergency exit; and</p> <p>(x) assess, select, and follow a safe path away from the emergency exit;</p>

- (b) a requirement that a passenger identify themselves to allow reseating if that passenger-
 - (i) cannot perform the emergency functions stated in the information card;
 - (ii) has a condition that will prevent that passenger from performing the functions;
 - (iii) may suffer bodily harm as the result of performing one or more of those functions;
 - (iv) does not wish to perform those functions; or
 - (v) lacks the ability to read, speak, or understand the language or the graphic form in which instructions are provided by the air operator certificate holder;
- (c) a statement that whenever a crew member identifies a passenger who does not meet the requirements specified in sub-paragraph (b) above, the crew member shall reseat the passenger.

Aeronautical data control system

- 41.**
- (1) An air operator certificate holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current aeronautical data for each route and airport used.
 - (2) An air operator certificate holder shall provide the following aeronautical data for each airport used:
 - (a) airports-
 - (i) facilities;
 - (ii) navigational and communications aids;
 - (iii) construction affecting take-off, landing, or ground operations; and
 - (iv) air traffic service facilities;
 - (b) runways, clearways, and stopways-
 - (i) dimensions;
 - (ii) surface;
 - (iii) marking and lighting systems; and
 - (iv) elevation and gradient;
 - (c) displaced thresholds-
 - (i) location;
 - (ii) dimensions; and
 - (iii) take-off or landing or both;
 - (d) obstacles-
 - (i) those affecting takeoff and landing performance computations; and
 - (ii) controlling obstacles;
 - (e) instrument flight procedures-
 - (i) departure procedure;
 - (ii) approach procedure; and
 - (iii) missed approach procedure;
 - (f) special information-
 - (i) runway visual range measurement equipment; and
 - (ii) prevailing winds under low visibility conditions.

Route guide and aeronautical charts

- 42.**
- (1) An air operator certificate holder shall provide for the use of the flight crew members and persons assigned operational control function during the performance of their duties, a route guide and aeronautical charts approved by the Authority.
 - (2) The route guide and aeronautical charts shall be current and appropriate for the proposed types and areas of operations to be conducted by the air operator certificate holder.

Weather reporting sources

- 43.**
- (1) An air operator certificate holder shall use sources approved by the Authority for the weather reports and forecasts used for decisions regarding flight preparation, routing and terminal operations.
 - (2) Where an air operator certificate holder carries out passenger carrying operations on a published schedule, the air operator certificate 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.

- (3) An air operator certificate holder may use the following sources of weather reports for flight planning or controlling flight movement:
- (a) a Rwanda -operated automated surface observation stations, so long as the station reports all required items for a complete surface aviation weather report;
 - (b) a Rwanda-operated supplemental aviation weather reporting station;
 - (c) observations made by aerodrome control towers;
 - (d) a Rwanda-contracted weather observatory;.
 - (e) any active meteorological office operated by a foreign State which subscribes to the standards and practices contained in the Chicago convention and the annexes thereunder;
 - (f) for flight operations which use military airports as departure, destination, alternate or diversion airports, any military weather reporting sources approved by the Authority;
 - (g) 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; or
 - (h) an air operator certificate holder operated and maintained weather reporting system approved by the Authority.

De-icing and anti-icing programme

- 44.**
- (1) An air operator certificate holder planning to operate an aircraft in conditions where frost, ice, or snow may reasonably be expected to stick on to the aircraft shall:
- (a) use only aircraft adequately equipped for such conditions;
 - (b) ensure flight crew is adequately trained for such conditions; and
 - (c) have an approved ground de-icing and anti-icing programme.
- (2) Contents of the ground de-icing and anti-icing programme shall include a detailed description of:
- (a) the method used to determine that conditions are such that frost, ice, or snow may reasonably be expected to stick on to the aircraft and that ground de-icing and anti-icing operational procedures shall be effected;
 - (b) the person responsible for deciding that ground de-icing and anti-icing operational procedures shall be effected;
 - (c) the procedures for implementing ground de-icing and anti-icing operational procedures; and
 - (d) the specific duties and responsibilities of each operational position or group responsible for getting the aircraft safely airborne while ground de-icing and anti-icing operational procedures are in effect.
- (3) The air operator certificate holder's programme shall include procedures for flight crew members to increase or decrease the determined holdover time in changing conditions.
- (4) The holdover time shall be supported by data acceptable to the Authority.
- (5) Where the maximum holdover time is exceeded, take-off shall be prohibited unless at least one of the following conditions exists:
- (a) 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 programme, are free of frost, ice or snow;
 - (b) it is otherwise determined by an alternate procedure, approved by the Authority and in accordance with the air operator certificate holder's approved programme, that the wings, control surfaces, and other critical surfaces are free of frost, ice or snow; or
 - (c) the wings, control surfaces, and other critical surfaces are de-iced again and a new holdover time is determined.
- (6) A flight to be planned or expected to operate in suspected or known ground icing conditions shall not take off unless the aeroplane has been inspected for icing and, if necessary, has been given appropriate de-icing/anti-icing treatment; accumulation of ice

or other naturally occurring contaminants shall be removed so that the aeroplane is kept in an airworthy condition prior to take-off.

Flight supervision and monitoring system

45. (1) An air operator certificate holder who conducts scheduled operations shall have an adequate system approved by the Authority for proper dispatching and monitoring of the progress of the scheduled flights.
- (2) 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.
- (3) Where an air operator certificate holder conducts scheduled operations, the air operator certificate holder shall provide enough qualified operations officers at each dispatch centre to ensure proper operational control of each flight.

Flight following system for charter flights operations

46. (1) An air operator certificate holder who conducts charter flight operations 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.
- (2) The systems specified in sub-regulation (1) shall have a means of communication by private or available public facilities to monitor the departure and arrival at all airports, including flight diversions.
- (3) An air operator certificate holder shall have an approved flight following system established and adequate for the proper monitoring of each flight, considering the operations to be conducted
- (4) The centres established by an air operator certificate holder for flight following shall be located at points necessary to ensure:
- (a) the proper monitoring of the progress of each flight with respect to its departure at the point of origin and arrival at its destination, including intermediate stops and diversions; and
 - (b) that the pilot-in-command is provided with all information necessary for the safety of the flight.
- (5) An air operator certificate holder conducting charter operations may arrange to have flight following facilities provided by persons other than the air operator certificate holder's employees, but in such a case the air operator certificate holder continues to be primarily responsible for the operational control of each flight.
- (6) An air operator certificate holder conducting charter operations using a flight following system shall ensure that the system has adequate facilities and personnel to provide the information necessary for the initiation and safe conduct of each flight to-
- (a) the flight crew of each aircraft; and
 - (b) the persons designated by the air operator certificate holder to perform the function of operational control of the aircraft.
- (7) An air operator certificate holder conducting charter operations shall show that the personnel required to perform the function of operational control are able to perform their duties.

Communications facilities

47. (1) An air operator certificate holder's aircraft shall have two-way radio communications with all air traffic service facilities along the routes and alternate routes to be used.
- (2) An air operator certificate holder who conducts scheduled operations shall have rapid and reliable radio communications with all flights over his entire route structure under normal operating conditions.

Routes and areas of operation

48. (1) An air operator certificate holder may conduct operations only along such routes and within such areas for which:
- (a) ground facilities and services, including meteorological services, provided are adequate for the planned operation;
 - (b) the performance of the aircraft intended to be used is adequate to comply with minimum flight altitude requirements;
 - (c) the equipment of the aircraft intended to be used meets the minimum

- requirements for the planned operation;
 - (d) appropriate and current maps and charts are available;
 - (e) where a two-engine aircraft is used, adequate airports are available with the time and distance limitations; and
 - (f) where a single-engine aircraft is used, surfaces are available which permit a safe forced landing to be executed in the event of engine failure.
- (2) A person shall not conduct commercial air transport operations on any route or area of operation unless the operations are in accordance with any restrictions imposed by the Authority.
- En-route navigational facilities** **49.** (1) An air operator certificate holder shall not operate on a proposed route or area that does not have non visual ground aids:
- (a) available over the route for navigating aircraft within the degree of accuracy required for air traffic control; and
 - (b) located to allow navigation to any regular, provisional, refuelling, or alternate airport, within the degree of accuracy necessary for the operation involved.
- (2) Non visual ground aids shall not be required for:
- (a) Visual flight rules (VFR) operations; or
 - (b) operations on route segments where the use of celestial or other specialised means of navigation is approved by the Authority
- Flight safety documents system and flight safety programme** **50.** (1) An operator shall establish a flight safety documents system, for the use and guidance of operational personnel, as part of its safety management system referred to in regulation 51.
- (2) Guidance on the development and organization of a flight safety documents system is provided in Attachment H – *Flight Safety Documents System* to the Part I, and Attachment G, Part III, to Annex 6– *Operation of Aircraft*, to the Chicago Convention.
- (3) An operator shall establish and maintain an accident prevention and flight safety programme approved by the Authority.
- Safety management** **51.** (1) An air operator certificate holder operating an aircraft registered in Rwanda flying for the purpose of commercial air transport shall establish and maintain a safety management system that clearly defines lines of safety accountability for safety on the part of senior management and that is approved by the Authority.
- (2) The safety management system referred to in sub-regulation (1) shall:
- (a) identify actual and potential safety hazards;
 - (b) ensure that remedial action necessary to maintain an acceptable level of safety is implemented;
 - (c) provide for continuous monitoring and regular assessment of the safety level achieved; and
 - (d) aim to make continuous improvement to the overall level of safety.
- (3) An air operator certificate holder operating an aeroplane registered in Rwanda with a maximum total weight authorized of more than 27,000 kg shall include a flight data monitoring programme as part of its safety management system.
- (4) A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.

- unlocked from either pilot's station.
- (3) Where an aircraft is equipped with a flight crew compartment door in accordance with sub-regulation (2):
- (a) the door shall be closed and locked from the time all external doors are closed following embarkation until any such door is opened for disembarkation, except when necessary to permit access and egress by authorized persons; and
 - (b) means shall be provided for monitoring from the cockpit the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behaviour or potential threat.

PART VII – AIR OPERATOR CERTIFICATE DANGEROUS GOODS MANAGEMENT

- | | | |
|--|------------|---|
| Approval to transport dangerous goods | 58. | <ol style="list-style-type: none"> (1) An air operator certificate holder shall not transport dangerous goods unless approved to do so by the Authority and in compliance with the requirements of regulation 59. (2) In this Part, “Technical Instructions” means the latest effective edition of the <i>Technical Instructions for the Safe Transport of Dangerous Goods by Air</i>, as amended by any supplement and any addendum, approved and published by decision of the Council of the International Civil Aviation Organization. |
| Compliance with Technical Instructions | 59. | <ol style="list-style-type: none"> (1) An air operator certificate holder shall comply with the provisions contained in the Technical Instructions on all occasions when dangerous goods are carried, irrespective of whether the flight is wholly or partly within or wholly outside Rwanda. (2) Where dangerous goods are to be transported outside Rwanda, the air operator certificate holder shall review and comply with the appropriate variations notified by Contracting States contained in Attachment 3 to the Technical Instructions. (3) Articles and substances which would otherwise be classified as dangerous goods are excluded from the provisions of this Part, to the extent specified in the Technical Instructions, provided they are: <ol style="list-style-type: none"> (a) required to be on board the aircraft for operating reasons; (b) carried as catering or cabin service supplies; (c) carried for use in flight as veterinary aid or as a humane killer for an animal; or (d) carried for use in flight for medical aid for a patient, provided that:- <ol style="list-style-type: none"> (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 pilot-in-command in the interests of safety; or (v) they are carried by passengers or crew members. (4) Articles and substances intended as replacements for those specified in sub-regulation (3)(a) may be transported on an aircraft as specified in the Technical Instructions. |
| Limitations on the transport of dangerous goods | 60. | <ol style="list-style-type: none"> (1) An air operator certificate holder shall take reasonable measures to ensure that articles and substances that are specifically identified by name or generic description in the Technical Instructions as being forbidden for transport under any circumstances are not carried on any aircraft. (2) An air operator certificate holder shall take reasonable measures to ensure that articles and substances or other goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances are transported only when: <ol style="list-style-type: none"> (a) they are exempted by the Contracting States concerned under the provisions of the Technical Instructions; or (b) the Technical Instructions indicate they may be transported under an approval issued by the State of origin of the goods. |

Classification of dangerous goods	61.	An air operator certificate holder shall take all reasonable measures to ensure that articles and substances are classified as dangerous goods as specified in the Technical Instructions.
Packing	62.	An air operator certificate holder shall take all reasonable measures to ensure that dangerous goods are packed as specified in the Technical Instructions.
Labelling and marking	63	<p>(1) An air operator certificate holder shall take reasonable measures to ensure that packages, overpacks and freight containers are labelled and marked as specified in the Technical Instructions.</p> <p>(2) Where dangerous goods are carried on a flight which takes place wholly or partly outside Rwanda, the air operator certificate holder shall ensure that labelling and marking are in the English and French languages.</p>
Dangerous goods transport document	64.	<p>(1) Except where otherwise specified in the Technical Instructions, an air operator certificate holder shall ensure that, dangerous goods are accompanied by a dangerous goods transport document.</p> <p>(2) Where dangerous goods are carried on a flight which takes place wholly or partly outside Rwanda, an air operator certificate holder shall ensure that the English and French languages are used for the dangerous goods transport document.</p>
Acceptance of dangerous goods	65.	<p>(1) An air operator certificate holder shall not accept dangerous goods for transport unless the package, overpack or freight container has been inspected in accordance with the acceptance procedures as stipulated in the Technical Instructions.</p> <p>(2) An air operator certificate holder or his handling agent shall use an acceptance check list which shall:</p> <p style="margin-left: 20px;">(a) allow for all relevant details to be checked; and</p> <p style="margin-left: 20px;">(b) be in such form as may allow for the recording of the results of the acceptance check by manual, mechanical or computerised means.</p>
Inspection for damage, leakage or contamination	66.	<p>An air operator certificate holder shall ensure that:</p> <p>(a) packages, overpacks and freight containers are inspected for evidence of leakage or damage immediately prior to loading on an aircraft or into a unit load device, as specified in the Technical Instructions;</p> <p>(b) a unit load device is not loaded on an aircraft unless it has been inspected as required by the Technical Instructions and found free from any evidence of leakage from, or damage to, the dangerous goods contained therein;</p> <p>(c) leaking or damaged packages, overpacks or freight containers are not loaded on an aircraft;</p> <p>(d) any package of dangerous goods found on an aircraft and which appears to be damaged or leaking is removed or arrangements made for its removal by an appropriate authority or organization;</p> <p>(e) after removal of any leaking or damaged goods, the remainder of the consignment is inspected to ensure it is in a proper condition for transport and that no damage or contamination has occurred to the aircraft or its load; and</p> <p>(f) packages, overpacks and freight containers are inspected for signs of damage or leakage upon unloading from an aircraft or from a unit load device and, if there is evidence of damage or leakage, the area where the dangerous goods were stowed shall be inspected for damage or contamination.</p>
Removal of contamination	67.	<p>An air operator certificate holder shall ensure that:</p> <p>(a) any contamination found as a result of the leakage or damage of dangerous goods is removed without delay; and</p> <p>(b) an aircraft which has been contaminated by radioactive materials is immediately taken out of service and not returned until the radiation level at any accessible</p>

surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

Loading restrictions

- 68.** An air operator certificate holder shall ensure that:
- (a) dangerous goods are not carried in an aircraft cabin occupied by passengers or in the cockpit, unless otherwise specified in the Technical Instructions;
 - (b) dangerous goods are loaded, segregated, stowed and secured on an aircraft as specified in the Technical Instructions; and
 - (c) packages of dangerous goods bearing the “Cargo Aircraft Only” label are carried on cargo aircraft and loaded as specified in the Technical Instructions.

Provision of information

- 69.** (1) An air operator certificate holder shall ensure that:
- (a) information is provided to enable ground staff to carry out their duties with regard to the transport of dangerous goods, including the actions to be taken in the event of incidents and accidents involving dangerous goods; and
 - (b) where applicable, the information referred to in sub-paragraph (a) is also provided to the handling agent.
- (2) An air operator certificate holder 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 on board an aircraft 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.
- (3) An air operator certificate holder 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, including the actions to be taken in the event of emergencies involving dangerous goods.
- (4) An air operator certificate holder shall ensure that the pilot-in-command is provided with written information on dangerous goods carried on board the aircraft in the manner and form specified in the Technical Instructions.
- (5) An air operator certificate holder that is involved in an aircraft incident or accident shall:
- (a) as soon as possible, inform the Authority and the appropriate authority of the State in which the aircraft incident or accident occurred of any dangerous goods carried; and
 - (b) on request by the Authority, provide any information required to minimise the hazards created by any dangerous goods carried.

Training programmes

- 70.** (1) An air operator certificate holder shall establish, maintain, and have approved by the Authority, staff training programmes, as required by the Technical Instructions.
- (2) An air operator certificate holder not holding a permanent approval to carry dangerous goods shall ensure that:
- (a) staff who are engaged in general cargo handling have received training to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 1 of Table 1 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and what requests apply to the carriage of such goods by passengers; and
 - (b) crew members, passenger handling staff, and security staff used by an air operator certificate holder to deal with the screening of passengers and their baggage, have received training which covers as a minimum, the areas identified in Column 2 of Table 1 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify them and what requirements apply to the carriage of such goods by passengers.

TABLE 1

Areas of Training	Column 1	Column 2
General philosophy	X	X

Limitations on dangerous goods in air transport		X
Package marking and labelling	X	X
Dangerous goods in passengers baggage	X	X
Emergency procedures	X	X
<i>Note: 'X' indicates an area to be covered.</i>		

- (3) An air operator certificate holder holding a permanent approval to carry dangerous goods shall ensure that:
- (a) staff who are engaged in the acceptance of dangerous goods have received training and are qualified to carry out their duties which covers as a minimum, the areas identified in Column 1 of Table 2 to a depth sufficient to ensure the staff can take decisions on the acceptance or refusal of dangerous goods offered for carriage by air;
 - (b) staff who are engaged in ground handling, storage and loading of dangerous goods have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 2 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and how to handle and load them;
 - (c) staff who are engaged in general cargo handling have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 3 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and how to handle and load them;
 - (d) flight crew members have received training which covers as a minimum, the areas identified in Column 4 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods and how they should be carried on an aircraft;
 - (e) passenger handling staff and security staff used by the operator who deal with the screening of passengers and their baggage and crew members, other than flight crew members, have received training which covers as a minimum, the areas identified in Column 5 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods and the requirements that apply to the carriage of such goods by passengers or, more generally, their carriage on an aircraft.
- (4) An air operator certificate holder shall ensure that:
- (a) all staff who require dangerous goods training receive recurrent training at intervals of not longer than two years;
 - (b) the records of dangerous goods training are maintained for all staff trained in accordance with the provisions of this regulation; and
 - (c) his handling agent's staff are trained in accordance with the applicable column of Table 1 or Table 2.

Areas Of Training	Column 1	Column 2	Column 3	Column 4	Column 5
General philosophy	X	X	X	X	X
Limitations on dangerous goods in the air transport	X	X		X	X
Classification and list of dangerous goods	X	X		X	
General packing requirements and packing instructions	X				
Packaging specifications marking	X				

Package marking and labelling	X	X	X	X	X
Documentation from the shipper	X				
Acceptance of dangerous goods, including the use of a checklist	X				
Loading, restrictions on loading and segregation	X	X	X	X	
Inspections for damage or leakage and decontamination procedures	X	X			
Provision of information to the pilot-in-command	X	X		X	
Dangerous goods in passengers' baggage	X			X	X
Emergency procedures	X	X	X	X	X
<i>Note: "X" indicates an area to be covered</i>					

- Dangerous goods incident and accident reports**
- 71.** An air operator certificate holder shall report to the Authority:
- (a) dangerous goods incidents and accidents; and
 - (b) undeclared or misdeclared dangerous goods discovered in the cargo or passenger baggage within seventy two hours of the incident, accident or discovery unless exceptional circumstances prevent such reporting within the time stipulated.

PART VIII – OFFENCES AND PENALTIES

- Penalties**
- 72.**
- (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
 - (2) Any person who contravenes any provision specified as an “A” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence or each flight or to imprisonment for a term not exceeding six (6) months or to both.
 - (3) Any person who contravenes any provision specified as a “B” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

SCHEDULE

REGULATION 72

PENALTIES

REG. NO.	TITLE	PART
3	Compliance with an Air Operator Certificate.	B
8	Amendment of an Air Operator Certificate.	A
9	Access for inspection.	A
10	Conducting tests and inspections.	A
13	Submission and revision of policy and procedure manuals	A
14	Retention and maintenance of personnel and other records.	A
15	Inspection of personnel and other records.	A
16	Flight recorders records.	A
18	Authorized aircraft.	B
19	Dry leasing of foreign registered aircraft.	A
31	Required cabin crew members	A
32	Carriage of special situation passengers.	A
48	Routes and areas of operation	A
49	En-route navigational facilities.	A
52	Maintenance responsibility	A
58	Approval to transport dangerous goods.	B
59	Compliance with Technical Instructions.	A
60	Limitations on the transport of dangerous goods.	A
61	Classification of dangerous goods	A
62	Packing.	A
63	Labelling and marking.	A
64	Dangerous goods transport document.	A
65	Acceptance of dangerous goods.	A
66	Inspection for damage, leakage or contamination.	A
67	Removal of contamination.	A
68	Loading restrictions.	A
69	Provision of information.	A
71	Dangerous goods incident and accident reports	A

**Seen to be annexed to the Presidential Order n°60/01 Of 20/10/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX X TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (OPERATION OF AIRCRAFT) REGULATIONS, 2008

ARRANGEMENT OF REGULATIONS

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2. Definition.

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5. Special certificate of airworthiness.
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Air Operator Certificate Holder

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SCHEDULE

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THE CIVIL AVIATION (OPERATION OF AIRCRAFT) REGULATIONS, 2008

PART I - PRELIMINARY

- Citation** 1. These Regulations may be cited as the Civil Aviation (Operation of Aircraft) Regulations, 2008.
- Definition** 2. In these Regulations, “air operator certificate holder” means any air operator certificate holder to whom the Civil Aviation (Air Operator Certification and Administration) Regulations apply.

PART II – GENERAL OPERATIONS REQUIREMENTS

Aircraft requirements

- Registration markings** 3. A person shall not operate an aircraft registered in Rwanda or a foreign-registered aircraft in Rwanda airspace unless that aircraft displays the proper markings prescribed in the Civil Aviation (Aircraft Registration and Marking) Regulations.
- Civil aircraft airworthiness** 4. (1) A person shall not operate an aircraft unless that aircraft is in an airworthy condition.
 (2) Subject to sub-regulation (1), a pilot-in-command shall:
 (a) determine whether an aircraft is in a condition for safe flight;
 and
 (b) discontinue a flight when an unairworthy mechanical, electrical or structural condition occurs.
- Special certificate of airworthiness** 5. A person shall not operate an aircraft with a special certificate of airworthiness except as provided in the limitations issued with that certificate in accordance with the Civil Aviation (Airworthiness) Regulations.
- Aircraft instruments and equipment** 6. A person shall not operate an aircraft unless it is equipped with instruments and equipment appropriate to the type of flight operation conducted and the route being flown and in any case in compliance with the requirements of the Civil Aviation (Instruments and Equipment) Regulations.
- Inoperative instruments and equipment** 7. (1) A person shall not commence an aircraft flight with inoperative instruments or equipment installed, except as authorized by the Authority;
 (2) A person shall not operate a multi-engine aircraft in commercial air transport with inoperative instruments and equipment installed unless the following conditions are met:
 (a) an approved minimum equipment list exists for that aircraft;
 (b) the Authority has issued operations specifications authorising operations in accordance with an approved minimum equipment list; the flight crew shall have direct access at all times prior to flight to all of the information contained in the approved minimum equipment list through printed or other means approved by the Authority in the operations specifications; an approved minimum equipment list, as authorized by the operations specifications, constitutes an approved change to the type design without requiring recertification.
 (c) the approved minimum equipment list must:
 (i) be prepared in accordance with the limitations specified in sub-regulation (4);
 (ii) provide for the operation of the aircraft with certain instruments and equipment in an inoperative condition;
 (d) records identifying the inoperative instruments and equipment and the information required by sub-regulation (2)(c)(ii) shall be available to the

- (e) pilot;
 - the aircraft is operated under all applicable conditions and limitations contained in the minimum equipment list and the operations specifications authorising use of the minimum equipment list;
- (3) Flight operations with inoperative instruments and equipment installed may be allowed in situations where no master minimum equipment list is available and no minimum equipment list is required for the specific aircraft operation under these Regulations.
- (4) The inoperative instruments and equipment referred to in sub-regulation (1) shall not be:
 - (a) part of the VFR-day instruments and equipment prescribed in the Civil Aviation (Instruments and Equipment) Regulations;
 - (b) required on the aircraft's equipment list or the operations equipment list for the kind of flight operation being conducted;
 - (c) required by the Civil Aviation (Instruments and Equipment) Regulations for the specific kind of flight operation being conducted; or
 - (d) required to be operational by an airworthiness directive.
- (5) The Authority may authorize a person to operate an aircraft with inoperative instruments and equipment where such instruments and equipment are:
 - (a) determined by the pilot-in-command not to be a hazard to safe operation;
 - (b) deactivated and placarded "Inoperative"; and
 - (c) removed from the aircraft, the cockpit control placarded and the maintenance recorded in accordance with the Civil Aviation (Airworthiness) Regulations.
- (6) Where deactivation of the inoperative instrument or equipment involves maintenance, it shall be accomplished and recorded in accordance with the Civil Aviation (Airworthiness) Regulations.
- (7) The following instruments and equipment shall not be included in the minimum equipment list:
 - (a) 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.
 - (b) instruments and equipment required for operable condition by an airworthiness directive, unless the airworthiness directive provides otherwise.
 - (c) instruments and equipment required for specific operations.
- (8) Notwithstanding sub-regulation (7), an aircraft with inoperative instruments or equipment may be operated under a special flight permit issued under the Civil Aviation (Airworthiness) Regulations.

Aircraft flight manual, marking and placard requirements

- 8. (1) A person shall not operate an aircraft registered in Rwanda unless there is available in the aircraft:
 - (a) a current, approved aeroplane flight manual or rotorcraft flight manual; or
 - (b) an operations manual approved by the Authority for the air operator certificate holder;
 - (c) if no aeroplane flight manual or rotorcraft flight manual exists, approved manual material, markings and placards, or any combination thereof which provide the pilot-in-command with the necessary limitations for safe operation.
- (2) A person shall not operate an aircraft within or over Rwanda without complying with the operating limitations specified in the approved aeroplane flight manual or rotorcraft flight manual, markings and placards, or as otherwise prescribed by the aircraft's State of registry.
- (3) A person operating an aircraft under these Regulations shall display in the aircraft all placards, listings, instrument markings or combination thereof, containing those operating limitations prescribed by the aircraft's State of registry for visual

presentation.

- (4) Each aeroplane flight manual or rotorcraft flight manual shall be updated by implementing changes made mandatory by the State of registry.

Required aircraft and equipment inspections

9. (1) Unless otherwise authorized by the Authority, a person shall not operate an aircraft registered in Rwanda unless it has had the following inspections:
- (a) an annual inspection within the past twelve months;
 - (b) a one hundred hour inspection;
 - (c) an altimeter and pitot-static system inspection in the past twelve months;
 - (d) for transponder equipped aircraft, a transponder check within the past twelve months;
 - (e) for emergency locator transmitter-equipped aircraft, an emergency locator transmitter check within the past twelve months.
- (2) Aircraft for remuneration or hire operations maintained under maintenance and inspection programme approved by the Authority is not required to have current annual or one hundred hour inspections in their maintenance records.

Documents to be carried on aircraft

10. (1) A person shall not fly an aircraft unless it carries documents which are required to be carried on board under the law of the State of registry.
- (2) An aircraft registered in Rwanda shall, when in flight, have on board the documents specified in this regulation, except that if the flight is intended to begin and end at the same aerodrome and does not include passage over the territory of any other State other than Rwanda, the documents may be kept at the aerodrome instead of being carried aboard the aircraft.
- (3) The documents to be carried in an aircraft are:
- (a) on a flight for the purpose of commercial air transport:
 - (i) licence in force in respect of the aircraft radio station installed in the aircraft;
 - (ii) the certificate of airworthiness in force in respect of the aircraft;
 - (iii) the licences and certificates of members of the flight crew of the aircraft;
 - (iv) one copy of mass and balance documentation, if any, required with respect to the flight;
 - (v) one copy of the certificate of release to service, if any, in force with respect to the aircraft;
 - (vi) the technical logbook required by these Regulations;
 - (vii) the operations manual, if any, required by these Regulations to be carried on the flight;
 - (viii) aircraft certificate of registration;
 - (ix) aircraft journey logbook;
 - (x) list of passenger names and points of embarkation and disembarkation, if applicable;
 - (xi) cargo manifest including special loads information if applicable;
 - (xii) copy of the air operator certificate;
 - (xiii) noise certificate if required;
 - (xiv) aeroplane flight manual or rotorcraft flight manual;
 - (xv) minimum equipment list;
 - (xvi) category II or III Manual, as applicable;
 - (xvii) operational flight plan;
 - (xviii) filed NOTAMS briefing documentation;
 - (xix) meteorological information;

- (xx) maps and charts required for the flight and possible diversions;
 - (xxi) forms for complying with the reporting requirements of the Authority and the air operator certificate holder;
 - (xxii) list of special situation passengers;
 - (xxiii) filed air traffic control flight plan;
 - (xxiv) search and rescue information;
 - (xxv) any other document which may be required by the Authority or States concerned with a flight.
- (b) on a flight which includes passage over a territory of any country other than Rwanda for the purpose of commercial air transport and aerial work:
- (i) those documents set forth in paragraph (a);
 - (ii) a copy of notified procedure to be followed by pilot-in-command of an intercepted aircraft and the notified visual signals for use by intercepting and intercepted aircraft; and
 - (iii) a general declaration for customs;
- (c) on a flight for the purpose of aerial work:
- (i) the licence in force in respect of the aircraft radio station installed in the aircraft;
 - (ii) the certificate of airworthiness in force in respect of the aircraft;
 - (iii) the licences and certificates of members of the flight crew of the aircraft;
 - (iv) the technical logbook required by these Regulations;
 - (v) one copy of the certificate of release to service, if any, in force with respect to the aircraft;
 - (vi) aircraft certificate of registration; and
 - (vii) any other document required by the Authority.
- (d) on a flight which includes passage over a territory of any country other than Rwanda for the purpose of aerial work:
- (i) those documents set forth in paragraph (c);
 - (ii) a copy of notified procedure to be followed by pilot-in-command of an intercepted aircraft and the notified visual signals for use by intercepting and intercepted aircraft;
- (e) on a flight which includes passage over a territory of any country other than Rwanda for the purpose of general aviation:
- (i) licence in force in respect of the aircraft radio station installed in the aircraft;
 - (ii) the certificate of airworthiness in force in respect of the aircraft;
 - (iii) the licences of members of the flight crew of the aircraft;
 - (iv) the certificate of registration;
 - (v) a copy of notified procedure to be followed by pilot-in-command of an intercepted aircraft and the notified visual signals for use by intercepting and intercepted aircraft;
 - (vi) journey logbook;
 - (vii) if it carries passengers, a list of names, places of embarkation and destination; and
 - (viii) if it carries cargo, a manifest and detailed declarations of the cargo.
- (f) for the purpose of general aviation flight within Rwanda:
- (i) the licence in force in respect of the aircraft radio station installed in the aircraft;
 - (ii) the certificate of airworthiness in force in respect of the aircraft;
 - (iii) the licences and certificates of members of the flight crew

- of the aircraft;
- (iv) one copy of the certificate of release to service, if any, in force with respect to the aircraft;
- (v) aircraft certificate of registration;
- (vi) noise certificate, if required;
- (vii) aeroplane flight manual or rotorcraft flight manual;
- (viii) category II or III Manual, as applicable;
- (ix) filed NOTAMS briefing documentation;
- (x) forms for complying with reporting requirements of the Authority;
- (xi) filed air traffic control flight plan; and
- (xii) any other document required by the Authority.

Production of documents

- 11.** (1) A pilot-in-command shall, after being requested to do so by an authorized person, produce for examination by that person:
- (a) the certificates of registration and airworthiness in force in respect of the aircraft;
 - (b) the licences and certificates of crew members, as applicable; and
 - (c) such other documents as required by regulation 10 to be on board the aircraft when in flight.
- (2) The operator of an aircraft registered in Rwanda shall, after being requested to do so by an authorized person, produce to that person any of the following documents or records requested by that person, being documents or records which are required by or under these Regulations to be in force or to be carried, preserved or made available:
- (a) licence in force in respect of the aircraft radio station installed in the aircraft;
 - (b) the certificate of airworthiness in force in respect of the aircraft;
 - (c) the certificate of registration in force with respect to the aircraft;
 - (d) the aircraft logbook, engine logbooks and variable pitch propeller logbooks required under these Regulations to be kept;
 - (e) the mass and balance documentation, if any, required to be preserved under these Regulations;
 - (f) any records of flight time, duty periods and rest periods which are require to be preserved by these Regulations, and such other documents and information in the possession or control of the operator, as the authorized person may required for the purpose of determining whether those records are complete and accurate;
 - (g) any operations manuals or other data required to be made available under these Regulations; and
 - (h) the record made by any flight recorder installed under the Civil Aviation (Instruments and Equipment) Regulations.
- (3) The holder of a licence or certificate granted or rendered valid under the Civil Aviation (Personnel Licensing) Regulations shall, after being requested to do so by an authorized person, produce to that authorized person, his licence, certificate, including any validation thereof.
- (4) Every person required by the Civil Aviation (Personnel Licensing) Regulations to keep a personal flying log-book shall:
- (a) keep such records for a period of not less than two years after the date of the last entry therein; and
 - (b) produce it to an authorized person immediately, and in any case not latter than fourteen days after being requested to do so.

- Preservation of documents** 12. (1) Subject to sub-regulation (2), a person required by these Regulations to preserve any documents or records by reason of his being the operator of an aircraft shall, if he ceases to be the operator of the aircraft, continue to preserve the documents or records as if he had not ceased to be the operator, and in the event of his death the duty to preserve the documents or records shall fall upon his personal representative.
- (2) If another person becomes the operator of the aircraft, the first-mentioned operator or his personal representative shall deliver to that person upon demand the certificate of release to service, the logbooks and the mass and balance schedule and any record made by a flight recorder and preserved in accordance with these Regulations which are in force or required to be preserved in respect of that aircraft.
- (3) If an engine or variable pitch propeller is removed from the aircraft and installed in another aircraft operated by another person the first-mentioned operator or his personal representative shall deliver to that person upon demand the logbook relating to that engine or propeller.
- (4) If any person in respect of whom a record has been kept by the first-mentioned operator in accordance with these Regulations becomes a flight crew member of an aircraft registered in Rwanda engaged in commercial air transport operations in Rwanda and operated by another person, the first-mentioned operator or his personal representative shall deliver those records to that other person upon demand.
- (5) It shall be the duty of the other person referred to in sub-regulations (2), (3) and (4) to deal with the documents or records delivered to him as if he were the first mentioned operator.
- Insurance** 13. (1) A person shall not fly, or cause or commit any other person to fly an aircraft unless there is in force an insurance policy in respect of third party risks.
- (2) The insurance policy for commercial air transport aircraft shall cover insurance in respect of passengers' liability, cargo, baggage and mail risks.
- (3) The minimum sum of insurance in respect of any aircraft insured in accordance with sub-regulation (2) shall be notified by the Authority.
- Stowaways** 14. A person shall not secrete himself in an aircraft for the purpose of being carried in the aircraft without the consent of either the operator or the pilot-in-command thereof or of any other person entitled to give consent to his being carried in the aircraft.
- Co-ordination of activities potentially hazardous to civil aircraft.** 15. (1) A person shall not carry out activities potentially hazardous to civil aircraft whether flying over Rwanda or over the territorial waters of Rwanda without approval from the Authority.
- (2) Notwithstanding the generalities of sub-regulation (1):
- (a) 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;
- (b) 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;
- (c) 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 and there is a mutual agreement by the operator of the laser emitter or light source, the pilot-in-command and the competent Authority.
- (3) A person shall not release into the atmosphere any radio active material or toxic chemicals which could affect the safety of aircraft operating within the Rwandan airspace.

Power to prohibit or restrict flying or landing or taking off

16. (1) Where the Authority deems it necessary in the public interest to restrict or prohibit:
- (a) flying over any area of Rwanda or along any route therein; or
 - (b) landing or take-off at any place in Rwanda by reason of:
 - (i) the intended gathering or movement of a large number of persons;
 - (ii) the intended holding of an aircraft race contest or of an exhibition of flying; or
 - (iii) national security or any reason affecting public interest,
- may make orders prohibiting, restricting or imposing conditions on flight by any aircraft, whether or not registered in Rwanda, in any airspace over Rwanda and by an aircraft registered in Rwanda, in any other airspace, being airspace in respect of which Rwanda has in pursuance of international arrangements undertaken to provide navigation services for aircraft.
- (2) Orders made under this regulation may apply either generally or in relation to any class of aircraft.
- (3) It shall be an offence to contravene or permit the contravention of or fail to comply with any Orders made hereunder.
- (4) If the pilot-in-command becomes aware that he is flying in contravention of any regulation which have been made for any of the reasons referred to in sub-regulation (1)(b)(iii) he shall, unless otherwise instructed pursuant to sub-regulation (5), cause the aircraft to leave the area to which the order relate by flying to the least possible extent over such area and the aircraft shall not begin to descend while over such an area.
- (5) The pilot-in-command flying either within an area for which Orders have been made for any of the reasons referred to in sub-regulation (1)(b)(iii) or within airspace notified as a danger area shall forthwith comply with instructions given by radio by the appropriate air traffic services unit or by, or on behalf of, the person responsible for safety within the relevant airspace.
- (6) This regulation does not prevent the Minister in charge of Civil Aviation or the Minister of Defence to issue Orders within their respective jurisdictions based on the reasons referred to in sub-regulations (1)(a) and (1)(b)(iii).

Balloons, kites and airships

17. (1) A person shall not, within Rwanda:
- (a) fly a captive balloon or kite at a height of more than 60 m (200 ft) above the ground level or within 60 m (200 ft) of any vessel, vehicle or structure;
 - (b) fly a captive balloon within an aerodrome traffic zone;
 - (c) 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;
 - (d) fly a kite within an aerodrome traffic zone;
 - (e) moor an airship; or
 - (f) fly a free balloon at night,
- without the permission in writing of the Authority, and in accordance with any conditions subject to which the permission may be granted.
- (2) 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.
- (3) An unmanned free balloon shall be operated in such a manner as to minimise hazards to persons, property or other aircraft.

PART III - AIRCRAFT MAINTENANCE REQUIREMENTS

Aircraft maintenance requirements

18. (1) An owner, or in the case where it is leased, a lessee, or an air operator certificate holder of an aircraft shall ensure that :
- (a) the aircraft is maintained in an airworthy condition, including compliance with all airworthiness directives;
 - (b) the operational and emergency equipment necessary for the intended flight is serviceable;
 - (c) the certificate of airworthiness remains valid; and
 - (d) the maintenance and release to service of the aeroplane is performed in accordance with the maintenance programme of, and under a system acceptable to, the State of registry..
- (2) A person shall not perform maintenance, preventive maintenance, or alterations on an aircraft other than as prescribed in this Part, in the Civil Aviation (Airworthiness) Regulations and in the Civil Aviation (Approved Maintenance Organization) Regulations
- (3) A person shall not 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 out in operations specifications approved by the Authority.
- (4) An owner, or in the case where it is leased, a lessee, or an air operator certificated holder of an aeroplane over 5,700 kg maximum certificated take-off mass shall, as prescribed by the State of registry, ensure that the information resulting from maintenance and operational experience with respect to continuing airworthiness, is transmitted, as required by regulation 15 of the Civil Aviation (Airworthiness) Regulations;

Air Operator Certificate Holder

Maintenance responsibility

19. (1) An air operator certificate holder shall ensure the airworthiness of its aircraft and the serviceability of both operational and emergency equipment by:
- (a) carrying out preflight inspections;
 - (b) correcting any defect or damage affecting safe operation of the aircraft to an approved standard, taking into account the minimum equipment list and configuration deviation list if available for the aircraft type;
 - (c) carrying out maintenance on the aircraft in accordance with the approved operator's aircraft maintenance programme;
 - (d) analysing of the effectiveness of the air operator certificate holder's approved aircraft maintenance programme;
 - (e) effecting the provisions of any operational directive, airworthiness directive and any other continued airworthiness requirement made mandatory by the Authority; and
 - (f) carrying out modifications in accordance with an approved standard and establishing an embodiment policy for non-mandatory modifications.
- (2) An air operator certificate holder shall ensure that the certificate of airworthiness for each aircraft operated remains valid in respect of:
- (a) the requirements specified in sub-regulation (1);
 - (b) the expiry date of the certificate of airworthiness; and

- (c) any other maintenance condition specified in the certificate of airworthiness.
- (3) An air operator certificate holder shall ensure that the requirements specified in sub-regulation (1) are performed in accordance with procedures approved by or acceptable to the Authority.
- (4) An air operator certificate holder shall ensure that the maintenance, preventive maintenance and modification of its aircraft or aircraft component are performed in accordance with its maintenance control manual or current instructions for continued airworthiness and applicable civil aviation regulations.
- (5) An air operator certificate holder shall employ a person or group of persons to ensure that all maintenance is carried out in accordance with the maintenance control manual.
- (6) An air operator certificate holder may make an arrangement with another person for the performance of any maintenance, preventive maintenance or modifications but shall remain responsible for all work performed under the arrangement.

Approval and acceptance of air operator certificate maintenance systems

- 20.**
- (1) Except for pre-flight inspections, an air operator certificate holder shall not operate an aircraft:
 - (a) registered in Rwanda, unless it is maintained in an airworthy condition and released to service by an approved maintenance organization approved in accordance with the Civil Aviation (Approved Maintenance Organization) Regulations; and
 - (b) of foreign registry, unless it is maintained in an airworthy condition and released to service in accordance with a system approved by the State of registry in which the person signing the maintenance release is licensed in accordance with the latest effective edition of Annex I – *Personnel Licensing* to the Chicago Convention, and is acceptable to the Authority;
 - (2) The State of registry may transfer some or all its responsibility for foreign registered aircraft operating in Rwanda under an agreement entered into pursuant to Article 83bis of the Chicago Convention.

Maintenance control manual

- 21.**
- (1) An air operator certificate holder shall provide to the Authority, and to the State of registry of the aircraft, if different from the Authority, the air operator certificate holder's maintenance control manual and subsequent amendments, for the use and guidance of maintenance and operational personnel concerned, having a design that observe Human Factors principles, and containing details of the organization's structure including:
 - (a) the procedures to be followed to satisfy the maintenance responsibility required under regulation 19;
 - (b) the procedures for the reporting of failures, malfunctions, and defects in accordance with the Civil Aviation (Airworthiness) Regulations to the Authority, State of registry and the State of design within seventy two hours of discovery;
 - (c) items that warrant immediate notification to the Authority by telephone, telex or fax, with a written follow-on report as soon as possible but no later than within seventy two hours of discovery, which 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.
 - (2) An air operator certificate holder's maintenance control manual shall contain the following information which may be issued in separate parts:
 - (a) a description of the administrative agreements between the air operator certificate holder and an approved maintenance organization;

- (b) a description of the maintenance procedures and the procedures for completing and signing the certificate of release to service;
 - (c) a description of the procedures to ensure each aircraft an air operator certificate holder operates is in an airworthy condition;
 - (d) a description of the procedures to ensure the operational emergency equipment for each flight is serviceable;
 - (e) the names and duties of the person or persons required to ensure that all maintenance is carried out in accordance with the maintenance control manual;
 - (f) a reference to the maintenance programme;
 - (g) a description of the methods for completion and retention of the operator's maintenance records required by regulation 26;
 - (h) a description of the procedures for monitoring, assessing and reporting maintenance and operational experience for all aircraft 5,700kg and above and helicopters 3,180kg and above maximum certificated take-off mass, providing the information as prescribed by the State of registry and reporting through the system specified in regulation 15 of the Civil Aviation (Airworthiness) Regulations;
 - (i) a description of the procedures for obtaining and assessing continued airworthiness information and implementing any resulting actions for all aircraft 5,700kg and above and helicopters 3,180kg and above maximum certificated take-off mass, from the organization responsible for the type design, and shall implement such actions considered necessary by the State of registry;
 - (j) a system of ensuring that any fault, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of aeroplanes 5,700kg and above and helicopters 3,180kg and above maximum certificated take-off mass shall be transmitted to the organization responsible for the type design of that aeroplane or helicopter;
 - (k) a description of the procedures for implementing mandatory continuing airworthiness information;
 - (l) a description of establishing and maintaining a system of analysis and continued monitoring of the performance and efficiency of the maintenance programme in order to correct any deficiency in that programme;
 - (m) a description of aircraft types and models to which the manual applies;
 - (n) a description of procedures for ensuring that unserviceabilities affecting airworthiness are recorded and rectified; and
 - (o) a description of the procedures for advising the State of registry and the State of the operator of significant in-service occurrences.
- (3) An air operator certificate holder shall not provide for use of its personnel in commercial air transport, a maintenance control manual or its part that has not been reviewed and approved by the Authority.
- (4) An air operator certificate holder shall ensure that
- (a) his maintenance control manual is amended as necessary, to keep the information contained therein up to date; and
 - (b) copies of all amendments to the maintenance control manual is furnished promptly to all organizations or persons to whom the manual has been issued.
- (5) An air operator certificate holder or applicant for an air operator certificate shall submit and maintain a maintenance control manual containing at least the information set out in Chapter 11 of Part I, or in Chapter 9 of Part III, Section II, to Annex 6 – *Operation of Aircraft* to the Chicago Convention and any other information requested by the State of registry or the Authority.

Maintenance management

- 22.
- (1) An air operator certificate holder, approved as an approved maintenance organization, may carry out the requirements in regulation 19.
 - (2) An air operator certificate holder shall employ a person or a group of persons, acceptable to the Authority, to ensure that all maintenance is carried out on time to an approved standard such that the maintenance requirements of regulation 19 and requirements of the air operator certificate holder's maintenance control manual are satisfied, and to ensure the functioning of the quality system.
 - (3) An air operator certificate holder shall provide suitable office accommodation at appropriate locations for the personnel specified in sub-regulation (2).
 - (4) Where an air operator certificate holder is not an approved maintenance organization, the air operator certificate holder shall make arrangements with an approved maintenance organization to carry out the requirement of regulation 19.
 - (5) The arrangement made pursuant to sub-regulation (4) shall be in the form of a written maintenance contract between the air operator certificate holder and the approved maintenance organization detailing the required maintenance functions and defining the support of the quality functions approved or accepted by the Authority.

Quality system: maintenance

- 23.
- (1) For maintenance purposes, an air operator certificate holder's quality system shall:
 - (a) include at least the following functions-
 - (i) monitoring that the activities of regulation 19 are being performed in accordance with the accepted procedures;
 - (ii) ensure that all contracted maintenance is carried out in accordance with the contract;
 - (iii) monitoring the continued compliance with the requirements of these Regulations; and
 - (iv) monitoring compliance with, and adequacy of, procedures required to ensure safe maintenance practices, airworthy aircraft and aircraft components.
 - (b) shall include a quality assurance programme that contains procedures designed to verify that all maintenance operations are being conducted in accordance with all applicable requirements, standards and procedures.
 - (2) Compliance monitoring as referred to in sub-regulation (1) shall include a feedback system to the accountable manager to ensure corrective action as necessary.
 - (3) Where an air operator certificate holder is also an approved maintenance organization, the air operator certificate holder's quality management system may be combined with the requirements of an approved maintenance organization and submitted for approval and acceptance to the Authority, and State of registry for aircraft not registered in Rwanda.
 - (4) An air operator certificate holder shall establish a plan acceptable to the Authority indicating when and how often the activities as required in regulation 19 may be monitored.
 - (5) Reports shall be made upon completion of monitoring of activities including details of discrepancies of non-compliance with procedures or requirements.
 - (6) The feedback part of the system shall specify the person responsible for rectifying discrepancies and non-compliance in each particular case, the procedure to be followed if rectification is not completed within appropriate time scales, and a system of reporting to the accountable manager.
 - (7) To ensure effective compliance with this regulation, an air operator certificate holder or an applicant for an air operator certificate shall carry out:
 - (a) product sampling - the part inspection of a representative sample of the aircraft fleet;
 - (b) defect sampling - the monitoring of defect rectification performance;
 - (c) concession sampling - the monitoring of any concession not to carry out maintenance on time;
 - (d) on time maintenance sampling - the monitoring of when flying hours,

- calendar time and flight cycles, of the aircraft and the components are brought in for maintenance; and
- (e) sample reports of unairworthy conditions and maintenance errors on aircraft and components.

Technical logbook

24. (1) An air operator certificate holder shall ensure that every aircraft registered in Rwanda used for commercial air transport or aerial work maintains a technical logbook.
- (2) The following particulars shall be entered in the technical logbook:
- (a) a title page with the name and address of the operator, the aircraft type, and registration marks;
 - (b) details relating to the current certificate of release to service ;
 - (c) details relating to the next inspection on the approved maintenance schedule;
 - (d) a section containing sector record pages, each page being serially numbered with the operator's name printed thereon and having a provision for recording the following-
 - (i) aircraft type, serial number and registration marks;
 - (ii) date, place and time of take-off and landing;
 - (iii) particulars of any defect experienced on the aircraft;
 - (iv) the fuel and oil quantities on arrival and quantities uplifted in each tank;
 - (v) a certificate of release to service in respect of any work performed for the purpose of rectifying defects;
 - (vi) the running total of flying hours, such that the hours to the next scheduled inspection can be easily determined;
 - (vii) provision for pre-flight and daily inspection signatures;
 - (e) a readily identifiable section containing a record of deferred defects with serially numbered pages and the operator's name printed thereon including a provision for recording the following:
 - (i) a cross-reference for each deferred defect such that the original defect together with brief related details can be clearly identified in the sector record section;
 - (ii) the original date of occurrence of the deferred defect, together with brief related details;
 - (iii) a cross-reference for each deferred defect such that the action in respect of such deferred defect can be clearly identified in the sector record section.
 - (f) the number of landings, flight pressure cycles or engine cycles as specified for that aircraft;
 - (g) any other details as the Authority may require.
- (3) The technical log and any subsequent amendment shall be approved by the Authority.

Technical logbook entries

25. (1) At the end of every flight, the pilot-in-command shall enter, sign and date the following information in a technical logbook:
- (a) the times when the aircraft took off and landed; and
 - (b) particulars of any defect which is known to him and which affects the airworthiness or safe operation of the aircraft, or if no such defect is known to him, an entry to that effect.
- (2) Notwithstanding sub-regulation (1), in the case of a number of consecutive flights each of which begins and ends:
- (a) within the same period of 24 hours;
 - (b) at the same aerodrome except where each such flight is for the purpose of dropping or projecting any material for agricultural, public health or similar purposes; and

- (c) with the same person as the pilot-in-command, the pilot-in-command may, except where he becomes aware of a defect during an earlier flight, make the entries in a technical logbook at the end of the last of such consecutive flights.
- (3) Upon the rectification of any defect which has been entered in a technical logbook a person signing a maintenance release in respect of that defect shall enter the release in the technical logbook in such a position as to be readily identifiable with the defect to which it relates.
- (4) An air operator certificate holder shall have in the approved operations manual a procedure for keeping adequate copies of technical logbook to be carried on board the aircraft in a place readily accessible to each flight crew member

Maintenance records

26.

- (1) An air operator certificate holder shall ensure that a system has been established to keep the following records, in a form acceptable to the Authority:
 - (a) the total time in service in hours, calendar time and cycles, as appropriate, of the aircraft and all its life-limited components, and since last overhaul of the aircraft or its components subject to mandatory overhaul life, with appropriate details of modifications and repairs to the aircraft and its major components;
 - (i) the entire aircraft to include:
 - (aa) total time in service indicated in hours, calendar time and cycles, as appropriate, of the aircraft and all life limited parts;
 - (bb) current inspection status of the aircraft, including the time since required or approved inspections were last performed, the current aircraft status of compliance with the maintenance programme;
 - (cc) current empty mass and the location of the centre of gravity when empty;
 - (dd) addition or removal of equipment;
 - (ee) type and extent of maintenance and alteration, including the time in service and date;
 - (ff) when work was performed; and
 - (gg) a chronological list of compliance with airworthiness directives issued in accordance with the Civil Aviation (Airworthiness) Regulations, including methods of compliance, and the current status of compliance with all mandatory continuing airworthiness information;;
 - (ii) life-limited products:
 - (aa) total time in service;
 - (bb) date of the last overhaul;
 - (cc) time in service since the last overhaul; and
 - (dd) date of the last inspection.
 - (iii) instruments and equipment, the serviceability and operating life of which are determined by their time in service:
 - (aa) records of the time in service as are necessary to determine their serviceability or to compute their operating life; and
 - (bb) date of last inspection.
 - (b) the detailed maintenance records to show that all requirements for signing of a certificate of release to service have been met; and
 - (c) technical logbook records.
- (2) An air operator certificate holder shall ensure that:
 - (a) the records specified in sub-regulation (1)(a) are kept for a minimum period of ninety days after the unit to which they refer has been permanently withdrawn from service;
 - (b) the records referred to in sub-regulation (1)(b) are kept for a minimum of one year after the signing of the certificate of release to service;

- (c) the records referred to in sub-regulation (1)(c) are retained for a minimum of one year after the date of the last entry;
- (d) in the event of temporary change of operator, the records specified in sub-regulation (1) are made available to the new operator.
- (e) when an aircraft is permanently transferred from one operator to another operator, the records specified in sub-regulation (1) are also transferred.

Release to service: maintenance section records of the technical logbook

- 27.**
- (1) An air operator certificate holder shall not operate an aircraft unless it is maintained and released to service by an organization approved in accordance with the Civil Aviation (Approved Maintenance Organization) Regulations acceptable to the State of Registry.
 - (2) The certificate of release to service shall be issued in accordance with the air operator certificate maintenance control manual procedures.
 - (3) An air operator certificate holder shall not operate an aircraft after release under sub-regulation (1) unless an appropriate entry is made in accordance with the air operator certificate maintenance control manual procedures acceptable to the Authority.
 - (4) An air operator certificate holder shall give a copy of the certificate of release to service for the aircraft to the pilot-in-command or ensure that an entry noting the release is made in the technical logbook.

Modification or repairs to aircraft

- 28.**
- (1) All modifications or repairs to an aircraft shall be made in compliance with the airworthiness requirements acceptable to the State of registry.
 - (2) An owner of an aircraft, or in the case where it is leased, the lessee, or air operator certificate holder, shall:
 - (a) establish the procedures to ensure that records supporting compliance with the airworthiness requirements are retained;
 - (b) ensure that major repair or major modification is carried out in accordance with technical data approved by the Authority;
 - (c) promptly, upon completion of a major modification or major repair, prepare a report of each major modification or major repair of an airframe, aircraft engine, propeller or appliance of an aircraft; and
 - (d) submit a copy of each report of a major modification to the Authority and keep a copy of each report of a major repair available for inspection.

Aircraft maintenance programme

- 29.**
- (1) An air operator certificate holder shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance programme, and any of its subsequent amendments, submitted to the Authority for approval, provided that the design and application of the maintenance programme observe Human Factors principles.
 - (2) In the case of the foreign registered aircraft the maintenance programme shall be approved by the State of registry and may be subsequently accepted by the Authority.
 - (3) In addition to the requirement of a maintenance programme for aircraft operated by an air operator certificate holder, an aircraft with maximum takeoff mass above 13,310 kg shall include a reliability programme in the maintenance programme.
 - (4) Where a determination is made by the Authority under sub-regulation (3), an air operator certificate holder shall provide the procedures and information in the maintenance control manual.
 - (5) An air operator certificate holder shall ensure that each aircraft is maintained in accordance with the approved maintenance programme which shall include:
 - (a) maintenance tasks and the intervals in which these are to be performed, taking into account the anticipated utilisation of the aircraft;

- (b) where applicable, a continuing structural integrity programme;
 - (c) procedures for changing or deviating from sub-paragraphs (a) and (b); and
 - (d) where applicable, condition monitoring and reliability programme, descriptions for aircraft systems, components and engines.
- (6) The Authority may amend any operation specifications issued to an air operator certificate holder to permit deviation from those provisions of this Part that would prevent the return to service and use of airframe components, engines., appliances, and spare parts because the airframe components, engines., appliances and spare parts have been maintained, altered, or inspected by persons employed outside Rwanda who do not hold a Rwanda maintenance engineer's licence.
 - (7) An air operator certificate holder who is granted authority under this deviation shall provide for surveillance of facilities and practices to assure that all work performed on the airframe components, engines., appliances and spare parts specified in sub-regulation (6) is accomplished in accordance with an air operator certificate holder's maintenance control manual.
 - (8) Maintenance tasks and intervals that have been specified as mandatory in approval of the type design shall be identified as such.
 - (9) The maintenance programme shall be based on maintenance programme information made available by the State of design or by the organization responsible for the type design, and any additional applicable information, documentation or experience.
 - (10) A person shall not provide for use of its personnel in commercial air transport a maintenance programme or portion thereof which has not been reviewed and approved for the air operator certificate holder by the Authority.
 - (11) An air operator certificate holder shall ensure that copies of all amendments to the maintenance programme is furnished promptly to all organizations or persons to which the maintenance programme has been issued.
 - (12) Approval of an air operator certificate holder's maintenance programme and any subsequent amendments shall be noted in the operations specifications.

Inspection programme

30. An air operator certificate holder shall have an inspection programme and a programme covering other maintenance, preventive maintenance, and modifications to ensure that:
 - (a) maintenance, preventive maintenance and modifications are performed in accordance with an air operator certificate holder's maintenance control manual;
 - (b) each aircraft released to service is airworthy and has been properly maintained for operation.

Maintenance, preventive maintenance and modifications

31. An air operator certificate holder may make arrangements with an appropriately rated approved maintenance organization 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 programme and maintenance control manual.

Maintenance requirements for others than air operator certificate holder

Maintenance required

32. (1) This regulation and regulations 33, 34, 35, 36, 37(1) and 38 do not apply to aircraft maintained in accordance with an approved maintenance programme as required under the Civil Aviation (Airworthiness) Regulations, the Civil Aviation (Air Operators Certification and Administration) Regulations and regulations 18 to 31 of these Regulations.
- (2) An owner, lessee or operator of an aircraft shall:
 - (a) have that aircraft inspected as prescribed in these Regulations,

and discrepancies noted and the equipment repaired as prescribed in the Civil Aviation (Airworthiness) Regulations;

- (b) repair, replace, remove, modify, overhaul or inspect any inoperative instruments or equipment at the next required inspection, except when permitted under the provisions of a minimum equipment list or configuration deviation list;
- (c) ensure that a placard has been installed on the aircraft when listed discrepancies include inoperative instruments or equipment; and
- (d) ensure that maintenance personnel make appropriate entries in the aircraft maintenance records indicating the aircraft has been approved for return to service.

Inspections

33. (1)

Except as provided in sub-regulation (4), a person shall not operate an aircraft unless, within the proceeding twelve months, the aircraft has had:

- (a) an annual inspection in accordance with the Civil Aviation (Airworthiness) Regulations and has been approved for return to service by a person authorized under the Civil Aviation (Airworthiness) Regulations;
 - (b) an inspection for issuance or renewal of an airworthiness certificate in accordance with the Civil Aviation (Airworthiness) Regulations.
- (2) Except as provided in sub-regulation (4), a person shall not operate an aircraft carrying any person, other than a crew member, for hire or reward or give flight instruction for hire unless within the preceding 100 hours of time in service the aircraft has received an:
- (a) annual or 100-hour inspection and has been approved for return to service in accordance with the Civil Aviation (Airworthiness) Regulations; or
 - (b) inspection for the issuance or renewal of an airworthiness certificate in accordance with the Civil Aviation (Airworthiness) Regulations.
- (3) The 100-hour limitation referred to in sub-regulation (2) may be exceeded by not more than 10 hours while en-route to reach a place where the inspection can be done and the excess time taken to reach a place where the inspection is to be done shall be included in computing of the next 100 hours of time in service.
- (4) The provisions of sub-regulations (1) and (2) shall not apply to:
- (a) aircraft that is operating under special certificate of airworthiness or special flight permit.
 - (b) an aircraft subject to the requirements of sub-regulation (1) and (6) of regulation 34.
 - (c) A turbine-powered rotorcraft when the operator selects to inspect that rotorcraft in accordance with sub-regulation (6) of regulation 34.

Progressive inspection

34. (1)

A registered owner, lessee or operator of an aircraft who intends to use a progressive inspection program shall submit a written request to use the programme to the Authority, and shall:

- (a) identify a licensed aircraft maintenance engineer with appropriate type ratings in accordance with the Civil Aviation (Personnel Licensing) Regulations, an approved maintenance organization appropriately rated in accordance with the Civil Aviation (Approved Maintenance Organization) Regulations, or the manufacturer of the aircraft to supervise or conduct the progressive inspection;
- (b) provide a current inspection procedures manual available and

readily understandable to the 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 shall 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;
- (c) provide enough housing and equipment for necessary disassembly and proper inspection of the aircraft; and
- (d) provide appropriate current technical information for the aircraft.
- (2) The frequency and detail of the progressive inspection referred to in sub-regulation (1) shall provide for the complete inspection of the aircraft within each 12 months and be consistent with the current manufacturer's recommendations, field service experience, and the kind of operation in which the aircraft is engaged.
- (3) The progressive inspection schedule shall conform to all applicable aircraft specifications, type data sheets, airworthiness directives and other approved data acceptable to the Authority.
- (4) Where the progressive inspection is discontinued, the owner or operator shall immediately notify the Authority in writing, after which the first annual inspection under these Regulations will be due within 12 months after the last complete inspection of the aircraft under the progressive inspection and the 100-hour inspection under regulation 33(2)(a) shall be due within 100 hours after that complete inspection.
- (5) A complete inspection of the aircraft, for the purpose of determining when the annual and 100-hour inspections are due, shall be detailed inspection of the aircraft and all its components in accordance with the progressive inspection and a routine inspection of the aircraft and a detailed inspection of several components is not considered to be a complete inspection.
- (6) The registered owner or operator of a large aircraft, turbojet multi-engine aeroplane, turbo propeller-powered multi-engine aeroplane and turbine powered rotorcraft shall select and use the following programmes for inspection of the aircraft:
- (a) a current inspection programme recommended by manufacturer;
 - (b) a maintenance programme for that make and model of aircraft currently approved by the Authority for use by an air operator certificate holder; or
 - (c) any other inspection programme developed by the operator and approved by the Authority.
- (7) An owner, lessee or operator of a large aeroplane shall include in the selected programme, the name and address of the person responsible for the scheduling of the inspections required by the programme, and provide a copy of the programme to the person performing inspection on the aeroplane.
- (8) An aircraft shall not be approved for return to service unless the replacement times for life-limited parts specified in the aircraft specification-type data sheets are complied with and the aircraft, including airframe, engines, propellers, rotors, appliances, and survival and emergency equipment, is inspected in accordance with an inspection programme selected.

- (9) A person wishing to establish or change an approved inspection programme shall submit the programme to the Authority for approval and shall in writing, include:
- (a) instructions and procedures for the conduct of inspection for the particular make and model of the aircraft, including necessary tests and checks and these instructions shall set forth in detail the parts and areas of the aircraft or aircraft component including survival and emergency equipment required to be inspected; and
 - (b) a schedule for the inspections that shall be performed expressed in terms of time in service, calendar time, cycles of operations or any combination of these.
- (10) Where an owner, lessee or operator changes from one inspection programme to another, the operator shall apply the time in service, calendar times, or cycles of operation accumulated under the previous programme, in determining time the inspection is due under the new programme.

Changes to aircraft maintenance programmes

35. (1) Whenever the Authority finds that revisions to an approved inspection programme are necessary for the continued adequacy of the programme, the owner, lessee or operator of the aircraft shall, after notification by the Authority, make any changes found to be necessary in the programme.
- (2) An owner, lessee or operator of an aircraft may petition the Authority to reconsider the requirements contained in the notice, within thirty days after receiving that notice.
- (3) Except in the case of an emergency requiring immediate action in the interest of safety, the Authority shall take no action until it is able to make a final decision on the petition to reconsider the notice as submitted by the operator to the Authority.

Inspections: all other aircraft

36. (1) A person shall not operate an aircraft not used in commercial air transport unless within the preceding twelve months the aircraft has been:
- (a) inspected in accordance with the Civil Aviation (Airworthiness) Regulations and approved for return to service by an authorized person; and
 - (b) issued a certificate of airworthiness by the Authority.
- (2) A person shall not operate an aircraft for flight instruction or for compensation, hire or reward unless within the preceding 100 hours of time in service the aircraft has been inspected in accordance with the Performance Rules of the Civil Aviation (Airworthiness) Regulations and approved for return to service by an authorized person.

Maintenance records

37. (1) The owner, lessee or operator of an aircraft shall keep a maintenance record of:
- (a) the entire aircraft to include:
 - (i) total time in service indicated in hours, calendar time and cycles, as appropriate, of the aircraft and all life limited parts;
 - (ii) current inspection status of the aircraft, including the time since required or approved inspections were last performed;
 - (iii) current empty mass and the location of the centre of gravity when empty;
 - (iv) addition or removal of equipment;
 - (v) type and extent of maintenance and alteration, including the time in service and date;
 - (vi) when work was performed; and
 - (vii) a chronological list of compliance with airworthiness directives issued in accordance with the Civil Aviation (Airworthiness) Regulations, including methods of compliance;

- (b) life-limited products:
 - (i) total time in service;
 - (ii) date of the last overhaul;
 - (iii) time in service since the last overhaul; and
 - (iv) date of the last inspection.
 - (c) instruments and equipment, the serviceability and operating life of which are determined by their time in service:
 - (i) records of the time in service as are necessary to determine their serviceability or to compute their operating life; and
 - (ii) date of last inspection.
- (2) Subject to sub-regulation 38(3), in case of general aviation operations only, the owner of the aircraft, or, where it is leased, the lessee, shall ensure that a system has been established to keep the following records, in a form acceptable to the Authority:
- (a) the total time in service (hours, calendar time and cycles, as appropriate) of the aircraft and all life limited components;
 - (b) the current status of compliance with all mandatory continuing airworthiness information;
 - (c) appropriate details of modifications and repairs;
 - (d) the time in service (hours, calendar time and cycles, as appropriate) since last overhaul of the aircraft or its components, subject to a mandatory overhaul life;
 - (e) the current status of the aircraft's compliance with the maintenance programme; and
 - (f) the detailed maintenance records to show that all requirements for signing a maintenance release are met.

Maintenance records retention

38. (1) Except for records maintained by an air operator certificate holder, a registered owner, lessee or operator of an aircraft shall retain the following records until the work is repeated or superseded by other work of equivalent scope and detail, or for one year after the subject to which they refer has been permanently withdrawn from service:
- (a) records of the maintenance, preventive maintenance, minor modifications, and records of the 100-hour, annual, and other required or approved inspections, as appropriate, for each aircraft (including the airframe) and each engine, propeller, rotor, and appliance of an aircraft to include:
 - (i) a description or reference to data acceptable to the Authority, of the work performed;
 - (ii) the date of completion of the work performed; and
 - (iii) the signature and licence number of the person approving the aircraft for return to service.
 - (b) records containing the following information:
 - (i) the total time-in-service of the airframe, each engine, each propeller, and each rotor;
 - (ii) the current status of all life-limited aircraft or aeronautical product;
 - (iii) the time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis;
 - (iv) the current inspection status of the aircraft, including the time since the last inspection required by the inspection programme under which the aircraft and its appliances are maintained;
 - (v) the current status of applicable airworthiness directives including, for each, the method of compliance, the airworthiness directive number, and revision date; and if the

- airworthiness directive involves recurring action, the time and date when the next action is required; and
- (vi) copies of the forms for each major modification to the airframe and currently installed engines, rotors, propellers, and appliances.
- (2) An owner or operator of an aircraft shall:
- (a) retain a list of defects on the aircraft until the defects are repaired and the aircraft is approved for return to service; and
- (b) avail all maintenance records required by this regulation to the Authority for inspection.
- (3) An owner or a lessee to which sub-regulation 37(2) applies shall ensure that:
- (a) the records specified in sub-regulation 37(2)(a) to (e) are kept for a minimum period of ninety days after the unit to which they refer has been permanently withdrawn from service;
- (b) the records referred to in sub-regulation 37(2)(f) are kept for a minimum of one year after the signing of the certificate of release to service
- (c) in the event of temporary change of lessee, the records specified in sub-regulation 38(3) are made available to the new operator.
- (d) when an aircraft is permanently transferred from one owner or lessee to another owner or lessee, the records specified in sub-regulation 38(3) are also transferred.

Transfer of maintenance records

39. An owner and who sells or leases an aircraft registered in Rwanda shall transfer to the purchaser or lessor, at the time of sale or lease, the records identified in regulation 26 and 37 for that aircraft, in plain language form or in coded form at the election of the purchaser or lessor if the coded form provides for the preservation and retrieval of information in a manner acceptable to the Authority.

PART IV- FLIGHT CREW REQUIREMENTS

Composition of flight crew

40. (1) An aircraft shall not fly unless it carries a flight crew of the number and description required by the law of the State of registry.
- (2) An aircraft registered in Rwanda shall carry a flight crew adequate in number and description to ensure the safety of the aircraft and of at least the number and description specified in the aircraft flight manual or other documents associated with the certificate of airworthiness.
- (3) The number and composition of the flight crew of an aircraft registered in Rwanda and flying for the purpose of commercial air transport operations, shall not be less than that number specified in the operator's operations manual.
- (4) The flight crew shall include flight crew members in addition to the minimum number specified in the aircraft flight manual or other documents associated with the certificate of airworthiness, when necessitated by considerations related to the type of aircraft used, the type of operation involved and the duration of flight between points where flight crews are changed.
- (5) An aircraft registered in Rwanda and flying for the purpose of commercial air transport operations, having a maximum mass of 5,700kg or more shall carry not less than two pilots as members of the flight crew thereof.
- (6) Without prejudice to the preceding provisions of this regulation, an operator shall ensure that:
- (a) all flight crew members hold an applicable and valid licence acceptable to the Authority and are suitably qualified and competent to conduct the duties assigned to them;
- (b) procedures are established, acceptable to the Authority, to prevent the crewing together of inexperienced flight crew members;
- (c) one pilot amongst the flight crew, qualified as a pilot-in-command is

designated as the pilot-in-command who may delegate the conduct of the flight to another suitably qualified pilot; and

- (d) when a separate flight engineer station is incorporated in the design of the aeroplane or rotorcraft, the flight crew includes 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;
- (e) the flight crew include at least one member who holds a valid licence, issued or rendered valid by the State of registry, authorizing operation of the type of radio transmitting equipment to be used; and
- (f) the flight crew include at least one member who holds a valid flight navigator licence in all operations where, as determined by the State of the operator, navigation necessary for the safe conduct of the flight cannot be adequately accomplished by the pilots from the pilot station.

Operations under IFR or at night

- 41.**
- (1) A person shall not conduct a single pilot operation under the instrument flight rules or at night unless the operation is approved by the Authority and:
 - (a) the flight manual does not require a flight crew of more than one;
 - (b) the aeroplane is propeller-driven;
 - (c) the maximum approved passenger seating configuration of the aeroplane is not more than nine;
 - (d) the maximum certificated take-off mass of the aeroplane is 5,700 kg or less;
 - (e) the aeroplane is equipped as described in sub-regulation (3); and
 - (f) the pilot has satisfied requirements of experience, training, checking and recency as prescribed by regulation 42.
 - (2) Notwithstanding the provisions of sub-regulation (1) (c) the Authority may approve a single pilot operation under instrument flight rules (IFR) or at night for an aeroplane with a passenger seating configuration of more than nine if the aeroplane, in addition to meeting the requirements of sub-regulations (1) (a), (b), (d), (e) and (f), is type certificated for operation by a single pilot.
 - (3) A person conducting a single pilot operation under the IFR or at night shall ensure that the aeroplane is equipped with:
 - (a) a serviceable autopilot that has at least altitude hold and heading select modes;
 - (b) a headset with a boom microphone or equivalent; and
 - (c) means of displaying charts that enables them to be readable in all ambient light conditions.
 - (4) A helicopter which has a minimum approved seating configuration of nine and which is flying for the purpose of commercial air transport operations in circumstances where the pilot-in-command is required to comply with instrument flight rules or which is flying by night shall carry not less than two pilots as members of the flight crew thereof unless it is equipped with an autopilot with, at least, altitude hold and heading mode which is serviceable on take-off;
 - (5) A helicopter described in sub-regulation (3) which is equipped with an approved autopilot shall not be required to carry two pilots notwithstanding that before take-off the approved autopilot is found to be unserviceable, if the helicopter flies in accordance with arrangements approved by the Authority.

Requirements of experience, recency and training for single pilot operations at

- 42.**
- (1) A pilot-in-command of a single pilot operation at night or under instrument flight rules (IFR) shall satisfy the following requirements:
 - (a) for operations under IFR or at night, have accumulated at least 50 hours flight time on the class of aeroplane, of which at least 10 hours shall be as pilot-in-command;
 - (b) for operations under IFR, have accumulated at least 25 hours flight time

night or instrument flight rules

- under IFR on the class of aeroplane, which may form part of the 50 hours flight time in sub-paragraph (a);
- (c) for operations at night, have accumulated at least 15 hours flight time at night, which may form part of the 50 hours flight time in sub-paragraph (a);
 - (d) for operations under IFR, have acquired recent experience as a pilot engaged in a single pilot operation under IFR of:
 - (i) at least five IFR flights, including three instrument approaches carried out during the preceding 90 days on the class of aeroplane in the single pilot role; or
 - (ii) an IFR instrument approach check carried out on such an aeroplane during the preceding 90 days;
 - (e) for operations at night, have made at least three take-offs and landings at night on the class of aeroplane in the single pilot role in the preceding 90 days; and
 - (f) have successfully completed training programmes that include, in addition to the requirements as specified in the Civil Aviation (Air Operator Certification and Administration) Regulations on flight crew member training programmes, passenger briefing with respect to emergency evacuation, auto-pilot management, and the use of simplified in-flight documentation.
- (2) The initial and recurrent flight training and proficiency checks stipulated in in regulation 27 of the Civil Aviation (Air Operator Certification and Administration) and in these Regulations respectively, shall be performed by the pilot-in-command in the single pilot role on the class of aeroplane in an environment representative of the operation.

Pilot authorization in lieu of a type rating

43. The Authority may authorize a pilot to operate an aircraft requiring a type rating without a type rating for a period not exceeding sixty days, provided:
- (a) the applicant has demonstrated to the satisfaction of the Authority that an equivalent level of safety can be achieved through the operating limitations on the authorization;
 - (b) the applicant shows that compliance with these Regulations is impracticable for the flight or series of flights;
 - (c) the operations:
 - (i) involve only a ferry flight, training to qualify on type or test 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; and
 - (iv) involve only the carriage of flight crew members considered essential for the flight.

Pilot recent experience: pilot-in-command, co-pilot cruise relief pilot.

44. (1) An operator shall not assign a pilot-in-command or a co-pilot to operate at the flight controls of a type or variant of a type of an aircraft during take-off and landing unless that pilot has operated the flight controls for at least three take-offs and landings within the preceding 90 days on the same type of aeroplane or, except in the case of a pilot-in-command of a helicopter, in a flight simulation training device approved for that purpose.
- (2) When a pilot-in-command or a co-pilot is flying several variants of the same type of aircraft or different types of aircraft with similar characteristics in terms of operating procedures, systems and handling, the Authority shall determine under which conditions the requirements of sub-regulation (1) for each variant or each type of aircraft can be combined.
- (3) An operator shall not assign a pilot to act in the capacity of cruise relief pilot in a

type or variant of a type of aeroplane unless, within the preceding 90 days, that pilot has either:

- (a) operated as a pilot-in-command, co-pilot or cruise relief pilot on the same type of aeroplane; or
 - (b) carried out flying skill refresher training including normal, abnormal and emergency procedures specific to cruise flight on the same type of aeroplane or in a flight simulation training device approved for the purpose, and has practised approach and landing procedures, where the approach and landing procedure practice may be performed as the pilot who is not flying the aeroplane.
- (4) When a cruise relief pilot is flying several variants of the same type of aeroplane or different types of aeroplanes with similar characteristics in terms of operating procedures, systems and handling, the Authority shall determine under which conditions the requirements of sub-regulation (3) for each variant or each type of aeroplane can be combined.

**Pilot-in-command:
route and
airport
qualification**

45. (1) An operator shall not utilize a pilot as pilot-in-command of an aircraft on a route or route segment for which that pilot is not currently qualified until such pilot has complied with sub-regulations (2) and (3)..
- (2) The pilot referred to in sub-regulation (1) shall:
- (a) demonstrate to the operator an adequate knowledge of:
 - (i) the route to be flown, and the aerodromes to be used which shall include knowledge of-
 - (aa) the terrain and minimum safe altitudes;
 - (bb) the seasonal meteorological conditions;
 - (cc) the meteorological, communication and air traffic facilities, services and procedures;
 - (dd) the search and rescue procedures; and
 - (ee) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place;
 - (ii) 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 instrument approach procedures, and applicable operating minima.
 - (b) in the case of an aeroplane, have been tested as to his proficiency in using instrument approach-to-land systems of the type in use at the aerodrome of intended landing and any alternate aerodromes, such test being carried out either in flight in instrument meteorological conditions (IMC) or IMC simulated by means approved by the Authority for the purpose.
- (3) A pilot-in-command shall have made an actual approach into each aerodrome of landing on the route, accompanied by a pilot who is qualified for the aerodrome, as a member of the flight crew or as an observer on the flight deck, unless:
- (a) the approach to the aerodrome is not over difficult terrain and instrument approach procedures and aids available are similar to those with which the pilot is familiar, and a margin to be approved by the Authority is added to the normal operating minima, or there is reasonable certainty that approach and landing can be made in visual meteorological conditions; or
 - (b) the descent from the initial approach altitude can be made by day in visual meteorological conditions; or
 - (c) the operator qualifies the pilot-in-command to land at the aerodrome concerned by means of an adequate pictorial presentation; or
 - (d) in the case of an aeroplane, the aerodrome concerned is adjacent to another aerodrome at which the pilot-in-command is currently qualified to land.

- (4) The operator shall maintain a record, sufficient to satisfy the Authority of the qualification of the pilot and of the manner in which such qualification has been achieved.
- (5) An operator shall not continue to utilize a pilot as a pilot-in-command on a route or within the area specified by the operator and approved by the Authority unless, within the preceding twelve months, that pilot has made at least one trip between the terminal points of that route as a pilot member of the flight crew, or as a check pilot, or as an observer on the flight deck:
 - (a) within that specified area; and
 - (b) if appropriate, on any route where procedures associated with that route or with any aerodromes intended to be used for take-off or landing require the application of special skills or knowledge.
- (6) In the event that more than 12 months elapse in which a pilot-in-command has not made such a trip on a route in close proximity and over similar terrain, within such a specified area, route or aerodrome, and, in the case of an aeroplane, has not practiced such procedures in a training device which is adequate for this purpose, prior to again serving as a pilot-in-command within that area or on that route, that pilot must requalify in accordance with sub-regulations (2) and (3).

Pilot proficiency checks

- 46.**
- (1) An operator shall ensure that piloting technique and the ability to execute emergency procedures is checked in such a way as to demonstrate the pilot's competence on each type or variant of a type of aircraft and where the operation may be conducted under instrument flight rules (IFR), an operator shall ensure that the pilot's competence to comply with such rules is demonstrated to either a check pilot or to a representative of the Authority.
 - (2) The checks referred to in sub-regulation (1) shall be performed twice within any period of one year, and any two such checks which are similar, and which occur within a period of four consecutive months shall not alone satisfy this requirement.
 - (3) When an operator schedules 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, the Authority shall determine under which conditions the requirements of sub-regulations (1) and (2) for each variant or each type of aeroplane can be combined.

Licences required

- 47.**
- (1) A person shall not act as pilot-in-command or in any other capacity as a required flight crew member of an aircraft of:
 - (a) Rwandan registry, unless that person carries in his personal possession the appropriate and current licence for that flight crew position for that type of aircraft; or
 - (b) foreign registry, unless that person carries in his personal possession a valid and current licence for that type of aircraft issued to them by the State of registry.
 - (2) The flight crew for international and domestic operations shall hold a valid radio telephony operator licence or endorsement issued or rendered valid by the State of registry, authorizing operation of the type of radio transmitting equipment to be used.

Pilots: qualifications

- 48.**
- (1) The pilot-in-command in any general aviation operation shall ensure that the licences of each flight crew member have been issued or rendered valid by the State of registry, contain the proper ratings, and that all the flight crew members have maintained recency of experience.
 - (2) A person shall not operate an aircraft in commercial air transport or aerial work unless that person is qualified for the specific operation and in the specific type of aircraft used.
 - (3) The operator or owner of the aircraft shall ensure that flight crew engaged in civil

aviation operations speak and understand the English Language.

- Rating required for IFR operations** **49.** A person shall not act as pilot-in-command of an aircraft under instrument flight rules (IFR) or instrument meteorological conditions (IMC) unless:
- (a) in the case of an aeroplane, the pilot holds an instrument rating or an Airline Transport Pilot Licence or a Multi-crew Pilot Licence with an appropriate aeroplane category, class, and type rating if required, for the aeroplane being flown; or
 - (b) in the case of helicopter, the pilot holds a helicopter instrument rating or an Airline Transport Pilot Licence for helicopters not limited to visual flight rules (VFR) operations.
- Special authorization required for Category II or III operations** **50.** (1) A person shall not act as a pilot of an aircraft in a Category II or III operations unless:
- (a) in the case of a pilot-in-command, the person holds a current Category II or III pilot authorization for that aircraft type; or
 - (b) in the case of a co-pilot, the person is authorized by the State of registry to act in that capacity in that aircraft in Category II or III operations.
- (2) An authorization is not required for individual pilots of an air operator certificate holder which has operations specifications approving Category II or III operations.
- Recording of flight time** **51.** (1) A pilot shall record and keep details of all flights he has flown in a logbook format acceptable to the Authority.
- (2) The pilot-in-command shall be responsible for the journey log book or the general declaration:
- (i) containing the following information and the corresponding roman numerals::
 - I- aircraft nationality and registration;
 - II- date;
 - III- names of crew members;
 - IV- duty assignment of crew members;
 - V- place of departure;
 - VI- place of arrival;
 - VII-time of departure;
 - VIII-time of arrival;
 - IX- hours of flight;
 - X- nature of flight (private, aerial work, scheduled or non-scheduled);
 - XI- incidents, observations, if any; and
 - XII-signature of person in charge
 - (ii) with entries made currently and in ink or indelible pencils; and
 - (iii) retained to provide a continuous record of the last six months' operations.
- (3) An air operator certificate holder may record details of flights flown by a pilot in an acceptable computerised format maintained by the air operator certificate holder and shall make the records of all flights operated by the pilot, including differences and familiarisation training, available on request to the pilot concerned.
- (4) The record referred to in sub-regulations (1), (2) and (3) shall contain the following information:
- (a) personal details: name and address of the holder;
 - (b) for each flight:
 - (i) name of pilot-in-command;
 - (ii) date (day, month, year) of flight;
 - (iii) place and time of departure and arrival (times (UTC) to be block time);

- (iv) type (aircraft make, model and variant) and registration of aircraft;
 - (v) single engine or multi-engine;
 - (vi) total time of flight; and
 - (vii) accumulated total time of flight;
- (c) for each flight simulation training device or flight and navigation procedures trainers session:
- (i) type and qualification number of training device;
 - (ii) synthetic training device instruction;
 - (iii) date (date/month/year);
 - (iv) total time of session; and
 - (v) accumulated total time;
- (d) pilot function:
- (i) pilot-in-command,
 - (ii) co-pilot;
 - (iii) dual;
 - (iv) authorized instructor or authorized examiner;
 - (v) a remarks column to give details of specific functions such as student pilot-in-command time, pilot-in-command under supervision time, pilot-in-command instrument flight time, etc;
- (e) operational conditions:
- (i) night;
 - (ii) IFR;
- (f) logging of time:
- (i) pilot-in-command flight time:
 - (aa) the holder of a licence may log as pilot-in-command time all of the flight time during which he is the pilot-in-command;
 - (bb) the applicant for or the holder of a pilot licence may log as pilot-in-command time all solo flight time and flight time as student pilot-in-command provided that such student pilot-in-command time is countersigned by the instructor;
 - (cc) the holder of an instructor rating may log as pilot-in-command all flight time during which he acts as an instructor in an aeroplane;
 - (dd) the holder of an examiner's authorization may log as pilot-in-command all flight time during which he occupies a pilot's seat and acts as an examiner in an aeroplane;
 - (ee) a co-pilot acting as pilot-in-command under the supervision of the pilot-in-command on an aeroplane on which more than one pilot is required under the certificate of airworthiness of the aeroplane or by these Regulations may log as pilot-in-command under supervision flight time, provided such pilot-in-command time under supervision is countersigned by the pilot-in-command;.
 - (ff) where the holder of a licence carries out a number of flights upon the same day returning on each occasion to the same place of departure and the interval between successive flights does not exceed thirty minutes, such series of flights are to be recorded as a single entry.
 - (ii) co-pilot flight time - the holder of pilot licence occupying a pilot seat as co-pilot may log all flight time as co-pilot flight time on an aeroplane on which more than one pilot is required under the certificate of airworthiness of the aeroplane;
 - (iii) cruise relief co-pilot flight time - a cruise relief co-pilot may log all flight time as co-pilot when occupying a pilot's seat;
 - (iv) instruction time - a summary of all time logged by an applicant for a

licence or rating as flight instruction, instrument flight instruction, instrument ground time, shall be certified by the appropriately rated or authorized instructor from whom it was received;

- (v) pilot-in-command under supervision - a co-pilot may log as pilot-in-command under supervision flight time flown as pilot-in-command under supervision, when all of the duties and functions of pilot-in-command on that flight were carried out, such that the intervention of the pilot-in-command in the interest of safety was not required, provided that the method of supervision is acceptable to the Authority.
- (g) presentation of flight time record:
 - (i) the holder of a licence or a student pilot shall without undue delay present his flight time record for inspection upon request by an authorized person;
 - (ii) a student pilot shall carry his flight time record logbook with him on all solo cross-country flights as evidence of the required instructor authorizations.

Pilot-in-command and co-pilot currency: take-offs and landings

- 52.**
- (1) A person shall not act as pilot-in-command or co-pilot of an aircraft unless within the preceding ninety days that person has:
 - (a) made three 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;
 - (b) for a tailwheel aeroplane, made three take-offs and landings in a tailwheel aeroplane with each landing to a full stop; and
 - (c) for night operations, made the three take-offs and landings required by paragraph (a) at night.
 - (2) A pilot who has not met the recency of experience for take-offs and landings shall satisfactorily complete a re-qualification curriculum acceptable to the Authority.
 - (3) The requirements of sub-regulations (1) and (2) may be satisfied in a flight simulation training device approved by the Authority.

Pilot currency: IFR operations.

- 53.**
- (1) A person shall not act as pilot-in-command under instrument flight rules (IFR), or in instrumental meteorological conditions (IMC), unless that person has, within the past six months:
 - (a) logged at least six hours of instrument flight time including at least three hours in flight in the category of aircraft; and
 - (b) completed at least six instrument approaches.
 - (2) A pilot who has completed an instrument competency check with an authorized person shall be considered to be current for IFR operations for six months following that check.

Pilot currency: general aviation operations

- 54.**
- (1) A person shall not act as pilot of an aircraft type certificated:
 - (a) for more than one pilot unless, in the preceding twelve months, that person has passed a proficiency check carried out by an authorized person in an aircraft requiring more than one pilot;
 - (b) for more than one pilot unless, in the preceding twenty four months, that person has passed a proficiency check in the type of aircraft to be operated; or
 - (c) for a single pilot unless, in the preceding twenty four months, that person has passed a proficiency check carried out by an authorized person;
 - (2) The person conducting the proficiency checks as required under sub-regulation (1) shall ensure that each check duplicates the manoeuvres of the type rating practical test.

- (3) A person shall not act as co-pilot of an aircraft type certificated for more than one pilot unless, in the preceding twelve months, that person has:
- (a) an appropriate class and type rating for the aircraft to be flown; and
 - (b) logged three take-offs and landings as the sole manipulator of the controls.

Pilot privileges and limitations 55. A pilot shall not conduct flight operations unless the operations are within the privileges and limitations of each licence he holds as specified in the Civil Aviation (Personnel Licensing) Regulations.

PART V - CREW MEMBER DUTIES AND RESPONSIBILITIES

Authority and responsibility of the pilot-in-command. 56. (1) The pilot-in-command of an aircraft shall:

- (a) be responsible for the operations and safety of:
 - (i) the aeroplane from the moment the aeroplane is ready to move for the purpose of taking off until the moment it finally comes to rest at the end of the flight and the engine(s) used as primary propulsion units are shut down;
 - (ii) the helicopter - from the moment the engine(s) are started until the helicopter finally comes to rest at the end of the flight, with the engine(s) shut down and the rotor blades stopped;
- (b) be responsible for the safety of all crew members, passengers and cargo on board when the doors are closed;
- (c) have final authority as to the operation of the aircraft while in command; and
- (d) whether manipulating the controls or not, be responsible for the operation of the aircraft in accordance with the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, except that the pilot-in-command may depart from them in emergency circumstances that render such departure absolutely necessary in the interests of safety.

(2) The provisions of sub-regulation (1)(d) may be departed from to the extent necessary:

- (a) to avoid immediate danger or in an emergency situation;
- (b) to comply with the law of any State other than Rwanda within which the aircraft then is;

(3) If any departure from the provisions of sub-regulation (1)(d), 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 in the case of Rwandan aircraft the departure was made over the high seas, to the Authority.

(4) In case of general aviation operations, the pilot-in-command shall ensure that:

- (a) the licences of each flight crew member have been issued or rendered valid by the State of registry, and are properly rated and of current validity, and shall be satisfied that flight crew members have maintained competence.
- (b) in case an aeroplane is equipped with an airborne collision avoidance system (ACASII), each flight crew member has been appropriately trained to competency in the use of ACASII equipment and the avoidance of collision.

Authority of the pilot-in- 57. A person in an aircraft registered in Rwanda shall obey all lawful commands which the pilot-in-command of that aircraft may give for the purpose of securing the safety of the

command. aircraft and of persons or property carried therein, or the safety, efficiency or regularity of air navigation.

- Compliance with local regulations and notification** **58.**
- (1) A pilot-in-command shall comply with the relevant laws, regulations and procedures of:
 - (a) the State in which the aircraft is operated; and
 - (b) the Authority in all instances where such regulations exceed but not in conflict with those of the State in which the aircraft is operated.
 - (2) Where an emergency situation which endangers the safety of the aircraft or persons therein necessitates the taking of action which involves a violation of local regulations or procedures, the pilot-in-command shall:
 - (a) notify the appropriate local authority of the violation without delay;
 - (b) submit a report of the circumstances, if required by the State in which the incident occurs; and
 - (c) submit a copy of the report to the State of Registry.
 - (3) The pilot-in-command shall be responsible for:
 - (a) notifying the nearest appropriate authority by the quickest available means of any accident involving the aeroplane, resulting in serious injury or death of any person or substantial damage to the aeroplane or property; and
 - (b) reporting all known or suspected defects in the aeroplane, to the operator, at the termination of the flight.

Imperilling the safety of persons and property **59.** A person shall not willfully, recklessly or negligently cause or permit an aircraft to endanger any life or property.

- Fitness of crew members** **60**
- (1) A person shall not act as a required crew member at any time when that person is aware of any decrease in the medical fitness which might render him unable to safely and properly execute the duties of a crew member.
 - (2) The operator and the pilot-in-command shall be responsible for ensuring that a flight is not:
 - (a) commenced if any required crew member is incapacitated from performing duties by any cause such as injury, sickness, fatigue, the effects of alcohol or drugs; or
 - (b) continued beyond the nearest suitable aerodrome 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.

- Use of narcotics, drugs or intoxicating liquor** **61.**
- (1) A person shall not act or attempt to act as a crew member of an aircraft:
 - (a) within eight hours after the consumption of any alcoholic beverage;
 - (b) while under the influence of alcohol; or
 - (c) while using any drug that affects the person's faculties in any way contrary to safety; or
 - (d) while having 0.04 percent by weight or more alcohol in the blood.
 - (2) A crew member shall, up to eight hours before or immediately after acting or attempting to act as a crew member, on the request of the Authority, submit to a test to indicate the presence of alcohol or narcotic drugs in the blood.
 - (3) Where there is a reasonable basis to believe that a person may not be

in compliance with this regulation and upon the request of the Authority, that person shall furnish the Authority or authorize any clinic, doctor, or other person to release to the Authority, the results of each blood test taken for presence of alcohol or narcotic substances up to eight hours before or immediately after acting or attempting to act as a crew member.

- (4) Any test information provided to the Authority under the provisions of this regulation may be used as evidence in any legal proceedings.

Crew member use of seatbelts and shoulder harnesses.

- 62.**
- (1) A crew member shall, at all times during take-off, landing and while seated at his workstation, fasten his seat belt.
- (2) A crew member occupying a station equipped with a shoulder harness shall fasten that harness during take-off and landing, except that the shoulder harness may be unfastened if the crew member cannot perform the required duties with the shoulder harness fastened.
- (3) An occupant of a seat equipped with a combined safety belt and shoulder harness shall have the combined safety belt and shoulder harness properly secured during take-off and landing and be able to properly perform assigned duties.
- (4) Where there is an unoccupied seat, the safety belt and shoulder harness at that seat 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.

Flight crew members at duty stations

- 63.**
- (1) All flight crew members required to be on flight deck duty shall remain in the assigned duty station during take-off , landing , critical phases of flight and when the pilot so directs, and they shall keep their seat belts, or when provided, safety harness fastened when at their stations.
- (2) A pilot-in-command shall cause one pilot to remain at the controls of the aircraft at all times while the aircraft is in flight.
- (3) Any flight crew member occupying a pilot's seat shall keep the safety harness fastened during the take-off and landing phases, and all other flight crew members shall keep their safety harnesses fastened during the take-off and landing phases unless the shoulder straps interfere with the performance of their duties, in which case the shoulder straps may be unfastened but the seat belt shall remain fastened.
- (4) A flight crew member shall remain at his station during all phases of flight unless:
- (a) absence is necessary for the performance of the flight crew members duties in connection with the operation;
- (b) absence is necessary for physiological needs, provided one qualified pilot remains at the controls at all times; or
- (c) the flight crew member is taking a rest period and a qualified relief flight crew member replaces that crew member at the duty station.
- (5) A required flight crew member may leave the assigned duty station if the crew member is taking a rest period, and relief is provided:
- (a) for the assigned pilot-in-command 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 pilot-in-command or co-pilot, and is qualified as pilot-in-command of that aircraft during the en route cruise portion of the flight; and
- (b) in the case of the assigned co-pilot, by a pilot qualified to act as pilot-in-command or co-pilot of that aircraft during en route operations. crew member crew member.
- (6) Subject to sub-regulation (7), an air operator certificate holder shall not operate an aircraft unless it is equipped with a forward or rearward facing (within 15 degrees of the longitudinal axis of the aircraft) seat, fitted with a safety harness for the use

		of each cabin crew member required to satisfy the intent of this regulation in respect with emergency evacuation.
		(7) Cabin crew seats provided in accordance with sub-regulation (4) shall be located near floor level and other emergency exits as required by the State of registry for emergency evacuation.
		(8) Each cabin crew member assigned to emergency evacuation duties shall occupy a seat provided in accordance with sub-regulation (4) during take-off and landing and whenever the pilot-in-command so directs.
Required crew member equipment	64.	<p>(1) A crew member involved in night operations shall have an electric torch at his station.</p> <p>(2) A pilot shall have at his station all normal, abnormal and emergency procedures checklists.</p> <p>(3) A pilot shall have at his station current and suitable maps, charts, codes and other documents and navigational equipment necessary to cover the route of the proposed flight and any route along which it is reasonable to expect that the flight may be diverted.</p> <p>(4) A 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 lenses readily available when exercising those privileges in commercial air transport.</p> <p>(5) A cabin crew member shall be required to have an emergency procedures manual for the type of aircraft.</p>
Compliance with checklists	65.	A pilot-in-command shall ensure that the flight crew follows the approved checklist procedures when operating the aircraft.
Search and rescue information	66.	An operator, or in case of general aviation operations, a pilot-in-command, shall ensure that essential information pertinent to the intended flight concerning search and rescue services is easily accessible in the cockpit.
Information on emergency and survival equipment carried	67.	An operator shall ensure that there are available at all times for immediate communication to rescue coordination centres, lists containing information on the emergency and survival equipment carried on board any of the operator's aircraft engaged in international air navigation, which information shall include, as applicable, the number, colour and type of life-rafts and pyrotechnics, details of emergency medical supplies, water supplies and the type and frequencies of emergency portable radio equipment.
Locking of cockpit compartment door	68.	<p>(1) In an aircraft equipped with a cockpit compartment door:</p> <p>(a) the door shall be capable of being locked; and</p> <p>(b) means shall be provided by which the cabin crew can discreetly notify the flight crew in the event of suspicious activity or security breaches in the cabin.</p> <p>(2) A pilot-in-command shall ensure that the cockpit compartment door, if installed, is locked at all times during passenger carrying commercial air transport operations, except as necessary to permit access and egress by authorized persons.</p>
Admission to the cockpit	69.	<p>(1) A person shall not admit any person to the cockpit of an aircraft engaged in commercial air transport operations unless the person being admitted is:</p> <p>(a) an operating crew member;</p> <p>(b) an authorized person responsible for certification, licensing or inspection;</p> <p>(c) any person authorized by the Authority with the agreement with the operator; or</p>

- (d) permitted and carried in accordance with instructions contained in the operations manual.
 - (2) A person shall not admit any person who is not a flight crew member to the cockpit of an aircraft of maximum certificated take-off mass of 5,700 kg or more unless there is a seat available in the passenger compartment for use by the person to be admitted in the cockpit.
 - (3) A pilot-in-command shall ensure that:
 - (a) in the interest of safety, admission to the cockpit does not cause distraction to the flight crew or interfere with the flight's operations; and
 - (b) all persons carried in the cockpit are made familiar with the relevant safety procedures.
- Power to inspect** 70. (1) The pilot-in-command shall give the inspector free and uninterrupted access to the aircraft, including the cockpit, when an inspector from the Authority presents valid aviation safety inspector credentials to the pilot-in-command in order to conduct an inspection.
- (2) The pilot-in-command may refuse an inspector access to the cockpit if, in his opinion, the safety of the aircraft would thereby be endangered.
- Duties during critical phases of flight`** 71. (1) A flight crew member shall not perform any duties during a critical phase of flight except duties required for the safe operation of the aircraft.
- (2) A pilot-in-command shall not 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 that flight crew member's assigned duties.
- Microphones** 72. All flight crew member required to be on flight deck duty shall use a boom or throat microphone to intercommunicate and communicate with another flight crew members and air traffic services below the transition level or altitude.
- Manipulation of the controls: commercial air transport** 73. (1) A pilot-in-command shall not allow an unqualified person to manipulate the controls of an aircraft during commercial air transport operations.
- (2) A person shall not manipulate the controls of an aircraft during commercial air transport operations unless that person is qualified to manipulate the controls and is authorized to do so by the air operator certificate holder.
- Simulated abnormal situations in flight: commercial air transport** 74. A person shall not cause or engage in simulated abnormal or emergency situations or the simulation of instrument meteorological conditions by artificial means during commercial air transport operations.
- Completion of the technical logbook: commercial air transport** 75. A pilot-in-command shall ensure that all portions of the technical logbook required under the Civil Aviation (Air Operator Certification and Administration) Regulations and these Regulations are completed at the appropriate points before, during and after flight operations.
- Reporting of facility and navigation aid inadequacies** 76. A 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.
- Reporting of incidents, bird** 77. (1) A pilot-in-command shall submit, without delay, a signed written report to the Authority, of an air traffic incident whenever an aircraft in flight has

**occurrences,
mechanical
irregularities
and accidents**

- been endangered by:
- (a) a near collision with another aircraft or object or whenever an aircraft in flight has manoeuvred in response to an ACAS Resolution Advisory;
 - (b) faulty air traffic control procedures or lack of compliance with applicable procedures by an air traffic control unit or by the flight crew; or
 - (c) a failure of air traffic control unit.
- (2) A pilot-in-command shall report weather conditions or other hazardous flight conditions encountered en route which are likely to affect the safety of other aircraft, and give details as may be pertinent to the safety of other aircraft.
 - (3) A pilot-in-command shall inform the appropriate air traffic control unit if the situation permits, when an in-flight emergency involving dangerous goods occurs on board.
 - (4) A pilot-in-command shall, without delay, submit a report to the local authorities and to the Authority, following an act of unlawful interference.
 - (5) Subject to the provisions of sub-regulations (6), (7) and (8), the pilot-in-command shall make a report to the Authority of any birdstrike occurrence which occurs whilst the aircraft is in flight within Rwanda.
 - (6) The report mentioned in sub-regulation (7) shall be made within such time, by such means and shall contain such information as is specified in the First Schedule and it shall be presented in such form as the Authority may in any particular case approve.
 - (7) Nothing in sub-regulation (5) or (6) shall require a person to report any occurrence which he has reported under regulation 78 or which he has reason to believe has been or will be reported by another person to the Authority in accordance with that regulation.
 - (8) In this regulation, "birdstrike occurrence" means an incident in flight in which the pilot-in-command of an aircraft has reason to believe that the aircraft has been in collision with one or more than one bird.
 - (9) A pilot-in-command shall ensure that all mechanical irregularities occurring during flight time are:
 - (a) reported to the operator at the termination of the flight;
 - (b) for general aviation operations, entered in the aircraft logbook and dealt with in accordance with the minimum equipment list or other approved or prescribed procedure;
 - (c) for commercial air transport operations, entered in the technical log of the aircraft at the end of that flight time.
 - (10) A pilot-in-command shall notify the nearest appropriate authority, by the quickest available means, of any accident involving the aircraft that results in serious injury or death of any person, or substantial damage to the aircraft or property.
 - (11) The pilot-in-command shall submit a report to the Authority of any accident which occurred while that pilot-in-command was responsible for the flight.

Mandatory reporting of occurrences which endanger or would endanger, if not corrected, an aircraft or a person

- 78.**
- (1) This regulation shall apply to occurrences which endanger or which, if not corrected, would endanger an aircraft, its occupants or any other person and it is in addition with the requirements of regulations 76 and 77.
 - (2) Every person listed below shall report to the Authority any event which constitutes an occurrence for the purposes of sub-regulation (1) and which comes to his attention in the exercise of his functions:
 - (a) the operator and the pilot-in-command of a turbine-powered aircraft which has a certificate of airworthiness issued by the Authority;
 - (b) the operator and the pilot-in-command of an aircraft operated under an air operator certificate granted by the Authority;
 - (c) a person who carries on the business of manufacturing a turbine-

- powered or a public transport aircraft, or any equipment or part thereof, in Rwanda;
- (d) 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 the business of maintaining or modifying any equipment or part of such an aircraft;
 - (e) a person who carries on the business of maintaining or modifying an aircraft operated under an air operator certificate granted by the Authority, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;
 - (f) a person who signs a 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 part or equipment of such an aircraft;
 - (g) a person who signs a an airworthiness review certificate, or a certificate of release to service in respect of an aircraft, operated under an air operator's certificate granted by the Authority, and a person who signs an airworthiness review certificate or a certificate of release to service in respect of any part or equipment of such an aircraft;
 - (h) a person who performs a function which requires him to be authorized by the Authority as an air traffic controller or as a flight information service officer;
 - (i) a licensee and a manager of a licensed aerodrome;
 - (j) 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 utilized by a person who provides an air traffic control service under an approval issued by the Authority;
 - (k) 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.
- (3) Reports of occurrences shall be made within such time, by such means and containing such information as is specified in the First Schedule and shall be presented in such form as the Authority may in any particular case approve.
 - (4) A person listed in subregulation (2) shall make a report to the Authority within such time, by such means, and containing such information as the Authority may specify in a notice in writing served upon him, being information which is in his possession or control and which relates to an occurrence which has been reported by him or another person to the Authority in accordance with this regulation.
 - (5) A person shall not make any report under this regulation if he knows or has reason to believe that the report is false in any particular.
 - (6) The Authority shall collect, evaluate, process and store occurrences reported in accordance with sub-regulations (2) to (4).
 - (7) The Authority shall store in its databases the reports which it has collected of occurrences, accidents and serious incidents.
 - (8) The Authority, having received an occurrence report, shall enter it into its databases and notify, whenever necessary: the competent authority of the State where the occurrence took place; where the aircraft is registered; where the aircraft was manufactured, and where the operator's air operator's certificate was granted, and any other person it thinks fit.
 - (9) The Authority shall provide any entity entrusted with investigating civil aviation accidents and incidents with access to information on occurrences collected and exchanged to enable it to draw the safety lessons from the reported

occurrences.

- Voluntary reporting of occurrences** **79.**
- (1) The Authority shall collect and analyze information of voluntary reporting of observed deficiencies in aviation which are not required to be reported under regulations 76 to 78, but which are perceived by the reporter as an actual or potential hazard.
 - (2) Voluntary reports presented to the Authority under sub-regulation (1) shall be subjected to a process of disidentification by it where the person making the report requests that his identity is not recorded on the databases.
 - (3) The Authority shall ensure that relevant safety information deriving from the analysis of reports, which have been subjected to disidentification, are stored and made available to all parties so that they can be used for improving safety in aviation.

- Operation of flight recorders** **80.**
- (1) A pilot-in-command shall ensure that whenever an aircraft has flight recorders installed, the recorders are operated continuously from the instant:
 - (a) for a flight data recorder, the aircraft begins the flight until it has completed the landing roll; and
 - (b) for a cockpit voice recorder, the initiation of the pre-flight checklist until the end of the securing aircraft checklist.
 - (2) A pilot-in-command shall not permit a flight recorder to be disabled, switched off or erased during flight, unless necessary to preserve the data for an accident or incident investigation.
 - (3) In event of an aircraft accident or incident, the pilot-in-command shall act to preserve the recorded data for subsequent investigation.
 - (4) Flight recorders shall not be switched off during flight time.
 - (5) In order to preserve flight records, flight recorders shall be deactivated upon completion of flight time following an accident or incident; the flight recorders shall not be reactivated before their disposition as determined in accordance with the Civil Aviation (Accident and Incident Investigations) Regulations.
 - (6) 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 the Civil Aviation (Accident and Incident Investigations) Regulations.

- Crew member Oxygen supply** **81.**
- (1) The approximate altitudes in the Standard Atmosphere corresponding to the values of absolute pressure used in this regulation are as follows:

Absolute pressure	Metres	Feet
700 hPa	3 000	10 000
620 hPa	4 000	13 000
376 hPa	7 600	25 000
 - (2) A flight intended to be operated at flight altitudes at which the atmospheric pressure in personnel compartments will be less than 700 hPa shall not be commenced unless sufficient stored breathing oxygen and dispensing apparatus is carried to supply:
 - (a) all crew members and 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
 - (b) the crew and passengers for any period that the atmospheric pressure in compartments occupied by them will be less than 620 hPa.
 - (3) A flight intended to be operated with a pressurized aircraft shall not be commenced unless a sufficient quantity of stored breathing oxygen and dispensing apparatus are carried to supply all the crew members and passengers, as is appropriate to the circumstances of the flight being undertaken, in the event of loss of pressurization,

for any period that the atmospheric pressure in any compartment occupied by them would be less than 700 hPa.

- (4) In addition to sub-regulation (3), when an aircraft is intended to be operated at flight altitudes at which the atmospheric pressure is less than 376 hPa, or 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 automatically deployable oxygen equipment dispensing no less than a 10-minute supply for the occupants of the passenger compartment and the total number of oxygen dispensing units shall exceed the number of passenger and cabin crew seats by at least 10 per cent.
- (5) When a pressurized aeroplane is intended to be operated at flight altitudes at which the atmospheric pressure will be less than 376 hPa, there shall be a device to provide positive warning to the pilot of any dangerous loss of pressurization.
- (6) In no case shall the minimum supply of oxygen on board the aircraft be less than that prescribed by the Authority in the Civil Aviation (Instruments and Equipment) Regulations.

- Use of oxygen** **82.**
- (1) All flight crew members, when engaged in performing duties essential to the safe operation of an aircraft in flight, shall use breathing oxygen continuously whenever the circumstances prevail for which its supply has been required in regulation 81.
 - (2) All flight crew members of pressurized aircraft operating above an altitude where the atmospheric pressure is less than 376 hPa shall have available at the flight duty station a quick-donning type of oxygen mask which will readily supply oxygen upon demand.

- Carriage of dangerous goods** **83.**
- (1) A person shall not carry dangerous goods in an aircraft except:
 - (a) with the written permission of the Authority and subject to any condition the Authority may impose in granting such permission; and
 - (b) in accordance with the provisions of Part VII - *Air Operator Certificate Dangerous Goods Management* - of the Civil Aviation (Air Operator Certification and Administration) Regulations, with the necessary changes – *mutatis mutandis* - to apply to the said person even in the case he is a non air operator certificate holder, including the provisions of the latest effective edition of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air*, as amended by any supplement and any addendum, approved and published by decision of the Council of the International Civil Aviation Organization.
 - (2) A person shall not take or cause to be taken on board an aircraft 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 without complying with this regulation.
 - (3) The operator of an aircraft shall, before the flight begins, inform the pilot-in-command of the aircraft of the identity of the goods, the danger to which they give rise and the weight or quantity of the goods.

- Portable electronic devices** **84.**
- A pilot-in-command or any other crew member shall not permit any person to use, nor shall any person use a portable electronic device on board an aircraft that may adversely affect the performance of aircraft systems and equipment unless:
- (a) for IFR operations other than commercial air transport, the pilot-in-command allows such a device prior to its use; or
 - (b) for commercial air transport operations, the air operator certificate holder makes a determination of acceptable devices and publishes that information in the operations manual for the crew members use; and
 - (c) the pilot-in-command informs passengers of the

permitted use.

PART VI - FLIGHT PLANS AND AIR TRAFFIC CONTROL CLEARANCE

Operational Flight Planning and Preparation

Pre-flight action

85. A pilot-in-command of an aircraft registered in Rwanda shall satisfy himself before take-off, and a flight shall not be commenced until flight preparation forms have been completed certifying that the pilot-in-command is satisfied, that:
- (a) that the flight can safely be made, taking into account the latest information available as to the route and aerodromes to be used, the weather reports and forecasts available, and any alternative cause of action which can be adopted in case the flight cannot be completed as planned;
 - (b) that the equipment, including radio apparatus, required by these Regulations to be carried is carried and is in a fit condition for use;
 - (c) that the aircraft is in every way fit for the intended flight, and that, where a certificate of release to service is required by the Civil Aviation (Airworthiness) Regulations to be in force, is in force and will not cease to be in force during the intended flight;
 - (d) that the load carried by the aircraft is of such weight, and is so distributed and secured, that it may safely be carried on the intended flight;
 - (e) the mass of the aircraft and centre of gravity location are such that the flight can be conducted safely, taking into account the flight conditions expected;
 - (f) in the case of an aeroplane, a rotorcraft or airship, that sufficient fuel, oil and engine coolant, if required, are carried for the intended flight, and that a safe margin has been allowed for contingencies, and, in the case of a flight for the purpose of commercial air transport, that the instructions in the operations manual relating to fuel, oil, and engine coolant have been complied with;
 - (g) in case of an airship or balloon, that, sufficient ballast if required is carried for the intended flight;
 - (h) in the case of an aeroplane, that having regard to the performance of the aeroplane in the condition to be expected on the intended flight, and to any obstacle at the places of departure and intended destination and on the intended route, it is capable of safely taking off, reaching and monitoring a safe height thereafter, and making a safe landing at the place of intended destination;
 - (i) that any pre-flight check system established by the operator and set out in the operations manual or elsewhere has been complied with by each member of the crew of the aircraft; and
 - (j) he has sufficient information on climb performance with all engines operating to enable determination of the climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off technique.

Operation of aircraft on the ground

86. (1) A person shall not taxi an aeroplane on the movement area of an aerodrome unless he:-
- (a) has been authorized by the operator, the owner, or in the case where it is leased, the lessee,, or a designated agent;

- (b) is fully competent to taxi the aeroplane;
 - (c) is qualified to use the radiotelephone if radio communications are required;
 - (d) has received instruction from a competent person in respect of aerodrome layout, and where appropriate, information on routes, signs, marking, lights, air traffic control signals and instructions, phraseology and procedures, and is able to conform to the operational standards required for safe aircraft movement at the aerodrome; and
 - (e) has been given an air traffic control clearance where appropriate;
- (2) A person shall not cause a helicopter rotor to be turned under power unless there is a qualified pilot at the controls properly secured in his seat.

Flight into known or expected icing

87. A person shall not commence a flight:-
- (a) in 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) in 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; or
 - (c) for commercial air transport operations in 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 air operator certificate holder by the Authority are followed to ensure ground de-icing, and anti-icing is accomplished.

Aerodrome operating minima

88. (1) A person shall not operate to or from an aerodrome using aerodrome operating minima lower than those which may be established for that aerodrome by the State in which it is located, unless that State specifically approves that operation.
- (2) An air operator certificate holder shall establish aerodrome operating minima for each aerodrome; to be used in operations, subject to the approval of the Authority, and for that purpose he shall take full account of:
- (a) the type, performance and handling characteristics of the aeroplane;
 - (b) the composition of the flight crew, their competence and experience;
 - (c) the dimensions and characteristics of the runways which may be selected for use or in the case of a heliport, the declared distances;
 - (d) the adequacy and performance of the available visual and non-visual ground aids;
 - (e) the equipment available on the aeroplane for the purpose of navigation and/or control of the flight path during the approach to landing and the missed approach;
 - (f) the obstacles in the approach and missed approach areas and the obstacle clearance altitude/height for the instrument approach procedures;
 - (g) the means used to determine and report meteorological conditions; and
 - (h) the obstacles in the climb-out areas and necessary clearance margins.
- (3) A flight shall not be continued 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 destination alternate aerodrome, in compliance with the operating minima established in accordance with sub-regulation (1);
- (4) An instrument approach shall not be continued beyond the outer marker fix in case of precision approach, or below 300 m (1,000 ft) above the aerodrome in case of non-precision approach, unless the reported visibility or controlling runway visual range (RVR) is above the specified minimum.

- (5) If, after passing the outer marker fix in case of precision approach, or after descending below 300 m (1,000 ft) above the aerodrome in case of non-precision approach, the reported visibility or controlling runway visual range (RVR) falls below the specified minimum, the approach may be continued to decision altitude or decision height (DA/H) or minimum descent altitude or minimum descent height (MDA/H).
- (6) In any case, an aeroplane shall not 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.

Take-off conditions

- 89.** Before commencing take-off, a pilot-in-command shall ensure that:-
- (a) according to the available information, the weather at the aerodrome and the condition of the runway intended to be used shall allow for a safe take-off and departure; and
 - (b) the runway visual range or visibility in the take-off direction of the aircraft is equal to or better than the applicable minimum.

Altimeter settings

- 90.** 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:
- (a) the State where the aircraft may be; or
 - (b) the Aeronautical Information Publication.

Operation of radio in aircraft

- 91.**
- (1) The radio station in an aircraft shall not be operated, whether or not the aircraft is in flight, except in accordance with the conditions of the licence issued in respect of that station under the law of the State of registry, and by a person duly licenced or otherwise permitted to operate the radio station under that law.
 - (2) Subject to sub-regulations (3) and (4) whenever an aircraft is in flight in such circumstances that it is required by or under these Regulations to be equipped with radio communications apparatus, a continuous radio watch shall be maintained by a member of a flight crew listening to the signals transmitted upon the frequency notified, or designated by a message received from an appropriate aeronautical radio station, for use by that aircraft.
 - (3) The radio watch may be discontinued or continued on another frequency to the extent that a message as aforesaid so permits.
 - (4) The watch may be kept by a device installed in the aircraft if the appropriate aeronautical radio station has been informed to that effect and has raised no objection; and that station is notified, or in the case of a station situated in a State other than Rwanda, otherwise designated as transmitting a signal suitable for that purpose.
 - (5) Whenever an aircraft is in flight in such circumstances that it is required by or under these Regulations to be equipped with radio or radio navigation equipment a member of the flight crew shall operate that equipment in such a manner as he may be instructed by the appropriate air traffic control unit or as may be notified in relation to any notified airspace in which the aircraft is flying.
 - (6) The radio station in an aircraft shall not be operated so as to cause interference, that impairs the efficiency of aeronautical telecommunications or navigational services, and in particular emissions shall not be made except as follows –
 - (a) emission of the class and frequency for the time being in use, in accordance with general international aeronautical practice, in the airspace in which the aircraft is flying;
 - (b) distress, urgency and safety messages and signals, in accordance with general international aeronautical practice;
 - (c) messages and signals relating to the flight of the aircraft, in accordance with general international aeronautical practice;
 - (d) such public correspondence messages as may be permitted by or under

the aircraft radio station licence referred in sub-regulation (1).

- (7) In any aircraft registered in Rwanda, which is engaged on a flight for the purpose of commercial air transport operations, the pilot and the flight engineer (if any) shall not make use of a hand-held microphone, whether for the purpose of radio communication or of intercommunication within the aircraft, whilst the aircraft is flying in controlled airspace below flight level 150 or is taking off or landing.
- (8) An aircraft which is equipped with a radio station having a defect such as to impair the safety of the aircraft shall not undertake any flight until the aircraft has been rendered safe, or if such defect occurs during flight, shall land as soon as possible unless the radio station can be and is speedily rendered safe for flight.

Weather reports and forecasts

- 92.**
- (1) A pilot-in-command shall before commencing a flight be familiar with all available meteorological information appropriate to the intended flight.
 - (2) 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 instrument flight rules (IFR), shall include:
 - (a) a careful study of available current weather reports and forecasts taking into consideration fuel and oil requirements; and
 - (b) an alternative course of action if the flight cannot be completed as planned because of weather conditions.
 - (3) 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 kilometres or the cloud ceiling is less than 455 m (1,500 ft), unless the pilot-in-command has obtained from an air traffic control unit at that aerodrome permission to enter the aerodrome traffic zone.

Weather limitations for VFR flights

- 93.**
- A person shall not commence a flight, except one of purely local character in visual meteorological conditions, 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, will, at the appropriate time, render possible VFR operations.

Adequacy of operating facilities

- 94.**
- (1) A person shall not commence a flight, and an operator shall ensure that a flight shall not be commenced, unless:
 - (a) it has been ascertained by every reasonable means available that the ground and/or water areas and facilities available and directly required for such flight, for the safe operation of the aircraft and the protection of passengers, are adequate, including communication facilities and navigation aids; for the type of operation under which the flight is to be conducted and are adequately operated for this purpose; and
 - (b) that person is satisfied that the aerodromes at which the flight is intended to take-off or land and any alternative aerodrome at which a landing may be made are suitable for the purpose and in particular are adequately manned and equipped to ensure the safety of the aircraft and its passengers.
 - (2) In this regulation “reasonable means” denotes use, at the point of departure, of information available to the operator and the pilot-in-command either through official information published by the Aeronautical Information Services or readily obtainable from other sources.
 - (3) An operator shall ensure that any inadequacy of facilities observed in the course of operations is reported to the authority responsible for them,

without undue delay.

- (4) Subject to their published conditions of use, aerodromes and their facilities shall be kept continuously available for flight operations during their published hours of operations, irrespective of weather conditions.

Diversions 95
decision: engine
inoperative

- (1) Except as provided in sub-regulation (2) of this regulation, a pilot-in-command 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.
- (2) Where not more than one engine of an aeroplane having three or more engines fails, and its rotation stops, the pilot in command may proceed to an aerodrome if the pilot in command decides that proceeding to that aerodrome is as safe as landing at the nearest suitable aerodrome after considering the:
- nature of the malfunction and the possible mechanical difficulties that may occur if the flight is continued;
 - altitude, mass, and usable fuel at the time of engine stoppage;
 - weather conditions en route and at possible landing points;
 - air traffic congestion;
 - kind of terrain; and
- (f) familiarity with the aerodrome to be used.

IFR destination 96.
aerodromes

- (1) Except in case of general aviation operations, subject to this regulation, a person shall not commence an IFR flight unless the available information indicates that the weather conditions at the aerodrome of intended landing or, where a destination alternate is required, at least one suitable alternate at the estimated time of arrival, be at or above the aerodrome operating minima.
- (2) For any flights to be conducted in accordance with the instrument flight rules, at least one of the destination alternated aerodrome shall be selected and specified in the operational and air traffic services flight plans, unless:
- (a) the duration of the flight and the meteorological conditions prevailing are such that there is reasonable certainty that, at the estimated time of arrival at the aerodrome of intended landing, and for a reasonable period before and after such time, the approach and landing may be under visual meteorological conditions as prescribed by the State of operator; or
 - (b) the aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome; for a helicopter, a point of no return shall be determined.
- (3) In case of general aviation operations, when a destination alternate aerodrome is required, a flight to be conducted in accordance with the instrument flight rules shall not be commenced unless the available information indicates that conditions, at the aerodrome of intended landing and at least one destination alternate will, at the estimated time of arrival, be at or above the aerodrome operating minima.
- (4) In case of general aviation operations, when a destination alternate aerodrome is not required, a flight to be conducted in accordance with the instrument flight rules to an aerodrome shall not be commenced unless:
- (a) a standard instrument approach procedure is prescribed for the aerodrome of intended landing; and
 - (b)
 - (i) in the case of an aeroplane, 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:
 - (aa) a cloud base of at least 300 m (1 000 ft) above the minimum associated with the instrument approach procedure; and
 - (bb) visibility of at least 5.5 km or of 4 km more than the

- minimum associated with the procedure; or
- (ii) in the case of a helicopter, 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 or from the actual time of departure to two hours after the estimated time of arrival, whichever is the shorter period:
 - (aa) a cloud base of at least 120 m (400 ft) above the minimum associated with the instrument approach procedure; and
 - (bb) visibility of at least 1.5 km more than the minimum associated with the procedure.

IFR alternate aerodrome selection criteria **97.** (1) Where alternate minimums are published, a pilot-in-command shall not designate an alternate aerodrome in an instrument flight rules (IFR) flight plan unless the current available forecast indicates that the meteorological conditions at that alternate at the estimated time of arrival shall be at or above those published alternate minimums.

- (2) Where alternate minimums are not published, and if there is no prohibition against using the aerodrome as an IFR planning alternate, a pilot-in-command shall ensure that the meteorological conditions at that alternate at the estimated time of arrival shall be at or above:
 - (a) for a precision approach procedure, a ceiling of at least 185 m (600 ft) and visibility of not less than 3 kilometres; or
 - (b) for a non-precision approach procedure, a ceiling of at least 245 m (800 ft) and visibility of not less than 3 kilometres.

Off-shore alternates for helicopter operations **98.** (1) A person shall not designate an offshore alternate landing site when it is possible to carry enough fuel to have an on-shore alternate landing site.

- (2) The selection of offshore alternates shall be exceptional cases, the details of which have been approved by the Authority, and shall not include payload enhancement in Instrument Meteorological Conditions.
- (3) A person selecting an off-shore alternate landing site shall consider the following:
 - (a) until the point of no return, he shall use an on-shore alternate only;
 - (b) the offshore alternate may be used only after a point of no return;
 - (c) attaining one engine inoperative performance capability prior to arrival at the alternate;
 - (d) guaranteeing helideck availability;
 - (e) the weather information must be reliable and accurate; and
 - (f) for IFR operations, an instrument approach procedure shall be prescribed and available.

(4) The landing technique specified in the flight manual following control system failure may preclude the selection of certain helideck as alternate aerodromes.

(5) The mechanical reliability of critical control systems and critical components shall be considered and taken into account when determining the suitability and necessity for an offshore alternate.

Take-off alternate aerodromes: Commercial air transport **99.** (1) A person shall not release or take-off an aircraft without a suitable take-off alternate aerodrome specified in the flight release or operational flight plan if the weather conditions at the aerodrome of departure are at or below the applicable aerodrome operating minima or if it would not be possible to return to the aerodrome of departure for other reasons.

operations

- (2) An operator shall ensure that each take-off alternate specified shall be located within a distance equivalent to:
 - (a) for aircraft having two-power units, one hour flight time at single-engine cruise speed unless the aircraft and crews are authorized for extended range operations by turbine-engined aeroplanes (ETOPS); or
 - (b) for aircraft having three or more power-units, two hours flight time at single-engine inoperative cruising speed.
- (3) All calculations referred under this regulation shall be based on the one-engine-inoperative cruising speed according to the aeroplane flight manual in still air conditions based on the actual take-off mass.
- (4) For an aerodrome to be selected as a take-off alternate the available information shall indicate that, at the estimated time of use, the condition will be at or above the aerodrome operating minima for that operation.

Maximum distance from an adequate aerodrome for aeroplanes with two turbine power-units without an ETOPS approval

100.

- (1) Unless specifically granted an extended range operations by turbine-engined aeroplanes (ETOPS) approval by the Authority, an air operator certificate holder shall not operate an aeroplane with two turbine power-units over a route which contains a point further from an adequate aerodrome than, in the case of:
 - (a) large, turbine engine powered aeroplanes the distance flown in sixty minutes at the one-engine-inoperative cruise speed determined in accordance with sub-regulation (2) with either:
 - (i) a maximum approved passenger seating configuration of twenty or more; or
 - (ii) a maximum take-off mass of 45,360 kg or more;
 - (b) reciprocating engine powered aeroplanes:
 - (i) the distance flown in 120 minutes at the one-engine-inoperative cruise speed determined in accordance with sub-regulation (2); or
 - (ii) three hundred nautical miles, whichever is less.
- (2) An air operator certificate holder shall determine a speed for the calculation of the maximum distance to an adequate aerodrome for each aeroplane with two turbine power-units 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:
 - (a) International Standard Atmosphere;
 - (b) level flight:
 - (i) for turbine engine powered aeroplanes at:
 - (aa) flight level 170; or
 - (bb) 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 aeroplane flight manual, whichever is less;
 - (ii) for propeller driven aeroplanes:
 - (aa) flight level 80; or
 - (bb) 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 aeroplane flight manual, whichever is less;
 - (iii) maximum continuous thrust or power on the remaining operating engine;
 - (iv) an aeroplane mass not less than that resulting from:
 - (aa) 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 sub-regulation (1);

- (bb) 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-regulation (1); and
 - (cc) 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 sub-regulation (1).
- (3) In approving the operation, the Authority shall:
- (a) ensure that:
 - (i) the airworthiness certification of the aeroplane type;
 - (ii) the reliability of the propulsion system; and
 - (iii) the operator's maintenance procedures, operating practices, flight dispatch procedures and crew training programmes;
 provide the overall level of safety intended by the provisions of the Civil Aviation Regulations of Rwanda;
 - (b) in making this assessment, take into account:
 - (i) the route to be flown;
 - (ii) the anticipated operating conditions; and
 - (iii) the location of adequate en-route alternate aerodromes.
- (4) An air operator certificate holder shall ensure that the following data, specific to each type or variant, is included in the operations manual:
- (a) the one-engine-inoperative cruise speed determined in accordance with sub-regulation (2);
 - (b) the maximum distance from an adequate aerodrome determined in accordance with sub-regulations (1) and (2); and
 - (c) aeroplane climb performance with all engines operating 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.
- (5) The speeds and altitudes specified in this regulation shall only be used for establishing the maximum distance from an adequate aerodrome.

Extended range operations with aeroplanes with two turbine power-units

- 101.**
- (1) An air operator certificate holder shall not conduct operations beyond the threshold distance determined in accordance with regulation 100, unless approved to do so by the Authority.
 - (2) Prior to conducting an extended range operations by turbine-engined aeroplanes (ETOPS) flight, an air operator certificate holder shall ensure that:
 - (a) a suitable ETOPS en route alternate is available, within either the approved diversion time or a diversion time based on minimum equipment list generated serviceability status of the aeroplane, whichever is shorter; and
 - (b) during the possible period of arrival, the required en-route alternate aerodrome(s) will be available and the available information indicates that conditions at those aerodromes will be at or above the aerodrome operating minima approved for the operation.

En-route alternate aerodromes: ETOPS operations

- 102.**
- (1) A pilot-in-command shall ensure that the required en route alternates for extended range operations by turbine-engined aeroplanes (ETOPS) are selected and specified in the operational and air traffic services flight plans in accordance with the ETOPS diversion time approved by the Authority.
 - (2) A person shall not select an aerodrome as an ETOPS en-route alternate aerodrome unless the appropriate

weather reports or forecasts, or any combination thereof, indicate that during a period commencing one hour before and ending one hour after the expected time of arrival at the aerodrome, the weather conditions shall be at or above the planning minima prescribed in Table 1 and in accordance with the operator's ETOPS approval.

TABLE 1 - WEATHER CONDITIONS PLANNING MINIMA

Type of Approach	Planning Minima	
	(Runway visual range or visibility required & ceiling, if applicable)	
	Aerodrome with	
	at least 2 separate approach procedures based on 2 separate aids serving 2 separate runways (See regulation 100(5) above)	at least 2 separate approach procedures based on 2 separate aids serving 1 runway or, at least 1 approach procedure based on 1 aid serving 1 runway
Precision Approach Cat II, III (ILS, MLS)	Precision Approach Cat I Minima	Non-Precision Approach Minima
Precision Approach Cat I (ILS, MLS)	Non-Precision Approach Minima	Circling minima or, if not available, non-precision approach minima plus 60 m (200 ft) per 1000m
Non-Precision Approach	The lower of non-precision approach minima plus 60 m(200 ft) per 1000 m or circling minima	The higher of non-precision approach minima plus 60 m (200 ft) per 1000 m or circling minima
Circling Approach	Circling Minima	

(3) The forecast weather criteria used in the selection of alternate aerodromes for IFR flight shall also be used for the selection of ETOPS alternates.

(4) Runways on the same aerodrome are considered to be separate runways when:

- (a) they are separate landing surfaces which may overlay or cross such that if one of the runways is blocked, it will not prevent the planned type of operations on the other runway; and
- (b) each of the landing surfaces has a separate approach based on a separate aid.

Fuel and oil supply

103.

- (1) A person shall not commenced 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.
- (2) A person computing the fuel and oil required in sub-regulation (1) shall consider at least the following:
 - (a) meteorological conditions forecast;
 - (b) expected air traffic control routings and traffic delays;
 - (c) for instrument flight rules (IFR) flight, one instrument approach at the destination aerodrome, including a missed approach;
 - (d) the procedures prescribed in the operations manual for loss of pressurization, where applicable, or failure of one power unit while en route; and
 - (e) any other conditions that may delay the landing of the aircraft or increase fuel and oil consumption.
- (3) Subject to sub-regulation (6), the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of propeller-driven aeroplanes, be at least the amount sufficient to allow the aeroplane:
 - (a) when a destination alternate aerodrome is required, either:

- (i) to fly to the aerodrome to which the flight is planned thence to the most critical, in terms of fuel consumption, alternate aerodrome specified in the operational and ATS flight plans and thereafter for a period of 45 minutes; or
- (ii) to fly to the alternate aerodrome via any predetermined point and thereafter for 45 minutes, provided that this shall not be less than the amount required to fly to the aerodrome to which the flight is planned and thereafter for:
 - (aa) 45 minutes plus 15 per cent of the flight time planned to be spent at the cruising level(s), or
 - (bb) two hours, whichever is less.
- (b) when a destination alternate aerodrome is not required:
 - (i) in case of the duration of the flight and the meteorological conditions prevailing are such that there is a reasonable certainty that, at the estimated time of arrival at the aerodrome of intended landing, and for a reasonable period before and after such time, the approach and landing may be under visual meteorological conditions, to fly to the aerodrome to which the flight is planned and thereafter for a period of 45 minutes; or
 - (ii) where the aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome to which the flight is planned and thereafter for:
 - (aa) 45 minutes plus 15 per cent of the flight time planned to be spent at the cruising level(s), or
 - (bb) two hours, whichever is less.
- (4) Subject to sub-regulation (6), the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of aeroplanes equipped with turbo-jet engines, be at least the amount sufficient to allow the aeroplane:
 - (a) when a destination alternate aerodrome is required, either:
 - (i) to fly to and execute an approach, and a missed approach, at the aerodrome to which the flight is planned, and thereafter:
 - (aa) to fly to the alternate aerodrome specified in the operational and air traffic services (ATS) flight plans; and then
 - (bb) to fly for 30 minutes at holding speed at 450 m (1,500 ft) above the alternate aerodrome under standard temperature conditions, approach and land; and
 - (cc) to have an additional amount of fuel sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority; or
 - (ii) to fly to the alternate aerodrome via any predetermined point and thereafter for 30 minutes at 450 m (1,500 ft) above the alternate aerodrome, due provision having been made for an additional amount of fuel sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority; provided that fuel shall not be less than the amount of fuel required to fly to the aerodrome to which the flight is planned and thereafter for two hours at normal cruise consumption.
 - (b) when a destination alternate aerodrome is not required:
 - (i) in case of the duration of the flight and the meteorological conditions prevailing are such that there is a reasonable certainty that, at the estimated time of arrival at the aerodrome of intended landing, and for a reasonable period before and after such time, the approach and landing may be under visual meteorological conditions, to fly to the aerodrome to which the flight is planned and additionally –

- (aa) to fly 30 minutes at holding speed at 450 m (1,500 ft) above the aerodrome to which the flight is planned under standard temperature conditions; and
 - (bb) to have an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority; and
 - (ii) in case where aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome, to fly to the aerodrome to which the flight is planned and thereafter for a period of two hours at normal cruise consumption.
- (5) Subject to sub-regulation (6),
 - (a) the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of a helicopters under visual flight rules (VFR) operations, be at least the amount sufficient to allow the helicopter:
 - (i) to fly to the heliport to which the flight is planned;
 - (ii) to fly thereafter for a period of 20 minutes at best-range speed plus 10 per cent of the planned flight time; and
 - (iii) to have an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority.
 - (b) the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of a helicopter under IFR operations, be at least the amount sufficient to allow the helicopter:
 - (i) when an alternate is not required, in flights under VFR, to fly to the heliport to which the flight is planned, and thereafter:
 - (aa) to fly 30 minutes at holding speed at 450 m (1,500 ft) above the destination heliport under standard temperature conditions and approach and land; and
 - (bb) to have an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority.
 - (ii) when an alternate is required, to fly to and execute an approach, and a missed approach, at the heliport to which the flight is planned, and thereafter:
 - (aa) to fly to the alternate specified in the flight plan; and then
 - (bb) to fly for 30 minutes at holding speed at 450 m (1,500 ft) above the alternate under standard temperature conditions, approach and land; and
 - (cc) to have an additional amount of fuel sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority.
 - (iii) when the intended landing is isolated and no suitable alternate heliport is available to fly to the heliport to which the flight is planned and thereafter for a period of 2 hours at holding speed.
- (6) In case of general aviation operations of an aeroplane, the fuel and oil carried in order to comply with sub-regulation (1) shall be at least the amount sufficient to allow the aeroplane, in a flight in accordance with the instrument flight rules,
 - (a) when in accordance 97(2), a destination alternate aerodrome is not required, to fly to the aerodrome to which the flight is planned and thereafter for a period of 45 minutes; or
 - (b) when a destination alternate is required, to fly to the aerodrome to which the flight is planned, thence to an alternate aerodrome, and thereafter for a period

of 45 minutes.

- (7) Nothing in this regulation precludes amendment of a flight plan in flight in order to replan the flight to another aerodrome or heliport take-off, provided the requirements of this regulation can be complied with from the point where the flight has been replanned.

**Flight
planning:
document
distribution
and retention**

- 104.** (1) A pilot-in-command operating commercial air transport shall complete and sign the following flight preparation documents prior to departure:
- (a) 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;
 - (b) a load manifest, showing the distribution of the load, centre of gravity, take-off and landing mass and compliance with maximum operating mass limitations, and performance analysis; and
 - (c) an applicable technical log page, to accept that the aircraft is fit for the intended flight after the pre-flight inspection has been conducted.
- (2) A person shall not commence a flight in commercial air transport unless all flight release documents, specified in the operations manual and signed by the pilot-in-command, are retained and available at the point of departure.
- (3) A pilot-in-command shall carry a copy of the documents specified in sub-regulation (1) on the aircraft.

**Commercial
air transport:
loading of
aircraft**

- 105.** (1) An air operator certificate holder shall not cause or permit an aircraft to be loaded for a flight for the purpose of commercial air transport except under the supervision of a person who the air operator certificate holder has caused to be furnished with written instructions as to the distribution and securing of the load so as to ensure that:
- (a) the load may safely be carried on the flight; and
 - (b) any condition subject to which the certificate of airworthiness in force in respect of the aircraft was issued or rendered valid, being conditions relating to the loading of the aircraft are complied with.
- (2) The instructions shall indicate the mass of the aircraft prepared for service, that is, the aggregate of the basic mass and the mass of such additional items in or on the aircraft as the operator thinks fit to include, and the instructions shall indicate the additional items included in the mass of the aircraft prepared for service, and shall show the position of the centre of gravity of the aircraft at that mass.
- (3) The provisions of sub-regulation (2) shall not apply in relation to a flight if:
- (a) the aircraft's authorized maximum take-off mass does not exceed 1,150 kg; or
 - (b) the aircraft's authorized maximum take-off mass does not exceed 2,730 kg. and the flight is not intended to exceed sixty minutes in duration and is either a flight:
 - (i) solely for training persons to perform duties in an aircraft; or
 - (ii) intended to begin and end at the same aerodrome.
- (4) An operator of an aircraft shall not cause or permit the aircraft to be loaded in contravention of the instructions set out in sub-regulation (1).
- (5) A person supervising the loading of the aircraft shall, before the commencement of a flight:
- (a) prepare and sign a load sheet in duplicate conforming to the requirements specified in sub-regulation (7); and
 - (b) unless the operator is the pilot-in-command of the aircraft, submit the load sheet for examination by the pilot-in-command of the aircraft who shall, upon being satisfied that the aircraft is loaded in the manner required by sub-regulation (1), sign his name thereon;
- (6) The requirements of sub-regulation (5) shall not apply where:

- (a) the load and the distributing and securing thereof upon the next intended flight are to be unchanged from the previous flight and the pilot-in-command of the aircraft makes and signs an endorsement to that effect upon the load sheet for the previous flight, indicating the date of the endorsement, the place of departure upon the next intended flight and the next intended destination; or
 - (b) as set out in sub-regulation (3), sub-regulation (2) does not apply in relation to the flight.
- (7) A pilot operating an aircraft shall ensure that one copy of the load sheet shall be carried in the aircraft when so required by these Regulations, until the flights to which the load sheet relates have been completed, and one copy of that load sheet and of the instruction referred to in this regulation shall be preserved by the operator until the expiration of a period of six months thereafter, and shall not be carried in the aircraft.
- (8) A load sheet required under sub-regulation (5) shall contain the following information –
- (a) the nationality and registration marks of the aircraft to which the load sheet relates;
 - (b) particulars of the flight to which the load sheet relates;
 - (c) the total mass of the aircraft as loaded for the flight;
 - (d) the mass of the several items from which the total mass of the aircraft, as so loaded, has been calculated including in particular the mass of the aircraft prepared for service and the respective total mass of the passengers, crew, baggage and cargo intended to be carried on the flight;
 - (e) the manner in which the load is distributed and the resulting position of the centre of gravity of the aircraft which may be given approximately if and to the extent that the relevant certificate of airworthiness so permits; and
 - (f) at the foot or end of the load sheet, a certificate signed by the person referenced in sub-regulation (1) as responsible for the loading of the aircraft, stating that the aircraft has been loaded in accordance with the written instructions furnished to him by the operator of the aircraft pursuant to that sub-regulation.
- (9) (a) For the purpose of calculating the total mass of the aircraft, the respective total mass of the passengers and crew entered in the load sheet shall be computed from the actual mass of each person, and for that purpose each person shall be separately weighed unless sub-regulations (10), (11) and (12) apply.
- (b) When determining the actual mass by weighing, an operator must ensure that passengers' personal belongings and hand baggage are included and such weighing shall be conducted immediately prior to boarding and at an adjacent location.
- (10) (a) An operator shall compute the mass of passengers and checked baggage using the standard mass values specified in Tables 2 and 3 except where the number of passenger seats available is less than 10; the standard masses values include hand baggage and the mass of any infant below 2 years of age carried by an adult on one passenger seat; infants occupying separate passenger seats shall be considered as children for the purpose of this regulation;
- (b) in cases where the number of passenger seats available is less than 10, passenger mass may be established by use of a verbal statement by or on behalf of each passenger and adding to it a predetermined constant to account for hand baggage and clothing;
- (c) the procedure specifying when to select actual or standard masses and the procedure to be followed when using verbal statements shall be included in the operations manual;
- (11) On flights where no hand baggage is carried in the cabin or where hand baggage is accounted for separately, 6 kg may be deducted from the male and female masses in table 1; articles such as an overcoat, an umbrella, a small handbag or purse, reading material or a small camera are not considered as hand baggage for the purpose of this

regulation;

TABLE 2-COMPUTATION OF MASS OF PASSENGERS

Passenger seats	1-5	6-9	10-19	20 and more	30 and more
Male	104	96	92	88	84
Female	86	78	74	70	84
children	35	35	35	35	35

- (12) Where the total number of passenger seats available on the aircraft is 20 or more the standard mass values given in Table 3 are applicable for each piece of checked baggage and for aircraft with less than 20 passenger seats the actual mass of checked baggage, determined by weighing, shall be used.

TABLE 3- COMPUTATION OF MASS OF BAGGAGE

Type of flight	Baggage standard mass
Domestic	11kg
Regional	13kg
Intercontinental	15kg
All others	13kg

- (13) Where sub-regulations (10), (11) and (12) are applied, the load sheet shall bear a notation to that effect.
- (14) Where sub-regulation (10), (11) and (12) may apply, the pilot-in-command shall, if the standard masses described in sub-regulation (10) appear to be inapplicable or doing so is in the interests of safety of the aircraft, require any or all of the passengers, crew and cargo to actually be weighed for the purpose of the entry to be made in the load sheet.

Aircraft loading, mass and balance

- 106.** A person shall not operate an aircraft unless:
- (a) all loads carried are properly distributed and safely secured and comply with the aircraft limitations; and
 - (b) the calculations for the mass of the aeroplane and centre of gravity location indicate that the flight can be conducted safely, taking into account the flight conditions expected.

Stowage of baggage and cargo

- 107.**
- (1) An operator shall establish procedures to ensure that only such hand or carry-on baggage is taken into the passenger cabin as can be adequately and securely stowed.
 - (2) An operator shall establish procedures to ensure that all baggage and cargo on board, which might cause injury or damage, or obstruct aisles and exits if displaced, is placed in storages designed to prevent its movement.

- (3) The procedure referred to in sub-regulation (2) shall take account of the following:
- (a) each item carried in cabin shall be stowed only in a location that is capable of restraining it;
 - (b) mass limitations placarded on or adjacent to stowages shall not be exceeded;
 - (c) underseat stowages shall not be used unless the seat is equipped with a restraint bar and the baggage is of such size that it may adequately be restrained by this equipment;
 - (d) items shall not be stowed in toilets or against bulkheads that are incapable of restraining articles against movement forwards, sideways or upwards and unless the bulkheads carry a placard specifying the greatest mass that may be placed there;
 - (e) baggage and cargo placed in lockers shall not be of such size that they prevent latched doors from being closed securely;
 - (f) baggage and cargo shall not be placed where it can impede access to emergency equipment; and
 - (g) checks shall be made before take-off, before landing and whenever the fasten seat belts signs are illuminated or it is otherwise so ordered to ensure that baggage is stowed where it cannot impede evacuation from the aircraft or cause injury by falling or other movement, as may be appropriate to the phase of flight.

Maximum allowable weights to be considered on all load manifests **108.** A pilot-in-command shall ensure that the maximum allowable mass for a flight does not exceed the maximum allowable take-off mass:

- (a) for the specific runway and conditions existing at the take-off time; and
- (b) considering anticipated fuel and oil consumption that allows compliance with applicable en route performance, landing mass, and landing distance limitations for destination and alternate aerodromes.

Flight release required: commercial air transport **109.** A person shall not commence a:

- (a) flight under a flight following system without specific authority from the person authorized by the air operator certificate holder to exercise operational control over the flight; or
- (b) passenger carrying flight in commercial air transport for which there is a published schedule, unless a qualified person authorized by the air operator certificate holder to perform operational control functions has issued a flight release for that specific operation or series of operations.

Operational flight plan: commercial air transport **110.**

- (1) A person shall not commence a flight unless the operational flight plan has been signed by the pilot-in-command.
- (2) A pilot-in-command shall sign the operational flight plan only when he and the person authorized by the operator to exercise operational control have determined that the flight can be safely completed.
- (3) 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.
- (4) A pilot-in-command 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 destination aerodrome.
- (5) Operational instructions involving a change in the air traffic services flight plan shall, when practicable, be coordinated with the appropriate air traffic services unit before transmission to the aeroplane.
- (6) A person shall not continue a flight from an intermediate aerodrome without a

- new operational flight plan if the aircraft has been on the ground more than six hours.
- (7) Where applicable, the flight operations officer/flight dispatcher shall also sign the operational flight plan.
- (8) A copy of the operational flight plan shall be filed with the operator or a designated agent, or, if these procedures are not possible, it shall be left with the aerodrome authority or on record in a suitable place at the point of departure.

PART VII - AIRCRAFT OPERATING AND PERFORMANCE LIMITATIONS

All Aircraft

- | | | |
|--|-------------|---|
| Aircraft airworthiness and safety precautions | 111. | <p>(1) A pilot-in-command shall not operate an aircraft until satisfied that:</p> <p>(a) the aircraft is airworthy, duly registered and that appropriate certificates are aboard the aircraft;</p> <p>(b) the instruments and equipment installed in the aircraft are appropriate, taking into account the expected flight conditions; and</p> <p>(c) any necessary maintenance has been performed and a certificate of release to service, if applicable, has been issued with respect to the aircraft.</p> <p>(2) A pilot-in-command carrying out commercial air transport operations shall certify by signing the aircraft technical log that they are satisfied that the requirements of sub-regulation (1) have been met for a particular flight.</p> |
| Performance, operating limitations and general duty of safety | 112. | <p>(1) A person shall not operate an aircraft that:</p> <p>(a) exceeds its designed performance limitations for any operation, as established by the State of registry;</p> <p>(b) exceeds operating limitations contained in the aeroplane flight manual, the rotorcraft flight manual, or its equivalent; and</p> <p>(c) exceeds the terms of its certificate of airworthiness.</p> <p>(2) A person shall not commence a flight unless the performance information provided in the flight manual indicates that the provisions of regulations 135(3) to 135(5) can be complied with for the flight to be undertaken.</p> <p>(3) A person shall not operate an aircraft except if he complies with his general duty to ensure that the general level of safety contemplated by the Civil Aviation Regulations of Rwanda is maintained under all expected operating conditions, including those not covered specifically by the said Regulations.</p> |
| In-flight simulation of abnormal situations | 113. | A person operating an aircraft shall not simulate an abnormal or emergency situation when passengers or cargo are being carried on the aircraft. |
| Test-flight areas | 114. | A person shall not operate an aircraft during a test-flight except over open water, or sparsely populated areas having light traffic. |
| Operations in RNP, MNPS or RVSM airspace | 115. | <p>(1) A person shall not operate an aircraft in defined portions of airspace or on routes where a required navigation performance (RNP) type has been prescribed, unless;</p> <p>(a) the aircraft is provided with navigation equipment, in addition to the requirements specified in the Civil Aviation (Instruments and Equipment) Regulations, which will enable it to operate in accordance with the prescribed RNP type(s);</p> |

- and
 - (b) he is authorized by the State of the operator for operations in such airspace and has the required approval in the airspace of another State than the State of the operator.
- (2) A person shall not operate an aircraft in defined portions of airspace where, based on Regional Air Navigation Agreement, minimum navigation performance specifications (MNPS) are prescribed, unless the aircraft is equipped with navigation equipment which:
- (a) 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; and
 - (b) has been authorized by the State of the Operator for MNPS operations concerned.
- (3) A person shall not operate an aircraft in defined portions of airspace where, based on Regional Air Navigation Agreement, a reduced vertical separation minimum (RVSM) of 300 m (1 000 ft) is applied between FL 290 and FL 410 inclusive, unless;
- (a) authorized by the State of the operator in the airspace concerned and
 - (b) the aircraft is provided with equipment which is capable of;
 - (i) indicating to the flight crew the flight level being flown;
 - (ii) automatically maintaining a selected flight level;
 - (iii) providing an alert to the flight crew when a deviation occurs from the selected flight level; the threshold for the alert shall not exceed ± 90 m (300 ft); and
 - (iv) automatically reporting pressure-altitude;
- (4) Prior to granting the reduced vertical separation minimum (RVSM) approval required in sub-regulation (4) the State of the operator shall be satisfied that:
- (a) the vertical navigation performance capability of the aircraft satisfies the requirements of the altimetry system performance for operations in RVSM airspace as prescribed by the Authority in compliance with the provisions of Appendix 4 to the latest effective edition of Annex 6 – *Operation of Aircraft* to the Chicago Convention;
 - (b) the operator has instituted appropriate procedures in respect of continued airworthiness (maintenance and repair) practices and programmes; and
 - (c) the operator has instituted appropriate flight crew procedures for operations in RVSM airspace.
- (5) A person does not operate an aircraft in accordance with this regulation unless the aircraft is sufficiently provided with navigation equipment to ensure that, in the event of the failure of one item of equipment at any stage of the flight, the remaining equipment will enable the aircraft to navigate in accordance with this regulation.

Electronic navigation data management

- 116.**
- (1) An operator shall not employ electronic navigation data products that have been processed for application in the air and on the ground unless the State of the operator has approved the operator’s procedures or unless the process applied and the products delivered have met acceptable standards of integrity and such products are compatible with the intended function of the equipment that will use them.
 - (2) The State of the operator shall ensure that the operator continues to monitor both process and products.
 - (3) An operator shall implement procedures that ensure timely distribution and insertion of current and unaltered electronic navigation data to all aircraft that requires it.

Compliance with visual and electronic glide slopes

- 117.**
- (1) A pilot-in-command of an aircraft approaching to land on a runway served by a visual approach slope indicator or precision approach path indicator shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.
 - (2) A pilot-in-command of a turbojet, turbofan, or large aircraft approaching to land on a

runway served by an instrument landing system shall fly that aircraft at or above the glide slope from the point of interception of the glide slope to the decision height.

- Restriction or suspension of operations: commercial air transport** 118. Where a pilot-in-command or an air operator certificate holder knows of conditions, including aerodrome and runway conditions, that are a hazard to safe operations, that pilot-in-command or air operator certificate holder shall restrict or suspend all commercial air transport operations to such aerodromes and runways as necessary until those conditions are corrected or have improved.
- Continuation of flight when destination aerodrome is temporarily restricted: commercial air transport** 119. A pilot-in-command shall not allow a flight to continue toward any aerodrome of intended landing where commercial air transport operations have been restricted or suspended, unless:
- (a) in the opinion of the pilot-in-command, the conditions that are a hazard to safe operations may reasonably be expected to be corrected or have improved by the estimated time of arrival; or
 - (b) there is no safer procedure.
- Continuation of IFR flight toward a destination** 120. A pilot shall not continue an instrument flight rules (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 shall, at the expected time of arrival, is at or above the specified instrument approach minima.
- Operations of single-engine aeroplane, performance Class 1, Class 2 and Class 3 helicopters** 121. (1) An operator shall ensure that a single-engine aeroplane other than turbine-powered, is operated only in conditions of weather and light, and over such routes and diversions therefrom, that permit a safe forced landing to be executed in the event of engine failure.
- (2) In complying with sub-regulation (1) of this regulation:-
- (a) the aeroplane shall not be assumed to be flying, with the engine operating within the maximum continuous power condition specified, at an altitude exceeding that which the rate of climb equals 90 m (300 ft) per minute; and
 - (b) the assumed en-route gradient shall be the gross gradient of descent increased by gradient of 0.5%
- (3) An operator shall ensure that a performance Class 3 helicopter is operated only in conditions of weather and light, and over such routes and diversions therefrom, that permit a safe forced landing to be executed in the event of engine failure.
- (4) Sub-regulation (3) applies also to performance Class 2 helicopter prior to the defined point after take-off and after the defined point before landing.
- (5) A person shall ensure that:
- (a) only Class 1 helicopter is operated from elevated heliports in congested areas; and
 - (b) no performance Class 3 helicopter is operated from elevated heliports or helidecks.
- Operations of single-engine turbine-powered aircraft at night or in IMC** 122. (1) A person shall not operate a single-engine turbine-powered aircraft at night or in instrument meteorological conditions (IMC) unless he ensures that:
- (a) the reliability of the turbine engine is to a level of safety intended by these Regulations and the Civil Aviation (Airworthiness) Regulations;
 - (b) the maintenance procedures, operating practices, flight dispatch procedures and crew training programmes are as intended by these Regulations and the Civil Aviation (Airworthiness) Regulations; and
 - (c) equipment and other requirements for instrument flight rules (IFR) operations are as stipulated in the Civil Aviation (Instruments and Equipment)

Regulations.

- (2) All single-engine turbine-powered aircraft operated at night or in IMC shall have an engine trend monitoring system, and those aircraft for which the individual certificate of airworthiness is first issued on or after 1 January 2006 shall have an automatic trend monitoring system.

IFR take-off minima for commercial air transport

- 123.** Unless otherwise authorized by the Authority, no pilot operating an aircraft in commercial air transport operations shall accept a clearance to take off from an aerodrome under instrument flight rules (IFR) unless weather conditions are at or above:
- (a) for aircraft, other than helicopters, having two engines or less: one thousand five hundred metres;
 - (b) for aircraft having more than two engines: eight hundred metres;
 - (c) for helicopters: eight hundred metres.

Instrument approach procedures

- 124.** (1) Subject to sub-regulations (2) and (3), a person shall not make an instrument approach at an airport except in accordance with instrument flight rules (IFR) weather minima and instrument approach procedures set out in the air operator certificate holder's operations specifications.
- (2) One or more instrument approach procedures designed in accordance with the classification of instrument approach and landing operations shall be approved and promulgated by the appropriate authority of the State in which the aerodrome is located to serve each instrument runway or aerodrome utilized for instrument flight operations.
- (3) All aircraft operated in accordance with instrument flight rules shall comply with the instrument flight procedures approved by the appropriate authority of the State in which the aerodrome is located, or, by the State which is responsible for the heliport when located outside the territory of any State.

Commencing an instrument approach

- 125.** (1) A pilot shall not continue an approach past the final approach fix, or where a final approach fix is not used, begin the final approach segment of an instrument approach procedure, at any aerodrome unless:
- (a) a source approved by the Authority issues a weather report for that aerodrome; and
 - (b) the latest weather report for that aerodrome indicates the visibility to be equal to or more than the visibility minima prescribed for that procedure.
- (2) Where a pilot begins the final approach segment of an instrument approach procedure and subsequently receives a weather report indicating below minimum conditions, the pilot may continue the approach to decision height or minimum descent altitude.
- (3) For the purpose of this regulation, the final approach segment begins at the final approach fix or facility prescribed in the instrument approach procedure.
- (4) When a final approach fix is not prescribed for a procedure that includes a procedure turn, the final approach segment begins at the point where the procedure turn is completed and the aircraft is established inbound toward the aerodrome on the final approach course within the distance prescribed in the procedure

Instrument approaches to aerodromes

- 126.** (1) A person operating an aircraft shall use a standard instrument approach procedure prescribed for that aerodrome unless otherwise authorized by the Authority.
- (2) For the purpose of this regulation, when the approach procedure being used provides for and requires the use of a decision height or minimum descent altitude, the authorized decision height (DH) or minimum descent altitude (MDA) shall be the highest of the following:
- (a) the DH or MDA prescribed by the approach procedure;
 - (b) the DH or MDA prescribed for the pilot-in-command; or
 - (c) the DH or MDA for which the aircraft is equipped.

- Threshold crossing height for precision approaches** 127. An operator shall establish operational procedures designed to ensure that aircraft being used to conduct precision approaches crosses the threshold by a safe margin with the aircraft in the landing configuration and attitude.
- Operation below DH or MDA** 128. (1) Where a decision height or minimum descent altitude is applicable, a pilot shall not operate an aircraft at any aerodrome or heliport below the authorized minimum descent altitude, or continue an approach below the authorized decision height unless:
- (a) 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;
 - (b) for commercial air transport operations, a descent rate shall allow touchdown to occur within the touchdown zone of the runway of intended landing;
 - (c) the flight visibility is not less than the visibility prescribed in the standard instrument approach being used; and
 - (d) 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 shall not descend below 30 m (100 ft) 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 or the threshold markings;
 - (iii) threshold lights;
 - (iv) the runway end identifier lights;
 - (v) the visual approach slope indicator system; or precision approach path indicator;
 - (vi) the touchdown zone or touchdown zone markings;
 - (vii) the touchdown zone lights;
 - (viii) the runway or runway markings; or
 - (ix) the runway lights.
- (2) The visual references set out in sub-regulation (1) (d) shall not apply to Category II and III operations.
- (3) The required visual references under Category II and III operations shall be provided in the air operator certificate holder's operations specifications or a special authorization prescribed by the Authority.
- (4) For instrument approach and landing operations, aerodrome operating minimum below 800 m visibility shall not be authorized unless the required visual references information is provided.
- Landing during instrument meteorological conditions** 129. A pilot operating an aircraft shall not land that aircraft when the flight visibility is less than the visibility prescribed by the Authority in the standard instrument approach procedure being used.
- Execution of a missed approach procedure** 130. A pilot operating an aircraft shall immediately execute an appropriate missed approach procedure when either of the following conditions exist:
- (a) whenever the required visual reference criteria is not met in the following situations:
 - (i) when the aircraft is being operated below minimum descent altitude (MDA); or
 - (ii) upon arrival at the missed approach point, including a decision height

(DH) where a DH is specified and its use is required, and at any time after that until touchdown;

- (b) 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.

Minimum flight altitudes

- 131.**
- (1) An air operator certificate holder may establish minimum flight altitudes for those routes flown for which minimum flight altitudes:
 - (a) have been established by the State flown over or the responsible State, provided they shall not be less than those established by that State; or .
 - (b) have not been established, provided the air operator certificate holder shall then specify the method by which it is intended to determine minimum flight altitudes for operations conducted over the routes to which this sub-paragraph applies, and shall include this method in the operations manual, provided the minimum flight altitudes determined:
 - (i) shall not be lower than the minimum flight altitudes determined in accordance with Annex 2 – *Rules of the Air* to the Annex 6 to the Chicago Convention; and
 - (ii) subject to the approval of the Authority.
 - (2) The Authority may approve the method referred to in sub-paragraph (1)(b) only after careful consideration of the probable effects of the following factors on the safety of the operation in question:
 - (a) the accuracy and reliability with which the position of the aeroplane can be determined;
 - (b) the inaccuracies in the indications of the altimeters used;
 - (c) the characteristics of the terrain (e.g. sudden changes in the elevation);
 - (d) the probability of encountering unfavourable meteorological conditions (e.g. severe turbulence and descending air currents);
 - (e) possible inaccuracies in aeronautical charts; and
 - (f) airspace restrictions.

Minimum altitudes for use of an autopilot

- 132.**
- (1) Except as provided in sub-regulations (2),(3) and (4), a person shall not use an autopilot en route, including climb and descent, at an altitude above the terrain that is less than twice the maximum altitude loss specified in the aircraft flight manual for malfunction of the autopilot under cruise conditions, or less than 150 m (500 ft), whichever is higher.
 - (2) When using an instrument approach facility, a person shall not use an autopilot at an altitude above the terrain that is less than twice the maximum altitude loss specified in the aircraft flight manual for a malfunction of the autopilot under approach conditions, or less than 15 m (50 ft) below the approved minimum descent altitude or decision height for the facility, whichever is higher, except:
 - (a) when reported weather conditions are less than the basic visual flight rules (VFR) weather conditions as specified in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, a person shall not use an autopilot with an approach coupler for instrument landing system approaches at an altitude above the terrain that is less than 15 m (50 ft) higher than the maximum altitude loss specified in the aircraft flight manual for the malfunction of the autopilot with approach coupler under approach conditions; and
 - (a) when reported weather conditions are equal to or better than the basic VFR minima as specified in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, a person shall not use an autopilot with an approach coupler for instrument landing system approaches at an altitude above the terrain that is less than the maximum altitude loss specified in the aircraft flight manual for the malfunction of the autopilot with approach coupler under approach conditions, or 15 m (50 ft), whichever is higher..

- Receiver failure** **133.** (1) Where an aircraft radio station is unable to establish communication due to receiver failure, that aircraft shall transmit:
- (a) reports at the scheduled times, or positions, on the frequency in use, preceded by the phrase “TRANSMITTING BLIND DUE TO RECEIVER FAILURE”; and
 - (b) the intended message, following this by a complete repetition, during this procedure, the aircraft shall also advise the time of its next intended transmission.
- (2) An aircraft which is provided with air traffic control service or advisory service shall, in addition to complying with sub-regulation (1), transmit information regarding the intention of the pilot-in-command with respect to the continuation of the flight of the aircraft.
- (3) Where a pilot-in-command is unable to establish communication due to airborne equipment failure he shall, when the aircraft is so equipped, select the appropriate SSR code 7600 to indicate radio failure.
-
- Aircraft performance calculations for all aircraft** **134.** (1) An operator shall ensure that the performance data contained in the aeroplane flight manual, rotorcraft flight manual, or other authorized source is used to determine compliance with the appropriate requirements of these Regulations.
- (2) When applying performance data, a person performing calculations shall account for the aircraft configuration, environmental conditions, and the operation of any system or systems which may have an adverse effect on performance.
-
- General weight and obstruction clearance limitations** **135.** (1) A person shall not commence a flight without ensuring that the maximum take-off mass for the flight does not exceed the maximum take-off mass or maximum landing mass, or any applicable en route performance or landing distance limitations considering the:
- (a) mass;
 - (b) operating procedures;
 - (c) condition of the take-off and landing areas to be used;
 - (d) the gradient and conditions of runway to be used for landplanes, or water surface for seaplanes;
 - (e) pressure-altitude appropriate to the elevation of the aerodrome, or operating site;
 - (f) ambient temperature;
 - (g) current and forecast winds; and
 - (h) any known conditions, such as atmospheric and aircraft configuration, which may adversely affect performance.
- (2) The factors referred to in sub-regulation (1) shall be taken into account directly as operational parameters or indirectly by means of allowance or margins, which may be provided in the scheduling of performance data or in the comprehensive and detailed code of performance in accordance with which the aircraft is being operated.
- (3) A person shall not commence a flight at a mass that, 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.
- (4) The mass of the aircraft at the start of take-off shall not exceed the mass at which sub-regulation (5)(a) is complied with, nor the mass at which in sub-regulations (5)(b), (c) and (d) are complied with, allowing for expected reductions in mass as the flight proceeds, and for such fuel jettisoning as is envisaged in applying sub-regulations (5)(b) and (c) and, in respect of alternate aerodromes, sub-regulations (4)(b) and (5)(d).
- (5) In case of an aircraft, in no case shall:
- (a) the mass at the start of take-off exceed the maximum take-off mass specified in

the flight manual for the pressure-altitude appropriate to the elevation of the aerodrome, and, if used as a parameter to determine the maximum take-off mass, any other local atmospheric condition.

- (b) the estimated mass for the expected time of landing at the aerodrome of intended landing and at any destination alternate aerodrome, exceed the maximum landing mass specified in the flight manual for the pressure-altitude appropriate to the elevation of those aerodromes, and if used as a parameter to determine the maximum landing mass, any other local atmospheric condition; and
 - (c) the mass at the start of take-off, or at the expected time of landing at the aerodrome of intended landing and at any destination alternate aerodrome, exceed the relevant maximum masses at which compliance has been demonstrated with the applicable noise certification standards, unless otherwise authorized 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 located.
- (6) The mass referred to in sub-regulation (3) is calculated in the following cases of operating limitations as follows:
- (a) *Take-off*, as specified in regulation 142;
 - (b) *En route-one power-unit inoperative*, as specified in regulations 143 to 145;
 - (c) *En route-two power-units inoperative*, as specified in regulations 143 to 145; and
 - (d) *Landing*, as specified in regulation 146. .

**Category II
and III
operations:
general
operating
rules**

136.

- (1) A person shall not operate an aircraft in a Category II or III operations unless:-
 - (a) the pilot-in-command and co-pilot of the aircraft hold the appropriate authorizations and ratings prescribed in the Civil Aviation (Personnel Licensing) Regulations;
 - (b) each flight crew member has adequate knowledge of, and familiarity with, the aircraft and the procedures to be used; and
 - (c) the instrument panel in front of the pilot who is controlling the aircraft has appropriate instrumentation for the type of flight control guidance system that is being used.
- (2) Unless otherwise authorized by the Authority, a person shall not operate an aircraft in a Category II or Category III operations unless each ground component required for that operation and the related airborne equipment is installed and operating.
- (3) Where the approach procedure being used provides for and requires the use of a decision height or decision altitude, the authorized decision height or decision altitude is the highest of the following:
 - (a) the decision height or decision altitude prescribed by the approach procedure;
 - (b) the decision height or decision altitude prescribed for the pilot in command; or
 - (c) the decision height or decision altitude for which the aircraft is equipped.
- (4) Unless otherwise authorized by the Authority, a pilot operating an aircraft in a Category II or Category III approach that provides and requires use of a decision height or decision altitude shall not continue the approach below the authorized decision height unless:
 - (a) the aircraft is 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, and where that descent rate shall allow touchdown to occur within the touchdown zone of the runway of intended landing;
 - (b) 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 shall not descend below 30 m (100 ft) 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 or the threshold markings;
 - (iii) the threshold lights;
 - (iv) the touchdown zone or touchdown zone markings;

(v) the touchdown zone lights.

(5) Unless otherwise authorized by the Authority, a pilot operating an aircraft shall immediately execute an appropriate missed approach procedure whenever, prior to touchdown, the requirements of sub-regulation (4) are not met.

(6) A person operating an aircraft using a Category III approach without decision height shall not land that aircraft except in accordance with the provisions of the letter of authorization issued by the Authority.

(7) Sub-regulations (1) to (6) do not apply to operations conducted by air operator certificate holders issued with a certificate under the Civil Aviation (Air Operator Certification and Administration) Regulations.

(8) A person shall not operate an aircraft in a Category II or Category III operations conducted by an air operator certificate holder unless the operation is conducted in accordance with that air operator certificate holder's operation specifications.

**Category II
and Category
III: operations
manual.**

137.

- (1) Except as provided in sub-regulation (3), a person shall not operate an aircraft in a Category II or a Category III operation unless:-
 - (a) there is available in the aircraft a current and approved Category II or Category III manual, as appropriate, for that aircraft;
 - (b) the operation is conducted in accordance with the procedures, instructions, and limitations in the appropriate manual; and
 - (c) the instruments and equipment listed in the manual that are required for a particular Category II or Category III operation have been inspected and maintained in accordance with the maintenance programme contained in the manual.
- (2) An operator shall keep a current copy of each approved manual at its principal base of operations and shall make each manual available for inspection upon request by the Authority.
- (3) Sub-regulations (1) and (2) do not apply to operations conducted by an air operator certificate holder issued a certificate under the Civil Aviation (Air Operator Certification and Administration) Regulations.
- (4) An applicant for approval of a Category II or III operations manual or an amendment to an approved Category II operations manual shall submit the proposed manual or amendment to the Authority.
- (5) Where the application made under these Regulations is a request for an evaluation programme, the application shall include the following:
 - (a) the location of the aircraft and the place where the demonstrations are to be conducted; and
 - (b) the date the demonstrations are to commence (at least 10 days after filing the application).
- (6) A Category II or III operations manual shall contain:-
 - (a) the registration number, make, and model of the aircraft to which it applies;
 - (b) a maintenance programme; and
 - (c) the procedures and instructions related to:
 - (i) recognition of decision height or decision altitude;
 - (ii) use of runway visual range information;
 - (iii) approach monitoring;
 - (iv) the decision region, which is the region between the middle marker and the decision height or decision altitude;
 - (v) the maximum permissible deviations of the basic instrument landing system indicator within the decision region;
 - (vi) a missed approach procedure;
 - (vii) use of airborne low approach equipment;
 - (viii) minimum altitude for the use of the autopilot;
 - (ix) instrument and equipment failure warning systems;
 - (x) instrument failure; and

- (xi) other procedures, instructions, and limitations that may be found necessary by the Authority.

- Authorization for deviation from certain Category II operations** 138.
- (1) The Authority may authorise deviations from the requirements of regulations 136 and 137 for the operation of small aircraft in Category II operations if the Authority finds that the proposed operation can safely be conducted.
 - (2) The authorization specified in sub-regulation (1) of this regulation does not permit operation of the aircraft carrying persons or property for compensation or hire.

Aircraft used in Commercial Air Transport

- General** 139.
- (1) Where full compliance with the requirements of these Regulations cannot be shown due to specific design characteristics, for example, 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 regulation.
 - (2) A person shall not operate a multi-engined aircraft used for commercial air transport that is unable to comply with any of the performance limitations of regulations 142 up to 146, inclusive, unless that aircraft is continually operated:
 - (a) in daylight;
 - (b) in visual flight rules (VFR); and
 - (c) at a weight that shall allow it to climb, with the critical engine inoperative, at least 15 m (50 ft) a minute when operating at the minimum en-route altitude of the intended route or any planned diversion, or at 1,500 m (5,000 ft) above mean sea level, whichever is higher.
 - (3) A multi-engined aircraft that is unable to comply with sub-regulation (2)(c) shall, for the purpose of this regulation, be considered as a single engined aircraft.

- Rules of the air and air traffic control** 140.
- Every person and every aircraft shall comply with the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations.

- Aircraft performance calculations for commercial air transport** 141.
- (1) A person shall not commence a flight in an aircraft used in commercial air transport without ensuring that the applicable operating and performance limitations required by this regulation can be accurately computed based on the aeroplane flight manual, rotorcraft flight manual, or other data source approved by the Authority.
 - (2) A person calculating performance and operating limitations for an aircraft used in commercial air transport shall ensure that performance data used to determine compliance with this regulation can, during any phase of flight, accurately account for:
 - (a) any reasonably expected adverse operating conditions that may affect aircraft performance;
 - (b) one engine failure for aircraft having two engines, where applicable; and
 - (c) two engine failure for aircraft having three or more engines, if applicable.
 - (3) When calculating the performance and limitation requirements of sub-regulation (2) a person shall take into account, as a minimum level of performance, the provisions of Attachment C – *Aeroplane Performance Operating Limitations* to Part I and Attachment A – *Helicopter Performance Operating Limitations* to Part III of the latest effective edition of Annex 6 – *Operation of Aircraft*, to the Chicago Convention.
 - (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.
 - (5) To allow for wind effect, take-off data based on still air may be

corrected by taking into account not more than fifty percent of any reported headwind component and not less than one hundred and fifty per cent of any reported tailwind component.

**Take-off and
initial climb
phase
limitations**

- 142.** (1) In compliance with Attachment C - *Aeroplane Performance Operating Limitations*- to Part I of Annex 6 – *Operation of Aircraft* to the Chicago Convention, a person shall not commence a flight in an aeroplane used in commercial air transport unless the following requirements are met when determining the maximum permitted take-off mass:
- (a) the take-off run shall not be greater than the length of the runway;
 - (b) for turbine engine powered aeroplanes:
 - (i) the take-off 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 ½ 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 take-off until reaching V_1 ;
 - (c) for reciprocating engine powered aeroplanes the accelerate-stop distance shall not exceed the length of the runway at any time during take-off until reaching V_1 ; and
 - (d) where the critical engine fails at any time after the aeroplane reaches V_1 , to continue the take-off and clear all obstacles either:
 - (i) by a height of at least 9.1 m (35 ft) vertically for turbine engine powered aeroplanes or 15.2 m (50 ft) for reciprocating engine powered aeroplanes; and
 - (ii) by at least 60 m (200 ft) horizontally within the aerodrome boundaries and by at least 90 meters (300 ft) horizontally after passing the boundaries, without banking more than fifteen degrees at any point on the take-off flight path.
- (2) A person shall not take-off a helicopter used in commercial air transport that cannot:
- (a) for performance class 1 helicopters:
 - (i) in the event of a critical power-unit failing, at or before the take-off decision point, discontinue the take-off and stop within the rejected take-off area available; or
 - (ii) in the event of a critical power-unit failing, past the take-off decision point, continue the take-off and then climb, clearing all obstacles along the flight path by an adequate margin, until a suitable landing site is found without flying below the appropriate minimum flight altitude at any point; or
 - (b) for performance class 2 helicopters:
 - (i) with all engines operating, clear all obstacles along its flight path by an adequate margin until a suitable landing site is found without flying below the appropriate minimum flight altitude at any point; or
 - (ii) in the event of the critical power-unit becoming inoperative, before reaching a defined point after take-off, safely execute a forced landing within the rejected take-off area available, in application of regulation 122(4); or
 - (iii) in the event of a critical power-unit failing, at any point after reaching a defined point after take-off, continue the take-off and initial climb, and clear all obstacles along its flight path by an adequate margin, until a suitable landing site is found without flying below the appropriate minimum flight altitude at any point.
 - (c) for performance class 3 helicopters:
 - (i) with all engines operating, clear the obstacles along its flight path by an adequate margin until a suitable landing site is found without flying below the appropriate minimum flight altitude at any point; or

- (ii) in the event of a critical power-unit failing, at any point of the flight, safely execute a forced landing within the rejected take-off area available, in application of regulation 122(3).

- En-route limitations: all engines operating aeroplanes and performance class 3 helicopter.**
- 143.**
- (1) A person shall not commence a flight in a reciprocating engine powered aeroplane used in commercial air transport at a weight that does not allow a rate of climb of at least 6.9 V_{so} 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.
 - (2) In this regulation the term “6.9 V_{so}” means the number of feet per minute obtained by multiplying the aircraft's minimum steady flight speed by 6.9.
 - (3) A person shall not commence a flight in commercial air transport performance class 3 helicopter unless that helicopter is able, with all power-units operating, to continue at any point below the appropriate minimum flight altitude.
- En-route limitations: one engine inoperative and performance class 1 and class 2 with one or two power-units**
- 144.**
- (1) An operator shall ensure that the one engine inoperative en-route net flight path data shown in the aeroplane flight manual, appropriate to the meteorological conditions expected for the flight, complies with either sub-regulation (2) or (3) at all points along the route.
 - (2) The net flight path shall have a positive gradient at 455 m (1,500) ft above the aerodrome where the landing is assumed to be made after engine failure, in meteorological conditions requiring the operation of ice protection systems, the effect of their use on the net flight path must be taken into account.
 - (3) The gradient of the net flight path shall be positive at least 300 m (1,000 ft) above all terrain and obstructions along the route within 9.3 km (5 nm) on either side of the intended track.
 - (4) The net flight path shall permit the aeroplane to continue flight from the cruise altitude to an aerodrome where a landing can be made in accordance with regulation 146 as appropriate, the net flight path clearing vertically, by at least 600 m (2,000 ft), all terrain and obstructions along the route within 9.3 km (5 nm) on either side of the intended track in accordance with the following:
 - (a) the engine is assumed to fail at the most critical point along the route;
 - (b) account is taken of the effects of winds on the flight path;
 - (c) fuel jettisoning is permitted to an extent consistent with reaching the aerodrome with the required fuel reserves, if a safe procedure is used; and
 - (d) the aerodrome where the aeroplane is assumed to land after engine failure shall meet the following criteria:
 - () the performance requirements at the expected landing mass are met; and
 - (i) weather reports or forecasts or any combination thereof, and field condition reports indicate that a safe landing can be accomplished at the estimated time of landing.
 - (5) An operator shall increase the width margins of sub-regulation (4) to 18.5 km (10 nm) if the navigational accuracy does not meet the 95% containment level.
 - (6) A person shall not commence a flight in commercial air transport performance class 1 and class 2 helicopters having one or two power-units unless that helicopter can, in the event of the critical power-unit failing and any point in the en-route phase, continue the flight to the destination or alternate landing site without flying below the minimum flight altitude at any point and clearing all obstacles in the approach path by a safe margin.
- En-route limitations:**
- 145.**
- (1) A person may not take-off an aeroplane used in commercial air transport having three or more engines at such a weight where there is no suitable landing aerodrome within 90

performance class 1 and class 2 with three or more engines,

- 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 complying with the requirements of sub-regulations (2) to (6).
- (2) The two engines inoperative en-route net flight path data shall permit the aeroplane to continue the flight, in the expected meteorological conditions, from the point where two engines are assumed to fail simultaneously, to an aerodrome at which it is possible to land and come to a complete stop when using the prescribed procedure for a landing with two engines inoperative.
- (3) The net flight path referred to in sub-regulation (2) shall clear vertically, by at least 600 m (2,000 ft) all terrain and obstacles along the route within 9.3 km (5 nm) , on either side of the intended track.
- (4) At altitudes and in meteorological conditions requiring ice protection systems to be operable, the effect of their use on the net flight path data shall be taken into account, and if the navigational accuracy does not meet the 95% containment level, an operator must increase the width margin given above to 18.5 km (10 nm).
- (5) The two engines are assumed to fail at the most critical point of that portion of the route where the aeroplane is more than ninety minutes, at the all engines long range cruising speed at standard temperature in still air, away from an aerodrome at which the performance requirements applicable at the expected landing mass are met.
- (6) The net flight path shall have a positive gradient at 455 m (1,500 ft) above the aerodrome where the landing is assumed to be made after the failure of two engines.
- (7) Fuel jettisoning in an aeroplane referred to in this regulation is permitted to an extent consistent with reaching the aerodrome with the required fuel reserves, if a safe procedure is used.
- (8) The expected mass of the aeroplane at the point where the two engines are assumed to fail shall not be less than that which would include sufficient fuel to proceed to an aerodrome where the landing is assumed to be made, and to arrive there at least 455 m (1500 ft) directly over the landing area and thereafter to fly level for fifteen minutes.
- (9) A person shall not commence a flight in a performance class 1 or performance class 2 helicopter used in commercial air transport 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.

Approach and landing limitations 146.

- (1) A person shall not commence a flight in an aeroplane used in commercial air operations unless the aeroplane mass on arrival at either the intended destination aerodrome or any planned alternate aerodrome would allow a full stop landing from a point 15 m (50 ft) above the intersection of the obstruction clearance plane and the runway, and within:
- (a) for turbine engine powered aeroplanes, sixty percent of the effective length of each runway; and
- (b) for reciprocating engine powered aeroplanes, seventy percent of the effective length of each runway.
- (2) A person determining the landing limit shall ensure that for the purpose of determining the allowable landing weight at the destination aerodrome:
- (a) the aeroplane is landed on the most favourable runway and in the most favourable direction, in still air; or
- (b) 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.
- (3) Where the runway at the landing destination is reported or forecast to be wet or slippery, the landing distance available shall be at least one hundred and fifteen percent of the required landing distance unless, based on a showing of actual operating landing techniques on wet or slippery runways:

- (a) a shorter landing distance not less than that required by sub-regulation (1) has been approved for a specific type and model of aeroplane; and
 - (b) this information is included in the aircraft flight manual.
- (4) A turbine powered transport category aeroplane that would be prohibited from taking off because it could not meet the requirements of sub-regulation (1)(a), may take off if an alternate aerodrome is specified that meets all the requirements of sub-regulation (1).
- (5) A person shall not commence a flight in a helicopter used in commercial air transport unless, with all engines operating on arrival at the intended destination landing site or any planned alternate landing, it can clear all obstacles on the approach path and can land and stop within the landing distance available.
- (6) A person shall not commence a flight in a helicopter used in commercial air transport unless, in the event of any engine becoming inoperative in the approach and landing phase on arrival at the intended destination landing site or any planned alternate landing, the helicopter can:
- (a) for performance class 1 helicopters:
 - (i) before the landing decision point, after clearing all obstacles on the approach path by a safe margin, land and stop within the landing distance available or perform a bailed landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in regulation 142(2)(a); or
 - (ii) after the landing decision point, land and stop within the landing distance available;
 - (b) for performance class 2 helicopters:
 - (i) before the landing decision point, after clearing all obstacles on the approach path by a safe margin, land and stop within the landing distance available or perform a bailed landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in regulation 142(2)(b); or
 - (ii) after the landing decision point, safely execute a forced landing within the landing distance available;
 - (c) performance class 3 helicopters: at any point of the flight path, safely execute a forced landing within the landing distance available.
- (7) For purposes of sub-regulation (1), an “obstruction clearance plane” is a plane:
- (a) sloping upward from the runway at a slope of 1:20 to the horizontal, and tangent to or clearing all obstructions within a specified area surrounding the runway as shown in a profile view of that area;
 - (b) in the plane view, the centreline of the specified area coincides with the centreline of the runway, beginning at the point where the obstruction clearance plane intersects the centreline of the runway and proceeding to a point at least 455 m (1,500 ft) from the beginning point;
 - (c) the centreline coincides with the takeoff path over the ground for the runway (in the case of takeoffs) or with the instrument approach counterpart (for landings), or where the applicable one of these paths has not been established, it proceeds consistent with turns of at least 1,200 m (4,000 ft) radius until a point is reached beyond which the obstruction clearance plane clears all obstructions; and
 - (d) this area extends laterally 60 m (200 ft) on each side of the centreline at the point where the obstruction clearance plane intersects the runway and continues at this width to the end of the runway; then it increases uniformly to 150 m (500 ft) on each side of the centreline at a point 455 m (1,500 ft) from the intersection of the obstruction clearance plane with the runway; thereafter, it extends laterally 150 m (500 ft) on each side of the centreline.

PART VII - PASSENGER AND PASSENGER HANDLING

All Passenger- Carrying Operations

- Unacceptable conduct** **147.** A person on board an aircraft shall not:
- (a) interfere with a crew member in the performance of that crew members' duties;
 - (b) refuse to fasten his seat belt and keep it fastened while the seat belt sign is lighted;
 - (c) wilfully, recklessly or negligently act or omit to act:
 - (i) so as to endanger an aircraft or persons and property therein;
 - (ii) so as to cause or permit an aeroplane to endanger any person or property;
 - (d) secrete himself nor secrete cargo on board an aircraft;
 - (e) smoke while the no-smoking sign is lighted;
 - (f) smoke in any aircraft lavatory;
 - (g) tamper with, disable or destroy any smoke detector installed in any aircraft lavatory; or
 - (h) wilfully, recklessly or negligently imperil the safety of an aircraft or any person on board, whether by interference with any crew member, or by tampering with the aircraft or its equipment, or by disorderly conduct by any other means.
- Refuelling or defuelling with passengers on board** **148.** (1) A pilot-in-command shall not allow an aeroplane to be refuelled or defuelled when passengers are embarking, on board or disembarking unless:
- (a) the aeroplane is properly attended by qualified personnel ready to initiate and direct an evacuation of the aeroplane by the most practical and expeditious means available; and
 - (b) two-way communication is maintained by the aeroplane's inter-communication system or other suitable means between the qualified personnel on board the aeroplane and the ground crew supervising the refuelling.
- (2) Unless specifically authorized by the Authority, in which case sub-regulation (1) will be applicable, a person shall not allow a helicopter to be refuelled or defuelled when:
- (a) passengers are embarking, on board, or disembarking; or
 - (b) the rotors are turning.
- Passenger seats, safety belts and shoulder harnesses** **149.** (1) A pilot-in-command shall ensure that each person onboard the aircraft from the age of 2 years occupies an approved seat or berth with their own individual safety belt and shoulder harness, if installed, properly secured during take-off and landing.
- (2) A passenger shall have his seatbelt securely fastened at any other time the pilot-in-command determines it is necessary for safety.
- (3) The operator shall ensure that during take-off and landing and whenever, by reason of turbulence or any emergency occurring during flight the precaution is considered necessary, all passengers on board an aeroplane shall be secured in their seats by means of seat belts or harnesses provided.
- (4) When cabin crew members are required in a commercial air transport operation, the pilot-in-command may delegate the responsibility specified in sub-regulation (1) to the cabin crew member, but shall ascertain that the proper briefing

persons without compliance with passenger-carrying requirements

the passenger carrying requirements unless there is an approved seat with an approved seat belt for that person, and:

- (a) the seat is so located that the occupant is not in any position to interfere with the flight crew members performing their duties;
- (b) there is unobstructed access from the approved seat to the flight deck or a regular or emergency exit;
- (c) there is a means for notifying that person when smoking is prohibited and when seat belts shall be fastened; and
- (d) that person has been orally briefed by a crew member on the use of emergency equipment and exits.

Cabin crew at duty stations

156.

- (1) During taxi, of an aircraft a cabin crew member shall remain at his duty station with safety belt and shoulder harness fastened except to perform duties related to the safety of the aircraft and its occupants.
- (2) During taxi of an aircraft cabin crew members shall be located 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.
- (3) When passengers are on board a parked aircraft, cabin crew members or another person qualified in emergency evacuation procedures for the aircraft shall be placed in the following manner:
 - (a) if only one cabin crew member is required, that cabin crew member shall be located in accordance with the air operator certificate holder's operations manual procedures; or
 - (b) if more than one cabin crew member is required, those crew members shall be spaced throughout the cabin to provide the most effective assistance for the evacuation in case of an emergency.

Evacuation capability

157.

A pilot-in-command or other person assigned by the air operator certificate holder 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.

Arming of automatic emergency exits

158.

A person shall not cause an aircraft 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.

Accessibility of emergency exits and equipment.

159.

A person shall not 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.

Stops where passengers remain on board.

160.

- (1) At stops where passengers remain on board the aircraft, the pilot-in-command shall ensure that:
 - (a) all engines are shut down;
 - (b) at least one floor level exit remains open to provide for the evacuation of passengers if necessary; and
 - (c) 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.
- (2) Where refuelling with passengers on board, the pilot-in-command or a designated air operator certificate holder's representative shall ensure that the air

operator certificate holder's operations manual procedures are followed.

Carriage of persons with reduced mobility

- 161.** A person shall not allow a person of reduced mobility to occupy seats where his presence could:
- (a) impede the crew in their duties;
 - (b) obstruct access to emergency equipment; or
 - (c) impede the emergency evacuation of the aircraft.

Exit row seating

- 162.**
- (1) A pilot-in-command shall ensure that no passenger sits in an emergency exit row if the pilot-in-command determines 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.
 - (2) A pilot-in-command shall ensure that a person is not seated 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:
 - (a) lacks sufficient mobility, strength, or dexterity in both arms and hands, and both legs to:
 - (i) reach upward, sideways, and downward to the location of emergency exit and exit-slide operating mechanisms;
 - (ii) grasp and push, pull, turn, or otherwise manipulate those mechanisms;
 - (iii) push, shove, pull, or otherwise open emergency exits;
 - (iv) 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) remove obstructions of size and weight similar over-wing exit doors;
 - (vi) reach the emergency exit expeditiously;
 - (vii) maintain balance while removing obstructions;
 - (viii) exit expeditiously;
 - (ix) stabilise an escape slide after deployment; or
 - (x) assist others in getting off an escape slide;
 - (b) is less than fifteen years of age or lacks the capacity to perform one or more of the applicable functions listed in this regulation without assistance;
 - (c) lacks the ability to read and understand instructions required by this regulation and related to emergency evacuation provided by the air operator certificate holder in printed or graphic form or the ability to understand oral crew commands;
 - (d) lacks sufficient visual capacity to perform one or more of the functions specified in sub-paragraphs (a) up to (c) without the assistance of visual aids beyond contact lenses or eyeglasses;
 - (e) lacks sufficient aural capacity to hear and understand instructions given by cabin crew members, without assistance beyond a hearing aid;
 - (f) lacks the ability to adequately impart information orally to other passengers; or
 - (g) 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 performs one or more of the functions listed above.
 - (3) Determination by a crew member as to the suitability of each person permitted to occupy an exit seat shall be made by the cabin crew members.
 - (4) Where 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.

- (5) 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.
- (6) An air operator certificate holder shall ensure that a ticket agent shall, prior to boarding, assign seats consistent with the passenger selection criteria and the emergency exit functions, to the maximum extent feasible.
- (7) An air operator certificate holder shall ensure that a 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.
- (8) A cabin crew member shall include in their passenger briefings a request that a passenger identify himself to allow reseating if that passenger:
- (a) cannot meet the selection criteria;
 - (b) has a nondiscernible condition that shall prevent them from performing the evacuation functions;
 - (c) may suffer bodily harm as the result of performing one or more of those functions; or
 - (d) does not wish to perform emergency exit functions.
- (9) A 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.
- (10) A passenger shall comply with instructions given by a crew member or other authorized employee of the air operator certificate holder implementing exit seating restrictions.
- (11) A pilot-in-command shall not allow taxi or pushback of an aircraft 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.
- (12) In order to comply with this regulation an air operator certificate holder shall:
- (a) establish procedures that address the requirements of this regulation; and
 - (b) submit their procedures for preliminary review and approval to the Authority.
- (13) The procedures required by this regulation shall not become effective until final approval is granted by the Authority, and approval shall be based solely upon the safety aspects of the air operator certificate holder's procedures.

Carriage of munitions of war and sporting weapons

- 163.** (1) Subject to sub-regulation (4), and to the Civil Aviation (Security) Regulations, an aircraft shall not carry any munitions of war unless:
- (a) such munition of war is carried with the permission of the Commissioner General of Rwanda National Police or any other officer acting in his capacity, and with the permission of the Authority; and
 - (b) the pilot-in-command of the aircraft is informed in writing by the operator before the flight commences of the type, weight or quantity and location of any such munition of war on board or suspended beneath the aircraft and any conditions of the permission of the Commissioner General of Rwanda National Police or any other officer acting in his capacity, and of the Authority.
- (2) It shall be unlawful for an aircraft to carry any sporting weapon or munition of war in any compartment or apparatus to which passengers have access.
- (3) It shall be unlawful for a person to carry or have in his possession or take or cause to be taken on board an aircraft, to suspend or cause to be suspended beneath an aircraft or to deliver or cause to be delivered for carriage thereon any sporting weapon or munition of war unless—
- (a) the sporting weapon or munition of war—
 - (i) is either part of the baggage of a passenger on the aircraft or consigned

- as cargo to be carried thereby;
 - (ii) is carried in a part of the aircraft, or in any apparatus attached to the aircraft inaccessible to passengers; and
 - (iii) in the case of a firearm, is unloaded;
 - (b) particulars of the sporting weapon or munition of war have been furnished by that passenger or by the consignor to the operator before the flight commences; and
 - (c) without prejudice to subregulation (1), the operator consents to the carriage of such sporting weapon or munition of war by the aircraft.
 - (4) Nothing in this regulation shall apply to any sporting weapons or munition of war taken or carried on board an aircraft registered in a country other than Rwanda if the sporting weapons or munition of war, as the case may be, may under the law of the country in which the aircraft is registered be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board.
 - (5) For the purposes of this regulation—
 - (a) "munition of war" means—
 - (i) any weapon or ammunition;
 - (ii) any article containing an explosive, noxious liquid or gas; or
 - (iii) any other thing which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article;
 - (b) "sporting weapon" means—
 - (i) any weapon or ammunition;
 - (ii) any article containing an explosive, noxious liquid or gas; or
 - (iii) any other thing, including parts, whether components or accessories, for such weapon, ammunition or article;
- which is not a munition of war.

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| Additional requirements | 164. | In addition to the requirements of regulation 163, a person shall comply with the provisions contained in the Civil Aviation (Security) Regulations and any other act and regulations in force in Rwanda concerning security, munitions of war and sporting weapons. |
| Oxygen for medical use by passengers | 165. | <p>(1) An air operator certificate holder shall allow a passenger to carry and operate equipment for the storage, generation or dispensing of medical oxygen only as prescribed by the Authority.</p> <p>(2) A person shall not smoke, and no crew member shall allow any person to smoke within 3 m (10 ft) of oxygen storage and dispensing equipment carried for the medical use of a passenger.</p> <p>(3) A crew member shall not allow any person to connect or disconnect oxygen dispensing equipment to or from an oxygen cylinder while any other passenger is aboard the aircraft.</p> |
| Carry-on baggage | 166. | <p>(1) A person shall not allow:</p> <ul style="list-style-type: none"> (a) the boarding of carry-on baggage unless it can be adequately and securely stowed in accordance with the air operator certificate holder's operations manual procedures. (b) aircraft passenger entry doors to be closed in preparation for taxiing or pushback unless at least one required crew member has verified that each article of baggage is properly stowed in overhead racks with approved restraining devices or doors, or in approved locations aft of the bulkhead; and (c) carry-on baggage to be stowed in a location that would cause that location to be loaded beyond its maximum placard weight limitation. <p>(2) The stowage locations referred to in sub-regulation (1) (c) shall be capable of</p> |

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-certificated.

Carriage of cargo in passenger compartments.

167. (1)

A person shall not allow the carriage of cargo in the passenger compartment of an aircraft except as prescribed by the Authority.

(2)

Cargo may be carried anywhere in the passenger compartment if it is carried in an approved cargo bin that meets the following requirements:

- (a) the bin shall 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;
- (b) the maximum weight of cargo that the bin is approved to carry and any instructions necessary to ensure proper weight distribution within the bin shall be conspicuously marked on the bin;
- (c) the bin may not impose any load on the floor or other structure of the aircraft that exceeds the load limitations of that structure;
- (d) the bin shall be attached to the seat tracks or to the floor structure of the aircraft, and its attachment shall withstand the load factors and emergency landing conditions applicable to the passenger seats of the aircraft in which the bin is installed, multiplied by either the factor 1.15 or the seat attachment factor specified for the aircraft, whichever is greater, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;
- (e) 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;
- (f) the bin shall be fully enclosed and made of material that is at least flame resistant;
- (g) suitable safeguards shall be provided within the bin to prevent the cargo from shifting under emergency landing conditions; and
- (h) 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.

(3)

Cargo, including carry-on baggage, may be carried anywhere in the passenger compartment of a small aircraft if it is carried in an approved cargo rack, bin, or compartment installed in or on the aircraft, if it is secured by an approved means, or if it is carried in accordance with each of the following:

- (a) 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;
- (b) it is packaged or covered to avoid possible injury to occupants;
- (c) it does not impose any load on seats or in the floor structure that exceeds the load limitation for those components;
- (d) 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;
- (e) it is not carried directly above seated occupants;
- (f) it is stowed in compliance with these restrictions during take-off and landing; and
- (g) 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 aircraft a means of

unobstructed exit from the aircraft if an emergency occurs.

Passenger information signs

168. A pilot-in-command of an aircraft 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.

Required passenger briefings: air operator certificate holder

169. (1) A person shall not commence a take-off unless the passengers are briefed prior to take-off in accordance with the air operator certificate holder's operations manual procedures on:

- (a) smoking limitations and prohibitions;
- (b) emergency exit location and use;
- (c) use of safety belts;
- (d) emergency floatation means location and use;
- (e) location and the general manner of use of the principal emergency equipment for collective use;
- (f) fire extinguisher location and operation;
- (g) placement of seat backs;
- (h) if flight is above 3,650 m (12,000 ft) above mean sea level, the normal and emergency use of oxygen; and
- (i) the passenger briefing card.

(2) Immediately before or after turning the seat belt sign off, a pilot-in-command shall ensure that the passengers are briefed to keep their seat belts fastened while seated, even when the seat belt sign is off.

(3) Before take-off, the pilot-in-command shall ensure that persons of reduced mobility are personally briefed on the:

- (a) route to the most appropriate exit; and
- (b) time to begin moving to the exit in event of an emergency.

(4) The pilot-in-command operating commercial air transport operations shall ensure that the briefing specified in this regulation contains all the objects approved for the specific operations conducted as included in the relevant operations manual.

Passenger briefing: extended overwater operations.

170. A pilot-in-command shall not 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.

Passenger seat belts

171. (1) A passenger occupying a seat or berth shall fasten his safety belt and keep it fastened while the sign is lighted or, in aircraft not equipped with such a sign, whenever instructed by a pilot-in-command.

(2) A passenger safety belt shall not be used by more than one occupant during take-off and landing.

(3) 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.

(4) A person who is not two years of age may be held by an adult who is occupying a seat or berth.

(5) 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.

- Passenger seat backs** 172. (1) A pilot-in-command shall not allow the take-off or landing of an aircraft unless each passenger seat back is in the upright position.
- (2) Exceptions to this requirement shall only be made in accordance with procedures in the air operator certificate holder's operations manual provided the seat back does not obstruct any passenger's access to the aisle or to any emergency exit.
- Stowage of food, beverage and passenger service** 173. A pilot-in-command shall not allow the movement of an aircraft on the surface, take-off or landing:
- (a) when any food, beverage or tableware furnished by the air operator certificate holder is located at any passenger seat; and
- (b) unless each food and beverage tray and seat back tray table is in the stowed position.
- Securing of items of mass in passenger compartment.** 174. A person shall not allow:
- (a) 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; or
- (b) an aircraft to move on the surface, take-off or land unless each passenger serving cart is secured in its stowed position.

Crew member and Flight Operations Officer Qualifications: Commercial Air Transport

- Age restriction** 175. A person shall not serve nor shall any air operator certificate holder use a person as a required pilot on an aircraft engaged in international commercial air transport operations if that person has attained the age of sixty five years.
- Pilot-in-command licence requirements: turbojet, turbofan or large aircraft** 176. A pilot shall not act as pilot-in-command of a turbojet, turbofan or large aircraft in commercial air transport operations unless that pilot holds an Airline Transport Pilot Licence or a Multi-crew Pilot Licence and a type rating for that aircraft.
- Pilot-in-command licence requirements: non turbojet or turbofan small aircraft** 177. A pilot shall not act as pilot-in-command of a non-turbojet or turbofan small aircraft in commercial air transport operations during:
- (a) IFR operations unless that pilot holds a Commercial Pilot Licence with appropriate category class ratings for the aircraft operated, and an instrument rating and meets the experience requirements for operation; or
- (b) day VFR operations unless that pilot holds a Commercial Pilot Licence with appropriate category and class ratings for the aircraft operated.
- Pilot-in-command aeronautical experience: Small aircraft** 178. An operator shall ensure that:
- (a) A Commercial Pilot Licence holder does not operate as a pilot-in-command certificated in the aircraft flight manual for single pilot operations unless:
- (i) when conducting passenger carrying operations under VFR outside a radius of 50 nm from an aerodrome of departure, the pilot has a minimum of 500 hours total flight time on aeroplanes or holds a valid instrument rating; or
- (ii) when operating on a multi-engine type under IFR, the pilot has a minimum of 700 hours total flight time on aeroplanes which includes 400 hours as pilot-in-command of which 100 hours have been under IFR

- (iii) including 40 hours multi-engine operation; the 400 hours referred to in sub-paragraph (ii) may be substituted by hours operating as co-pilot on the basis that two hours co-pilot is equivalent to one hour as pilot-in-command provided that those hours were gained within an established multi-pilot crew system prescribed in the operations manual specified in the Civil Aviation (Air Operator Certification and Administration) Regulations;
- (b) in addition to sub-paragraph (a)(ii), when operating under IFR as a single pilot, requirements prescribed in regulation 42 are satisfied; and
- (c) in multi-pilot crew operations, in addition to sub-paragraph (a), and prior to the pilot operating as pilot-in-command, the command course prescribed in the operations manual specified in the Civil Aviation (Air Operator Certification and Administration) Regulations is completed.

Co-pilot licence requirements	179.	A pilot shall not act as co-pilot of an aircraft in commercial air transport operations unless that pilot holds: <ul style="list-style-type: none"> (a) a Commercial Pilot Licence, an Airline Transport Pilot Licence or a Multi-crew Pilot Licence with appropriate category class and type ratings for the aircraft operated; and (b) an instrument rating.
Flight engineer licence requirements	180.	A person shall not act as the flight engineer of an aircraft unless that person holds a flight engineer licence with the appropriate type rating.
One pilot qualified to perform flight engineer functions	181.	An air operator certificate 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 flight engineer duties in the event the flight engineer becomes incapacitated.
Flight operations officer	182.	<ul style="list-style-type: none"> (1) A person shall not act as a flight operations officer unless that person holds a flight operations officer licence or an Airline Transport Pilot Licence, and is currently qualified by the air operator certificate holder for the operation and type of aircraft used. (2) A flight operations officer shall not be assigned to duty unless that person has: <ul style="list-style-type: none"> (a) satisfactorily completed an operator-specific training course that addresses all the specific components of its approved method of control and supervision of flight operations specified in the Civil Aviation (Air Operator Certification and Administration) Regulations (b) made, within the preceding 12 months, at least a one-way qualification flight in the flight crew compartment of an aeroplane over any area for which that individual is authorized to exercise flight supervision and the flight should include landings at as many aerodromes as practicable; (c) demonstrated to the operator a knowledge of: <ul style="list-style-type: none"> (i) the contents of the operations manual required under these Regulations; (ii) the radio equipment in the aeroplanes used; and (iii) the navigation equipment in the aeroplanes used; (d) demonstrated to the operator a knowledge of the following details concerning operations for which the officer is responsible and areas in which that individual is authorized to exercise flight supervision: <ul style="list-style-type: none"> (i) the seasonal meteorological conditions and the sources of meteorological information; (ii) the effects of meteorological conditions on radio reception in the aeroplanes used; (iii) the peculiarities and limitations of each navigation system which is used

- by the operation; and
 - (iv) the aeroplane loading instructions;
 - (e) demonstrated to the operator knowledge and skills related to human performance relevant to dispatch duties; and
 - (f) demonstrated to the operator the ability to perform the duties specified in sub-regulations (5) and (6).
- (3) A flight operations officer assigned to duty shall maintain complete familiarization with all features of the operations which are pertinent to such duties, including knowledge and skills related to human performance.
- (4) A flight operations officer shall not be assigned to duty after 12 consecutive months of absence for such duty, unless the provisions of the Civil Aviation (Personnel Licensing) Regulations are met.
- (5) A flight operations officer in conjunction with a method of control and supervision of flight shall:
- (a) assist the pilot-in-command in flight preparation, and provide the relevant information;
 - (b) assist the pilot-in-command in preparing the operational and air traffic services flight plans, sign when applicable and file the air traffic services flight plan with the appropriate air traffic services unit; and
 - (c) furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight.
- (6) In the event of an emergency, a flight operations officer shall:
- (a) initiate such procedures as outlined in the operations manual while avoiding taking any action that would conflict with air traffic control (ATC) procedures; and
 - (b) 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.
- Company procedures indoctrination** **183.** (1) A person shall not serve nor shall an air operator certificate holder use a person as a crew member or flight operations officer unless that person has completed the company procedures indoctrination curriculum approved by the Authority, which shall include a complete review of operations manual procedures pertinent to the crew member or flight operation officer's duties.
- (2) An air operator certificate holder shall ensure that all operations personnel are provided with company indoctrination training that covers the following areas:
- (a) air operator certificate holder's organization, scope of operation, and administrative practices as applicable to crew member assignments and duties;
 - (b) appropriate provisions of Civil Aviation Regulations of Rwanda and other applicable regulations and guidance materials;
 - (c) air operator certificate holder policies and procedures;
 - (d) applicable crew member manuals; and
 - (e) appropriate portions of the air operator certificate holder's operations manual.
- (3) An air operator certificate holder shall provide a minimum of forty programmed hours of instruction for basic indoctrination training unless a reduction of the hours of instruction is approved by the Authority.
- Initial dangerous goods training** **184.** An operator or owner of an aircraft shall establish and maintain approved staff training programmes as required by the Technical Instructions in conformity with the Civil Aviation (Air Operator Certification and Administration) Regulations with the necessary changes – *mutatis mutandis* - to apply to the said person even in the case he is a non air operator certificate holder.
- Security training** **185.** An operator shall establish and maintain an approved security training programme in conformity with the Civil Aviation (Air Operator Certification and Administration) Regulations.

programmes

Initial crew resource management training

- 186.** (1) A person shall not serve nor shall any air operator certificate holder use a person as a crew member or flight operations officer unless that person has completed the initial crew resource management curriculum approved by the Authority.
- (2) An air operator certificate holder shall ensure that all crew members have crew resource management training as part of their initial and recurrent training requirements.
- (3) A crew resource management training program shall include:
- (a) an initial indoctrination or awareness segment;
 - (b) a method to provide recurrent practice and feedback; and
 - (c) a method of providing continuing reinforcement.
- (4) Curriculum topics to be contained in an initial crew resource management training course include:
- (a) communications processes and decision behaviour;
 - (b) internal and external influences on interpersonal communications;
 - (c) barriers to communication;
 - (d) listening skills;
 - (e) decision making skills;
 - (f) effective briefings;
 - (g) developing open communications;
 - (h) inquiry, advocacy, and assertion training;
 - (i) crew self-critique;
 - (j) conflict resolution;
 - (k) team building and maintenance;
 - (l) leadership and followship training;
 - (m) interpersonal relationships;
 - (n) workload management;
 - (o) situational awareness;
 - (p) how to prepare, plan and monitor task completions;
 - (q) workload distribution;
 - (r) distraction avoidance;
 - (s) individual factors; and
 - (t) stress reduction.

Initial emergency equipment drills

- 187.** (1) A person shall not serve nor shall any air operator certificate holder use a person as a crew member unless that person has completed the appropriate initial emergency equipment curriculum and drills for the crew member position approved by the Authority for the emergency equipment available on the aircraft to be operated.
- (2) A crew member shall accomplish emergency training during the specified training periods, using the items of installed emergency equipment for each type of aeroplane in which that crew member is to serve.
- (3) During initial training, a crew member shall perform the following one-time emergency drills:
- (a) protective breathing equipment or fire-fighting drill:
 - (i) locate the source of fire or smoke for an actual or simulated fire;
 - (ii) implement procedures for effective crew co-ordination and communication, including notification of flight crew members about the fire situation;
 - (iii) don and activate installed protective breathing equipment or approved protective breathing equipment simulation device;
 - (iv) manoeuvre in limited space with reduced visibility;
 - (v) effectively use the aircraft's communication system;
 - (vi) identify the class of fire;

- (vii) select the appropriate extinguisher;
 - (viii) properly remove the extinguisher from the securing device;
 - (ix) prepare, operate and discharge the extinguisher properly; and
 - (x) utilise the correct fire-fighting techniques for type of fire.
- (b) emergency evacuation drill:
- (i) recognise and evaluate an emergency;
 - (ii) assume the 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 condition;
 - (vii) initiate evacuation, dependent on signal or decision;
 - (viii) command passengers to release their seatbelts and evacuate;
 - (ix) assess exit and redirect passengers, if necessary, to open exits, including deploying slides and commanding helpers to assist;
 - (x) command the passengers to evacuate at exit and run away from the aircraft;
 - (xi) assist special need passengers, such as handicapped, elderly, and persons in a state of panic; and
 - (xii) actually exit the aircraft or training device using at least one of the installed emergency evacuation slides.
- (4) In the case of an emergency evacuation drill, the crew member may either observe the aircraft exits being opened in the emergency mode and the associated exit slider or aft pack being deployed and inflated, or perform the tasks resulting in the accomplishment of these actions.
- (5) An aircraft crew member shall accomplish additional emergency drills during initial and recurrent training, including performing the following emergency drills:
- (a) 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 each type of door exit in emergency mode;
 - (v) open each type of door exit in emergency mode;
 - (vi) use the manual slide inflation system to accomplish or ensure slide or slide raft inflation;
 - (vii) open each type of window exit; and
 - (viii) remove the escape rope and position it for use.
- (b) hand fire extinguisher drill fighting an actual or a simulated fire is not necessary during this drill:
- (i) pre-flight each type of hand fire extinguisher;
 - (ii) locate the source of fire or smoke and identify class of fire;
 - (iii) select the appropriate extinguisher and remove from securing device;
 - (iv) prepare the extinguisher for use;
 - (v) actually operate and discharge each type of installed hand fire extinguisher;
 - (vi) utilise correct fire-fighting techniques for the type of fire; and
 - (vii) implement procedures for effective crew coordination and communication, including notification of crew members about the type of fire situation;
- (c) 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 properly operate an oxygen device, 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 coordination and communication;
 - (vi) activate protective breathing equipment;
 - (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; and
 - (x) reset the oxygen system, if applicable.
 - (d) flotation device drill:
 - (i) don and inflate life vests;
 - (ii) remove and use flotation seat cushions; and
 - (iii) demonstrate swimming techniques using a seat cushion;
 - (e) ditching drill, if applicable, during which ditching drill trainees 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 coordination procedures, including a briefing with the captain to obtain pertinent ditching information and briefing cabin crew members;
 - (ii) coordinate time-frame for cabin and passenger preparation;
 - (iii) adequately brief passengers on ditching procedures;
 - (iv) ensure the 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 and attach slide rafts to aircraft;
 - (vii) inflate the rafts;
 - (viii) use escape ropes at overwing exits;
 - (ix) command any helpers to assist;
 - (x) use slides and seat cushions as flotation devices;
 - (xi) remove appropriate emergency equipment from the aircraft;
 - (xii) board rafts properly;
 - (xiii) initiate raft management procedures, such as disconnecting rafts from aircraft, applying immediate first aid, rescuing persons in water, salvaging floating rations and equipment, deploying sea anchor, tying rafts together, and activating or ensuring operation of emergency locator transmitter;
 - (xiv) initiate basic survival procedures, such as removing and utilising survival kit items, repairing and maintaining raft, ensuring protection from exposure, erecting canopy, communicating location, providing continued first aid, and providing sustenance;
 - (xv) use heaving line to rescue persons in the water;
 - (xvi) tie slide rafts or rafts together;
 - (xvii) use life line on edge of slide raft or raft as a handhold; and
 - (xviii) secure survival kit items.
- (6) An aircraft crew member shall accomplish additional emergency drill requirements during initial and recurrent training including observing the following emergency drills:
- (a) 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;
 - (b) slide raft transfer drill:
 - (i) transfer each type of slide raft pack from an unusable door to a usable door;
 - (ii) disconnect the slide raft at an unusable door;
 - (iii) redirect passengers to the usable slide raft; and

- (iv) install and deploy the slide raft at a usable door.
- (c) 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) disconnect slide from aircraft for use as a flotation device;
 - (iv) arm slide rafts for automatic inflation; and
 - (v) disconnect slide raft from the aircraft.
- (d) emergency evacuation slide drill:
 - (i) open armed exit with slide or slide raft deployment and inflation; and
 - (ii) egress from aircraft via the evacuation slide and run away to a safe distance.

Initial aircraft ground training: flight crew 188.

- (1) A person shall not serve nor shall an air operator certificate holder use a person as a flight crew member unless that person has completed the initial ground training approved by the Authority for the aircraft type.
- (2) 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 to be used.
- (3) An air operator certificate holder shall have an initial aircraft ground training curriculum for the flight crew applicable to the type of operations conducted and aircraft flown.
- (4) Instructions shall include at least the following general subjects:
 - (a) air operator certificate holder's dispatch, flight release, or operational control or flight following procedures;
 - (b) principles and methods for determining mass and balance, and runway limitations for take-off;
 - (c) 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 wind shear and microburst; and
 - (vii) low visibility.
 - (d) normal and emergency communications procedures and navigation equipment including the air operator certificate holder's communications procedures and air traffic control clearance requirements;
 - (e) navigation procedures used in area departure, en route, area arrival, approach and landing phases;
 - (f) approved crew resource management training;
 - (g) air traffic control systems, procedures, and phraseology;
 - (h) 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 and runway limits;
 - (iv) inoperative equipment performance limiting factors, such as minimum equipment list or configuration deviation list, inoperative antiskid; and

- (v) special operational conditions, such as unpaved runways, high altitude aerodromes and drift down requirements.
- (5) An air operator certificate holder shall have an initial aircraft ground training curriculum for the flight crew applicable to the type of operations conducted and aircraft flown, including at least the following aircraft systems:
- (a) aircraft:
 - (i) aircraft dimensions, turning radius, panel layouts, cockpit and cabin configurations; and
 - (ii) other major systems and components or appliances of the aircraft;
 - (b) powerplants:
 - (i) basic engine description;
 - (ii) engine thrust ratings; and
 - (iii) engine components such as accessory drives, ignition, oil, fuel control, hydraulic, and bleed air features;
 - (c) electrical:
 - (i) sources of aircraft electrical power, such as engine driven generators, APU generator, and external power;
 - (ii) electrical buses;
 - (iii) circuit breakers;
 - (iv) aircraft battery; and
 - (v) standby power systems.
 - (d) hydraulic:
 - (i) hydraulic reservoirs, pumps, accumulators, filters, check valves, interconnects and actuators; and
 - (ii) other hydraulically operated components.
 - (e) fuel:
 - (i) fuel tanks, including location and quantities;
 - (ii) engine driven pumps;
 - (iii) boost pumps;
 - (iv) system valves and crossfeeds;
 - (v) quantity indicators; and
 - (vi) provisions for fuel jettisoning.
 - (f) pneumatic:
 - (i) bleed air sources, auxiliary power unit or external ground air; and
 - (ii) means of routing, venting and controlling bleed air via valves, ducts, chambers, and temperature and pressure limiting devices.
 - (g) 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 annunciations;
 - (h) flight controls:
 - (i) primary controls, including yaw, pitch, and roll devices;
 - (ii) secondary controls, including leading or trailing edge devices, flaps, trim, and damping mechanisms;
 - (iii) means of actuation, whether direct or indirect or fly by wire; and
 - (iv) redundancy devices.
 - (i) 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, including nose or body steering gear;
 - (iii) bogie arrangements;

- (iv) air or ground sensor relays; and
- (v) visual downlock indicators.
- (j) ice and rain protection:
 - (i) rain removal systems; and
 - (ii) anti-icing or de-icing systems affecting flight controls, engines, pitot static probes, fluid outlets, cockpit windows, and aircraft structures.
- (k) 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 cargo configurations; and
 - (ix) non-emergency equipment and furnishings.
- (l) navigation equipment:
 - (i) flight directors;
 - (ii) horizontal situation indicator;
 - (iii) radio magnetic indicator;
 - (iv) navigation receivers such as global positioning system, automatic direction finder (ADF), very high frequency omni-directional radio range (VOR), OMEGA, long range navigation (LORAN-C), area navigation (RNAV), marker beacon, distance measuring equipment (DME);
 - (v) inertial systems such as inertia navigation system (INS) and inertia reference (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.
- (m) 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.
- (n) flight instruments:
 - (i) panel arrangement;
 - (ii) flight instruments, including attitude indicator, directional gyro, magnetic compass, airspeed indicator, vertical speed indicator, altimeters, standby instruments; and
 - (iii) instrument power sources, and instrument sensory sources, such as Pitot static pressure;
- (o) display systems:
 - (i) weather radar; and
 - (ii) other CRT displays, such as checklist, vertical navigation or longitudinal navigation displays.
- (p) communication equipment:
 - (i) VHF or HF radios;
 - (ii) audio panels;
 - (iii) inflight interphone and passenger address systems;

- (iv) voice recorder; and
 - (v) aircraft communication addressing and reporting system (ACARS);
 - (q) warning systems:
 - (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.
 - (r) fire protection:
 - (i) fire and overheat sensors, loops, modules, or other means of providing visual 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, auxiliary power unit, cargo bay or wheel well, cockpit, cabin and lavatories;
 - (s) oxygen:
 - (i) passenger, crew, and portable oxygen supply systems;
 - (ii) sources of oxygen such as gaseous or solid;
 - (iii) flow and distribution networks;
 - (iv) automatic deployment systems;
 - (v) regulators, pressure levels and gauges; and
 - (vi) servicing requirements.
 - (t) lighting:
 - (i) cockpit, cabin, and external lighting systems;
 - (ii) power sources;
 - (iii) switch positions; and
 - (iv) spare light bulb locations.
 - (u) 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.
 - (v) Auxiliary Power Unit:
 - (i) electric and bleed air capabilities;
 - (ii) interfaces with electrical and pneumatic systems;
 - (iii) inlet doors and exhaust ducts; and
 - (iv) fuel supply.
- (6) An air operator certificate holder shall have an initial aircraft ground training curriculum for the flight crew applicable to the type of operations conducted and aircraft flown, including at least the following aircraft systems integration items:
- (a) use of checklist:
 - safety chocks;
 - cockpit preparation (switch position and checklist flows);
 - checklist callouts and responses; and
 - checklist sequence.
 - (b) flight planning:
 - (i) performance limitations, including meteorological, weight, minimum equipment list and configuration deviation list items;
 - (ii) required fuel loads;
 - (iii) weather planning, lower than standard take-off minimums or alternate requirements;

- (c) navigation systems:
 - (i) pre-flight and operation of applicable receivers;
 - (ii) onboard navigation systems; and
 - (iii) flight plan information input and retrieval.
- (d) autoflight: autopilot, autothrust, and flight director systems, including the appropriate procedures, normal and abnormal indications, and annunciators.
- (e) 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.

(7) An air operator certificate holder may have separate initial aircraft ground training curricula of varying lengths and subject emphasis which recognise the experience levels of flight crew members approved by the Authority.

Initial aircraft ground training: cabin crew

189. (1) A person shall not serve nor shall an air operator certificate holder use a person as a cabin crew member unless that person has completed the initial ground training approved by the Authority for aircraft type.
- (2) Initial aircraft ground training for cabin crew members shall include the pertinent portions of the operations manuals relating to aircraft specific configuration, equipment, normal and emergency procedures for the aircraft types within the fleet.
- (3) An air operator certificate holder shall have an initial ground training curriculum for cabin crew members applicable to the type of operations conducted and aircraft flown, including at least the following general subjects:
- (a) aircraft familiarisation:
 - (i) aircraft characteristics and description;
 - (ii) cockpit configuration;
 - (iii) cabin configuration;
 - (iv) galleys;
 - (v) lavatories; and
 - (vi) stowage areas;
 - (b) 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.
 - (c) 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;
 - (d) aircraft exits:
 - (i) general information;
 - (ii) exits with slides or slide rafts for pre-flight and normal operation;
 - (iii) exits without slides pre-flight and normal operations; and
 - (iv) window exits.

- (e) crew member communication and coordination:
 - (i) authority of pilot-in-command;
 - (ii) routine communication signals and procedures; and
 - (iii) crew member briefing;
 - (f) routine crew member duties and procedures:
 - (i) crew member general responsibilities;
 - (ii) reporting duties and procedures for specific aircraft;
 - (iii) pre-departure 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) in-flight 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;
 - (g) 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;
 - (vii) smoking and no-smoking requirements and;
 - (viii) approved CRM training.
- (4) An air operator certificate holder shall have an initial ground training curriculum for cabin crew members applicable to the type of operations conducted and aircraft flown, including at least the following aircraft specific emergency subjects:
- (a) 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;
 - (xii) fire-fighting equipment;
 - (xiii) emergency lighting systems; and
 - (xiv) additional emergency equipment.
 - (b) emergency assignments and 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 for example, passenger initiated;
 - (ix) illness or injury;
 - (x) abnormal situations involving passengers or crew members;
 - (xi) unlawful interference;
 - (xii) bomb threat;
 - (xiii) turbulence;
 - (xiv) other unusual situations; and
 - (xv) previous aircraft accidents and incidents.
- (c) 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.
- (5) An air operator certificate holder shall ensure that initial ground training for cabin crew members includes a competence check to determine his ability to perform assigned duties and responsibilities.
- (6) An air operator certificate holder shall ensure that initial ground training for cabin crew members consists of at least the following programmed hours of instruction:
- (a) multi-engine turbine: thirty two hours; and
 - (b) multi-engine reciprocating: sixteen hours.

Competence checks: cabin crew members 190.

- (1) A person shall not serve nor shall any air operator certificate holder use a person as a cabin crew member unless, within the preceding twelve months before that service, that person has passed the competency check approved by the Authority performing the emergency duties appropriate to that person's assignment.
- (2) Evaluators shall conduct competency checks for cabin crew members to demonstrate that the candidate's proficiency level is sufficient to successfully perform assigned duties and responsibilities.
- (3) A qualified supervisor or inspector approved by the Authority shall observe and evaluate competency checks for cabin crew members.
- (4) Evaluators shall include during each cabin crew member competency check a demonstrated knowledge of:
 - (a) emergency equipment: emergency communication and notification systems;
 - (i) aircraft exits;
 - (ii) exits with slides or slide rafts (emergency operation);
 - (iii) slides and slide rafts in a ditching;
 - (iv) exits without slides (emergency operation);
 - (v) window exits (emergency operation);
 - (vi) exits with tail cones (emergency operation);
 - (vii) cockpit exits (emergency operation);
 - (viii) ground evacuation and ditching equipment;
 - (ix) first-aid equipment;
 - (x) portable oxygen systems (oxygen bottles, chemical oxygen generators, protective breathing equipment (PBE));
 - (xi) fire-fighting equipment;
 - (xii) emergency lighting systems; and
 - (xiii) additional emergency equipment.
 - (b) 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, for example that is passenger initiated;
 - (ix) illness or injury;
 - (x) abnormal situations involving passengers or crew members;
 - (xi) turbulence; and
 - (xii) other unusual situations.
- (c) emergency drills:
- (i) location and use of all emergency and safety equipment carried on the aircraft;
 - (ii) the location and use of all types of exits;
 - (iii) actual donning of a lifejacket where fitted;
 - (iv) actual donning of protective breathing equipment; and
 - (v) actual handling of fire extinguishers.
- (d) crew resource management:
- (i) decision making skills;
 - (ii) briefings and developing open communication;
 - (iii) inquiry, advocacy, and assertion training; and
 - (iv) workload management;
- (e) 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;
- (f) security:
- (i) unlawful interference; and
 - (ii) disruptive passengers.

Initial training: flight operations officer

191. (1) A person shall not serve nor shall any air operator certificate holder use a person as a flight operations officer unless that person has completed the initial training approved by the Authority.
- (2) Aircraft initial flight operations officer training shall include the pertinent portions of the operations manual relating to aircraft specific flight preparation procedures, performance, mass and balance, systems, limitations for the aircraft types within the fleet.
- (3) An air operator certificate holder shall provide initial aircraft training for flight operations officers that include instruction in at least the following general dispatch subjects:
- (a) normal and emergency communications procedures;
 - (b) available sources of weather information;
 - (c) actual and prognostic weather charts;
 - (d) interpretation of weather information;
 - (e) adverse weather phenomena, such as clear air turbulence, wind shear, and thunderstorms;
 - (f) Notice to Airmen (NOTAM) system;
 - (g) navigational charts and publications;
 - (h) air traffic control and IFR procedures;
 - (i) familiarisation with operational area;
 - (j) characteristics of special aerodromes and other operationally significant aerodromes which the operator uses, such as terrain, approach aids, or prevailing weather phenomena;

- (k) joint flight operations officer and group responsibilities; and
 - (l) approved CRM training for flight operations officers.
- (4) An air operator certificate holder shall provide initial aircraft training for flight operations officers that include instruction in at least the following aircraft characteristics:
- (a) general operating characteristics of the air operator certificate holder's aircraft;
 - (b) aircraft specific training with emphasis on the following topics:
 - (i) aircraft operating and performance characteristics;
 - (ii) navigation equipment;
 - (iii) instrument approach and communications equipment; and
 - (iv) emergency equipment.
 - (c) flight manual training; and
 - (d) equipment training.
- (5) An air operator certificate holder shall provide initial aircraft training for flight operations officers that include instruction in at least the following emergency procedures:
- (a) assisting the flight crew in an emergency; and
 - (b) alerting of appropriate governmental, company and private agencies.
- (6) An air operator certificate holder shall ensure that initial ground training for flight operations officers includes a competence check given by an appropriate supervisor or ground instructor that demonstrates the required knowledge and abilities.

Initial flight training: flight crew member 192.

- (1) A person shall not serve nor shall an air operator certificate holder use a person as a flight crew member unless that person has completed the initial flight training approved by the Authority for the aircraft type.
- (2) Initial flight training of a flight crew member shall focus on the manoeuvring and safe operation of the aircraft in accordance with air operator certificate holder's normal, abnormal and emergency procedures.
- (3) An air operator certificate holder may have separate initial flight training curriculum which recognise the experience levels of flight crew members approved by the Authority.
- (4) Flight training may be conducted in an appropriate aircraft or adequate flight simulation training device:
 - (a) having landing capability; and
 - (b) qualified for training or checking on circling manoeuvres.
- (5) An air operator certificate holder shall ensure that pilot initial flight training includes at least the following:
 - (a) preparation:
 - (i) visual inspection, and use authorized of pictorial display for aircraft with a flight engineer;
 - (ii) pre-taxi procedures; and
 - (iii) performance limitations;
 - (b) surface operation:
 - (i) pushback;
 - (ii) powerback taxi, if applicable to type of operation to be conducted;
 - (iii) starting;
 - (iv) taxi; and
 - (v) pre-take-off checks;
 - (c) take-off:
 - (i) normal;
 - (ii) crosswind;
 - (iii) rejected;

- (iv) power failure after v_1 ; and
- (v) lower than standard minimum, if applicable to type of operation to be conducted;
- (d) climb:
 - (i) normal; and
 - (ii) one-engine inoperative during climb to en route altitude;
- (e) en-route:
 - (i) steep turns;
 - (ii) approaches to stalls (take-off, en route, and landing configurations);
 - (iii) in-flight powerplant shutdown;
 - (iv) in-flight powerplant restart; and
 - (v) high speed handling characteristics;
- (f) descent:
 - (i) normal; and
 - (ii) maximum rate;
- (g) approaches:
 - (i) VFR procedures;
 - (ii) visual approach with 50% loss of power on one-engine (2 engines inoperative on 3-engine aircraft for pilot-in-command only);
 - (iii) visual approach with slat or flap malfunction;
 - (iv) IFR precision approaches such as instrument landing system normal and instrument landing system with one-engine inoperative;
 - (v) IFR non-precision approaches non-directional radio beacon (NDB) normal and VHF omnidirectional radio range beacon (VOR) normal;
 - (vi) non-precision approach with one engine inoperative (localizer backcourse procedures, SDF or localizer type directional aid, a global positioning system, TACAN and circling approach procedures);
 - (vii) missed approach from precision approach;
 - (viii) missed approach from non-precision approach; and
 - (ix) missed approach with engine failure;
- (h) 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 aircraft);
 - (v) normal with flap or slat malfunction;
 - (vi) rejected landings;
 - (vii) crosswind;
 - (viii) manual reversion or degraded control augmentation;
 - (ix) short or soft field small aircraft, land amphibian aircraft only; and
 - (x) glassy or rough water, seaplanes only;
- (i) after landing:
 - (i) parking;
 - (ii) emergency evacuation; and
 - (iii) docking, mooring, and ramping, seaplanes only;
- (j) other flight procedures during any airborne phase:
 - (i) holding;
 - (ii) ice accumulation on airframe;
 - (iii) air hazard avoidance; and
 - (iv) wind shear or microburst;

- (k) normal, abnormal and alternate systems procedures during any phase:
 - (i) pneumatic or 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 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; and
 - (xiv) navigation systems;
- (l) 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.
- (6) An air operator certificate holder shall ensure that flight engineer flight training includes at least the following:
 - (a) training and practice in procedures related to the carrying out of flight engineer duties and functions, where this training and practice may be accomplished either in flight or, in a flight simulation training device; and
 - (b) a proficiency check as specified in regulation 200.

Initial specialized operations training

- 193.**
- (1) A person shall not serve nor shall any air operator certificate holder use a person as a flight crew member unless that person has completed the appropriate initial specialised operations training curriculum approved by the Authority.
 - (2) Specialized operations for which initial training curricula shall be developed include:
 - (a) low minima operations, including low visibility take-offs and Category II and III operations;
 - (b) extended range operations;
 - (c) specialized navigation; and
 - (d) pilot-in-command right seat qualification.
 - (3) An air operator certificate holder shall provide initial specialized operations training to ensure that each pilot and flight operations officer is qualified in the type of operation in which that person serves and in any specialised or new equipment, procedures, and techniques, such as:
 - (a) Class II navigation:
 - (i) knowledge of specialised navigation procedures, such as RNP, MNPS and RVSM; and
 - (ii) knowledge of specialised equipment, such as INS, LORAN, OMEGA;
 - (b) CAT II and CAT III operations approaches:
 - (i) special equipment, procedures and practice; and
 - (ii) a demonstration of competency;
 - (c) 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; and
- (iv) procedures to prevent runway incursions under low visibility conditions;
- (d) extended range operations with two turbine engine aeroplanes;
- (e) airborne radar approaches; and
- (f) autopilot instead of co-pilot.

Aircraft differences training

- 194.** (1) A person shall not serve nor shall an air operator certificate holder use a person as a crew member on an aircraft of a type for which a differences curriculum is included in the air operator certificate holder's approved training programme, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that aircraft.
- (2) An operator shall ensure that a crew member completes:
- (a) differences training which requires additional knowledge and training on an appropriate training device or the aircraft:
 - (i) when operating another variant of an aircraft of the same type or another type of the same class currently operated; or
 - (ii) when changing equipment procedures on types or variants currently operated;
 - (b) familiarisation training which requires the acquisition of additional knowledge:
 - (i) when operating another aircraft of the same type; or
 - (ii) when changing equipment procedures on types of variants currently operated; and
 - (c) the operator referred to in sub-regulation (1) shall specify in the operations manual when such differences training or familiarisation training is required.
- (3) An air operator certificate holder shall provide aircraft differences training for flight operations officers when the operator has aircraft variances within the same type of aircraft, which includes at least the following:
- (a) operations procedures:
 - (i) operations under adverse weather phenomena conditions, including clear air turbulence, wind shear, and thunderstorms;
 - (ii) mass and balance computations and load control procedures;
 - (iii) aircraft performance computations, to include take-off mass 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 aircraft flight operations officer can provide in each situation;
 - (ix) minimum equipment list and configuration deviation list procedures;
 - (x) manual performance of required procedures in case of the loss of automated capabilities;
 - (xi) training in appropriate geographic areas;
 - (xii) air traffic control and IFR procedures, to include ground hold and central flow control procedures; and
 - (xiii) radiotelephony procedures;
 - (b) emergency procedures:
 - (i) actions taken to aid the flight crew; and
 - (ii) air operator certificate holder and Authority notification.

Use of flight simulation training devices

195. A flight simulation training device that is used for flight crew member qualification shall:
- (a) be specifically approved by the Authority for the:
 - (i) air operator certificate holder;
 - (ii) type aircraft, including type variations, for which the training or check is being conducted; and
 - (iii) particular manoeuvre, procedure, or flight crew member function involved;
 - (b) maintain the performance, functional, and other characteristics that are required for approval;
 - (c) be modified to conform with any modification to the aircraft being simulated that results in changes to performance, functional, or other characteristics required for approval;
 - (d) be given a daily functional pre-flight check before use;
 - (e) have a daily discrepancy logbook kept by the appropriate instructor or check pilot at the end of each training or check flight; and
 - (f) for initial aircraft type training, be qualified for training and checking on the circling manoeuvre.

Aircraft and instrument proficiency checks

- 196
- (1) A person shall not serve nor shall any air operator certificate holder use a person as a pilot flight crew member unless, since the beginning of the sixth calendar month before that service, that person has passed the proficiency check prescribed by the Authority in the make and model of aircraft on which their services are required.
 - (2) A person shall not serve nor shall any air operator certificate holder use a person as a pilot in IFR operations unless, since the beginning of the sixth calendar month before that service, that pilot has passed the instrument competency check prescribed by the Authority.
 - (3) A pilot may complete the requirements of sub-regulations (1) and (2) of this regulation simultaneously in a make and model of the aircraft.
 - (4) The completion of an approved operator training programme for the particular aircraft type and the satisfactory completion of a pilot-in-command proficiency check, shall satisfy the requirement for an aircraft type rating practical test provided that the proficiency check:
 - (a) includes all manoeuvres and procedures required for a type rating practical test; and
 - (b) is conducted by an examiner.
 - (5) Aircraft and instrument proficiency checks for pilot-in-command and co-pilot shall include the following operations and procedures listed in Table 6.

TABLE 6 – INSTRUMENT PROFICIENCY CHECK

TYPE OF OPERATION OR PROCEDURE	Pilot-in-command (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 authorized in the air operator certificate air operator certificate 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 authorized in Operations Manual. May be waived.
Normal And Non-Normal Procedures		
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.

- (6) Examiners or check pilots may waive certain events on the proficiency check based on an assessment of the pilot's demonstrated level of performance.
- (7) The oral and flight phases of a proficiency check should not be conducted simultaneously.
- (8) When the examiner or check pilot determines that an pilot's performance is unsatisfactory, the examiner or check pilot may terminate the immediately.
- (9) If the proficiency check shall be terminated for mechanical or other reasons, and there are events which still need to be repeated, the examiner or check pilot shall issue a letter of discontinuance, valid for sixty days, listing the specific areas of operation that have been successfully completed.
- (10) At least one of the two annual proficiency checks shall be conducted by an examiner. The other proficiency check may be conducted by a check pilot or the Authority.

Introduction of new equipment 197.

A person shall not serve nor shall an air operator certificate holder use a person as a flight crew member when that service would require expertise in the use of new equipment or procedures for

or procedures

which a curriculum is included in the air operator certificate holder's approved training programme, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that aircraft.

Pilot qualification: recent experience

- 198.** (1) In addition to meeting all applicable training and checking requirements of these Regulations, a required flight crew member who has not met the requirements of regulation 44 shall re-establish recency of experience as follows:
- (a) under the supervision of a check pilot, make at least three take-offs and landings in the type of aircraft in which that person is to serve or if an advanced flight simulation training device is used, the requirements of sub-regulation (2) shall be met;
 - (b) the take-offs and landings required in this paragraph shall include:
 - (i) at least one take-off with a simulated failure of the most critical engine;
 - (ii) at least one landing from an instrument landing system approach to the lowest instrument landing system minimum authorized for the certificate holder; and
 - (iii) at least one landing to a full stop.
- (2) A required pilot who performs the manoeuvres prescribed in sub-regulation (1) in a visual flight simulation training device shall:
- (a) have previously logged one hundred hours of flight time in the same aircraft type in which the pilot is to serve;
 - (b) be observed on the first two landings made in operations under this Part by an approved check pilot who acts as pilot-in-command and occupies a pilot seat and the landings shall be made in weather minima that are not less than those contained in the air operator certificate holder's operation specifications for Category I operations, and shall be made within forty five days following completion of flight simulation training device training.
- (3) When using a flight simulation training device to accomplish any of the requirements of regulation 44 or sub-regulation (1), a required flight crew member position shall be operated as if in a normal in-flight environment without use of the repositioning features of the flight simulation training device.
- (4) A check pilot who observes the take-offs and landings prescribed in sub-regulations (1)(a) and (2) shall certify that the person being observed is proficient and qualified to perform flight duty in operations under this Part and may require any additional manoeuvres that are determined necessary to make this certifying statement.

Pilot operating limitations and pairing requirements

- 199** (1) Where a co-pilot has fewer than one hundred hours of flight time as co-pilot in operations in the aircraft type being flown, and the pilot-in-command is not an appropriately qualified check pilot, the pilot-in-command shall make all take-offs and landings in the following situations:
- (a) special airports designated by the Authority or special airports designated by the air operator certificate holder; and
 - (b) in any of the following conditions:
 - (i) the prevailing visibility value in the latest weather report for the airport is at or below 1,200 m;
 - (ii) the runway visual range for the runway to be used is at or below 1,200 m;
 - (iii) the runway to be used has water, snow, slush or similar conditions that may adversely affect aircraft performance;
 - (iv) the braking action on the runway to be used is reported to be less than "good".
 - (v) the crosswind component for the runway to be used is in excess of 15 knots;
 - (vi) wind shear is reported in the vicinity of the airport; or.
 - (vii) any other condition in which the pilot-in-command determines it to

be prudent to exercise the pilot-in-command's prerogative.

- (2) A person shall not conduct operations under the Civil Aviation (Air Operator Certification and Administration) Regulations unless, for that type aircraft, either the pilot-in-command or the co-pilot has at least seventy five hours of line operating flight time, either as pilot-in-command or co-pilot.
- (3) The Authority may, upon application by the air operator certificate holder, authorize exemptions from the requirements of this regulation by an appropriate amendment to the operations specifications in any of the following circumstances:
 - (a) a newly certificated air operator certificate holder does not employ any pilots who meet the minimum requirements of this regulation;
 - (b) an existing air operator certificate holder adds to its fleet an aircraft type not before proven for use in its operations; or
 - (c) an existing certificate holder establishes a new domicile to which it assigns pilots who will be required to become qualified on the aircraft operated from that domicile.

Flight engineer 200. proficiency checks

- (1) A person shall not serve nor shall any air operator certificate holder use a person as a flight engineer on an aircraft unless within the preceding twelve calendar months he has:
 - (a) had a proficiency check in accordance with the requirements prescribed by the Authority; or
 - (b) 50 hours flight time for the air operator certificate holder as flight engineer in the type aircraft.
- (2) Examiners shall include during proficiency checks for flight engineers an oral or written examination of the normal, abnormal, and emergency procedures listed below:
 - (a) 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 pressurization;
 - (vii) cruise and fuel management;
 - (viii) descent and approach;
 - (ix) after landing and securing;
 - (x) crew coordination;
 - (xi) situational awareness;
 - (xii) performance computations; and
 - (xiii) anti-ice and de-ice measures
 - (b) abnormal and emergency procedures:
 - (i) troubleshooting;
 - (ii) knowledge of checklist;
 - (iii) ability to perform procedures;
 - (iv) crew coordination;
 - (v) minimum equipment list (MEL);
 - (vi) configuration deviation list (CDL); and
 - (vii) emergency or alternate operation of aircraft flight systems

Competence checks: flight operations officer

- 201. (1) A person shall not serve nor shall any air operator certificate holder use a person as a flight operations officer unless, within the preceding twelve months before that service, that person has passed the competency check, approved by the Authority, performing the flight preparation and subsequent duties appropriate to that person's assignment.
- (2) Evaluators of the flight operations officer referred to under sub-regulation (1) shall conduct competency checks for flight operations officers to demonstrate that the candidate's proficiency level is sufficient to ensure the successful outcome of all dispatch operations.

- (3) An authorized person shall observe and evaluate competency checks for flight operations officers.
- (4) Each competency check for flight operations officers shall include:
 - (a) an evaluation of all aspects of the dispatch function;
 - (b) a demonstration of the knowledge and abilities in normal and abnormal situations; and
 - (c) an observation of actual flights being dispatched.
- (5) An evaluator of newly hired flight operations officer shall include during initial competency checks, an evaluation of all of geographic areas and types of aircraft the flight operations officer shall be qualified to dispatch.
- (6) The authorized person may approve a competency check of representative aircraft types when, in his judgement, a check including all types is impractical or unnecessary.
- (7) Evaluators may limit initial equipment and transition competency checks solely to the dispatch of the types of aircraft on which the flight operations officer is qualifying, unless the check is to simultaneously count as a recurrent check.
- (8) An evaluator of flight operations officers shall include, during recurrent and requalification competency checks, a representative sample of aircraft and routes for which the flight operations officers maintains current qualification.
- (9) A flight operations officer shall not qualify in ETOPS or other special operations authorized by the Authority unless that flight operations officer submits special operations competency checks to the Authority.

**Supervised line 202.
flying: pilots**

- (1) A pilot initially qualifying as pilot-in-command shall complete a minimum of ten flights performing the duties of a pilot-in-command under the supervision of a check pilot.
- (2) A pilot-in-command transitioning to a new aircraft type shall complete a minimum of five flights performing the duties of a pilot-in-command under the supervision of a check pilot.
- (3) A pilot qualifying for duties other than pilot-in-command shall complete a minimum of five flights performing those duties under the supervision of a check pilot.
- (4) During the time that a qualifying pilot-in-command is acquiring operating experience, an authorized instructor who is also serving as the pilot-in-command shall occupy a co-pilot station.
- (5) In the case of a transitioning pilot-in-command, the check pilot serving as pilot-in-command may occupy the observer's seat if the transitioning pilot has made at least two take-offs and landings in the type aircraft used, and has satisfactorily demonstrated to the authorized instructor that he is qualified to perform the duties of a pilot-in-command for that type of aircraft.

**Supervised line 203.
flying: flight engineers**

A flight engineer who has qualified on a new type rating on an aircraft shall perform the functions of a flight engineer for a minimum of five flights under the supervision of a flight instructor or qualified flight engineer approved by the air operator certificate holder and accepted by the Authority.

**Supervised line 204.
experience:
cabin crew.**

A person training as a cabin crew member shall:

- (a) perform the functions of a cabin crew member for a minimum of two flights under the supervision of a cabin crew instructor; and
- (b) not serve as a required crew member.

**Line observations:
flight operations officer**

205. A person shall not serve nor shall any air operator certificate holder use a person as a flight operations officer unless within the preceding twelve months before that service, that person has observed, in the cockpit, the conduct of two complete flights over routes representative of those for which that person is assigned duties.

Route and area 206.

(1) A person shall not serve nor shall any air operator certificate holder use a person as a

checks: pilot qualification.

pilot unless, within the preceding twelve months, that person has passed a route check in which the person satisfactorily performed his assigned duties in one of the types of aircraft he is to fly.

- (2) A person shall not perform pilot-in-command duties over a designated special operational area that requires a special navigation system or procedures or in ETOPS operations unless his competency with the system and procedures has been demonstrated to the air operator certificate holder within the past twelve months.
- (3) A pilot-in-command of an aircraft shall demonstrate special operational competency by navigation over the route or area as pilot-in-command under the supervision of a check pilot on an annual basis by demonstrating a knowledge of:
 - (a) the terrain and minimum safe altitudes;
 - (b) the seasonal meteorological conditions;
 - (c) the search and rescue procedures;
 - (d) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place; and
 - (e) procedures applicable to flight paths over heavily populated areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach procedures, and applicable operating minima.

Low minimums authorization: pilot-in-command

207. Where a pilot-in-command has not completed:
- (a) fifteen flights performing pilot-in-command duties in an aircraft type, including five approaches to landing using Category I or II operations procedures, that pilot-in-command shall not plan for or initiate an instrument approach when the ceiling is less than 90 m (300 ft) and the visibility is less than 2,000 m; and
 - (b) twenty flights performing pilot-in-command duties in an aircraft including five approaches and landing using Category III operations procedures, that pilot-in-command shall not plan for or initiate an approach when the ceiling is less than 30 m (100 ft) or the visibility is less than 400 m runway visual range.

Designated special aerodromes and heliports: pilot-in-command qualification

208. (1) The Authority may determine that certain aerodromes, due to items such as surrounding terrain obstructions, or complex approach or departure procedures are special airport qualifications and that certain areas or routes, or both require a special type of navigation qualification.
- (2) A person shall not serve nor shall any air operator certificate holder use a person as pilot-in-command for operations at special airport qualifications aerodromes unless within the preceding twelve months the pilot-in-command:
- (a) has been qualified by the air operator certificate holder through a pictorial means acceptable to the Authority for that aerodrome or heliport; or
 - (b) the assigned co-pilot has made a take-off and landing at that aerodrome or heliport while serving as a flight crew member for the air operator certificate holder.
- (3) Designated special airport qualifications aerodrome limitations are not applicable if the operation occurs:
- (a) during daylight hours;
 - (b) when the visibility is at least 5 km; and
 - (c) when the ceiling at that aerodrome is at least 300 m (1,000 ft) above the lowest initial approach altitude prescribed for an instrument approach procedure.

Recurrent training and checking: flight crew members

209. (1) An operator shall ensure that:
- (a) a flight crew member undergoes recurrent training listed in sub-regulation (2) and checking in sub-regulation (3) and that all such training and checking is relevant to the type or variant of aircraft on which the flight crew member operates; and

- (b) a recurrent training and checking programme is established in the operations manual and approved by the Authority.
- (2) Recurrent training referred to in sub-regulation (1) shall be conducted by the following personnel:
- (a) ground and refresher training – by suitably qualified personnel;
 - (b) aeroplane flight simulation training device training – by a authorized instructor or in the case of the flight simulation training device content schedule, a flight simulation training device authorized instructor provided that the authorized instructor or flight simulation training device authorized instructor satisfied the operator’s experience and knowledge requirements sufficient to instruct on the items specified in the operations manual;
 - (c) emergency and safety equipment training – by suitably qualified personnel; and
 - (d) crew resource management training – by suitably qualified personnel to integrate elements of crew resource management into all phases of recurrent training;
 - (e) modular crew resource management training – by at least one CRM trainer acceptable to the Authority who may be assisted by experts in order to address specific areas.
- (3) The recurrent checking referred to in sub-regulation (1) shall be conducted by the following personnel:
- (a) operator proficiency check – by a check pilot or flight engineer authorized by the air operator certificate holder and accepted by the Authority, as appropriate, or, if the check is conducted in a flight simulation training device, a check pilot or authorized flight engineer as appropriate;
 - (b) line checks – by check pilot by the operator and acceptable to the Authority and;
 - (c) emergency and safety equipment checking – by suitably qualified personnel.
- (4) The period of validity of an operator proficiency check shall be:
- (a) six months in addition to the remainder of the month of issue; or
 - (b) if issued within the final three months of validity of a previous operator proficiency check, extended from the date of issue until six months from the expiry date of that previous operator proficiency check.
- (5) An operator shall ensure that each flight crew member undergoes a line check on the aircraft to demonstrate his competence in carrying out normal line operations described in the operations manual.
- (6) The period of validity of a line check referred to in sub-regulation (5) shall be:
- (a) twelve months, in addition to the remainder of the month of issue; or
 - (b) if issued within the final three months of validity of a previous line check, extended from the date of issue until twelve months from the expiry date of that previous check.
- (7) An operator shall ensure that each flight crew member undergoes training and checking on the location and use of emergency and safety equipment carried.
- (8) The period of validity of an emergency and safety equipment check referred to in sub-regulation (7) shall be:
- (a) twelve months in addition to the remainder of the month of issue; or
 - (b) if issued within the final three months of validity of a previous emergency and safety check, extended from the date of issue until twelve months from the expiry date of the previous emergency and safety equipment check.
- (9) An operator shall ensure that:
- (a) elements of CRM are integrated into all appropriate phases of the recurrent training; and
 - (b) a flight crew member undergoes specific modular CRM training and all major topics of CRM training shall be covered over a period not exceeding three years.
- (10) An operator shall ensure that each flight crew member undergoes ground and refresher training at least every twelve months, if the training is conducted within three months

prior to the expiry of the twelve months period, the next ground and refresher training shall be completed within twelve months of the original expiry date of the previous ground and refresher training.

- (11) An operator shall ensure that each flight crew member undergoes aircraft training or flight simulation training device training at least every six months, if the training is conducted within three months prior to the expiry of the twelve months period, the next aircraft or flight simulation training device training shall be completed within six months of the original expiry date of the previous aircraft or flight simulation training device training.

Recurrent training: cabin crew members

- 210.** (1) An operator shall ensure that a cabin crew member undergoes recurrent training, covering the actions assigned to each cabin crew member in normal and emergency procedures and drills relevant to the type or variant of aircraft on which they operate as specified in this regulation.
- (2) An operator shall ensure that the recurrent training and checking programme, approved by the Authority includes theoretical and practical instruction together with individual practice as provided in this regulation.
- (3) The period of validity of recurrent training and the associated checking required by this regulation shall be twelve months in addition to the remainder of three-month of issue.
- (4) If issued within the final three calendar months of validity of a previous check, the period of validity shall extend from the date of issue until twelve months from the expiry date of that previous check.
- (5) An operator shall ensure that recurrent training required under this regulation is conducted by suitably qualified persons.
- (6) The training programmes are not in compliance with this regulation unless they ensure that each person is:
- (a) competent to execute those safety duties and functions which the cabin crew member is assigned to perform in the event of an emergency or in a situation requiring emergency evacuation;
 - (b) drilled and capable 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 and first-aid kits;
 - (c) when serving on aeroplanes above 3,000 m, knowledgeable as regards the effect of lack of oxygen and, in the case of pressurized aeroplanes, as regards physiological phenomena accompanying a loss of pressurization;
 - (d) aware of 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;
 - (e) aware of the type of dangerous goods which may, and may not, be carried in a passenger cabin and has completed the dangerous goods training programme required by Annex 18 – *Air Carriage of Dangerous Goods* to the Chicago Convention; and
 - (f) knowledgeable about human performance as related to passenger cabin safety duties including flight crew-cabin coordination.
- (7) An operator shall ensure that all appropriate requirements in these regulations are included in the training of cabin crew members.

Recurrent training: flight operations officers

- 211.** (1) A person shall not serve nor shall an air operator certificate holder use a person as a flight operations officer unless within the preceding twelve months that person has completed the recurrent ground curricula referred to in regulation 210.
- (2) An air operator certificate holder shall establish and maintain a recurrent training programme, approved by the Authority and established in the air operator certificate holder's operations manual, to be completed annually by each flight operations officer.
- (3) A flight operations officer shall undergo recurrent training relevant to the type or variant of aircraft and operations conducted by the air operator certificate holder.
- (4) An air operator certificate holder shall conduct all recurrent training, of flight

operations officers, by suitably qualified personnel.

- (5) An air operator certificate holder shall ensure that, every twelve months, each flight operations officer receive recurrent training in at least the following:
 - (a) aircraft-specific flight preparation;
 - (b) emergency assistance to flight crews;
 - (c) crew resource management; and
 - (d) recognition and transportation of dangerous goods.
- (6) An air operator certificate holder may administer each of the recurrent ground and flight training curricula concurrently or intermixed, but shall record completion of each of these curricula separately.

Check pilot training

- 212. (1) A person shall not serve nor shall any air operator certificate holder use a person as a check pilot in an aircraft or check pilot in a flight simulation training device in a training programme unless, with respect to the aircraft type involved, that person has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as pilot-in-command.
- (2) An air operator certificate holder shall ensure that initial ground training for check pilots includes:
 - (a) check pilot duties, functions, and responsibilities;
 - (b) applicable regulations and the air operator certificate holder's policies and procedures;
 - (c) appropriate methods, procedures, and techniques for conducting the required checks;
 - (d) proper evaluation of student performance including the detection of:
 - (i) improper and insufficient training, and
 - (ii) personal characteristics of an applicant that could adversely affect safety;
 - (e) appropriate corrective action in the case of unsatisfactory checks; and
 - (f) approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aircraft.
- (3) Transition ground training for all check pilots shall include the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aircraft to which the check pilot is in transition.
- (4) An air operator certificate holder shall ensure that the initial and transition flight training for check pilots in an aircraft includes:
 - (a) training and practice in conducting flight evaluations, from the left and right pilot seats for pilot check pilots in the required normal, abnormal, and emergency procedures to ensure competence to conduct the flight checks;
 - (b) the potential results of improper, untimely, or non-execution of safety measures during an evaluation; and
 - (c) the safety measures, to be taken from either pilot seat for pilot check pilots, for emergency situations that are likely to develop during an evaluation.
- (5) An air operator certificate holder shall ensure that the initial and transition flight training for check pilots in a flight simulation training device includes:
 - (a) 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 regulation; and
 - (b) training in the operation of flight simulation training devices to ensure competence to conduct the evaluations required by this regulation.
- (6) An air operator certificate holder shall accomplish flight training for check pilot in full or in part in an aircraft, in flight in a flight simulation training device, as appropriate.

Authorized instructor or flight simulation

- 213. (1) A person shall not serve nor shall any air operator certificate holder use a person as an authorized instructor or a flight simulation training device authorized instructor in a training programme unless:
 - (a) that person has satisfactorily completed initial or transition authorized

**training device
and authorized
instructor
training**

- instructor or a flight simulation training device authorized instructor training, as appropriate; and
- (b) within the preceding twenty four months, that person satisfactorily conducts instruction under the observation of an authorized person, an air operator certificate holder's check pilot, an authorized flight engineer, as appropriate, or an examiner employed by the air operator certificate holder.
- (2) An air operator certificate holder shall accomplish the observation check for a authorized instructor or a flight simulation training device authorized instructor, in part or in full, in an aircraft, or a flight simulation training device; as appropriate.
- (3) An air operator certificate holder shall ensure that initial ground training for an authorized instructor and flight simulation training device authorized instructor includes the following:
- (a) the duties, functions, and responsibilities;
 - (b) applicable regulations and the air operator certificate holder's policies and procedures;
 - (c) appropriate methods, procedures, and techniques for conducting the required checks;
 - (d) proper evaluation of trainee performance including the detection of:
 - (i) improper and insufficient training, and
 - (ii) personal characteristics of an applicant that could adversely affect safety;
 - (e) appropriate corrective action in the case of unsatisfactory checks;
 - (f) approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aircraft;
 - (g) 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-trainee relationship.
- (4) An air operator certificate holder shall ensure that the transition ground training for an authorized instructor and flight simulation training device authorized instructor includes the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aircraft to which the authorized instructor is in transition.
- (5) An air operator certificate holder shall ensure that the initial and transition flight training for an authorized instructor and flight simulation training device authorized instructor includes the following:
- (a) the safety measures for emergency situations that are likely to develop during instruction;
 - (b) the potential results of improper, untimely, or non-execution of safety measures during instruction;
 - (c) for pilot authorized instructor:
 - (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; and
 - (d) for authorized flight engineer instructor, in-flight training to ensure competence to perform assigned duties.
- (6) An air operator certificate holder shall accomplish the flight training requirements for an authorized instructor in full or in part in an aircraft, in flight or in a flight simulation training device.
- (7) An air operator certificate holder shall ensure that the initial and transition flight training for flight simulation training device authorized instructor includes the following:
- (a) training and practice in the required normal, abnormal, and emergency

procedures to ensure competence to conduct the flight instruction required by this regulation, where the training and practice are accomplished in full or in part in a flight simulation training device; and

- (b) training in the operation of flight simulation training devices, to ensure competence to conduct the flight instruction required by this regulation.

Authorized instructor qualifications

- 214.** An air operator certificate holder shall not use a person nor shall any person serve as an instructor in an established training programme unless, with respect to the aircraft type involved, that person:
- (a) holds licences and ratings required to serve as a pilot-in-command or a flight engineer, as applicable;
 - (b) has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as a pilot-in-command or a flight engineer, as applicable;
 - (c) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a pilot-in-command or a flight engineer, as applicable;
 - (d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check; and
 - (e) holds a Class 1 Medical Certificate.

Check pilot and authorized flight engineer qualifications

- 215.** An air operator certificate holder shall not use a person, nor shall any person serve as a check pilot or an flight engineer authorized by the air operator certificate holder and accepted by the Authority in an established training programme unless, with respect to the aircraft type involved, that person:
- (a) holds the pilot licences and ratings required to serve as a pilot-in-command or a flight engineer as applicable;
 - (b) has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as a pilot-in-command or a flight engineer as applicable;
 - (c) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a pilot-in-command or a flight engineer as applicable;
 - (d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check;
 - (e) holds Class I or II medical certificate as may be applicable; and
 - (f) has been approved by the Authority for the check pilot or authorized flight engineer duties involved as applicable.

Check pilot designation

- 216.** A person shall not serve nor shall any air operator certificate holder use a person as a check pilot for any flight check unless that person has been designated by name for specified function by the Authority within the preceding twelve months.

Check pilot authorizations and limitations

- 217.** (1) A person shall not serve nor shall any air operator certificate holder use a person as a check pilot for any check:
- (a) in an aircraft as a required pilot flight crew member unless that person holds the required pilot licence and ratings and has completed for the air operator certificate holder all applicable training, qualification and currency requirements under these Regulations applicable to the crew position and the flight operations being checked;
 - (b) in an aircraft as an observer check pilot unless that person holds the pilot licences and ratings and has completed all applicable training, qualification and line observation requirements under these Regulations applicable to the position and the flight operations being checked; or
 - (c) in a flight simulation training device unless that person has completed or observed with the air operator certificate holder all training, qualification and line observation requirements under these Regulations

- applicable to the position and flight operations being checked.
- (2) For purposes of sub-regulation (1), a check pilot is authorized to:
- (a) conduct proficiency or competency checks, line checks, and special qualification checks;
 - (b) supervise the re-establishment of landing currency; and
 - (c) supervise any initial operating experience requirements prescribed by the Regulations or the Authority.
- flight simulation training device approval** **218.** An air operator certificate holder shall not use a flight simulation training device for:
- (a) training or checking unless that flight simulation training device has been specifically approved for the air operator certificate holder in writing by the Authority;
 - (b) any purpose other than that specified in the Authority's approval.
- Line qualification: check pilot and instructor** **219.** A person shall not serve nor shall any air operator certificate holder use a person as a check pilot or flight simulation training device instructor unless, within the preceding twelve months before that service, that person has:
- (a) flown at least five flights as a required crew member for the type of aircraft involved; or
 - (b) observed, in the cockpit, the conduct of two complete flights in the aircraft type to which the person is assigned.
- Termination of a proficiency, competence or line check** **220.** An air operator certificate holder shall not use a crew member or flight operations officer in whose check was terminated in commercial air transport operations until the completion of a satisfactory recheck of that crew member or flight operations officer has been carried out.
- Recording of crew member qualifications** **221.** (1) The air operator certificate holder shall record and maintain for each crew member and flight operations officer, a record of each test and check as required by these Regulations.
- (2) A pilot may complete the curricula required by these Regulations concurrently or intermixed with other required curricula, but completion of each of these curricula shall be recorded separately.
- Monitoring of training and checking activities** **222.** (1) To enable adequate supervision of its training and checking activities, an air operator certificate holder shall forward to the Authority at least five working days prior to the scheduled activity, the dates, location, reporting times and report of all:
- (a) training for which a curriculum is approved in the air operator certificate holder's training programme; and
 - (b) proficiency, competence and line checks.
- (2) Failure to provide the information required by sub-regulation (1) may invalidate the training or check and the Authority may require that it be repeated for observation purposes.
- Eligibility period** **223.** (1) A crew member who is required to take a proficiency check, a test or competency check, or recurrent training to maintain qualification for commercial air transport operations shall complete those requirements at any time during the eligibility period.
- (2) The eligibility period is defined as the three month period including the month prior, the month due, and the month after any due date specified by these Regulations.
- (3) 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.

PART IX - FATIGUE OF CREW AND PROTECTION OF FLIGHT CREW FROM COSMIC RADIATION

Fatigue of Crew

**Application,
interpretation
and
modification**

224. (1) This Part shall apply to an aircraft registered in Rwanda which is:
- (a) engaged on a flight for the purpose of commercial air transport; or
 - (b) operated by an air transport undertaking.
- (2) This Part, shall not apply in relation to a flight made only for the purpose of instruction in flying given by or on behalf of a flying club or a flying school or a person, who is not an air transport undertaking.
- (3) In this Part, unless the context otherwise requires:
- “flight time,” in relation to any person, means all the time spent by that person in an aircraft, whether or not registered in Rwanda , other than an aircraft of which the maximum total weight authorized does not exceed 1,600 kg, which is not flying for the purpose of commercial air transport or aerial work, while it is in flight and the person is carried therein as a crew member crew; and in respect of this Sub-Part, only in the calculation of flight, flying at night shall be counted at the rate of one and one quarter times the actual flight time;
- “duty period,” in relation to any person who flies in an aircraft as a member of the flight crew, means any continuous period throughout which he is, under the provisions of sub-regulation (4) or (5), to be treated as being on duty:
- Provided that where two or more periods which are separated by an interval of less than 10 hours, the period starting when the first of those duty periods began and finishing when the last of them ended shall be treated as constituting a single continuous duty period; and
- “rest period,” in relation to any person, means any continuous period no part of which forms part of a duty period of that person.
- (4) For the purpose of this Part, a person who is employed under a contract of service to fly in an aircraft as a crew member of the flight crew shall be treated as being on duty at any time when in the course of that employment he flies in any aircraft whether as a crew member of its crew or as a passenger and whether or not the aircraft is such an aircraft as is referred to in sub-regulation (1) or he is otherwise acting in the course of that employment:
- Provided that when he is not flying in an aircraft:
- (a) subject to sub-paragraph (c), he shall not be treated as being on duty during any period which he is allowed to rest;
 - (b) subject to sub-paragraph (c), he shall not be treated as being on duty at any time by reason only of his being required at that time to be available at a particular place to report for duty if required to do so;
 - (c) he shall be treated as being on duty at any time when he is required to be available at ‘a particular place to report for duty if required to do so if:
 - (i) that place is at an aerodrome; or
 - (ii) that place, not being at an aerodrome, is a place at which his employer requires persons, similarly, employed to be available and adequate facilities for rest are not available for his use while he is required to be so available.
- (5) For the purposes of this sub-Part, a person who flies in an aircraft as a crew member, otherwise than in the course of his employment under a contract of service to fly, shall be treated as being on duty at any time when, in connection with any business of operating an aircraft, he flies in any aircraft whether as a crew member or as a passenger and whether, or not the aircraft is such an aircraft as is referred to in sub-regulation (1) or does any work.
- (6) For the purposes of this sub-Part, references to a person flying in an aircraft as a crew member include references to the operator of the aircraft who himself flies in the aircraft in any such, capacity, and references to the work and other duties which a person is required or permitted by an operator to carry out shall in any such case be construed as references to any work carried out by that operator in connection with the management of aircraft or with any business which includes the flying of aircraft.
- (7) Notwithstanding this sub-Part, the Authority may, in respect of scheduled services, approve schedules and crew roster programmes where the Authority considers that

special circumstances justify an extension of the duty period but in any event the flight time involved shall not exceed 50 percent of the maximum duty period.

Establishment of limits on flight times, flight duty periods and rest periods

225. (1) Notwithstanding regulation 226, and for the purposes of ensuring that the requirements of those provisions are complied with, every operator of an aircraft to which this regulation applies shall establish for every person flying in that aircraft as a crew member:
- (a) limits on the aggregate of all that persons flight times during every period of twenty-eight consecutive days;
 - (b) limits on that person flight duty period ; and
 - (c) minimum rest periods which that person is to have immediately before any duty period in the course of which he makes any flight.
- (2) The limits and minimum rest periods referred to in sub-regulation (1) shall be limits and minimum rest periods which the operator is satisfied, after taking into account the matters mentioned in sub-regulation (3), are such that, if every crew member observes those limits and has those minimum rest periods, the safety of the aircraft on any flight is not likely to be endangered by reason of any fatigue which may be caused by the work or other duties which the crew members are required or permitted by that operator to carry out; and different limits and different minimum rest periods may be established either for different persons or for different classes of persons and for different circumstances.
- (3) The matters which an operator shall take into account in establishing the limits and minimum rest periods referred to in sub-regulation (1) are, the nature of the work and other duties which those persons will carry out, and all the circumstances arising out of the carrying out of that work and those duties, which may affect the degree of fatigue from which those persons may suffer while they are making a flight in an aircraft to which this regulation applies in any such capacity as is mentioned in sub-regulation (1) including:
- (a) the type of the aircraft in which the flight will be made;
 - (b) the area in which the flight will be made;
 - (c) the number of landings which will be made during the course of each flight duty period flight duty period;
 - (d) the amount of night flying during each flight duty period ; and
 - (e) the number of consecutive occasions on which each crew member will be required to fly for the maximum period permitted under this sub- Part.
- (4) No limits or minimum rest periods may be established under sub-regulation (1) which would require or permit any person to fly in any aircraft at a time when such flying would constitute a contravention of any of the provisions of regulations 220, 221 and 223, or would require or permit any person to fly in any aircraft as a crew member thereof within the period of one hour immediately preceding the end of the specified time referred to in sub-regulation (2) of regulation 220 or, when the specified time is twenty-four hours, within the period of two hours immediately preceding the end of the specified time.
- (5) An operator of an aircraft holder to which this regulation applies shall not permit that aircraft to make a flight unless limits and minimum rest periods have been established in accordance with the provisions of this regulation so as to apply to every crew member.
- (6) An operator of an aircraft to which this regulation applies shall take all such steps as are reasonably practicable to ensure that all limits for the time being established by that operator in accordance with the provisions of this regulation are observed, and that no person for whom minimum rest periods are for the time being so established makes any

flight in an aircraft to which this regulation applies, unless immediately before the duty period in the course of which that person makes the flight, the person has had the appropriate rest period so established.

- (7) Notwithstanding anything contained in this regulation, an operator of an aircraft to which this regulation applies may confer upon the pilot-in-command a discretion to make, or authorize any person to make, a flight in that aircraft in such circumstances that the pilot-in-command or that other person will not observe the limits or will not have had the minimum rest periods established by that operator under this regulation and applicable to the pilot-in-command or that other person.
- (8) The discretion set out in sub-regulation (7) shall not be exercisable unless:
- (a) it appears to the pilot-in-command:
 - (i) that arrangements had been made for the flight to be made with such a crew and so as to begin and end at such times that if the flight had been made in accordance with those arrangements each member of the crew would have observed the limits and have had the minimum rest periods established by the operator and applicable to them, and that since those arrangements were made the flight has been or will be prevented from being made in accordance with those arrangements by reason of circumstances which were not foreseen, as likely to prevent that flight from being so made; or
 - (ii) that the flight is one which ought to be carried out in the interests of the safety or health of any person; and
 - (b) the pilot-in-command is satisfied that the safety of the aircraft on that flight will not be endangered if the pilot-in-command or that other person makes that flight.
- (9) An operator of an aircraft to which this regulation applies shall include in every operations manual to be provided under the Civil Aviation (Air Operator Certificate and Administration) Regulations for the use and guidance of the crew members of that aircraft, or in any case where no such manual is required, in a document to be provided for the use and guidance of those members, full particulars of all limits and minimum rest periods for the time being established under this regulations which may affect any of those members, and of any discretion conferred upon the pilot-in-command of that aircraft under sub-regulation (7) and (8).
- (10) Subject to sub-regulation (9) and without prejudice to any other provisions of the Civil Aviation (Air Operator Certification and Administration) Regulations, an operator shall, whenever requested to do so by a person authorized, in that behalf by the Authority, furnish that person with a copy of all particulars from time to time included in any such operations manual or document in accordance with the requirements referred to in sub-regulation (9).

Maximum flight duty periods for crew member

226. (1) A person shall not fly in an aircraft to which this regulation applies as a crew member in the course of any duty period of that person after more than the specified time has elapsed since the beginning of that duty period.
- (2) In sub-regulation (1), the expression “specified time” means:
- (a) in relation to a pilot, whenever paragraph (b) does not apply, eleven hours; except that, if during the duty period there has been a period of not less than five continuous hours throughout which that person has not flown in any aircraft to which this regulation applies, or performed any duties, this paragraph shall have effect as if twelve hours were substituted for eleven hours;
 - (b) in relation to a person who, at all times when that person flies as a pilot in the course of his duty period, is one of two or more persons carried as pilots of an aircraft undertaking:
 - (i) an international flight or service - fifteen hours;
 - (ii) a flight within Rwanda - twelve hours;

except that if during the duty period there has been a period of not less than five continuous hours throughout which that person has not flown in any aircraft to which this regulation applies or performed any duties, this paragraph shall have effect as if fifteen hours were substituted for twelve hours and twenty hours were substituted for fifteen hours if that person is one of three or more persons carried as pilots of the aircraft and the following conditions are fulfilled:

- (aa) at least two of the pilots are qualified to act as pilot-in-command in the circumstances both by their respective licences and in accordance with the requirements of regulation 46 (except in respect of their knowledge of the aerodromes of take-off and landing and any alternate aerodromes);
 - (bb) at least one of the pilots is carried in addition to those flight crew members who are required to be carried in the circumstances by or under these Regulations;
 - (cc) one suitable bunk is always available for the use only of pilots; and
 - (dd) each of the pilots has, during the duty period, been afforded opportunities of resting for a reasonable time;
- (c) in relation to a flight engineer - fifteen hours; except that this paragraph shall have effect as if twenty four hours were substituted for fifteen hours in relation to a person who, at all times when that person flies as a flight engineer in the course of his duty period, is one of two or more persons carried as flight engineers of the aircraft, if the following conditions are fulfilled:-
- (i) at least one of the flight engineers is carried in addition to the crew members who are required to be carried in the circumstances by or under these Regulations;
 - (ii) one suitable bunk is always available for the use only of flight engineers; and
 - (iii) each of the flight engineers has, during the duty period, been afforded opportunities of resting for a reasonable time; and
- (d) in relation to a cabin crew—fifteen hours; which shall apply to cabin crew member as it applies to flight engineers.
- (3) The maximum total hours associated with the duty periods undertaken by any crew member shall not exceed one hundred and sixty hours during any period of twenty-eight days; except that whenever a crew member exceeds one hundred and twenty hours “non-flying time” that member shall not, because of this, be disqualified from further flying duties providing all other requirements are met.

Minimum rest periods for crew members

227. (1) Notwithstanding regulation 225 a person shall not fly in an aircraft to which this regulation applies as a crew member unless immediately before the duty period in the course of which that person makes that flight the person has had a sufficient rest period, as set out in Table 4.

TABLE 4 – MINIMUM REST PERIODS FOR FLIGHT CREW

Length of immediately preceding duty period	Minimum length of sufficient rest period
Not exceeding 10 hours	11 hours

Exceeding 10 but not exceeding 11 hours	12 hours
Exceeding 11 but not exceeding 12 hours	13 hours
Exceeding 12 but not exceeding 13 hours	14 hours
Exceeding 13 but not exceeding 14 hours	15 hours
Exceeding 14 but not exceeding 15 hours	16 hours
Exceeding 15 but not exceeding 16 hours	17 hours
Exceeding 16 but not exceeding 17 hours	19 hours
Exceeding 17 but not exceeding 18 hours	21 hours
Exceeding 18 but not exceeding 19 hours	23 hours
Exceeding 19 but not exceeding 20 hours	25 hours
Exceeding 20 but not exceeding 21 hours	27 hours
Exceeding 21 but not exceeding 22 hours	29 hours
Exceeding 22 but not exceeding 23 hours	31 hours
Exceeding 23 hours	33 hours

- (2) Where a rest period is taken by a person at a place which is not within 50 miles of that person ordinary place of residence, it shall be deemed to be a sufficient rest period if it includes a period of eight hours falling between 2200 and 0800 hours local time as set out in Table 5

Table 5 – Minimum rest period: distance not within 50 miles of place of residence

Length of immediately preceding duty period	Minimum length of sufficient rest period
Exceeding 10 but not exceeding 11 hours	10 hours
Exceeding 11 but not exceeding 12 hours	12 hours
Exceeding 12 but not exceeding 14 hours	13 hours
Exceeding 14 but not exceeding 17 hours	15 hours
Exceeding 17 but not exceeding 20 hours	16 hours
Exceeding 20 but not exceeding 23 hours	17 hours

Exceeding 23 hours	18 hours

- (3) The length of the duty periods established in this regulation are adjusted to allow for duty time before and after a flight or series of flights which make up one duty period.

Duty and rest periods for flight operations officers

- 228.**
- (1) An air operator certificate holder shall not schedule a flight operations officer for more than 10 consecutive hours of duty within a 24 consecutive hour period, unless that person is given an intervening rest period of at least 8 hours at or before the end of the 10 hours duty.
- (2) Each air operator certificate holder shall establish the daily duty period for a flight operations officer so that it includes a time that allows him or her to become thoroughly familiar with existing and anticipated weather conditions along the route before he or she dispatches any aircraft.

Records of flight times and duty periods

- 229.**
- (1) An operator of an aircraft to which this regulation applies shall not cause or permit any person to fly as a crew member unless the operator has in his possession an accurate and up-to-date record maintained by him or by another operator of aircraft in respect of that person and in respect of the twenty-eight days immediately preceding the flight showing:-
- (a) the times of the beginning and end of each flight in any aircraft made by that person as a crew member in the course of any of his duty periods;
 - (b) the times of the beginning and end of each duty period of that person in the course of which he made a flight as a crew member;
 - (c) the times of the beginning and end of each duty period of that person ending within a period of seventy-two hours immediately preceding the beginning of any duty period of that person in the course of which he made a flight in any aircraft as a crew member; and
 - (d) brief particulars of the nature of the work or other duties carried out by that person during each of the crew member's duty periods of which a record is required to be kept under this sub-regulation.
- (2) The Authority may notify the form and manner in which any records required to be kept under sub-regulation (1) shall be kept and, where the Authority has so notified, the records shall be kept accordingly.
- (3) Subject to regulation 12, an operator of an aircraft shall preserve the records referred to in this regulation for a period of at least six months after the end of the flight duty period or rest period to which they relate.

Maximum flight times for crew member

- 230.**
- (1) A person shall not fly in any aircraft registered in Rwanda as a crew member at any time on any day after the aggregate of all his flight times, whether arising from flight in an aircraft to which this regulation applies or in any other aircraft, during the period of twenty-eight consecutive days expiring at the end of that day amounts to one hundred and five hours or more.
- (2) The prohibition referred to in sub-regulation (1) shall not apply:
- (a) to a flight made in an aircraft of which the maximum total weight authorized does not exceed 1,600 kg. and which is not flying for the purpose of commercial air transport or aerial work; or
 - (b) to a flight made in an aircraft not flying for the purpose of commercial air transport but excluding aerial work if at the time of the flight the aggregate of all the flight times of the person making the flight since the person was last medically examined under these Regulations and found fit does not exceed one hundred and fifty hours.

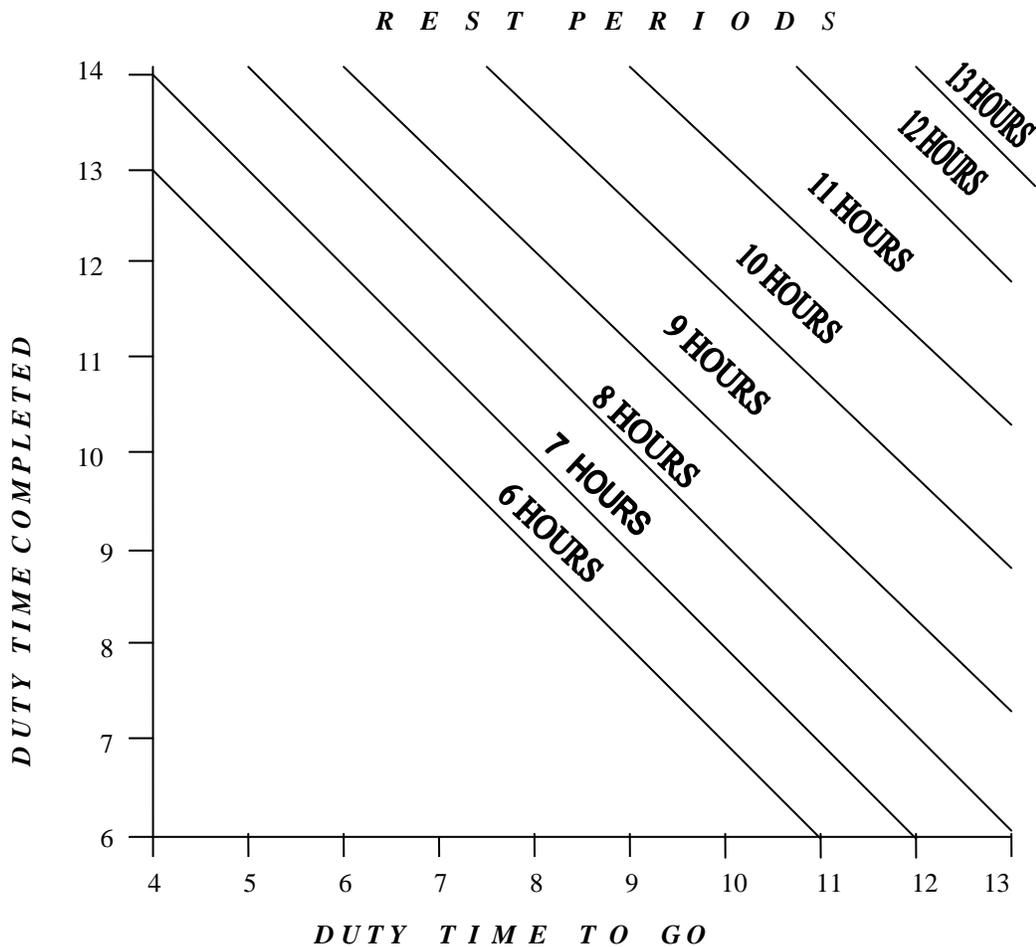
Provision for

- 231.**
- (1) Notwithstanding anything contained in regulations 220, 221 and 223., a person shall be

**particular
cases**

deemed not to have contravened any of the provisions of these Regulations by reason of a flight made at any time by that person or by another person if the first mentioned person proves that:

- (a) it was due to an unavoidable delay in the completion of the flight that the person so flying was flying at that time; and
 - (b) the first mentioned person could not reasonably be expected to have foreseen before the flight began that the delay was likely to occur.
- (2) Notwithstanding anything contained in regulation 220, 221 and 223, the pilot-in-command of an aircraft may make, or authorize any other person to make, and that other person if so authorized may make, a flight in that aircraft which he would, but for this sub-regulation, be prohibited from making by virtue of any provision contained in the regulations 220, 221 and 223, if:
- (a) it appears to the pilot-in-command:
 - (i) that arrangements had been made for the flight to be made with such a crew member and so as to begin and end at such times that no crew member would have been prohibited from making the flight in accordance with those arrangements by any provision contained in the regulations 220, 221 and 223,, and that since those arrangements were made the flight has been or will be prevented from being in accordance with those arrangements by reason of circumstances which were not foreseen as likely to prevent that flight from being so made; or
 - (ii) that the flight is one which ought to be carried out in the interest of the safety or health of any person; and
 - (b) the pilot-in-command is satisfied that the safety of the aircraft on that flight will not be endangered if the pilot-in-command or that other person makes that flight.
- (3) Where the pilot-in-command or any other person makes a flight in an aircraft which he or that other person is permitted to make under sub-regulation (2), a report in writing that he or that other person has made that flight, giving full particulars of the circumstances in which it was made and the reasons why the pilot-in-command made that flight or authorized that other person to do so, shall be made as soon as is reasonably practicable by the pilot-in-command to the operator of the aircraft and in any event by the operator to the Authority; and the operator and the pilot-in-command shall furnish any authority with such further information in his possession relating to the flight and to the circumstances in which it was made as the Authority may require.
- (4) Notwithstanding regulations 220, 221, 222, 223 and this regulation, where a scheduled service has an unavoidable and prolonged delay en route, subject to the discretion of the pilot-in-command, a reduced period of rest may be taken, and such period shall include at least six hours between 2000 and 0600 hours local time and shall be of a duration of not less than that appropriately extracted from the following graph.



Duties of operators to prevent excessive fatigue of crew members

- 232.** An operator of an aircraft to which this regulation applies shall ensure, in respect of each person flying as a crew member of that aircraft, that:
- (a) the period during which that person is required or permitted by that operator to carry out any work or other duties are so limited in length and frequency; and
 - (b) that person is afforded such period for rest, that his work and duties are not likely to cause him such fatigue while the person is flying in the aircraft, in respect of flight crew, as may endanger the safety thereof, and in respect of other crew members, as may impair their efficiency to adequately perform their duties in relation to the possible evacuation or control of passengers or the provision of assistance in the event of an emergency situation.

Protection Of Crew Member From Cosmic Radiation

Protection of crew member from cosmic radiation

- 233.** (1) An operator shall take appropriate measures to –
- (a) assess the exposure to cosmic radiation when in flight of those crew members who may be exposed to cosmic radiation in excess of 1 milliSievert per year;
 - (b) take into account the assessed exposure when organising work schedules with a view to reducing the doses of highly exposed crew members; and
 - (c) inform the workers concerned of the health risks their work involves.
- (2) An operator shall ensure that in relation to a pregnant crew member when notified in writing that she is pregnant, the conditions of exposure to cosmic radiation when that crew member is in flight are such that the equivalent dose to the foetus will be as low as reasonably achievable and is unlikely to exceed 1 milliSievert during the remainder of the pregnancy.
- (3) An operator who is not informed of a pregnancy referred to in sub-regulation (2) shall not be held liable for any cosmic radiation exposure to the foetus exceeding 1 milliSievert.
- (4) In this regulation –
- (a) “highly exposed crew member” means flight crew members operating in high performance aircraft capable of flying above an altitude of 15,000 m (49,000 ft);
 - (b) “Sievert” means a unit of equivalent or effective dose of one joule per kilogramme; and
 - (c) “year” means any period of twelve months.

Cosmic radiation: records to be kept

- 234.** (1) The operator of an aircraft registered in Rwanda shall, in respect of any flight at an altitude of more than 15,000 m (49,000 ft), keep a record of a total dose of cosmic radiation to which the aircraft and the crew members are exposed during the flight together with the names of the crew members.
- (2) The operator of an aircraft shall, within a reasonable period after being requested to do so by a person authorized by the Authority, cause to be produced to that person the record required to be kept under sub-regulation (1).
- (3) The operator of an aircraft shall, within a reasonable period after being requested to do so by a person in respect of whom a record is required to be kept under subregulation (1), supply a copy of that record to that person.
- (4) A record kept under this regulation shall contain details of the assessment of the exposure to cosmic radiation for a period of at least twelve months, but not details of exposure before the coming into force of these Regulations.
- (5) A record kept under this regulation shall be available for production as a paper record for a period of two years from the date each assessment was made, except that where the assessment shows that an individual is liable to cosmic radiation exposure in excess of 6 milliSieverts per year the record shall be available as a paper record until whichever is the later of either -
- (a) the 75th anniversary of his birth, whether or not he has survived to that date; or
 - (b) the 30th anniversary of the termination of his work which involved exposure to cosmic radiation.
- (6) When an operator or an undertaking authorized by the Authority separately assesses the exposure to cosmic radiation of the individual members of the air crew, the operator or the undertaking shall keep a record of the exposure to cosmic radiation for each member of air crew assessed under regulation 233, which record shall include -
- (a) the name of the member of the air crew;
 - (b) the detail of each assessment of exposure expressed in milliSieverts per year; and
 - (c) the date of the assessment.
- (7) When an operator or an undertaking authorized by the Authority does not separately assess the exposure to cosmic radiation of the individual members of the air crew, but instead assesses the exposure to cosmic radiation of groups of air crew members the

undertaking shall keep a single record for all the air crew assessed under regulation 233, which record shall state -

- (a) the names of all air crew covered by the assessment;
- (b) the maximum dose of cosmic radiation expressed in milliSieverts per year to which those air crew are liable to be exposed;
- (c) how the dose in subparagraph (b) is calculated; and
- (d) the period for which the assessment is valid.

PART X - FLIGHT RELEASE: COMMERCIAL AIR TRANSPORT

- Qualified persons required for operational control functions** 235. (1) An air operator certificate holder shall designate a qualified person to exercise the functions and responsibilities for operational control of each flight in commercial air transport.
- (2) For passenger-carrying flights conducted on a published schedule, a Licenced and qualified flight operations officer or equivalently qualified person shall be on duty at an operations base to perform the air operator certificate holders operational control functions.
- (3) For all other flights, the qualified person exercising operational control responsibilities shall be available for consultation prior to, during and immediately following the flight operation.
- (4) For all flights, the pilot-in-command shares in the responsibility for operational control of the aircraft and has the situational authority to make decisions regarding operational control issues in-flight.
- (5) Where a decision of the pilot-in-command differs from that recommended, the person making the recommendation shall make a record of the associated facts.
- Functions associated with operational control** 236. The person exercising responsibility for operational control for an air operator certificate holder shall:
- (a) authorise the specific flight operation;
 - (b) ensure that an airworthy aircraft properly equipped for the flight is available;
 - (c) ensure that qualified personnel and adequate facilities are available to support and conduct the flight;
 - (d) ensure that proper flight planning and preparation is made;
 - (e) ensure that flight locating and flight following procedures are followed; and
 - (f) for scheduled passenger-carrying flights, ensure the monitoring of the progress of the flight and the provision of information that may be necessary to safety.
- Operational control duties** 237. (1) For passenger-carrying flights conducted on a published schedule, the qualified person performing the duties of a flight operations officer shall:
- (a) assist the pilot-in-command in flight preparation and provide the relevant information required;
 - (b) assist the pilot-in-command in preparing the operational and air traffic control flight plans;
 - (c) sign the dispatch copy of the flight release;
 - (d) furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and
 - (e) in the event of an emergency, initiate the applicable procedures contained in the air operator certificate holder's operations manual.
- (2) A qualified person performing the operational control duties shall avoid taking any action that would conflict with the procedures established by:

- (a) air traffic control;
- (b) the meteorological service;
- (c) the communications service; or
- (d) air operator certificate holder.

- Contents of a flight release** **238.** The flight release shall contain at least the following information concerning each flight:
- (a) company or organization name;
 - (b) make, model, and nationality and registration marks of the aircraft being used;
 - (c) flight or trip number, and date of flight;
 - (d) name of each crew member and the pilot-in-command;
 - (e) departure aerodrome, destination aerodromes, alternate aerodromes and route;
 - (f) minimum fuel supply;
 - (g) a statement of the type of operation, for example IFR, VFR;
 - (h) the latest available weather reports, and forecasts for the destination aerodrome and alternate aerodromes; and
 - (i) any additional available weather information that the pilot-in-command considers necessary.
- Flight release: aircraft requirements** **239.** A person shall not issue a flight release for a commercial air transport operation:
- (a) unless the aircraft is airworthy and properly equipped for the intended flight operation; and
 - (b) using an aircraft with inoperative instruments and equipment installed, except as specified in the minimum equipment list approved by the Authority.
- Flight release: facilities and NOTAMs** **240.** (1) A person shall not release an aircraft over any route or route segment unless there are adequate communications and navigational facilities in satisfactory operating condition as is necessary to conduct the flight safely.
- (2) A flight operation officer shall ensure that the pilot-in-command is provided with all available current reports or information on aerodrome conditions and irregularities of navigation facilities that may affect the safety of the flight.
- (3) For the pilot-in-command's review of the operational flight plan, he shall be provided with all available NOTAMs with respect to the routing, facilities and aerodromes.
- Flight release: weather reports and forecasts** **241.** A person shall not release a flight unless that person:
- (a) is thoroughly familiar with reported and forecast weather conditions on the route to be flown; and
 - (b) has communicated all information and reservations he may have regarding weather reports and forecasts to the pilot-in-command.
- Flight release in icing conditions** **242.** A person shall not release an aircraft:
- (a) when in his opinion or that of the pilot-in-command, the icing conditions that may be expected or are met exceed that for which the aircraft is certified and unless the aircraft has sufficient operational de-icing or anti-icing equipment; or
 - (b) any time conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless there is available to the pilot-in-command at the aerodrome of departure adequate facilities and equipment to accomplish the procedures approved for the air operator certificate holder by the Authority for ground de-icing and anti-icing.
- Flight release under VFR or IFR** **243.** A person shall not release a flight under VFR or IFR unless the weather reports and forecasts indicate that the flight can reasonably be expected to be completed as specified in the flight release.

- Flight release: minimum fuel supply** **244.** A person shall not issue a flight release for a commercial air transport operation unless the fuel supply specified in that flight release is equivalent to or greater than the minimum flight planning requirements of these Regulations, including anticipated contingencies.
- Flight release: aircraft loading and performance.** **245.** A person shall not issue a flight release unless that person is familiar with the anticipated loading of the aircraft and is reasonably certain that the proposed operation shall not exceed the:
- (a) centre of gravity limits;
 - (b) aircraft operating limitations; and
 - (c) minimum performance requirements.
- Flight release: amendment or re-release en-route** **246.** (1) A person who amends a flight release while the flight is en route shall record that amendment.
- (2) A person shall not 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.
- (3) A person shall not 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.
- Flight release: requirement for airborne weather radar equipment** **247.** A person shall not release a large aircraft carrying passengers under IFR 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.

PART X – OFFENCES AND PENALTIES

- Penalties** **248.** (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command if not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an “A” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence or each flight or to imprisonment for a term not exceeding six months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.
- (4) Any person who contravenes any provision specified as a “C” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence or each flight to a fine not exceeding three million (3,000,000) francs or to imprisonment for a term not exceeding five (5) years.

FIRST SCHEDULE
(PART- XII)

Mandatory Reporting - Specified Reportable Inadequacies, Incidents, Accidents and Occurrences, Time and Manner of Reporting and Information to be Reported

(1) For the purposes of regulations 76 to 78, but subject to paragraph (2) and the following provisions on reporting of birdstrikes, it is prescribed that a report containing the information referred to in paragraph (3) shall be made to the Authority by post, telex, electronic, facsimile transmission or other similar means which produces a document containing a text of the communication (written in English) within 96 hours of the reportable occurrence coming to the knowledge of the person making the report.

(2) If at the expiry of the time allowed by paragraph (1) for making the report any of the information referred to in that paragraph is not in the possession of the person making the report, he shall dispatch the report to the Authority by post, telex, electronic, facsimile transmission or other similar means which produces a document containing a text of the communication (written in English) within 96 hours of its coming into his possession.

(3) A report shall, as far as possible, contain the following information—

- (a) the type, series and registration marks of the aircraft concerned;
- (b) the name of the operator of the aircraft;
- (c) the date of the reportable inadequacy, incident, accident or occurrence;
- (d) if the person making the report has instituted an investigation into the reportable inadequacy, incident, accident or occurrence, whether or not this has been completed;
- (e) a description of the reportable inadequacy, incident, accident or occurrence, including its effects and any other relevant information;
- (f) in the case of a reportable inadequacy, incident, accident or occurrence which occurs during flight—
 - (i) the Co-ordinated Universal Time of the inadequacy, incident, accident or occurrence;
 - (ii) the last point of departure and the next point of intended landing of the aircraft at that time;
 - (iii) the geographical position of the aircraft at that time;
- (g) in the case of a defect in or malfunctioning of an aircraft or any part or equipment of an aircraft, the name of the manufacturer of the aircraft, part or equipment, as the case may be, and, where appropriate, the part number and modification standard of the part or equipment and its location on the aircraft;
- (h) the signature and name in block capitals of the person making the report, the name of his employer and the capacity in which he acts for that employer; and
- (i) the address or telephone number at which communications should be made to him, if different from that of his place of employment.

Mandatory reporting of birdstrikes – time and manner of reporting and information to be reported

(1) Subject to paragraph (2), a report containing the information referred to in paragraph (3) shall be made to the Authority by post, telex, electronic, facsimile transmission or other similar means which produce a document containing a text of the communication (written in English) within 96 hours of the birdstrike occurrence coming to the knowledge of the person making the report.

(2) If at the expiry of the time allowed by paragraph (1) for making the report any of the information referred to in that paragraph is not in the possession of the person making the report, he shall dispatch the report to the Authority by post, telex, electronic, facsimile transmission or other similar means which produce a document containing a text of the communication (written in English) within 96 hours of the information coming into his possession.

(3) A report shall, as far as possible, contain the following information—

- (a) the type, series and registration marks of the aircraft concerned;
- (b) the name of the operator of the aircraft;
- (c) the date and the Co-ordinated Universal Time of the birdstrike occurrence;
- (d) the last point of departure and the next point of intended landing of the aircraft at that time;
- (e) a description of the birdstrike occurrence, including the part(s) of the aircraft affected, the effect on flight and any other relevant information;
- (f) the bird species/description;
- (g) the weather at the time of the occurrence;
- (h) the runway in use (where relevant);
- (i) the height and speed of the aircraft;
- (j) the phase of flight;
- (k) the position (if en route) of the aircraft at the time of the birdstrike;

- (l) any other reporting action taken;
- (m) the signature and name in block capitals of the person making the report;
- (n) the name of his employer and the capacity in which he acts for that employer; and
- (o) the address or telephone number at which communications should be made to him.

SECOND SCHEDULE

REGULATION 248

PENALTIES

REG. NO.	TITLE	PART
3	Registration markings.	A
4	Civil aircraft airworthiness.	B
5	Special certificate of airworthiness.	A
6	Aircraft instruments and equipment.	A
7	Inoperative instruments and equipment.	A
8	Aircraft flight manual, marking and placard requirements.	A
9	Required aircraft and equipment inspections.	A
10	Documents to be carried on aircraft.	A
11	Production of documents.	A
12	Preservation of documents.	A
13	Insurance.	B
14	Stowaways.	A
15	Co-ordination of activities potentially hazardous to civil aircraft.	B
16	Power to prohibit or restrict flying or landing or taking off.	A
17	Balloons, kites and airships.	A
18	Aircraft maintenance requirements.	B
19	Maintenance responsibility	B
20	Approval of maintenance system	B
27	Release to service	B
32	Maintenance required.	B
33	Inspections: commercial air transport.	B
36	Inspections: all other aircraft.	B
26 and 37	Maintenance records.	A
38	Maintenance records retention.	A
39	Transfer of maintenance records.	A
40	Composition of flight crew.	B
42	Requirements of experience, recency and training for single pilot operations at night or IFR.	A
44	Pilot recent experience: pilot-in-command and co-pilot, cruise relief pilot.	A
45	Pilot-in-command: route and airport qualification.	A
46	Pilot proficiency checks.	A
47	Licences required.	A
48	Pilots: Qualifications	A
49	Rating required for IFR operations.	B
50	Special authorization required for Category II or III operations.	B
51	Recording of flight time.	A
52	Pilot-in-command and co-pilot currency: takeoffs and landings.	A
53	Pilot currency: IFR operations.	A

54	Pilot currency: general aviation operations.	A
55	Pilot privileges and limitations.	B
60	Fitness of flight crew members.	B
61	Use of narcotics, drugs or intoxicating liquor.	B
62	Crew member use of seatbelts and shoulder harnesses.	A
63	Flight crew members at duty stations.	A
70	Power to inspect.	A
73	Manipulation of the controls: commercial air transport.	B
74	Simulated abnormal situations in flight: commercial air transport.	A
76 to 78	Mandatory reporting	A
80	Operation of flight recorders.	A
81	Crew member oxygen supply	A
83	Carriage of dangerous goods.	B
84	Portable electronic devices.	A
85	Pre-flight action.	A
86	Operation of aircraft on the ground.	A
87	Flight into known or expected icing	A
88	Aerodrome operating minima	A
91	Operation of radio in aircraft	A
92	Weather reports and forecasts.	A
93	Weather limitations for VFR flights	A
94	Adequacy of operating facilities.	A
95	Diversions decision: engine inoperative	A
96	IFR destination aerodromes.	A
97	IFR alternate aerodrome selection criteria.	A
98	Off-shore alternates for helicopter operations.	A
99	Takeoff alternate aerodromes: commercial air transport operations.	A
100	Maximum distance from an adequate aerodrome for aeroplanes with two turbine power-units without an ETOPS approval.	B
101	Extended range operations with aeroplanes with two turbine power-units.	B
102	En-route alternate aerodromes: ETOPS operations.	A
103	Fuel, oil and oxygen planning and contingency factors.	B
104	Flight planning: document distribution and retention.	A
105	Commercial air transport: loading of aircraft.	B
106	Aircraft loading, mass and balance.	B
107	Stowage of baggage and cargo.	A
108	Maximum allowable weights to be considered on all load manifests.	A
109	Flight release required: commercial air transport.	A
110	Operational flight plan: commercial air transport.	A
112	Performance and operating limitations.	B
113	In-flight simulation of abnormal situations	B
114	Test flight areas	A
115	Operations in MNPS or RVSM airspace.	A
117	Compliance with visual and electronic glide slopes	A
118	Restriction or suspension of operations: commercial air transport.	A
122	Operations of single-engine turbine-powered aircraft at night or in IMC.	A
123	IFR takeoff minimums for commercial air transport	A
124	Instrument approach procedures and IFR landing minima.	A
125	Commencing an instrument approach.	A
126	Instrument approaches to aerodromes	A
127	Threshold crossing height for precision approaches.	A
129	Landing during instrument meteorological conditions	A
134	Aircraft performance calculations for all aircrafts.	A

135	General weight and obstruction clearance limitations.	A
136	Category II and III operations: general operating rules	A
137	Category II and Category III: operations manual	A
139	General	A
141	Aircraft performance calculations for commercial air transport.	A
142	Take-off limitations.	A
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**Seen to be annexed to the Presidential Order n°60/01 of 20/10/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:
Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX XI TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (AERIAL WORK) REGULATIONS, 2008

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5. Amendment of certificate.
6. Certification requirement
7. Duration of agricultural air certificate
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THE CIVIL AVIATION (AERIAL WORK) REGULATIONS, 2008

PART 1- PRELIMINARY

- Citation** 1. These Regulations shall be cited as the Civil Aviation (Aerial Work) Regulations, 2008.
- Application and restriction for foreign registered aircraft** 2. (1) Part II to Part IX to these Regulations shall apply to all persons operating or maintaining the following within Rwanda —
- (a) agricultural operations and the issue of commercial and private agricultural air operator certificate for those operations;
 - (b) rotorcraft external load operations;
 - (c) glider and banner towing; and
 - (d) aircraft operations and authorizations for game viewing, vehicle traffic and sports, sight-seeing, television and movie, aerial photography and aerial survey operations
- (2) An aircraft registered in a Contracting State other than Rwanda, or in a foreign country, shall not fly over Rwanda for the purpose of aerial photography or aerial survey (whether or not valuable consideration is given or promised in respect of the flight or the purpose of the flight) or for the purpose of any other form of aerial work except with the permission of the Minister granted to the operator or the charterer of the aircraft and in accordance with any condition to which such permission may be subject.
- (3) Without prejudice to subregulation (4), any breach by a person to whom a permission has been granted under sub-regulation (2) of any condition to which that permission was subject shall constitute a contravention of this regulation and shall render any permit issued following the permission of the Minister invalid during the continuance of the breach.
- (4) Subject to the provisions of sub-regulation (6), the Minister may:
- (a) revoke, suspend or vary any permission to which sub-regulation (2) applies.
 - (b) save as provided by sub-regulation (5), exercise his powers under subparagraph (a) only after notifying the holder of the permission of his intention to do so and after due consideration of the case.
- (5) If, by reason of the urgency of the matter, it appears to the Minister to be necessary for him to do so, he may provisionally suspend or vary a permission to which sub-regulation (2) applies without complying with the requirements of sub-regulation (4)(b); but he shall in any such case comply with those requirements as soon thereafter as is reasonably practicable and shall then, in the light of his due consideration of the case, either—
- (a) revoke the provisional suspension or variation of the permission; or
 - (b) substitute therefor a definitive revocation, suspension or variation, which, if a definitive suspension, may be for the same or a different period as the provisional suspension (if any) or, if a definitive variation, may be in the same or different terms as the provisional variation (if any).
- (6) The powers vested in the Minister by sub-regulation (4) or, (5) may be exercised by him whenever, in his judgment and whether or not by reason of anything done or omitted to be done by the holder of the permission or otherwise connected with the holder of

the permission, it is necessary or expedient that the holder should not enjoy, or should no longer enjoy, the rights conferred on him by a permission to which sub-regulation (2) applies or should enjoy them subject to such limitations or qualifications as the Minister may determine.

- (7) The holder of the permission or any person having the possession or custody of any permit which has been revoked, suspended or varied under sub-regulations (3) to (6) shall surrender it to the Minister immediately.

PART II - AGRICULTURAL AIR OPERATIONS

- | | | |
|--|-----------|--|
| Certificate required | 3. | <p>(1) Except as provided in sub-regulations (2) and (3), a person shall not conduct agricultural air operations without, or in violation of, an agricultural air operator certificate issued under these Regulations.</p> <p>(2) An operator that complies with this Part when conducting agricultural air operations using a rotorcraft with external dispensing equipment shall not require a rotorcraft external-load operator certificate issued under Part III of these Regulations, except when dispensing water on forest fires.</p> <p>(3) Operations to dispense water on forest fires by rotorcraft external-load means shall be conducted only under Part III of these Regulations.</p> |
| Application for agricultural air operator certificate | 4. | <p>An applicant for an agricultural air operator certificate shall complete and submit an application form prescribed by the Authority.</p> |
| Amendment of certificate | 5. | <p>(1) An agricultural air operator certificate may be amended:</p> <ul style="list-style-type: none">(a) on the Authority's own initiative, under applicable laws and regulations; or(b) upon application by the holder of that certificate. <p>(2) A holder of the certificate shall submit an application to amend an agricultural air operator certificate by completing a form prescribed by the Authority.</p> <p>(3) An applicant for an amendment under this regulation shall file the application to amend a certificate at least thirty days before the date that it proposes the amendment shall become effective, unless the Authority approves a shorter filing period.</p> <p>(4) The Authority shall grant a request to amend a certificate if it determines that it is in interest of flight safety or in public interest.</p> |
| Certification requirement | 6. | <p>(1) Except as provided by sub-regulation (2):</p> <ul style="list-style-type: none">(a) the Authority may issue a private agricultural air operator certificate if an applicant meets the requirements of this Part for that certificate;(b) the Authority may issue a commercial agricultural air operator certificate to an applicant if he meets the requirements of this Part for that certificate; <p>(2) An applicant for an agricultural air operator certificate with a prohibition against the dispensing of economic poisons is not required to demonstrate knowledge specific to economic poisons.</p> <p>(3) A private agricultural air operator certificate applicant shall:</p> <ul style="list-style-type: none">(a) hold a current Rwanda Private Pilot Licence, Commercial Pilot Licence, or Airline Transport Pilot Licence; |

- (b) be properly rated for the aircraft to be used;
 - (c) not conduct operations for hire or reward.
- (4) A commercial agricultural air operator certificate applicant shall have available the services of at least one pilot who holds a current Commercial Pilot Licence or Airline Transport Pilot Licence issued by the Authority and who is properly rated for the aircraft to be used
- (5) The applicant for a private or commercial agricultural air operator certificate shall have one or more certified and airworthy aircraft, equipped for agricultural operation.
- (6) The applicant for agricultural air operator certificate shall show that he has satisfactory knowledge and skill of the following agricultural aircraft operations:
- (a) knowledge:
 - (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; and
 - (vi) safe flight and application procedures.
 - (b) skill in the following manoeuvres, demonstrated at the aircraft's maximum certified take-off mass, or the maximum mass 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) pullups and turnarounds;
 - (vi) rapid deceleration (quick stops) in helicopters only.

Validity and renewal of agricultural air operator certificate

7. (1) An agricultural air operator certificate shall be valid for twelve months from the date of issue or renewal, unless:
- (a) a shorter period is specified by the authority;
 - (b) the Authority amends, suspends, revokes or otherwise terminates the certificate;
 - (c) the agricultural air operator certificate holder surrenders it to the Authority; or
 - (d) the agricultural air operator certificate holder suspends operations for more than one hundred eighty continuous days.
- (2) The holder of an agricultural air operator certificate that is suspended or revoked shall return it to the Authority.
- (3) An application for renewal of an agricultural air operator certificate shall be made on a form prescribed by the Authority at least sixty days before the certificate expires.
- (4) Where the request for renewal is made after the expiry of an agricultural air operator

certificate, the applicant shall make an initial application.

Illegal trafficking

8. Where the holder of a certificate issued under these Regulations permits any aircraft owned or leased by that holder to be engaged in any operation that the certificate holder knows to be in violation of any laws of Rwanda pertaining to illegal trafficking, the Authority shall suspend or revoke the certificate.

Operating rules

General

9. (1) Except as provided in sub-regulation (3), this sub-part prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under these Regulations.
- (2) The holder of an agricultural air operator certificate may deviate from the provisions of the Civil Aviation (Air Operator Certification and Administration) and the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations without obtaining an exemption when conducting aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating provisions of this sub-part.
- (3) A holder of a Commercial Pilot Licence or Airline Transport Pilot Licence engaged by an agricultural air operator certificate need not hold a valid instrument rating whilst conducting aerial work operations related to agriculture, horticulture or forest preservation.

Carrying and display of Certificates

10. (1) A person shall not operate an agricultural aircraft unless each of the following documents are carried on that aircraft:
- (a) a copy of agricultural air operator certificate certified by the Authority;
 - (b) certificate of registration; and
 - (c) certificate of airworthiness.
- (2) A holder of an agricultural air operator certificate shall display the certificate at the home base of operations, to the public at all times and shall present it for inspection on the request of the Authority or any person authorized by the Authority.
- (3) Where the documents specified in sub-regulation (1) are not carried in the aircraft, they shall be kept available for inspection at the base from which the dispensing operation is conducted.

Limitations on private agricultural aircraft operator

11. A holder of a private agricultural air operator certificate shall not conduct an agricultural air operation:
- (a) for compensation or hire;
 - (b) over a congested area; or
 - (c) over any property unless the person is the owner or lessee of the property, or has ownership or other property interest in the crop located on that property.

Manner of dispensing

12. A person shall not dispense, or cause to be dispensed, any material or substance in a manner that creates a hazard to persons or property on the surface.

Economic poison dispensing

13. (1) Except as provided in sub-regulation (2), a person shall not dispense or cause to be dispensed from an aircraft that is registered in Rwanda, any economic poison:
- (a) for a use other than that for which it is registered;
 - (b) contrary to any safety instructions or use limitations on its label; or
 - (c) in violation of any laws of Rwanda.
- (2) This regulation does not apply to any person dispensing economic poisons for experimental purposes under:
- (a) the supervision of a Rwanda agency authorized by law to conduct research in the field of economic poisons; or
 - (b) the Authority.

- Personnel** **14.** (1) A holder of an agricultural air operator certificate shall ensure that each person used in the holder's agricultural aircraft operation is informed of that person's duties and responsibilities for the operation.
- (2) A person shall not supervise an agricultural air operation unless the person has met the knowledge and skill requirements specified in these Regulations.
- (3) A person shall not act as a pilot-in-command of an aircraft operated under these Regulations unless that pilot:
- (a) holds a pilot licence and rating as specified in regulation 6 as appropriate to the type of operation conducted; and
- (b) has demonstrated to the holder of the agricultural air operator certificate conducting the operation, or to a supervisor designated by that certificate holder, that they possess the knowledge and skill requirements of these Regulations.
- Fastening of safety belts and harnesses** **15.** A person shall not operate an aircraft under these Regulations without a safety belt and shoulder harness properly secured about that person, except that the shoulder harness need not be fastened if that person would be unable to perform required duties with the shoulder harness fastened.
- Operations in controlled airspace designated for an airport** **16.** (1) Except for flights to and from a dispensing area, a person shall not operate an aircraft within the lateral boundaries of the surface area of a controlled airspace designated for an airport unless authorization for that operation has been obtained from the air traffic control facility having jurisdiction over that area.
- (2) A person shall not operate an aircraft in weather conditions below VFR minima within the lateral boundaries of a designated controlled airspace area that extends upward from the surface unless authorization for that operation has been obtained from the air traffic control facility having jurisdiction over that area.
- Non observance of airport traffic pattern** **17.** (1) The pilot-in-command of an aircraft may deviate from an airport traffic pattern when authorized by the control tower concerned.
- (2) At an airport without a functioning control tower, the pilot-in-command may deviate from the traffic pattern if:
- (a) prior coordination is made with the airport management concerned;
- (b) deviations are limited to the agricultural aircraft operation;
- (c) except in an emergency, landing and takeoffs are not made on ramps, taxiways, or other areas of the airport not intended for such use; and
- (d) the aircraft at all times remains clear of, and gives way to, aircraft conforming to the traffic pattern for the airport.
- Operation over areas other than congested areas** **18.** Notwithstanding the requirements of the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, the holder of a certificate may conduct dispensing operations, including approaches, departures and turnarounds reasonably necessary for the operation, below 150 m (500 ft) above the surface and closer than 150 m (500 ft) to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.
- Operation over congested areas: general** **19.** (1) A person shall operate an aircraft over a congested area at altitudes required for the proper accomplishment of the agricultural aircraft operation if that operation is not conducted:
- (a) with the maximum safety to persons and property on the surface, consistent with the operation; and
- (b) in accordance with the requirements of sub-regulation (2).
- (2) A person shall not operate an aircraft over a congested area unless that person:
- (a) has obtained prior written approval from the Authority and other relevant authorities having jurisdiction over that area.
- (b) has issued notice of the intended operation to the public as specified by the Authority.

- (3) A plan for each complete operation shall be submitted to, and approved by, the Authority which plan shall include consideration of obstructions to flight; the emergency landing capabilities of the aircraft to be used; and any necessary coordination with air traffic control.
- (4) No person operating single-engined aircraft:
 - (a) except for helicopters, may take off a loaded aircraft, or make a turnaround over a congested area;
 - (b) operate the aircraft over a congested area below the altitudes prescribed in the the Civil Aviation (Rules of the Air and air Traffic Control) Regulations except during the actual dispensing operation, including the approaches and departures necessary for that operation; or.
 - (c) operate the aircraft over a congested area during the actual dispensing operation, including the approaches and departures for that operation, unless it is operated in a pattern and at such an altitude that the aircraft can land, in an emergency, without endangering persons or property on the surface.
- (5) A person operating a multi-engined aircraft shall not:
 - (a) take-off a multi-engined aircraft over a congested area except under conditions that will allow the aircraft 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, as shown by the accelerate stop distance data:
provided that, the take-off data is based upon still-air conditions, and no correction is made for any uphill gradient of one 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 and for uphill gradients greater than one percent, the effective takeoff length of the runway is reduced 20 percent for each one-percent grade.
 - (b) operate the multi-engined aircraft at a weight greater than the weight that, with the critical engine inoperative, would permit a rate of climb of at least 15 m (50 ft) per minute at an altitude of at least 300 m (1,000 ft) above the elevation of the highest ground or obstruction with the area to be worked on or at an altitude of 1,500 m (5,000 ft), whichever is higher, provided 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.
 - (c) operate the multi-engined aircraft over a congested area below the altitudes prescribed in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, except during the actual dispensing operation, including the approaches, departures and turnarounds necessary for that operation.

Operation over congested areas: pilots and aircraft

- 20. A person shall not operate an aircraft over a congested area unless:
 - (a) the pilot-in-command of the aircraft has at least:
 - (i) 25 hours of pilot-in-command flight time in the make and basic model of the aircraft, at least 10 hours of which shall have been acquired within the preceding 12 calendar months; and
 - (ii) 100 hours of flight experience as pilot-in-command in dispensing agricultural materials or chemicals.
 - (b) the aircraft if it is:
 - (i) an aircraft not specified in this sub-paragraph, has had within the preceding 100 hours of time in service a 100-hour or annual inspection by a person authorized by the Authority under the requirements of the Civil Aviation (Airworthiness) Regulations or have been inspected under a progressive inspection system;

- (ii) a large or turbine-powered multi-engined aircraft of Rwandan registry, has been inspected in accordance with the applicable inspection programme requirements of Civil Aviation (Airworthiness) Regulations;
- (iii) not a helicopter, the aircraft shall be equipped with a device capable of jettisoning at least one-half of the aircraft's maximum authorized load of agricultural material within 45 seconds; and
- (iv) equipped with a device for releasing the tank or hopper as a unit, there shall be means to prevent inadvertent release by the pilot or other crew member.

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|---|------------|---|
| Business name: commercial agricultural aircraft operator | 21. | A person shall not operate under a business name that is not shown on that person's agricultural air operator certificate. |
| Access for inspection | 22. | A holder of an agricultural air operator certificate shall allow the Authority at any time and place to make inspections, including on the job inspections, to determine compliance with applicable regulations and the agricultural air operator certificate requirements. |
| Records: commercial agricultural aircraft operator | 23. | <p>(1) A holder of a commercial agricultural air operator certificate shall maintain and keep current, at the home base designated in its application, the following records:</p> <ul style="list-style-type: none"> (a) the name and address of each person for whom agricultural air operator services were provided; (b) the date of the service; (c) the name and quantity of the material dispensed for each operation conducted; and (d) 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 regulation. <p>(2) The records specified by this regulation shall be kept for at least twenty four months and made available for inspection by the Authority upon request.</p> |

PART III - ROTORCRAFT EXTERNAL LOAD OPERATIONS

Certification rules

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|-----------------------------------|------------|---|
| Application and definition | 24. | <p>(1) This Part does not apply to:-</p> <ul style="list-style-type: none"> (a) a rotorcraft manufacturers when developing external-load attaching means; (b) rotorcraft manufacturers demonstrating compliance of equipment utilized under this Part; (c) operations conducted by a person demonstrating compliance for the issuance of a certificate or authorization under this Part; (d) training flights conducted in preparation for the demonstration of compliance with this Part; or (e) a local or national government conducting operations with State aircraft. <p>(2) Classes of "rotorcraft-load combinations" are defined in Civil Aviation (General Provisions) Regulations.</p> |
| Certification | 25 | <p>(1) A person shall not conduct rotorcraft external-load operations within Rwanda without or, in violation of the terms of, a rotorcraft external-load operator certificate issued by the Authority.</p> <p>(2) A person holding a rotorcraft external-load operator certificate shall not conduct</p> |

satisfactory knowledge and skill regarding rotorcraft external-load operations as set out in sub-regulation (2) and (3).

- (2) The applicant or a chief pilot referred to in sub-regulation (1) shall take a test of knowledge covering the following subjects:
 - (a) steps to be taken before starting operation, including a survey of the flight area;
 - (b) proper method of loading, rigging, or attaching the external load;
 - (c) performance capabilities, under approved operating procedures and limitations, of the rotorcraft to be used;
 - (d) proper instructions of flight crew and ground workers;
 - (e) appropriate rotorcraft-load combination flight manual.
- (3) A test of skill which requires appropriate manoeuvres for each class requested, and the following appropriate manoeuvres for each load class shall be demonstrated in the rotorcraft referred to in Regulation 30:
 - (a) take-offs and landings;
 - (b) demonstration of directional control while hovering;
 - (c) acceleration from a hover;
 - (d) flight at operational airspeeds;
 - (e) approaches to landing or working area;
 - (f) manoeuvring the external load into the release position; and
 - (g) demonstration of winch operation if it is installed to hoist the external load.
- (4) Compliance with sub-regulations (2) and (3) need not be shown if the Authority finds, on the basis of the applicant's or his designated chief pilot's previous experience and safety record in rotorcraft external load operations, that his knowledge and skill are adequate.

Amendment of certificate

32. (1) A holder of a rotorcraft external-load certificate shall apply to the Authority for an amendment of the certificate, to add or delete a rotorcraft-load combination authorization.
- (2) The holder of a rotorcraft external-load certificate may apply for an amendment to add or delete a rotorcraft authorization by submitting to the Authority a new list of rotorcraft, by national and registration marks, with the classes of rotorcraft-load combinations for which authorization is requested.

Availability, display, and surrender of certificate

33. (1) A holder of a rotorcraft external-load operator certificate shall display and keep that certificate and a list of authorized rotorcraft at the home base of operations and shall make it available for inspection by the Authority upon request.
- (2) A person conducting a rotorcraft external-load operation shall carry a copy of the rotorcraft external-load operator certificate certified by the Authority in each rotorcraft used in the operation.
- (3) Where the Authority suspends or revokes a rotorcraft external-load operator certificate, the holder of that certificate shall return it to the Authority within fourteen days of the suspension or revocation days.
- (4) Where the certificate holder, for any other reason, discontinues operations under his certificate and does not resume operations within six months, the certificate holder shall return the certificate to the Authority.

Operating Regulations and Related Requirements

Emergency operations

34. (1) In an emergency involving the safety of persons or property, the certificate holder may deviate from the provisions of these Regulations to the extent required to meet that emergency.
- (2) A person who, in an emergency deviates from the requirements of these Regulations, shall notify the Authority within ten days after the deviation.
- (3) Upon the request of the Authority, the person who deviated from the requirement of these Regulations shall provide the Authority with a complete report of the aircraft

operation involved including a description of the deviation and reasons for it.

**Operating
rules**

- 35.** (1) A person shall not conduct a rotorcraft external-load operation without, or contrary to, the rotorcraft external-load combination operating manual prescribed in Regulation 43.
- (2) A person shall not conduct a rotorcraft external load operation unless –
- (a) the rotorcraft complies with the provisions of regulation 29; and
 - (b) the rotorcraft load combination is authorized under the rotorcraft external-load operator certificate.
- (3) Before a person operates 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 shall 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:
- (a) 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;
 - (b) make an initial lift-off and verify that controllability is satisfactory;
 - (c) while hovering, verify that directional control is adequate;
 - (d) 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;
 - (e) 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 shall make this check and signal the pilot; and
 - (f) increase the forward airspeed and determine an operational airspeed at which no hazardous oscillation or hazardous aerodynamic turbulence is encountered.
- (4) Notwithstanding the provisions of the Civil Aviation (Operation of Aircraft) Regulations, 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:
- (a) the operator shall develop a plan for each complete operation and obtain approval for the operation from the Authority;
 - (b) the plan shall include an agreement with the relevant authority in whose jurisdiction the operation shall be conducted, coordination with air traffic control, if necessary, and a detailed chart depicting the flight routes and altitudes;
 - (c) a flight shall be conducted at an altitude and on a route that shall allow a jettisonable external load to be released, and the rotorcraft landed, in an emergency without hazard to persons or property on the surface.
- (5) Notwithstanding the provisions of the Civil Aviation (Operation of Aircraft) Regulations, and except as provided in Regulation 42(2), 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 150 m (500 ft) above the surface and closer than 150 m (500 ft) to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.
- (6) A person shall not conduct rotorcraft external-load operations under IFR unless specifically approved by the Authority.
- (7) A person shall not carry a person as part of the external-load under IFR.

**Carriage of
persons**

- 36.** (1) A holder of a rotorcraft external-load certificate shall neither carry nor allow a person to be carried during rotorcraft external load operations unless that person—
- (a) is a flight crew member;
 - (b) is a flight crew member trainee;

- (c) performs an essential function in connection with the external load operation; or
 - (d) is necessary to accomplish the work activity directly associated with that operation.
- (2) The pilot-in-command shall ensure that all persons are briefed before take-off on all procedures to be followed, including normal, abnormal and emergency procedures, and equipment to be used during the external load operation.
- (3) For the purpose of this Part, a person other than a crew member or a person who is essential and directly connected with the external-load operation shall be carried only in approved Class D rotorcraft-load combinations.

Crew member training, currency, and testing requirements

37. (1) A holder of a rotorcraft external-load certificate shall not use, nor shall any person serve, as a pilot in helicopter external-load operations unless that person:
- (a) has successfully demonstrated to the Authority the knowledge and skill with respect to the rotorcraft-load combination in accordance with Regulation 32; and
 - (b) has in their personal possession, a certificate of competency issued by the operator or an appropriate logbook entry indicating compliance with subparagraph (a).
- (2) A rotorcraft external-load operator certificate holder shall not use, nor shall any person serve as, a crew member or other operations personnel in Class D operations unless, within the preceding twelve months, that person has successfully completed either an approved initial or a recurrent training programme.
- (3) Notwithstanding the provision of sub-regulation (2), a person who has performed a rotorcraft external-load operations of the same class and in an aircraft of the same type within the past twelve calendar months need not undergo recurrent training

Access for inspection

38. A person conducting an operation in accordance with the provisions of this Part shall give the Authority's aviation safety inspectors free and uninterrupted access to that person's aircraft and allied facilities with regard to the external load operations in order to conduct any inspections or tests that the Authority considers necessary to determine compliance with these Regulations and the rotorcraft external-load operator certificate.

Airworthiness Requirements.

Flight characteristics requirements

39. (1) An applicant for a certificate under this part shall 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:
- (a) for Class A rotorcraft-load combinations, the operational flight check shall consist of at least the following manoeuvres:
 - (i) take-off and landing;
 - (ii) demonstration of adequate directional control while hovering;
 - (iii) acceleration from a hover; and
 - (iv) horizontal flight at airspeeds up to the maximum airspeed for which authorization is requested.
 - (b) for Class B and D rotorcraft-load combinations, the operational flight check shall consist of at least the following manoeuvres:-
 - (i) pickup of the external load;
 - (ii) demonstration of adequate directional control while hovering;
 - (iii) acceleration from a hover;
 - (iv) horizontal flight at airspeeds up to the maximum airspeed for which authorization is requested;
 - (v) demonstrating appropriate lifting device operation; and

- (vi) 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.
 - (c) for Class C rotorcraft-load combinations used in wire-stringing, cable-laying, or similar operations, the operational flight check shall consist of the manoeuvres, as applicable, prescribed in sub-paragraph (b)
 - (2) For the purposes of this demonstration, the external-load weight, including the external-load attaching means, is the maximum weight for which authorization is requested.
- Structures and design** **40.**
- (1) An external-load attaching means and a quick release device means of a rotorcraft shall be approved by the Authority.
 - (2) The total weight of the rotorcraft-load combination shall not exceed the total weight approved for the rotorcraft during its type certification.
 - (3) The location of the centre of gravity must, for all loading conditions, be within the range established for the rotorcraft during its type certification.
 - (4) For Class C rotorcraft-load combinations, the magnitude and direction of the loading force shall be established at those values for which the effective location of the centre of gravity remains within its established range.
- Operating limitations** **41.**
- (1) In addition to the operating limitations set out in the approved Rotorcraft Load Combination Operating Manual and to any other limitations that the Authority may prescribe, the operator shall establish at least the following limitations and specify them in the Rotorcraft-Load Combination Operating Manual in which case the limitations for rotorcraft-load combination operations shall:
 - (a) be operated only within the weight and centre of gravity limitations established in accordance with this Part;
 - (b) not be operated with an external load weight exceeding that used in showing compliance with this Part; and
 - (c) not be operated at airspeeds greater than those established in accordance with these Regulations.
 - (2) A person shall not conduct an external-load operation under these Regulations with a rotorcraft type certified in the restricted category over a densely populated area, in a congested airway, or near a busy airport where commercial air transport operations are conducted.
 - (3) The rotorcraft-load combination of Class D may be conducted only in accordance with the following conditions:
 - (a) the rotorcraft to be used shall have been type-certificated under transport Category and provide hover capability with one engine inoperative at that operating weight and altitude;
 - (b) the rotorcraft shall be equipped to allow direct radio intercommunication among required crew members;
 - (c) the personnel lifting device shall be approved by the Authority; and
 - (d) the lifting device shall have an emergency release requiring two distinct actions.
- Rotorcraft-load combination operating manual** **42.**
- (1) An applicant for a rotorcraft external-load operator certificate shall prepare a rotorcraft-load combination operating manual and submit it to the Authority for approval.
 - (2) The manual referred to in sub-regulation (1) shall specify:
 - (a) operating limitations, normal and emergency procedures, performance, and other information established under this Part;
 - (b) the class of rotorcraft-load combinations for which the airworthiness of the rotorcraft has been demonstrated in accordance with this Part; and
 - (c) in the information section of the Rotorcraft-Load Combination Operating 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.
- (3) The limiting height speed envelope data need not be listed in the Rotorcraft-load combination flight manual.

Markings and placards

43. (1) The markings and placards shall be displayed conspicuously on a rotorcraft and shall be such that they cannot be easily erased, disfigured or obscured.
- (2) The placard displayed in the cockpit or cabin shall state the class of rotorcraft-load combination and the occupancy limitation for which the rotorcraft has been approved; and
- (3) The placard, marking, or instruction displayed next to the external-load attaching means shall state the maximum external load approved.

PART IV – GLIDER TOWING, PICKING UP AND RAISING OF PERSONS AND ARTICLES

Towing of gliders

44. (1) A person operating an aircraft in flight shall not tow a glider unless the certificate of airworthiness is valid and includes an express provision that it shall be used for towing a glider of that particular type.
- (2) A person operating an aircraft shall not tow a glider unless the pilot-in-command of the towing aircraft is qualified under this Part.
- (3) A person shall not operate an aircraft that is towing a glider unless the aircraft is equipped with a tow hook and release control system that meets the applicable standards of airworthiness.
- (4) The length of the combination of towing aircraft, towrope and glider in flight shall not exceed 150 metres.
- (5) The pilot-in-command of an aircraft which is about to tow a glider shall satisfy himself, before the towing aircraft takes off that:
- (a) the towline is in good condition and meets the requirements specified in this regulation;
 - (b) the combination of the towing aircraft and glider is capable of safely taking off, reaching and maintaining a safe height thereafter, and making a safe landing at the place of intended destination;
 - (c) signals have been agreed and communication established with persons suitably stationed so as to enable the glider to take off safely; and
 - (d) emergency signals have been agreed between the pilot-in-command of the towing aircraft and the pilot-in-command of the glider to be used, respectively, by the pilot-in-command of the towing aircraft to indicate that the tow should immediately be released by the glider, and by the pilot-in-command of the glider to indicate that the tow cannot be released.
- (6) The glider shall be attached to the towing aircraft by means of the tow rope before the aircraft takes off..
- (7) A person operating an aircraft in flight shall not tow a glider except in accordance with such conditions and requirements as the Authority may have notified.
- (8) The pilot-in-command shall satisfy himself that:
- (a) the towing aircraft is equipped with a tow hitch of a kind, and installed in a manner that is approved by the Authority;
 - (b) the towline used has breaking strength not less than 80 percent of the maximum certificated operating weight of the glider and not more than twice this operating weight, however, the towline used shall have a breaking strength more than twice the maximum certificated operating weight of the glider if-
 - (i) a safety link is installed at the point of attachment of the towline to the glider with a breaking strength not less than 80 percent of the maximum certificated operating weight of the glider and not greater

person seeking glider-towing privileges:

- (i) in an aircraft while towing a glider accompanied by another pilot who meets the requirements of this section; or
- (ii) as pilot-in-command of a glider being towed by an aircraft

**Towing,
picking up
and raising of
persons,
animals and
articles**

46. (1) A person operating an aircraft in flight shall not, by means external to the aircraft, tow any article other than a glider or banner, tow or pick up, or raise any person, animal or article, unless the certificate of airworthiness is valid and includes an express provision that it shall be used for that purpose.
- (2) An aircraft shall not launch or pick up towlines, banners of similar articles other than at an aerodrome.
- (3) A person shall not operate an aircraft in flight to tow any article, other than a glider, at night or when flight visibility is less than one mile.
- (4) The length of the combination of towing aircraft, towline and article in a tow shall not exceed 150 metres.
- (5) A person flying a helicopter shall not fly at any height over a congested area of a city, town or settlement at any time when an article, person or animal is suspended from the helicopter.
- (6) Nothing in this regulation shall:
- 1. prohibit the towing in a reasonable manner by an aircraft in flight of any radio aerial, or any instrument which is being used for experimental purposes;
 - 2. prohibit the picking up or raising of any person, animal or article in an emergency or for the purpose of saving life;
 - 3. apply to any aircraft while it is flying in accordance with the provisions of the special flight permit issued under the Civil Aviation (Airworthiness) Regulations;
- (d) be taken to permit the towing or picking up of a glider otherwise than in accordance with this Part.

**Dropping of
articles and
animals**

47. (1) A person shall not drop or permit to be dropped an article or animal, whether or not attached to a parachute, from an aircraft in flight so as to endanger persons or property.
- (2) Sub-regulation (1) shall not apply to the dropping of an article by, or with the authority of the pilot-in-command of the aircraft in any of the following circumstances, provided that the pilot seeks to avoid endangering persons or property:
- (a) the dropping for the purpose of saving life;
 - (b) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
 - (c) the dropping of ballast in the form of fine sand or water;
 - (d) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of these Regulations;
 - (e) the dropping at an aerodrome, in accordance with prescribed regulations of towropes, banners, or similar article towed by aircraft;
 - (f) the dropping of articles for the purpose of agriculture, horticulture forestry or public health or as a measure against weather conditions, surface icing or oil pollution, or for training for the dropping of articles for any such purposes, if the articles are dropped with the permission of the Authority and in accordance with any condition subject to which that permission may have been given; and
 - (g) the dropping of wind drift indicators for the purpose of enabling parachute descents to be made if the wind indicators are dropped with the permission of the Authority and in accordance with any conditions subject to which that permission may have been given.
- (3) **For the purposes of this regulation “dropping” include projecting and lowering.**
- (4) Nothing in this regulation shall prohibit the lowering of any animal or article from a helicopter to the surface, if the certificate of airworthiness is valid and includes an express provision that it may be used for that purpose.

Dropping of

48. (1) A person shall not drop, be dropped or permitted to drop to the surface or jump from an

persons

aircraft flying over Rwanda except under and in accordance with the terms of a written authorization granted by the Authority under the Civil Aviation (Personnel Licensing) Regulations and the Civil Aviation (Parachute) Regulations; the terms of the written authorization shall specify its duration.

- (2) Notwithstanding the grant of an authorization under sub-regulation (1), a person shall not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.
- (3) A person shall not use an aircraft for the purpose of dropping persons unless the aircraft has a certificate of airworthiness and an authorization granted for that purpose.
- (4) Nothing in this regulation shall:
 - apply to the descent of persons by parachute from an aircraft in an emergency;
 - prohibit the lowering of any person in an emergency or for the purpose of saving life; or
 - prohibit the lowering of any person from a helicopter to the surface if the certificate of airworthiness is valid and includes an express provision that it may be used for that purpose.

PART V – BANNER TOWING

Authorization required

- 49. (1) Except as provided in sub-regulation (2), a person shall not conduct banner towing operations with an aircraft except in accordance with the terms of an authorization issued by the Authority.
- (2) A helicopter operating under the provisions of external load operations may tow a banner using an external load attaching means without an authorization only if the operator has a Class B authorization on the operating certificate.

Aircraft requirements

- 50. (1) A person shall not 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.
- (2) A person shall not 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.

Experience and training requirements

- 51. (1) For non-revenue flights, the pilot of the tow aircraft shall hold at least a valid Private Pilot Licence and have a minimum of 200 hours of pilot-in-command time.
- (2) When banner tow operations are conducted for compensation or hire, the pilot shall have at least a valid Commercial Pilot Licence.
- (3) 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.
- (4) The demonstration referred to in sub-regulation (3) shall be observed from the ground to allow the inspector to evaluate the competence of any essential ground personnel as well as the flight operation.

Operating rules

- 52. (1) All banner tow operations shall be conducted only:
 - 1. in VFR weather conditions; and
 - 2. between the hours of official sunrise and sunset.
- (2) A person shall not conduct banner towing operations:
 - (a) over congested areas or open air assemblies of persons at whichever of the following heights is higher:
 - (i) at a height below 300 m (1,000 ft) above the highest fixed object within 600 m of the aircraft;
 - (ii) below such a 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.

- (b) elsewhere not below such height as would enable the aircraft to alight clear of the assembly in the event of the failure of a power unit.
- (3) A holder of an authorization carrying out banner tow operation shall be required to obtain a written approval of the airport management to conduct such operations.
- (4) If banner towing operations take place at an airport with air traffic control, the authorization holder shall inform the air traffic control of the time of the operations and obtain clearance.
- (5) The holder of an authorization shall notify the appropriate airport officials in advance when banner tow operations shall be in close proximity to an unmanned airport.
- (6) Only essential crew members shall be carried when conducting banner tow operations.
- (7) 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 or towrope, it shall not cause undue hazard to persons or property on the surface.
- (8) A pilot conducting banner operation shall drop the towrope in a pre-designated area at least 150 m (500 ft) from persons, buildings, parked automobiles, and aircraft.
- (9) If a tow aeroplane lands with the rope attached, due care shall be exercised to avoid trailing the rope and endangering other aircraft in the air, or persons, property or aircraft on the surface.
- (10) A pilot conducting banner-towing operations shall carry on board the aircraft a current copy of the authorization allowing banner towing operations.
- (11) A pilot conducting banner towing operations shall ensure coordination of banner times with other aviation operations at all times; such coordination shall include:
 - (a) communications
 - (i) air to air;
 - (ii) air to ground; and
 - (iii) coordination with air traffic control.
 - (b) traffic flow; identification and depiction of traffic patterns for the pilots concerned; and
 - (c) airworthiness inspections; all aircraft conducting banner towing operations shall prior to the event undergo an airworthiness safety inspection.

PART VI – TELEVISION, MOVIE OPERATIONS, AERIAL PHOTOGRAPHY AND AERIAL SURVEY

- | | | |
|---|------------|--|
| Authorization required | 53. | <ul style="list-style-type: none"> (1) A person shall not conduct operations involving movie filming, appearance in flight in movies, airborne direction or production of such filming, aerial photography or aerial survey when those operations are conducted as part of a business enterprise or for compensation or hire unless that person satisfies the requirements of these Regulations. (2) A person who wishes to carry out operations referred to under sub-regulation (1) shall be required to apply to the Authority for authorization at least 30 days before the date of the intended operation. (3) For purposes of this regulation, “movie” includes film, videos, and live broadcast in any format, and the preparation and rehearsal for those operations. |
| Aircraft requirements | 54. | A person shall not use an aircraft in motion picture, television filming, aerial photography or aerial survey operations, unless that aircraft has an airworthiness certificate in the aerial work category or a special certificate of airworthiness issued for the purpose of exhibition. |
| Experience and training requirements | 55. | <ul style="list-style-type: none"> (1) A pilot shall not conduct television movie, aerial photography or aerial survey operations unless the pilot has: <ul style="list-style-type: none"> a commercial pilot's licence with type ratings for the aircraft to be used; at least 500 hours as pilot-in-command; a minimum of 100 hours in the category and class of the aircraft to be used; and (d) a minimum of 5 hours in the make and model of the aircraft to be used. (2) If a pilot for television, movie, aerial photography or aerial survey operations intends to |

perform acrobatic flights below 455 m (1,500 ft) above ground level, he shall furnish the Authority with proof of competence to perform the acrobatic manoeuvres in the aircraft to be used.

**Special
authorization
requirements**

- 56**
- (1) A person who wishes to conduct operations specified under regulation 54 shall apply for a special authorization if filming sequences require an aircraft to be flown:
 - (a) in acrobatic flight below 455 m (1,500 ft) above ground level;
 - (b) over a congested area; or
 - (c) in controlled airspace.
 - (2) The holder of the special authorization issued under this regulation shall provide a schedule of events that lists the:
 - (a) identification of the aircraft; and
 - (b) performers in the sequence of their appearance.

Any manoeuvres added or time changes to the schedule of events shall be approved by the Authority.
 - (4) The special authorization holder shall develop and adhere to a motion picture, television, aerial photography or aerial survey flight operations Manual which shall be approved by the Authority.

**CONTENTS OF
A FLIGHT
OPERATIONS
MANUAL**

57.

A motion picture, television or aerial photography and survey flight operations manual shall contain at least the following:

- (a) business name, address, and telephone number of applicant;
- (b) list of pilots to be used during the filming, aerial photography and survey including their pilot licence numbers, type of licence and date of Medical Certificate;
- (c) list of aircraft by make and model;
- (d) procedures for revising the manual to ensure that all manuals are kept current;
- (e) procedures to ensure that no persons, except those persons consenting to be involved and necessary for the filming or aerial photography and survey are allowed within 150 m (500 ft) of the filming production area;

the area that will be used during the term of the authorization;
- (g) procedures for the submission, within three days of scheduled filming or aerial photography and survey, 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 or aerial photography and survey;
 - (iii) make and model of aircraft to be used and type of airworthiness certificate;
 - (iv) name of pilots involved in the filming or aerial photography and survey;
 - (v) a statement that permission has been obtained from property owners or local officials to conduct the filming or aerial photography and survey;
 - (vi) a general outline, or summary, of the production schedule, to include maps or diagrams of the specific filming or aerial photography and survey location;
- (h) requirements and procedures that the special authorization applicant will use to obtain permission from property owners or local officials like police and fire departments as appropriate for the conduct of all filming or aerial photography and survey;
- (i) method of security that will be used to exclude all persons not directly involved with the operation from the location;
- (j) procedures to brief personnel of the risks involved, emergency procedures, and safeguards to be followed during the filming or aerial photography and survey;
- (k) procedures to ensure that required inspections will be conducted;
procedures to provide communications capability with all participants during the actual operation and filming or aerial photography and survey; and
- (m) procedures for notification and reporting of incidents and accidents.

- Operating rules** **58**
- (1) An operator shall not conduct motion picture, television flight or aerial photography operations so as to endanger persons or property on the surface or aircraft in flight.
 - (2) Minimum cloud clearance requirements and minimum altitude requirements of the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations do not apply to operations where different requirements and minimums are specifically authorized by the Authority under these Regulations.

PART VII - EXHIBITION OF FLYING

- Exhibition of Flying** **59**
- (1) A person shall not conduct an exhibition of flying unless that person has obtained authorization from the Authority.
 - (2) A pilot shall not participate in an exhibition of flying unless that pilot:
 - holds a valid Private Pilot Licence, Commercial Pilot Licence or Airline Transport Pilot Licence;
 - is rated on the type of aircraft to be used; and
 - can comply with any relevant conditions specified in the authorization
 - (3) A person shall not use an aircraft in exhibition of flying, unless that aircraft has a valid Certificate of Airworthiness.
 - (4) A person shall not be issued with the authorization referred to in sub regulation (1) unless that person proves to the Authority the ability to safely conduct the exhibition of flying.
 - (5) The authorization referred to in sub regulation (1) may be issued subject to such conditions, as the Authority thinks fit and shall, remain in force for the period specified in the authorization.
 - (6) A person authorized under this regulation shall not conduct exhibition of flying so as to endanger persons or property on the surface or aircraft in flight.

PART VIII: TRAFFIC AND SPORTS REPORTING, FISH SPOTTING AND GAME VIEWING

- Traffic reporting** **60.**
- (1) A person shall not conduct any aircraft operations involving the observation of, and reporting on, vehicular traffic conditions on the highways and streets unless that person:
 - (a) holds at least a valid Private Pilot Licence;
 - (b) uses an aircraft with a standard certificate of airworthiness; and
 - (c) holds an authorization issued by the Authority.
 - (2) A person authorized under this regulation shall not conduct operations so as to endanger persons or property on the surface or aircraft in flight.

- Game viewing or tracking operation** **61.**
- (1) A person shall not conduct aircraft operations involving the observation of, and reporting on, and participating in game viewing or tracking operations unless that person:
 - (a) holds at least a valid Private Pilot Licence;
 - (b) uses aircraft with a certificate of airworthiness or restricted certificate of airworthiness.
 - (c) holds an authorization issued by the Authority.
 - (2) A person authorized under this regulation shall not conduct operations so as to endanger persons, animals or property on the surface or aircraft in flight.

- Competitive motor vehicle operations** **62.**
- (1) A person shall not conduct aircraft operations involving the observation of, and reporting on, and participating in motor vehicle testing and competitive operations unless that person:
 - (a) holds at least a valid Private Pilot Licence;
 - (b) uses an aircraft with a standard certificate of airworthiness; and
 - (c) holds authorization issued by the Authority.
 - (2) A person authorized under this regulation shall not conduct operations so as to endanger

persons or property on the surface or aircraft in flight.

Fish spotting 63.

- (1) A person shall not conduct aircraft operations involving location, tracking, and reporting on the location of fish and fish schools, as part of a business enterprise or for compensation or hire unless that person obtains authorization issued by the Authority.
- (2) A person authorized under this regulation shall not conduct operations so as to endanger persons or property on the surface or aircraft in flight.
- (3) The minimum cloud clearance requirements and minimum altitude requirements of the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations do not apply to operations specifically authorized by the Authority under this regulation with different minimas.

PART IX – OFFENCES AND PENALTIES

Penalties 64.

- (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an “A” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

SCHEDULE

REGULATION 64

PENALTIES

REG. N°.	TITLE	PART
2	Permission required	B
3	Certificate required	B
10	Carrying and display of certificate	A
11	Limitations on private agricultural aircraft operator	A
12	Manner of dispensing.	A
13	Economic poison dispensing	A
14	Personnel	A
16	Operations in controlled airspace designated for an airport	A
19	Operation over congested areas: general.	A
20	Operation over congested areas: pilots and aircraft	A
21	Business name: commercial agricultural aircraft operator	A
22	Access for inspection.	A
23	Records: commercial agricultural aircraft operator.	A

25	Certification	B
30	Personnel.	A
33	Availability, display, and surrender of certificate	A
35	Operating rules	A
36	Carriage of persons	A
37	Crew member training, currency, and testing requirements	A
38	Access for inspection	A
40	Structures and design.	A
41	Operating limitations.	A
44	Towing of gliders	A
45	Glider towing: experience and training requirements.	A
46	Towing, picking up and raising of persons, animals and articles	A
47	Dropping of articles and animals	A
48	Dropping of persons	A
49	Authorization required	A
50	Aircraft requirements	A
51	Experience and training requirements.	A
52	Operating rules.	A
53	Authorization required	A
54	Aircraft requirements	A
55	Experience and training requirements	A
56	Special authorization requirements	A
58	Operating rules	A
59	Exhibition of flying	A
60	Traffic reporting	A
61	Game viewing or tracking operation	A
62	Competitive motor vehicle operations	A
63	Fish spotting	A

**Seen to be annexed to the Presidential Order n°60/01 of 20/10/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic

KAGAME Paul

(sé)

The Prime Minister

MAKUZA Bernard

(sé)

The Minister of Infrastructure

BIHIRE Linda

(sé)

The Minister of Finance and Economic Planning

MUSONI James

(sé)

Minister of Defence

General GATSINZI Marcel

(sé)

The Minister of Internal Security

Sheikh HARERIMANA MUSSA Fazil

(sé)

The Minister of Public Service and Labour

MUREKEZI Anastase

(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General

KARUGARAMA Tharcisse

(sé)

ANNEX XII TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (APPROVED TRAINING ORGANIZATION) REGULATIONS, 2008

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THE CIVIL AVIATION (APPROVED TRAINING ORGANIZATIONS) REGULATIONS, 2008

PART 1-PRELIMINARY

- Citation** 1. These Regulations may be cited as the Civil Aviation (Approved Training Organizations) Regulations, 2008.

PART II - CERTIFICATION AND LOCATION REQUIREMENTS

- Requirements for an approved training organization Certificate** 2. (1) A person, other than:
(a) an air operator certificate or approved maintenance organization certificate holder conducting training of its own personnel under the Civil Aviation (Air Operator Certification and Administration) Regulations and the Civil Aviation (Approved Maintenance Organization) Regulations respectively; and
(b) an operator with a approved training programme in its Operations Manual under Civil Aviation (Operation of Aircraft) Regulations;
shall not hold out as or operate an approved training organization without, or in violation of, an approved training organization certificate and training specifications issued under these Regulations.

- (2) A person shall not conduct training, testing or checking in flight simulation training devices without, or in violation of, the certificate and training specifications required under these Regulations.

- (3) The Authority will issue to an approved training organization that meets the requirements of these Regulations an approved training organization certificate and training specifications for providing courses for flight crew licences and ratings and for courses for personnel other than flight crew members, as approved by the Authority.

- (4) A holder of an approved training organization certificate shall, at all times, display that certificate in a place in the school that is normally accessible to the public and that is not obscured.

- Evaluation and checking** 3. Where the Authority has authorized an approved training organization to conduct the testing required for the issue of a licence or rating, the testing shall be conducted by personnel authorized by the Authority or designated by the training organization in accordance with criteria approved by the Authority.

- Application for issuance or amendment of an approved training organization certificate 4. (1) An applicant for an approved training organization certificate and training specifications, or for an amendment to an approved training organization certificate and training specifications, shall apply at least ninety days before the beginning of any proposed training which was not approved before.

An applicant for an approved training organization certificate shall submit an application on a form and manner prescribed by the Authority.

- (3) An application shall contain the following information:
a statement showing that the minimum qualification requirements for each management position are met;
a description of the minimum qualifications and ratings for each instructor;
a statement acknowledging that the applicant may notify the Authority within ten working days of any change made in the assignment of persons in the required management or instructors positions;

- the proposed training specifications requested by the applicant;
 - a description of the training equipment that the applicant proposes to use e.g. the aircraft, the flight simulation training devices including any special equipment used for each phase of training;
 - a listing of the aerodromes or sites at which training flights originate, if applicable, and a description of the applicant's training facilities, equipment and qualifications of personnel to be used;
 - a training programme, including manuals, curricula, outlines, courseware, procedures and documentation to support the items required in regulations 15, 16 and 19; and
 - a description of a recordkeeping system that will identify and document the details of training, qualification, and licencing of students, instructors, and evaluators;
 - a description of quality control measures proposed;
 - 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 the Civil Aviation (Personnel Licencing) Regulations if the applicant proposes to do so; and
 - a statement of compliance showing how the applicant has met all applicable requirements in these Regulations.
- (4) An approved training organization shall submit a manual establishing procedures acceptable to the Authority to ensure compliance with all relevant requirements of these regulations and the procedures shall include a quality system which meets the requirements specified in regulation 9.
- (5) An applicant for an approved training organization certificate shall ensure that the facilities and equipment described in the application are:
- (a) available for inspection and evaluation prior to approval; and
 - (b) in place and operational at the location of the approved training organization prior to the issue of a certificate under these Regulations.
- (6) The Authority shall after inspection, issue to an applicant who meets the requirements of these Regulations and is approved by the Authority:
- (a) an approved training organization certificate containing:
 - (i) the name and location of an approved training organization;
 - (ii) the date of issue and period of validity of the certificate;
 - the authorized locations of operations; and
 - training courses for the following categories, as applicable, flight crew training, training for personnel other than flight crew and other training as approved by the Authority;
 - (b) training specifications containing:
 - (i) authorization for the approved training organization;
 - (ii) the type of training authorized, including approved training courses; the rating, category, class and type of aircraft, or parts of the aircraft, that may be used for training, testing and checking;
 - for each flight simulation training device that may be used for training, testing and checking, the make, model and series of aircraft being simulated, the qualification level and the identification number assigned by the Authority;
 - any aircraft, or part of the aircraft, approved for training, as appropriate;
 - the staff required to perform and meet the requirements of these Regulations;
 - and
 - any other items the Authority may require or allow.
- (7) The Authority shall refuse to issue an approved training organization certificate if it finds that the applicant does not comply with the approval requirements of these Regulations.
The Authority may amend an approved training organization certificate or the training specifications:
on the Authority's own initiative, under the applicable legislation; or;
upon application by the certificate holder.
- (9) A training organization located outside Rwanda may apply for a Rwandan approved training organization certificate, to provide training leading to a licence issued by Authority provided the requirements of these Regulations are met.

- Validity of the certificate 5. A certificate issued or renewed to an approved training organization shall be valid for twelve months from the date of issue or renewal, unless a shorter period is specified by the Authority or:
- (a) the Authority amends, suspends, revokes or otherwise terminates the certificate; or
 - (b) the approved training organization surrenders it to the Authority;
- Inspection 6. (1) The Authority may, at any time, inspect an approved training organization certificate holder's facilities, records, personnel and equipment to determine the approved training organization's ongoing compliance with these Regulations.
- (2) The Authority shall conduct inspections at least once annually.
- (3) After the inspection specified in sub-regulation (1), an approved training organization certificate holder shall be notified, in writing, of any deficiencies found during the inspection.
- (4) An inspection shall also be conducted on the applicant for, or on the holder of an approved training organization certificate based outside Rwanda.
- (5) An inspection carried out under this regulation shall focus on:-
- adequacy of, and qualifications of staff ;
 - validity of instructors' licences and ratings; logbooks;
 - training aircraft: registration; associated documents; maintenance records;
 - flight simulation training devices: qualification and approval;
 - facilities: library, class rooms, training equipment adequacy to the courses being conducted and the number of student;
 - documentation: documents related to the courses; updating system; training and operations manuals;
 - training records and checking forms;
 - flight instruction including pre-flight briefing, actual flight debriefing for approved training organizations for flight crew training;
 - examination: management and control;
 - instruction program for personnel other than flight crew;
 - quality assurance system.
- Renewal of the certificate 7. (1) An approved training organization may apply for renewal of its approved training organization certificate at least thirty days before the expiry date in order to ensure continuity of the training, provided the approved training organization meets the requirements prescribed in these Regulations.
- (2) The Authority shall inspect an approved training organization that applies for a renewal to ensure that the approved training organization meets the requirements prescribed in these Regulations.
- Suspension or revocation 8. The Authority shall suspend or revoke an approved training organization certificate, if it is established that a certificate holder has not met, or no longer meets the requirements of these Regulations.
- Certificate holder responsibilities** 9. A holder of an approved training organization certificate shall –
- (a) ensure that the facilities and working environment of the approved training organization are appropriate for the tasks to be performed;
 - (b) ensure that it has the necessary technical data, equipment, training devices and material to conduct the courses for which it is approved.
 - (c) not make a substantial change in facilities, equipment or material that have been approved for a particular training program, unless that change is approved by the Authority in advance; and
 - (d) maintain the records required by these Regulations in facilities adequate for that purpose.
- Quality system 10. (1) An approved training organization shall establish a quality system approved by the Authority

for approved training organization

which includes:

- (a) an independent audit procedure to monitor training standards;
 - (b) the integrity of knowledge examinations and practical assessments; and
 - (c) compliance with and adequacy of procedures.
- (2) The management of the quality system must include feedback of the independent audit findings to the approved training organization senior management personnel and ultimately to the accountable manager to ensure, as necessary, corrective action.

Location of Principal Business Office

11. An applicant for or holder of an approved training organization a certificate shall establish and maintain a principal business office that is physically located at the address shown on the certificate.

Satellite approved training organizations

12. (1) A holder of an approved training organization certificate may conduct training in accordance with a training program approved by the Authority at a satellite approved training organization if:
- the facilities, equipment, personnel and course content of the satellite approved training organization meet the applicable requirements;
 - the instructors at the satellite approved training organization are under the direct supervision of management personnel of the principal approved training organization; and
 - the approved training organization certificate holder's training specifications reflect the name and address of the satellite approved training organization and the approved training courses offered at the satellite approved training organization.
- The Authority shall issue training specifications which prescribe the operations required and authorized at each satellite approved training organization.
- An approved training organization may sub-contract certain activities to any other organizations subject to the approval of the Authority.
- The ultimate responsibility for the training provided by the satellite approved training organization remains with the approved training organization.
- The approved training organization and the satellite approved training organization will execute a written agreement defining the safety and quality-related services to be provided; the satellite approved training organization's safety related activities relevant to the agreement should be included in the approved training organization's Quality Assurance Programme.

Changes requiring notice to the Authority.

13. (1) An approved training organization shall notify the Authority within thirty days of any of the following changes:
- the accountable manager;
 - the quality manager;
 - the instructional staff; and
 - the housing, training facilities and equipment, procedures, training programmes and work scope that could affect the approval.
- (2) The Authority may prescribe the conditions under which the approved training organization may operate during the period such changes as specified in sub-regulation (1) occurs unless the Authority determines that the approval should be suspended.

Training Manual and Procedures Manual

14. (1) An applicant or a holder of an approved training organization certificate shall prepare and maintain a Training Manual and Procedures Manual approved by the Authority containing information and instructions to enable staff to perform their duties and to give guidance to students on how to comply with course requirements
- (2) An approved training organization may combine the Training Manual and Procedures Manual.
- (3) The approved training organization shall ensure that the Training Manual and the Procedures Manual is amended as necessary to keep the information contained therein up to date.
- (4) Copies of all amendments to the Training Manual and the Procedures Manual shall be

furnished promptly to all organizations or persons to whom the manual has been issued.

PART III TRAINING FOR FLIGHT CREW LICENCES AND RATINGS

- Flight crew training courses** 15. The Authority may approve, as provided in the training specifications, the following courses of instruction to an applicant for, or a holder of an approved training organization certificate, provided the applicant meets the requirements of the Civil Aviation (Personnel Licensing) Regulations and these Regulations:
- (a) private pilot licence course;
 - commercial pilot licence course;
 - instrument rating course;
 - commercial pilot licence or instrument rating-multi-engine or Crew Resource Management integrated course;
 - airline transport pilot licence course;
 - multi-crew pilot licence course;
 - flight engineer licence course;
 - flight navigator licence course;
 - class rating course;
 - type rating course;
 - crew resource management course;
 - flight instructor course;
 - instructor course for additional type or class ratings;
 - instructor course for synthetic flight training;
 - refresher courses;
 - category II and III Ops;
 - ETOPS;
 - human factors;
 - safety management systems; and
 - any other course as the Authority may approve.
- Personnel 16. (1) An approved training organization shall satisfy the Authority that there shall be on its staff:-
- an accountable manager;
 - a quality manager;
 - a head of training;
 - a chief flight instructor, as applicable;
 - a chief ground instructor as applicable; and
 - an adequate number of ground and flight instructors relevant to the courses provided.
- An instructor to be used for flight training must hold an instructor rating or authorization in accordance with the Civil Aviation (Personnel Licensing) Regulations relevant to the instruction given.
- An approved training organization shall ensure that all instructional personnel receive initial and continuation training appropriate to their assigned tasks and responsibilities; the training programme for instructional personnel established by the approved training organization shall include training in knowledge and skills related to human performance.
- The Authority may approve positions, other than those listed, if the approved training organization is able to show that it can conduct the training with the high training standard under the direction of fewer or different categories of management personnel due to the:-
- kind of training conducted;
 - number of students; and
 - locations of training.
- Training programme and approval 17. (1) An applicant for, or a holder of an approved training organization certificate, shall apply to the Authority for training programme approval.
- (2) An applicant for, or holder of an approved training organization certificate shall develop

training programme for each type of course offered which shall include:-
 a breakdown of flying and theoretical knowledge instruction in either a week-by-week or phase presentation, a list of standard exercises and a curriculum summary; in particular, synthetic flight training and theoretical knowledge instruction shall be phased in such a manner as to ensure that students shall be able to apply to flying exercises the knowledge gained on the ground;
 minimum aircraft and flight training equipment requirements for each proposed programme;
 minimum instructor qualifications for each proposed programme; and
 a programme for initial training and continuing training of each instructor employed to instruct in a proposed programme.

(3) The content and sequence of the training programme shall be acceptable to the Authority.

Training aircraft. **18.** (1) A holder of an approved training organization certificate shall provide an adequate fleet of training aircraft appropriate to the courses of training for flight crew licences and ratings and aircraft provided shall be fitted with duplicated primary flight controls for use by the instructor and the student and shall not have swing-over flight controls.

(2) The fleet provided under sub-regulation (1) shall include:
 as appropriate to the courses of training, aeroplanes suitable for demonstrating stalling and spin avoidance;
 as appropriate to the courses of training, a helicopter suitable for auto-rotation demonstration; and
 aircraft suitably equipped to simulate instrument meteorological conditions and suitably equipped for instrument flight training and testing.

Synthetic flight trainers **19.** An applicant for, or holder of an approved training organization certificate: providing synthetic flight training, shall satisfy the Authority that suitably equipped flight simulation training devices are provided having regard to the number of students and organization of courses; and shall show that each flight simulation training devices used for training, testing and checking will be or is specifically qualified and approved by the Authority for:
 each manoeuvre and procedure for the make, model and series of aircraft, set of aircraft, or aircraft type simulated, as applicable; and
 (ii) each training programme or training course in which the flight simulation training devices is used, if that programme or course is used to satisfy any requirement of these Regulations.

Aerodrome and sites **20.** (1) An applicant for, or a holder of, an approved training organization certificate that intends to conduct or conducts flight training shall show that it has continuous use of each airport and sites for helicopter training at which training flights originate and that the airport has an adequate runway and other necessary equipment.

(2) A base aerodrome and any alternative base aerodrome at which flying training is being conducted shall have at least the following facilities:
 (a) at least one runway or take-off area that allows training aircraft to make a normal take-off or landing at the maximum take-off or maximum landing mass authorized, and touch down autorotation as appropriate:
 under calm wind of not more than five knots conditions and temperatures equal to the mean high temperature for the hottest month of the year in the operating area;
 clearing all obstacles in the take-off flight path by at least 15 m (50 ft);
 with the powerplant operation and the landing gear and flap operations (if applicable) recommended by the manufacturer; and
 with a smooth transition from lift-off to the best rate of climb speed without exceptional piloting skills or techniques;

- (b) have wind direction indicator that is visible at ground level from the ends of each runway;
- (c) have adequate runway electrical lighting if used for night training ; and
- (d) have a traffic direction indicator when:
 - the airport does not have an operating control tower; and;
 - traffic and wind advisories are not available;
- (e) sites shall be available for:
 - confined area operation training;
 - simulated engine off autorotation;
 - sloping ground operation.

Training facilities

- 21.** (1) An applicant for, or a holder of an approved training organization certificate shall, subject to the determination by the Authority, have facilities appropriate for the maximum number of students expected to be taught at any time.
- (2) The minimum facilities shall be:
- (a) for flight operations –
 - (i) an operation room;
 - (ii) a flight planning room;
 - (iii) adequate briefing rooms;
 - (iv) an office for the instructors;
 - (b) for knowledge instructions –
 - classroom accommodation;
 - suitable demonstration equipment;
 - a radio telephony training and testing facility;
 - a library;
 - an office for instructors.
- (3) A holder of an approved training organization certificate shall not make a substantial change in facilities, equipment or material that have been approved for a particular training programme unless that change is approved by the Authority in advance.

PART IV – TRAINING FOR LICENCES AND RATINGS FOR AIRCRAFT MAINTENANCE ENGINEERS, AIR TRAFFIC CONTROLLERS AND FLIGHT OPERATION OFFICERS

Training courses for Licences and ratings for aircraft maintenance engineers, air traffic controllers and flight operation officers

- 22.** The Authority may approve the following courses of instruction to an applicant for, or holder of an approved training organization certificate, provided the applicant meets the requirements of the Civil Aviation (Personnel Licensing) Regulations:
- aircraft maintenance engineers basic course;
 - airframe rating, powerplant rating, avionics rating course;
 - air traffic controller licence course; training for ratings for air traffic controller licences;
 - flight operation officer course;
 - flight radio telephony operator course;
 - aeronautical station operator course, and
 - (f) cabin crew member course.

Personnel

- 23.** (1) An approved training organization shall satisfy the Authority that an adequate number of qualified, competent staff are employed as follows:
- (a) an accountable manager;
 - (b) a quality control manager;
 - (c) a head of training;
 - (d) a chief instructor; and
 - (e) an adequate number of instructors relevant to the courses provided, qualified in accordance with the requirements of the Civil Aviation (Personnel Licensing) Regulations.
- (2) The approved training organization shall ensure that all instructional personnel receive initial and continuation training appropriate to their assigned tasks and responsibilities of the training programme established by the training organization and shall include training in knowledge

- and skills related to human performance.
- (3) The personnel specified in this regulation shall submit their credentials to the Authority and shall show that they have relevant qualifications and satisfactory experience related to approved training as appropriate.

Training Programme and approval

24. (1) An applicant for, or a holder of an approved training organization certificate shall:
- (a) apply to the Authority for an approval of a training programme;
 - (b) ensure that each training programme submitted to the Authority for approval meets the applicable requirements;
- indicate in the application:
- (i) courses which are part of the programme; and
 - (ii) requirements of the Civil Aviation (Personnel Licencing Regulations) which may be satisfied.
- (2) Where the Authority finds that the approved training programme does not meet the applicable requirements, it shall require the holder to make revision in the training programme.

Training facilities, equipment and material for aircraft maintenance engineer courses

25. (1) An applicant for, or a holder of an approved training organization certificate that intends to conduct or conducts aircraft maintenance engineer courses shall have suitable facilities, as determined by the Authority, appropriate for the maximum number of students expected to be taught at any time and the ratings sought, as follows:
- an enclosed adequately equipped classroom;
 - a well equipped library;
 - workshops, equipment, tools, adequate supply of materials, special tools and similar articles for the rating sought;
 - adequate office facilities;
 - secure storage facilities for examination papers and training records.
- (2) An applicant for, or holder of an approved training organization certificate with approved licenced maintenance engineer courses shall have and maintain the adequate instructional equipment as is appropriate to the rating sought.
- (3) A holder of an approved training organization certificate shall not make any change in facilities, equipment or material that have been approved for a particular training programme, unless that change is approved by the Authority in advance.
- (4) An applicant for, or holder of, an approved training organization certificate to conduct aircraft maintenance engineer courses shall ensure that the tools, equipment, materials, and instructional equipment required by sub-regulations (1) and (2) be in satisfactory working condition for instructional and practice purposes.

Training facilities, equipment and material for air traffic controllers or flight radio telephony operator

26. (1) An applicant for, or holder of, an approved training organization certificate to train air traffic controllers or flight radio telephony operators shall have facilities as determined by the Authority, appropriate for the maximum number of students expected to be taught at any time and the ratings sought, as follows:
- an enclosed adequately equipped classroom;
 - well equipped library;
 - well designed simulators appropriate for the rating sought;
 - adequate office accommodation for instructors;
 - control desk or console where applicable;
 - ICAO approved syllabus for rating being sought; and
 - secure storage facilities for examination papers and training records.
- An applicant for, or a holder of, an approved training organization certificate with air traffic control or flight radio telephony operator courses shall maintain instructional equipment as is appropriate to the rating sought.
- (3) A holder of an approved training organization certificate to train air traffic controllers or flight radio telephony operators shall not make any change in facilities, equipment, simulators or

materials that have been approved for a particular training unless that change is approved by the Authority in advance.

- (4) An applicant for, or holder of, an approved training organization certificate to train air traffic controllers or flight radio telephony operators shall ensure that the equipment, materials, and simulators required by paragraph (1) and (2) be in satisfactory working condition for instructional and practice purposes.

Training facilities, equipment and material for flight operations officers or cabin crew members

27. (1) An applicant for, or holder of an approved training organization certificate to train flight operations officers or cabin crew members shall have facilities, as determined by the Authority, appropriate for the maximum number of students expected to be taught at any time, as follows:
- adequate enclosed classroom;
 - flight operations facilities, including:
 - an operations room;
 - a flight planning room;
 - an office for the instructors;
 - suitable demonstration equipment and cabin mockups;
 - suitable radio telephony training and testing facility (for flight operations officer training only);
 - a library;
 - secure storage facilities for examination papers and training records.
- (2) An applicant for, or a holder of an approved training organization certificate for flight operations officers or cabin crew members courses shall have and maintain instructional equipment appropriate for the training sought.
- (3) A holder of an approved training organization certificate shall not make a substantial change in facilities, equipment or material that have been approved for a particular training programme, unless that change is approved by the Authority in advance.
- (4) An applicant for, or holder of, an approved training organization certificate to train flight operations officers or cabin crew members shall ensure that the equipment and materials, required by sub-regulations (1) and (2) be in satisfactory working condition for instructional and practice purposes.

Advertising limitations

- 28 (1) An approved training organization shall not:
- (a) conduct or advertise to conduct any training, testing, or checking that is not approved by the Authority if that training is designed to satisfy any requirement of these Regulations;
 - (b) make any statement relating to its approved training organization certification and training specifications that is false or designed to mislead any person contemplating enrolment in that approved training organization; or
 - (c) advertise that the approved training organization is certified unless it clearly differentiates between courses that have been approved under these Regulations and those that have not been approved under these Regulations.
- (2) An approved training organization whose certificate has been surrendered, suspended, revoked, or terminated shall promptly:
- remove all indications, including signs, wherever located, that the approved training organization was certified by the Authority; and
 - notify all advertising agents, and advertising media employed by the approved training organization to cease all advertising indicating that the approved training organization is certified by the Authority.

PART V - OFFENCES AND PENALTIES

- Offences and** 29. (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is

penalties

contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot in command is not the person who contravened that provision he shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention. Any person who contravenes any provision specified as an “A” provision in the Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) for each offence and/or each flight or to imprisonment for a term not exceeding six (6) months or to both..

SCHEDULE –

Regulation 29

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26(3)	Training facilities, equipment and material for air traffic controllers or flight radio telephony operator.	A
27(3)	Training facilities, equipment and material for flight operations officers or cabin crew members.	A
28	Advertising limitations	A

Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel

(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX XIII TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

**THE CIVIL AVIATION (AERODROMES) REGULATIONS, 2008
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SCHEDULE

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PARTICULARS TO BE INCLUDED IN THE AERODROME MANUAL FOR AERODROMES IN CATEGORIES A AND B

THIRD SCHEDULE -

**PARTICULARS TO BE INCLUDED IN THE AERODROME
MANUAL FOR AERODROMES IN CATEGORIES C AND D**

**FOURTH SCHEDULE
AERODROME DATA**

THE CIVIL AVIATION (AERODROME) REGULATIONS, 2008

PART I - GENERAL

- | | | |
|--|-----------|--|
| Citation | 1. | These Regulations may be cited as the Civil Aviation (Aerodrome) Regulations, 2008. |
| Use of common reference systems | 2. | <ul style="list-style-type: none"> (1) The World Geodetic System – 1984 (WGS-84) shall be used as the horizontal (geodetic) reference system to express aeronautical geographical coordinates for aerodromes. (2) The Mean Sea Level datum shall be used as the vertical reference system (elevation) at aerodromes. (3) Except where notified in the Aeronautical Information Publication or the Aeronautical Information Circular of a State, the Gregorian calendar and Coordinated Universal Time shall be used as the temporal reference system. |
| Categories of aerodromes | 3. | <p>In these Regulations aerodromes shall be categorized as follows-</p> <ul style="list-style-type: none"> (a) category A comprising the primary international aerodromes, appropriate for use by aircraft of maximum certificated take-off mass of sixty thousand kilograms or more and are available for use by both domestic and international air traffic and where air |

- traffic services are available on a twenty four hour basis;
- (b) category B comprising secondary international aerodromes, appropriate for use by aircraft of maximum certificated take-off mass of five thousand seven hundred kilograms but below sixty thousand kilograms and available for use by both international and domestic air traffic, where the formalities of customs, immigration, health and similar procedures are made available with prior notice;
 - (c) category C comprising public and private aerodromes, appropriate for use by aircraft of maximum certificated take-off mass of twenty thousand kilograms or less, available for use by domestic air traffic;
 - (d) category D comprising public and private aerodromes available only for domestic air traffic including Government and privately owned aerodromes used by aircraft of maximum take-off mass of less than five thousand seven hundred kilograms;
 - (e) category E comprising public and private aerodromes available for use by helicopters only.

PART II - CONSTRUCTION OF AERODROMES

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|---|-----------|--|
| Application of Part | 4 | This Part applies to all categories of aerodromes except where otherwise specified. |
| Requirements for an application for an aerodrome construction permit | 5. | <ul style="list-style-type: none"> (1) A person shall not construct an aerodrome unless that person has a valid aerodrome construction permit issued under regulation 6. (2) An application for an aerodrome construction permit shall be considered for approval, where the applicant holds a valid authorization from a relevant authority for use of the place as an aerodrome. (3) The Authority shall prior to issuance of a construction permit, assess the suitability of the place proposed for construction taking into consideration - <ul style="list-style-type: none"> the proximity of the place to other aerodromes and landing areas including military aerodromes; obstacles, terrain and existing airspace restrictions; that it is not against public interest . (4) An applicant for an aerodrome construction permit shall submit to the Authority for approval an application in the prescribed form accompanied by – <ul style="list-style-type: none"> (a) a detailed design of the proposed construction including related architectural requirements; (b) aerodrome data in accordance with the characteristics of the aircraft for which the aerodrome is intended; and (c) a topographical map of the proposed aerodrome site as specified by the Authority. (5) Sub-regulations (2), (4)(a) and (4)(c) shall not apply to aerodromes in categories C, D and E. |
| Issuance of aerodrome construction permit | 6. | The Authority shall issue an aerodrome construction permit to an applicant where the application meets the requirements in regulation 5, the specifications contained in the latest effective edition of Annex 14 – <i>Aerodromes</i> to the Chicago Convention, as well as relevant provisions of the Civil Aviation Regulations of Rwanda, and any other requirements as may be specified by any relevant authority. |
| Design and construction of aerodrome | 7. | <ul style="list-style-type: none"> (1) An applicant for a construction permit shall ensure that the design of the aerodrome is undertaken by a registered person by the relevant professional body. (2) An applicant for a construction permit shall ensure that the construction of the aerodrome is undertaken by a registered person by the relevant professional body. (3) 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. (4) Sub-regulations (1) and (2) shall not apply to categories C, D and E aerodromes |
| Requirement for | 8. | <ul style="list-style-type: none"> (1) An aerodrome design shall - <ul style="list-style-type: none"> indicate the physical characteristics as prescribed by the Authority; |

aerodrome design

- indicate the obstacle limitation surfaces;
- intergrate security measures in accordance with the Civil Aviation (Security) Regulations;
- indicate visual aids for navigation obstacles and restricted areas;
- indicate the appropriate equipment and installations; and
- indicate the airspace classification.

- (2) The physical characteristics, obstacle limitation surfaces, visual aids and equipment and installations, required under sub-regulation (1) shall -
 - (a) be appropriate to the critical aircraft characteristics for which the aerodrome intends to serve;
 - (b) be at the lowest meteorological minima for each runway;
 - (c) provide ambient light conditions during the operations of aircraft;
 - (d) comply with the appropriate aerodrome design standards as prescribed by the Authority.
- (3) This regulation shall not apply to aerodromes in categories C, D and E.

Aerodrome reference code

9. (1) An aerodrome reference code comprising a code number and a code letter shall be used for aerodrome planning purposes.
- (2) The Authority shall determine the aerodrome reference code in accordance with the critical aircraft characteristics for which the aerodrome facility is intended.
- (3) The aerodrome reference code numbers and code letters required under sub-regulation (1) shall be determined in accordance with specifications in Table 1.

Table 1: Aerodrome reference code

Code Element 1		Code Element 2		
Code number (1)	Aerodrome reference field length (2)	Code letter (3)	Wing span (4)	Outer main gear wheel span* (5)
1	Less than 800 m	A	Up to but not including 15 m	Up to but not including 4.5 m
2	800 m up to but not including 1 200 m	B	15 m up to but not including 24 m	4.5 m up to but not including 6 m
3	1 200 m up to but not including 1 800 m	C	24 m up to but not including 36 m	6 m up to but not including 9 m
4	1 800 m and over	D	36 m up to but not including 52m	9 m up to but not including 14 m
		E	52 m up to but not including 65 m	9 m up to but not including 14 m
		F	65 m up to but not including 80 m	14m up to but not including 16 m
				*distance between the outside edges of the main gear wheels

PART III - LICENSING OF AERODROMES

Application of Part

10. This Part applies to aerodromes in categories B, C, D and E except where otherwise specified.

- Application for licence** **11.** An application for a licence shall be made in the prescribed form accompanied by-
- (b) a plan for the aerodrome;
 - (c) an environmental impact assessment report;
 - (d) approval from any relevant authority;
 - (e) proof of financial capability in the case of aerodromes in Category B;
 - (f) particulars of any non-compliance or deviations from the appropriate aerodrome design, operation or equipment standards;
 - (g) particulars of the airspace classification requirements; and
 - (h) charges as prescribed in the Aeronautical Information Publication or Aeronautical Information Circular by the Authority.
- Conditions for issuance of licence** **12.** (1) A licence may be issued subject to any conditions that may be prescribed by the Authority.
- (2) 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.
- (3) Subject to sub-regulation (4), where an applicant requests or where 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.
- (4) An aerodrome operator may refuse an aircraft from using the aerodrome except in an emergency situation.
- Breach of conditions of licence** **13.** The breach of any condition subject to which a licence is issued including any approval, permission or exemption shall render the licence invalid.
- Issuance of licence** **14.** (1) The Authority shall issue a licence in the prescribed form and manner where -
- (a) 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;
 - (b) the physical characteristics of the aerodrome and its surroundings are safe for use by aircraft; and
 - (c) an applicant for a licence complies with the Civil Aviation (Security) Regulations; and
 - (d) that the specifications contained in the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention, as well as relevant provisions of the Civil Aviation Regulations, are complied with..
- (2) 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.
- (3) The Authority may refuse to grant a licence to an applicant 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.
- (4) A person shall not operate an aerodrome without a licence issued by the Authority.
- Aerodrome licence** **15.** (1) A licence shall specify -
- the reference code for which the aerodrome is licensed;
 - the restrictions, if any, relating to non-compliance with or deviations from:
 - (i) the appropriate aerodrome design, operation or equipment standards;
 - (ii) the appropriate airspace classification requirements; and
 - (c) the period of validity of the licence.
- (2) A licence issued under these Regulations shall not be transferable.
- Validity of licence** **16.** (1) 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 19.

- (2) 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.
- (3) Notwithstanding sub-regulation (2), where an aerodrome licence is suspended for a period of less than thirty days, a holder of the licence shall surrender the licence immediately.

Renewal of licence

- 17.** (1) An application for the renewal of a licence shall be made to the Authority in the prescribed form and shall be accompanied by -
- (a) the aerodrome manual;
 - (b) particulars of deviations, if any, from the appropriate design, operation or equipment standards;
 - (c) particulars of the appropriate airspace classification requirements; and
 - (d) the appropriate charges as prescribed in the Aeronautical Information Publication or Aeronautical Information Circular by the Authority.
- (2) An application for renewal shall be submitted sixty days before the expiry of the licence.
- (3) 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.

Amendment of licence

- 18.** (1) An application for amendment of a licence shall be submitted in a form prescribed by the Authority.
- (2) The Authority may request that the application be accompanied by any or all of the following -
- (a) an aerodrome manual;
 - (b) a plan for the aerodrome;
 - (c) an environmental impact assessment report;
 - (d) approval from any relevant authority;
 - (e) proof of financial capability;
 - (f) particulars of any non-compliance or deviations from the appropriate aerodrome design, operation or equipment standards;
 - (g) particulars of the airspace classification requirements; and
 - (h) charges as prescribed in the Aeronautical Information Publication or Aeronautical Information Circular by the Authority.
- (3) The Authority may, provided the requirements of regulation 14, are met, where necessary, amend a licence -
- (a) for a change in the use or operation of the aerodrome;
 - (b) for a change in the boundaries of the aerodrome;
 - (c) if the holder of the licence requests an amendment; or
 - (d) if the Authority deems it necessary.

Suspension and cancellation of licence

- 19.** (1) The Authority may suspend an aerodrome licence where -
- (a) 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;
 - (b) the holder of the licence prevents the Authority from carrying out a safety inspection or audit in accordance with these Regulations;
 - (c) the holder of the licence is under receivership, liquidation or bankruptcy proceedings;
 - (d) it is deemed necessary in the interest of aviation safety.
- (2) The Authority may, on giving reasons to the holder of a licence, suspend the licence for a period not exceeding sixty days.
- (3) A holder of a licence who is notified of a suspension in sub regulation (2) may submit a response in writing within a period not exceeding fourteen days.
- (4) Notwithstanding sub-regulation (3), the Authority may suspend any or all of the operations at an aerodrome pending receipt of a response from the holder.

(5) The Authority may cancel the licence, on giving reasons to the holder of a licence.

Charges at licensed aerodrome

- 20.** (1) The Authority may where necessary, prescribe the charges, or the maximum charges, which may be levied for the use of an aerodrome or the performance of services at the aerodrome, for a specified period, and may further prescribe the conditions to be observed in relation to those charges and the performance of those services.
- (2) A holder of a licence of the aerodrome for which the Authority prescribes charges under sub-regulation (2) shall not cause or permit any charges to be made in contravention of that sub-regulation.
- (3) A holder of a licence of an aerodrome for which the Authority prescribes charges shall cause the prescribed charges to be posted in a conspicuous place at the aerodrome.
- (4) Where required by the Authority, a holder of a licence shall furnish particulars of the charges levied for the use of an aerodrome or the performance of services at the aerodrome provided at the aerodrome for the safety, security, efficiency or regularity of air navigation.

Licences register

- 21.** (1) The Authority shall maintain a register of all licences issued in accordance with these Regulations.
- (2) The register shall contain -
- the full name of the holder of an aerodrome licence;
 - the nationality of the holder of a licence;
 - the postal, telephone, facsimile and e-mail addresses of a holder of a licence;
 - the name and location of the aerodrome for which a licence is issued;
 - the number of the licence;
 - the date on which the licence was issued; and
- (g) any other relevant information.

Operator to notify and furnish information

- 22.** An aerodrome operator shall -
- (a) 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
 - (b) upon request furnish to an authorized person, information concerning the terms of the licence.

PART IV - AERODROME CERTIFICATION

Application of Part

- 23.** (1) This Part applies to aerodromes in category A.
- (2) The Authority may determine the aerodromes in category B to which this Part may apply.

Application for certificate

- 24.** An application for a certificate shall be submitted in a form prescribed by the Authority and shall be accompanied by -
- (a) two copies of the aerodrome manual;
 - (b) a plan for the aerodrome;
 - (c) an environmental impact assessment report;
 - (d) approval from any relevant authority;
 - (e) proof of financial capability;
 - (f) particulars of any non-compliance or deviations from the appropriate aerodrome design, operation or equipment standards;
 - (g) particulars of the airspace classification requirements; and
 - (h) charges as prescribed by the Authority in the Aeronautical Information Publication or Aeronautical Information Circular.

Conditions for issuance of certificate	25.	<ul style="list-style-type: none"> (1) A certificate may be issued subject to any conditions that may be prescribed by the Authority. (2) 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.
Breach of conditions of certificate	26.	The breach of any condition subject to which a certificate is issued including any approval, permission or exemption shall render the certificate invalid.
Issuance of certificate	27.	<ul style="list-style-type: none"> (1) The Authority shall issue a licence in the prescribed form and manner where the Authority is satisfied that - <ul style="list-style-type: none"> (a) 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; (b) the aerodrome manual prepared for the aerodrome and submitted with the application contains all the relevant information; (c) the aerodrome facilities, services and equipment are established in accordance with approved standards and recommended practices; (d) the aerodrome operating procedures make satisfactory provision for the safety of aircraft; (e) an approved safety management system is in place; (f) the applicant has an aviation security programme approved by the Authority; and (g) that the specifications contained in the latest effective edition of Annex 14 – <i>Aerodromes</i> to the Chicago Convention, as well as relevant provisions of the Civil Aviation Regulations, are complied with. . (2) The issuance of a 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. (3) The Authority may refuse to grant a certificate to an applicant 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.
Certification of aerodromes used for international operations	28.	<ul style="list-style-type: none"> (1) A person shall no person shall operate an aerodrome in Rwanda for the take-off and landing of aircraft engaged in flights for the purpose of the public transport or instruction in flying unless he is the holder of an Aerodrome Certificate granted by the Authority. (2) An aerodrome certificate issued under these Regulations is not transferable.
Validity of certificate	29.	A certificate shall be valid for a period of one year, unless the certificate is suspended, cancelled or revoked in accordance with these Regulations.
Amendment of certificate	30.	<ul style="list-style-type: none"> (1) An application for amendment of a certificate shall be submitted in a form prescribed by the Authority. (2) The Authority may request that the application be accompanied by any or all of the following - <ul style="list-style-type: none"> (a) two copies aerodrome manual; (b) a plan for the aerodrome; (c) an environmental impact assessment report; (d) approval from any relevant authority; (e) proof of financial capability; (f) particulars of any non-compliance or deviations from the appropriate aerodrome design, operation or equipment standards; (g) particulars of the airspace classification requirements; and (h) charges as prescribed in the Aeronautical Information Publication or Aeronautical Information Circular by the Authority.

- (3) The Authority may, provided the requirements of regulations 28, are met, where necessary, amend an aerodrome certificate -
 - (a) for a change in the use or operation of the aerodrome;
 - (b) for a change in the boundaries of the aerodrome;
 - (c) if the holder of the aerodrome certificate requests an amendment; or
 - (d) if the Authority deems it necessary.

Suspension and cancellation of certificate

- 31. (1) The Authority may suspend a certificate where -
 - (a) 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;
 - (b) the holder of the certificate prevents the Authority from carrying out a safety inspection or audit in accordance with these Regulations;
 - (c) the holder of the certificate is under receivership, liquidation or bankruptcy proceedings;
 - (d) it is deemed necessary in the interest of aviation safety.
- (2) The Authority may, on giving reasons to the holder of a certificate, suspend the certificate for a period not exceeding sixty days.
- (3) A holder of a certificate who is notified of a suspension in sub regulation (2) may submit a response in writing within a period not exceeding fourteen days.
- (4) Notwithstanding sub-regulation (3), the Authority may suspend any or all of the operations at an aerodrome pending receipt of a response from the holder.
- (5) The Authority may cancel the certificate, on giving reasons to the holder of a certificate.

Surrender of certificate

- 32. (1) Subject to sub-regulation (2), a holder of a certificate may surrender the certificate to the Authority at any time.
- (2) 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.
- (3) The Authority shall cancel the certificate upon the expiry of the period of notice in sub-regulation (2).
- (4) Where, after the expiry of the period in sub-regulation (2), 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 48(f).

Charges at certificated aerodrome

- 33. (1) The Authority may where necessary, prescribe the charges, or the maximum charges, which may be levied for the use of an aerodrome or the performance of services at the aerodrome, for a specified period, and may further prescribe the conditions to be observed in relation to those charges and the performance of those services.
- (2) A holder of a licence of the aerodrome for which the Authority prescribes charges under sub-regulation (2) shall not cause or permit any charges to be made in contravention of that sub-regulation.
- (3) A holder of a licence of an aerodrome for which the Authority prescribes charges shall cause the prescribed charges to be posted in a conspicuous place at the aerodrome.
- (4) Where required by the Authority, a holder of a licence shall furnish particulars of the charges levied for the use of an aerodrome or the performance of services at the aerodrome provided at the aerodrome for the safety, security, efficiency or regularity of air navigation.

PART V - OBLIGATIONS OF AERODROME OPERATOR

Application of Part

- 34. This Part applies to all categories of aerodromes except where otherwise specified.

Compliance

- 35. (1) An aerodrome operator shall comply with conditions, if any, endorsed on a licence or certificate.

with conditions and Annex 14		(2) An aerodrome operator shall comply with the standards prescribed by the latest effective edition of Annex 14 – <i>Aerodromes</i> to the Chicago Convention.
Competence of operational and maintenance personnel	36.	<p>(1) An operator shall ensure that there are an adequate number of qualified and skilled personnel to perform activities for aerodrome operation and maintenance.</p> <p>(2) 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.</p>
Aerodrome operations and maintenance	37.	<p>(1) 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.</p> <p>(2) The Authority may give written directives to an operator to alter the procedures set out in an aerodrome manual.</p> <p>(3) An operator shall ensure proper and efficient maintenance of the aerodrome facilities.</p> <p>(4) Where air traffic services are provided at an aerodrome, the operator shall co-ordinate with the air traffic services, to ensure the safety of aircraft operating in the airspace, associated with the aerodrome.</p>
Safety management system	38.	<p>(1) An operator of an aerodrome shall have a safety management system that complies with the standards specified in the aerodrome manual and the requirements specified in the First Schedule .</p> <p>(2) This regulation shall not apply to categories B, C, D and E aerodromes.</p> <p>(3) All categories of aerodromes shall comply with Part B - <i>Aircraft accident and incident reporting and investigation</i> at aerodromes of the First Schedule.</p>
Storage of inflammable and other dangerous goods	39.	A person shall not store fuel, pyrotechnic stores and other highly inflammable or other dangerous goods at an aerodrome except with the permission of the Authority and in accordance with the prescribed standards.
Safety measures against fire	40.	<p>(1) A person shall not -</p> <ul style="list-style-type: none"> (a) smoke within any place, or bring an open flame into any place, where that act is prohibited by a displayed notice; (b) 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; (c) wilfully give a false fire alarm; (d) tamper or interfere with any fire hose reel, hydrant or any other item of equipment provided for fire fighting purposes; (e) 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 (f) store or stack any material or equipment in a manner which constitutes or is likely to constitute a fire hazard. <p>(2) An operator shall display in conspicuous places appropriate signage in respect of the acts prohibited under sub-regulation (1).</p>
Access to and operations within	41.	<p>(1) A person shall not access a restricted area of an aerodrome unless authorized by the operator and subject to such conditions as the operator may impose.</p> <p>(2) A person authorized to access a restricted area under sub-regulation (1) shall not</p>

- restricted areas**
- (a) move an aircraft or a vehicle in the restricted area except with the permission and directions issued by the air traffic services personnel;
 - (b) move an aircraft or vehicle in the restricted area in a manner that endangers the safety of persons and property;
 - (c) use a portion of the aerodrome for landing or taking off, other than the area designated for that purpose.
- Entry into or exit from restricted areas of aerodrome**
42. (1) 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.
- (2) Except in an emergency or at an appropriate point of entry or exit established by an operator for that purpose, a person -
- other than a person carried in an aircraft or in a vehicle, shall not enter or leave a restricted areas of an aerodrome; or
 - shall not move an aircraft on the surface of an aerodrome or a vehicle into or from the restricted area.
- Test-running of aircraft engine**
43. 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.
- Certain acts prohibited on aerodrome**
44. (1) A person shall not, on an aerodrome-
- obstruct or interfere with the proper use of the aerodrome ;
 - obstruct any person executing his or her duties at the aerodrome ;
 - remove or deface any notice, writing, document or marking erected or displayed by the aerodrome operator;
 - throw, leave or drop anything capable of causing injury to any person or damage to any property;
 - dump any waste matter except at a place approved for the purpose by the aerodrome operator;
 - 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.
- (2) Except with the permission of the operator, a person shall not -
- interfere or tamper with any part of the aerodrome or any equipment associated with the operation of the aerodrome ;
 - climb any wall, fence, barrier, ceiling, gate or post on an aerodrome;
 - handle any baggage or carry baggage for a passengers at an aerodrome;
- (d) bring a vehicle into or drive into the aerodrome or
 - (e) obstruct an entrance to or a passage at an aerodrome in a manner that inconvenience other users of the entrance or passage.
- Removal of obstructions from aerodrome surface**
45. An operator shall remove from the aerodrome any vehicle or other obstruction that is likely to be hazardous to aircraft operations.
- Maintenance of environment management programme**
46. (1) 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.
- (2) An operator shall ensure that the environment management programme established under sub-regulation (1) minimises the effects of any hazards or potential hazards taking into account the provisions of the laws on environmental management.
- (3) This regulation shall not apply to aerodromes in categories C, D and E.

- Protection of navigation aids** 47. An operator shall in consultation with the Authority -
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;
as far as it is within the authority of the operator, prevent any interruption of visual or electronic signal of navigation aids.
- Responsibilities of operator** 48. An operator shall -
maintain the aerodrome in a serviceable condition;
keep the aerodrome free of unauthorized persons, vehicles and animals which are not under proper control or any other obstructions;
mark all obstructions in accordance with the prescribed guidelines;
inform the Authority of any alterations to obstruction or works on the aerodrome;
install approved wind direction indicators to show the surface direction of the wind and ensure that they function satisfactorily;
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;
avail facilities and ensure that they are in serviceable condition and that all apparatus installed function efficiently;
appropriately mark the unserviceable areas on the landing terrain;
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;
(j) submit to the Authority reports on the condition of the aerodrome as may be required by the Authority; and
(k) report all incidents and accidents on an aerodrome to the Authority.
- Staff of Authority to access an aerodrome** 49. (1) 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.
(2) To facilitate the functions of the Authority specified in sub-regulation (1), an operator shall allow unhindered access to any part of the aerodrome or any aerodrome facility, including equipment, records, documents and personnel.
- Notifying and reporting** 50. (1) An operator shall notify and report to the Authority, the air traffic control unit and pilots, within the specified time limits, information on -
(a) any inaccuracies in the Aeronautical Information Publication;
(b) any changes to the aerodrome facilities, equipment and level of service planned in advance;
(c) 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.
(2) 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 sub-regulation (1) (c), the operator shall give immediate notice, directly to the pilots who may be affected by that circumstance.
- Special inspections** 51. (1) An operator shall inspect an aerodrome -
(a) as soon as practicable after any accident or incident;
(b) during any period of construction or repair of the aerodrome facilities or equipment that is critical to the safety of aircraft operation; and
(c) at any other time when there are conditions at the aerodrome that may affect aviation safety.

- (2) An operator shall notify and report to the Authority, within the specified time limits, information on any special inspection carried out under sub regulation (1).

- Warning notices** 52. 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 -
- (a) post hazard warning notices to that effect, on any public way that is adjacent to the manoeuvring area; or
 - (b) where the public way is not controlled by the operator, inform the relevant authority of the hazard.

PART VI - AERODROME MANUAL

- Application of Part** 53. This Part applies to all categories of aerodromes except where otherwise specified.

- Requirements for aerodrome manual** 54. (1) Upon making an application for a licence or a certificate the applicant shall submit to the Authority an aerodrome manual for approval.
- (2) An aerodrome manual shall -
- (a) be typewritten or printed;
 - (b) be signed by the operator;
 - (c) be in a format that is easy to revise;
 - (d) have a system for recording the current pages and any amendments, including a page for logging revisions; and
 - (e) be organized in a manner that facilitates the preparation, review and approval processes.
- (3) 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.
- (4) Where an operator of an aerodrome in category D or E is unable to keep a copy of the aerodrome manual at the aerodrome, the operator shall keep the aerodrome manual at a place authorized by the Authority.

- Information to be included in aerodrome manual** 55. (1) An aerodrome manual shall contain all information and instructions necessary to enable the personnel of an aerodrome perform their duties.
- (2) Notwithstanding sub-regulation (1), and to the extent that the particulars are applicable, a manual for an aerodrome in categories A and B shall include the particulars provided in the Second Schedule and a manual for an aerodrome in category C, D or E, the particulars provided in the Third Schedule.
- (3) Where a person is given an exemption, 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.

- Amendment of aerodrome manual** 56. (1) To maintain the accuracy of the information in an aerodrome manual -
- (a) an operator shall whenever necessary, amend the aerodrome manual; or
 - (b) the Authority may issue a written directive requiring the operator to alter or amend the aerodrome manual.
- (2) Notwithstanding sub-regulation (1), an operator shall submit the proposed amendment to the Authority for approval, before the aerodrome manual is amended.
- (3) The Authority shall approve the amendment made to an aerodrome manual where the amendment meets the requirements of these Regulations.

PART VII – WILDLIFE HAZARD MANAGEMENT

- Application of Part** 57. In this Part, regulation 58 applies to all categories of aerodromes and regulations 59 and 60 apply to aerodromes in categories A, B and C.

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| Animals not allowed in restricted areas of aerodrome | 58. | <ul style="list-style-type: none"> (1) 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. (2) Subject to sub-regulation (1), a person who brings, permits or grazes an animal in the restricted area of an aerodrome or who causes an animal to graze or feed in a restricted area of an aerodrome or who receives an animal in the restricted area of the aerodrome, shall ensure that the animal is at all times under proper control while in the restricted area. (3) In this regulation, “animal” means a domesticated animal and a bird. |
| Wildlife hazard management | 59. | <ul style="list-style-type: none"> (1) An operator shall, in consultation with the authority responsible for wildlife, take necessary action to control wildlife hazards at the aerodrome. (2) An operator shall ensure that procedures to deal with the danger posed to aircraft operations by the presence of birds and animals in the aerodrome flight pattern or movement area are in place. (3) The wildlife management plan of an aerodrome shall be approved by the Authority and shall form part of the aerodrome manual. |
| Bird hazard reduction at aerodrome | 60. | <ul style="list-style-type: none"> (1) An operator shall, in consultation with the authority responsible for wildlife, take all reasonable steps to minimize the risks associated with bird strike hazards. (2) An operator shall take practical measures to control the bird habitat at or around the aerodrome and to disperse birds, which are a potential hazard to aircraft operations. (3) A bird strike hazard on, or in the vicinity of, an aerodrome shall be assessed through -
 <ul style="list-style-type: none"> procedure established for recording and reporting bird strikes to aircraft; and the collection of information from aircraft operators and aerodrome personnel, or any other person, on the presence of birds, on or around the aerodrome, which constitute a potential hazard to aircraft operations. (4) A bird strike report shall be collected and forwarded by the Authority to ICAO for inclusion in the ICAO Bird Strike Information System database. (5) Where a bird hazard is identified at an aerodrome, the operator shall take action to decrease the number of birds constituting the potential hazard to aircraft operations by adopting measures for discouraging their presence on, or in the vicinity of the aerodrome. (6) An operator shall take measures to eliminate or to prevent the establishment of garbage disposal dumps or any other source of garbage that may attract bird activity on, or in the vicinity of an aerodrome unless an appropriate aeronautical study indicates that the dumps are not likely to create conditions conducive to a bird hazard problem. (7) An operator shall establish a bird hazard control unit to control and manage the bird hazard. (8) The operator shall cause records of all aspects of bird hazard control to be kept and shall report all bird strikes to the Authority. (9) An operator shall monitor the local environment including any activities that may attract birds and in designing the bird hazard management programme, shall consider that environment and the activities that may attract birds. |

PART VIII - OBSTACLE RESTRICTIONS AND REMOVAL

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| Application of Part | 61. | This Part applies to all categories of aerodromes. |
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- Requirements for obstacle limitation** 62. (1) 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.
- (2) 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.
- (3) The object referred to in sub-regulation (2) includes a new object or an extension of an existing object above the obstacle limitation surface.
- (4) The obstacle clearance altitude and height applicable to obstacle limitation surface, and the obstacle limitation requirements shall comply with the standards prescribed by Chapter 4 – *Obstacle Restriction and Removal* to the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention and any specifications prescribed by the Authority.
- Establishment of obstacle limitation surfaces** 63. Notwithstanding regulation 8, an operator shall ensure that obstacle limitation surfaces are established for the aerodrome in accordance with the standards prescribed by Chapter 4 – *Obstacle Restriction and Removal* to the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention and any specifications prescribed by the Authority.
- Authorization to construct within the vicinity of an aerodrome** 64. (1) A person who proposes to erect any building or other structure of a height which exceeds the height of any obstacle including land within a radius of 8 km of an aerodrome, shall notify the Authority in writing of such intention and such notice shall contain the precise position and height of such proposed building or other structure,
- (2) Where the Authority is consulted regarding a proposed construction in sub-regulation (1), the Authority shall cause an aeronautical study of the effect of the construction on operation of aircraft, to be carried out.
- (3) Within three months of receipt of a notice under sub-regulation (1), the Authority may, in writing, order the owner or other person responsible for the erection of such building or other structure to light or otherwise mark the same in such manner as the Authority may direct or, refuse the erection of the building,
- (4) Where an owner fails to comply with the order mentioned in sub-regulation (3), within the time directed by the Authority, the Authority shall remove the building or structure at the cost of the owner of that obstacle.
- Removal of obstacle** 65. (1) A person shall remove any obstacle which constitutes a hazard to aircraft operations in the vicinity of 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.
- (2) The Authority may direct the removal of any obstacle, including any obstacle for which no authorization is required under regulation 64, which, in the opinion of the Authority, taking into account the standards prescribed by Chapter 4 – *Obstacle Restriction and Removal* to the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention, constitutes a hazard to aircraft operations.
- (3) 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.
- Marking and lighting of obstacle** 66. (1) 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.
- (2) The markings and lights referred to in sub-regulation (1) shall be in accordance with the standards prescribed in the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention and any guidelines prescribed by the Authority.
- (3) An operator shall, where practicable, ensure that all fixed obstacles to be marked in accordance with sub-regulation (1) are coloured as prescribed by the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention and any specifications prescribed by the Authority.

- (4) Where the conditions required in sub-regulation (3) 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.
- (5) 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.
- (6) An obstacle lighted in accordance with sub-regulation (1) 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.

PART IX - AERONAUTICAL GROUND LIGHTING

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| Application of Part | 67. | <ol style="list-style-type: none"> (1) This Part applies to aerodromes in categories A and B. (2) An operator shall provide and maintain aeronautical ground lighting in accordance with the standards prescribed in Chapter 5 – <i>Visual Aids for Navigation</i> to the latest effective edition of Annex 14 – <i>Aerodrome</i> to the Chicago Convention and specifications prescribed by the Authority. |
| Establishment and maintenance of aeronautical ground lights | 68. | <ol style="list-style-type: none"> (1) 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. (2) 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. (3) Without prejudice to the generality of sub-regulation (1), the location, characteristics, intensity control and settings of aeronautical ground lights shall be in accordance with specifications prescribed by the Authority. (4) 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. (5) A person shall not – <ol style="list-style-type: none"> (a) intentionally or negligently damage an aeronautical ground light; or (b) interfere with an aeronautical ground light without the permission of the operator. (6) 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. |
| Secondary power supply | 69. | An operator shall not operate or maintain an aerodrome provided with runway lighting, without a secondary power supply. |
| Aeronautical beacons | 70. | <ol style="list-style-type: none"> (1) An operator shall provide, where necessary, at each aerodrome intended for use at night, an aerodrome beacon, where – <ol style="list-style-type: none"> (a) aircraft navigate predominantly by visual means; (b) reduced visibility is frequent; or (c) it is difficult to locate the aerodrome from the air due to a surrounding light or terrain. (2) 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. (3) The location and characteristics of an aerodrome and identification beacon described in sub-regulations (1) and (2) shall be in accordance with specifications prescribed by the Authority.. |

PART X - AERODROME VISUAL AIDS

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| Application of Part | 71. | <ul style="list-style-type: none">(1) This Part applies to all categories of aerodromes.(2) An operator shall provide and maintain visual aids for navigation in accordance with the standards prescribed in Chapter 5 – <i>Visual Aids for Navigation</i> to the latest effective edition of Annex 14 – <i>Aerodrome</i> to the Chicago Convention and specifications prescribed by the Authority. |
| Wind direction indicators | 72. | <ul style="list-style-type: none">(1) An operator shall provide and maintain at least one wind direction indicator for an aerodrome.(2) The wind direction indicator required under sub-regulation (1) 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.(3) The characteristics of the wind direction indicator, the methods and procedures for installation and maintenance shall be in accordance with the methods and procedures prescribed by the Authority. |
| Signalling lamp | 73. | <ul style="list-style-type: none">(1) An operator shall provide a signalling lamp at a controlled aerodrome.(2) The characteristics and operating procedure of a signalling lamp shall be in accordance with specifications prescribed by the Authority. |
| Signal panel and signalling area | 74. | <ul style="list-style-type: none">(1) The Authority may where it deems necessary, require a signalling panel and a signaling area to be provided at an aerodrome for safe operation of aircraft.(2) Where provided, the location and the characteristics of the signal area shall be in accordance with specifications prescribed by the Authority. |
| Markings | 75. | <ul style="list-style-type: none">(1) An operator shall provide markings for paved runway centreline, 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.(2) Runway marking shall be white in colour.(3) Taxiway markings, runway turn pad markings and aircraft stand markings shall be yellow in colour.(4) Apron safety-lines shall be of a conspicuous colour, which shall contrast with that used for aircraft stand markings.(5) The application, location and the characteristics of markers for unpaved runway edge markers, stop way edge markers, taxiway edge markers, taxiway centreline markers and boundary markers shall be in accordance with the specifications prescribed by the Authority. |
| VOR aerodrome checkpoint marking | 76. | <ul style="list-style-type: none">(1) An operator shall ensure that where a VOR aerodrome checkpoint is established at an aerodrome, it is indicated by a VOR aerodrome checkpoint sign.(2) The VOR aerodrome checkpoint location and characteristics shall be in accordance with specifications prescribed by the Authority. |
| Aircraft stand markings | 77. | An operator shall provide aircraft stand markings for designated parking positions on a paved apron in accordance with specifications prescribed by the Authority. |
| Apron safety lines | 78. | An operator shall provide apron safety lines on a paved apron as required by the parking configuration and ground facilities and in accordance with specifications prescribed by the Authority. |
| Road-holding | 79. | <ul style="list-style-type: none">(1) An operator shall provide road-holding position markings at all road entrances to a runway. |

- positions**
- (2) The road-holding position markings provided under sub-regulation (1) shall be located across the road at all the holding positions.
 - (3) The road-holding position marking shall be as prescribed by the Authority.
- Mandatory instruction markings and signs**
- 80.**
- (1) 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.
 - (2) Where it is impracticable to install a mandatory instruction marking and a sign in accordance with sub-regulation (1), a mandatory instruction marking or sign shall be provided on the surface of the pavement.
 - (3) The location and characteristics of the mandatory instruction marking or sign shall be in accordance with specifications prescribed by the Authority.
 - (4) 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.
 - (5) The location and characteristics of the signs referred to in sub-regulation (4) shall be in accordance with the specifications prescribed by the Authority.

Information marking

81. An operator shall install an information marking, in accordance with specifications prescribed by the Authority, where an information sign is required but is physically impossible to install.

Visual aids for denoting obstacles

82. 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.

Obstacles to be marked or lighted

83. An operator shall ensure that marking and lightning of all fixed obstacles and fixed objects other than obstacles are in accordance with the standards prescribed in Chapter 6 – *Visual Aids for denoting Obstacles* to the latest effective edition of Annex 14 – Aerodrome to the Chicago Convention and specifications prescribed by the Authority.

Visual aids for denoting restricted areas

84.

- (1) 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.
- (2) Without prejudice to the generality of sub-regulation (1), 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 the standards prescribed in Chapter 7 – *Visual Aids for restricted Areas* to the latest effective edition of Annex 14 – Aerodrome to the Chicago Convention and specifications prescribed by the Authority.

PART XI - AERODROME OPERATIONAL SERVICES, EQUIPMENT, INSTALLATIONS AND FACILITIES

Application of Part

85. This Part applies to all categories of aerodromes except where otherwise specified.

Immigration, customs and excise aerodromes

86. 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.

Supply of aviation fuel to aircraft

87.

- (1) 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 -
 - (a) 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;
 - (b) 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.
- (2) 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.
 - (3) 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.
 - (4) An operator may subject to the approval granted under sub-regulation (3), ensure compliance with any conditions as the operator may impose, in order to safeguard persons or property on the ground.
 - (5) An operator of an aviation fuel installation shall keep a written record in respect of each installation managed by that operator.
 - (6) The record in sub-regulation (5) shall include -
 - particulars of the grade and quantity of aviation fuel delivered and the date of delivery;
 - particulars of all samples taken of the aviation fuel and of the results of the tests of those samples; and
 - particulars of the maintenance and cleaning of the installation.
 - (7) 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 authorized person, produce the record to that authorized person.
 - (8) Where it appears to the Authority or to an authorized person that aviation fuel is intended or likely to be delivered in contravention of this regulation, the Authority or that authorized 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 authorized person.
 - (9) For the purpose of this regulation -
 - (a) "aviation fuel" means fuel intended for use in an aircraft; and
 - (b) "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.

Aerodrome emergency planning

88. (1) An operator shall establish an aerodrome emergency plan at the aerodrome, which shall –
 - (a) be commensurate with the aircraft operations and activities conducted at the aerodrome; and
 - (b) provide for the coordination of the actions to be taken in the event of an emergency occurring at the aerodrome or in its vicinity.
- (2) An emergency referred to in sub-regulation (1) 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.
- (3) 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 -
 - (a) at an aerodrome -
 - (i) air traffic control unit;

- (ii) rescue and fire fighting services;
- (iii) aerodrome administration;
- (iv) medical and ambulance services;
- (v) aircraft operators;
- (vi) security services;
- (vii) airport police unit;
- (b) outside the aerodromes -
 - (i) fire departments;
 - (ii) Police force;
 - (iii) medical and ambulance services;
 - (iv) hospitals;
 - (v) military forces;
 - (vi) harbour patrol or coast guard.
- (4) The emergency plan shall include -
 - the types of emergencies planned for;
 - agencies to be involved in the plan;
 - the responsibility and role of each agency, the emergency operation centre and the command post for each type of emergency;
 - names and contacts of offices or people to be contacted in the case of a particular emergency; and
 - a grid map of the aerodrome and its immediate vicinity.
- (5) 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.
- (6) This regulation applies to aerodromes in categories A, B and, where required by the Authority, C.

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| Emergency planning committee | 89. | <ul style="list-style-type: none"> (1) 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. (2) This regulation applies to aerodromes in categories A, B and, where required by the Authority, C. |
| Aerodrome emergency exercise | 90. | <ul style="list-style-type: none"> (1) An emergency plan established under regulation 88 shall contain procedures for periodic testing of the adequacy of the plan and for reviewing of the results in order to improve its effectiveness. (2) Without prejudice to the generality of sub-regulation (1), the plan shall be tested by conducting - <ul style="list-style-type: none"> (a) full scale emergency exercises at intervals not exceeding two years; (b) partial emergency exercises every year, to ensure that any deficiencies found during the full scale aerodrome emergency exercise are corrected; and (c) contingency plan exercises in accordance with the Civil Aviation (Security) Regulations. reviewed thereafter, or after an actual emergency, so as to correct any deficiency found during such exercises or actual emergency; (3) This regulation applies to aerodromes in categories A, B and, where required by the Authority, C. |
| Emergency operation centre and command post | 91. | <ul style="list-style-type: none"> (1) 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. (2) This regulation shall apply to aerodromes in categories A, B and, where required by the Authority, C. |
| Emergencies in difficult | 92. | <ul style="list-style-type: none"> (1) Where an aerodrome is located close to water and/or a swampy area and where a significant portion of approach or departure operations takes place over the area, the emergency plan |

environment

established under regulation 88 shall include the ready availability of and co-ordination with appropriate specialist rescue services to be able to respond to emergencies.

- (2) 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.
- (3) This regulation applies to aerodromes in categories A and B.

Aerodrome rescue and fire fighting services

- 93.**
- (1) An operator shall put in place rescue and fire fighting facilities commensurate with the category of the aerodrome as specified in Table 2.
 - (2) 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 takes place over such an area, specialist rescue services and fire-fighting equipment appropriate to the hazard and risk shall be made available.
 - (3) The level of protection provided at an aerodrome for rescue and fire fighting shall be appropriate to the aerodrome category which shall be determined using the principles in sub-regulations (4) and (5), except that, where the number of movements of the aeroplanes in the highest category normally using the aerodrome is less than 700 in the busiest consecutive three months, the level of protection provided shall be not less than one category below the determined category.
 - (4) For purposes of aerodrome rescue and fire fighting services, the aerodrome category shall be determined using Table 2 and shall be based on the longest aircraft that normally uses the aerodrome, and its fuselage width.
 - (5) Where after selecting the aerodrome category appropriate to the overall length of the longest aircraft, the fuselage of that aircraft is found to be greater than the maximum width provided for that category, in column 3 of Table 2 the category for that aircraft shall be the one category higher.

Table 2 – Aerodrome category for rescue and fire fighting

Aerodrome category	Aircraft overall length	Maximum fuselage width
1	0 M up to but not including 9 M	2M
2	9 M up to but not including 12 M	2M
3	12 M up to but not including 18 M	3M
4	18 M up to but not including 24 M	4M
5	24 M up to but not including 28 M	4M
6	28 M up to but not including 39 M	5M
7	39 M up to but not including 49 M	5M
8	49 M up to but not including 61 M	7M
9	61 M up to but not including 76 M	7M
10	76 M up to but not including 90 M	8M

- (6) The amounts of water for foam production and the complementary agents to be provided on the rescue and fire fighting vehicles shall be in accordance with the aerodrome category determined under sub-regulations (3) and (4) and Table 3.
- (7) The amounts of water for foam production may be replaced as follows -
 - for aerodrome categories one and two, up to one hundred *per cent* of water may be replaced by a complementary agent;
 - for aerodrome categories three to ten, where a foam meeting performance level A is used, up to thirty *per cent* of the water may be replaced by a complementary agent.

Table 3 - Minimum usable amounts of extinguishing agents

Aerodrome Category	Foam meeting performance level A		Foam meeting performance level B		Complementary agent
	Water (L)	Discharge rate Foam solution/minute (L)	Water (L)	Discharge rate Foam solution/minute (L)	
(1)	(2)	(3)	(4)	(5)	(6)

				(5)	
1	350	350	230	230	45
2	1000	800	670	550	90
3	1800	1300	1200	900	135
4	3600	2600	2400	1800	135
5	8100	4500	5400	3000	180
6	11800	6000	7900	4000	225
7	18200	7900	12100	5300	225
8	27300	10800	18200	7200	450
9	36400	13500	24300	9000	450
10	48200	16600	32300	11200	450

- (8) The quantities of water shown in columns 2 and 4 of Table 3 are based on the average overall length of aircraft in a given category and where operations of aircraft larger than the average size are expected, the quantities of water shall be recalculated.
- (9) Any other complementary agent other than dry chemical powder, which has equivalent fire fighting capability, may be used.
- (10) The quantity of foam concentrates separately provided on vehicles for foam production shall be in proportion to the quantity of water provided and the foam concentrate selected.
- (11) The discharge rate of the foam solution shall not be less than the rates shown in Table 3.
- (12) The operational objective of a rescue and fire fighting service shall be to achieve a response time not exceeding three minutes to any point of each operational runway, in optimum visibility and surface conditions.
- (13) All rescue and fire fighting personnel shall be properly trained, including training in human performance and team coordination and shall participate in live fire drills commensurate with the types of aircraft and rescue and fire fighting equipment in use at the aerodrome, including pressure-fed fuel fires.
- (14) All responding rescue and fire fighting personnel shall be provided with protective clothing and respiratory equipment to enable them to perform their duties in an effective manner.
- (15) The minimum number of rescue and fire fighting vehicle provided at an aerodrome shall be as provided in the second column for the aerodrome category in the first column of Table 4 and shall correspond to the foam meeting performance in the third column of Table 3.

Table 4 - Minimum number of rescue and fire fighting vehicle

Aerodrome category	Number of rescue and fire fighting vehicles
1	1
2	1
3	1
4	1
5	1
6	2
7	2
8	3
9	3
10	3

- (16) This regulation shall not apply to aerodromes in categories C, D and E unless otherwise specified by the Authority in the licence.

Removal of disabled aircraft

94. (1) An operator shall have in place a plan for the removal of disabled aircraft from the movement area or adjacent to it.
- (2) The plan under this regulation shall include particulars of the procedures for removing a disabled aircraft on the movement area or adjacent to it.
- (3) The plan for the removal of disabled aircraft shall be based on the characteristics of the aircraft that may normally be expected to operate at the aerodrome and shall include -

- (a) a list of equipment and personnel on, or in the vicinity of, the aerodrome, available for the purpose;
 - (b) arrangement for the rapid receipt of aircraft recovery equipment kits from other aerodromes, where applicable; and
 - (c) the name of the co-ordinator designated to implement the plan.
- (4) This regulation shall not apply to aerodromes in categories C, D and E unless otherwise specified by the Authority in the licence.

Apron management service

- 95.**
- (1) An operator shall provide an apron management service at an aerodrome where air traffic service is provided at that aerodrome.
 - (2) The apron management service established under sub-regulation (1) shall be provided by an operator, an aerodrome air traffic service unit, or a cooperative combination of these, as may be specified for each aerodrome category, in the Aeronautical Information Publication and Aeronautical Information Circular.
 - (3) Subject to sub-regulation (2), 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.
 - (4) An operator shall ensure that, where an apron management service is established, radio communication facilities are provided.
 - (5) Where low visibility procedures are in effect, persons and vehicles operating in the apron shall be restricted to the essential minimum.
 - (6) 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.
 - (7) An aircraft stand 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.
 - (8) This regulation applies to aerodromes in categories A and B.

Ground servicing of aircraft

- 96.**
- (1) An operator shall ensure that fire extinguishing equipment, suitable for at least the initial intervention in the event of a fuel fire, and personnel trained in its use, is readily available during the ground servicing of an aircraft, and that there is means of quickly summoning the rescue and fire fighting service in the event of a fire or major fuel spill.
 - (2) An operator shall ensure that, when aircraft refuelling operations take place while passengers are on board, embarking or disembarking, ground equipment are positioned in a manner that allows -
 - the use of a sufficient number of exits for expeditious evacuation; and
 - a ready escape route from each of the exits to be used in an emergency.

Aerodrome vehicle operation and surface movement guidance and control systems

- 97.**
- (1) 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.
 - (2) A person shall not operate a vehicle on an apron of an aerodrome except where authorized by the operator.
 - (3) A vehicle operating on the movement area shall:
 - (a) have a rotating beacon;
 - (b) on a manoeuvring area, be operated only as authorized by the aerodrome control tower and in compliance with its instructions;
 - (c) on an apron, be operated only as authorized by the appropriate designated authority and in compliance with its instructions.
 - (4) A driver of the vehicle on the movement area shall comply with all mandatory instructions conveyed by markings and signs, when the vehicle is on the manoeuvring area, except where the driver is authorized by the aerodrome control tower.
 - (5) A driver of the vehicle on the movement area shall comply with all mandatory instructions conveyed by markings and signs, when the vehicle is on an apron, except where the driver is authorized by the appropriate designated authority .
 - (6) A driver of a vehicle on the movement area shall comply with all mandatory instructions

conveyed by lights.

- (7) 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.
- (8) 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.
- (9) The operator shall ensure that a surface movement guidance and control system is provided at an aerodrome, and its design shall take into account:
 - (a) the density of air traffic;
 - (b) the visibility conditions under which operations are intended;
 - (c) the need for pilot orientation;
 - (d) the complexity of the aerodrome layout; and
 - (e) movements of vehicles.
- (10) Where a surface movement guidance and control system is provided by selective switching of stop bars and taxiway centre line lights, the following requirements shall be met:
 - (a) taxiway routes which are indicated by illuminated taxiway centre line lights shall be capable of being terminated by an illuminated stop bar;
 - (b) the control circuits shall be so arranged that when a stop bar located ahead of an aircraft is illuminated the appropriate section of taxiway centre line lights beyond it is suppressed; and
 - (c) the taxiway centre line lights are activated ahead of an aircraft when the stop bar is suppressed.
- (11) This regulation shall not apply to aerodromes in categories C, D and E unless otherwise specified by the Authority in the licence.

**Location,
construction
and
installation of
equipment on
operational
areas**

- 98.**
- (1) 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.
 - (2) 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 in Section 9.9 – *Siting of Equipment and Installations on Operational Areas* of the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention and any standard specified by the Authority.

**Fencing of
aerodromes
and
installations**

- 99.**
- (1) An operator of an aerodrome shall provide a fence or a suitable barrier on the aerodrome-
 - (a) to prevent the entrance into the movement area, of any animals likely to be a hazard to aircraft; and
 - (b) to deter the inadvertent or premeditated access of an unauthorized person onto a non-public area of the aerodrome.
 - (2) An owner or an operator of ground installations and facilities essential for the safety of civil aviation located off the aerodrome shall provide suitable means of protection to deter the inadvertent or premeditated access of unauthorized persons thereinto.
 - (3) The fence or barrier required under sub-regulation (1) 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 access.
 - (4) Where the Authority deems it necessary for security reasons, 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.
 - (5) Where the Authority deems it necessary for security reasons, the fence or barrier provided under sub-regulation (1) 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.

(6) This regulation applies to aerodromes in categories A and B.

- Maintenance of safety inspection programme** **100** (1) An operator shall establish and maintain a safety inspection programme for the aerodrome.
(2) The safety inspection programme shall -
 (a) provide procedures to ensure that competent aerodrome personnel execute the programme effectively; and
 (b) provide a reporting system to ensure prompt correction of unsafe aerodrome conditions noted during any inspection.
- Maintenance of fire prevention programme** **101** (1) 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.
(2) 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.
(3) An operator shall ensure that unsafe practices that may result in fire are not performed on the aerodrome or within its vicinity.
(4) Notwithstanding sub-regulation (3) where unsafe practices are performed during maintenance on the aerodrome, an operator shall alert the rescue and fire fighting services concerned, to be on standby for the duration of the practices.
- Access of ground vehicles to aerodrome movement area** **102** (1) An operator shall -
 limit the access of any ground vehicles used for aerodrome and aircraft operations, to the aerodrome manoeuvring area;
 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 -
 two-way radio communication between the vehicle and the air traffic service unit;
 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;
 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;(d) 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.
(2) 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.
(3) In this regulation, “gear” includes a vest, band, overcoat, helmet and socks.

PART XII - AERODROME MAINTENANCE

- Application of Part** **103.** This part shall apply only to aerodromes in categories A and B.
- Maintenance programme** **104.** (1) 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.
(2) The design and application of the maintenance programme shall observe Human Factors principles.
(3) In this regulation -
 “facility” includes a pavement, visual aid, fencing, drainage system and building;

“preventive maintenance” means programme maintenance work done to prevent failure or degradation of a facility.

- Maintenance of pavements** **105.** (1) An operator shall at all times ensure that -
- the surface of pavements including runways, taxiways, aprons and adjacent areas are kept clear of any loose stones or other objects that may cause damage to aircraft structures or engines or impair the operation of aircraft systems;
 - the surface of the runway is maintained in a condition that precludes formation of harmful irregularities such as water pools and rough surfaces;
 - measurements of the friction characteristics of the runway are made periodically with a continuous friction measuring device using self-wetting features;
 - corrective maintenance action is taken whenever the friction characteristics for the entire runway or portion of it are below the prescribed minimum friction level or minimum maintenance planning level;
 - where there is reason to believe that the drainage characteristics of a runway or portions of the runway, are poor due to slopes or depressions, that the runway friction characteristics are assessed under natural or simulated conditions that are representative of local rain and corrective maintenance action is taken where necessary;
 - 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;
 - the surfaces of the paved runways, taxiways and aprons, are maintained in a condition that provides good friction characteristics and low rolling resistance;
 - any standing water, mud, dust, sand, oil, rubber deposits and other contaminants on the surface of pavements is removed as rapidly and completely as possible to minimize accumulation, with priority given to runways, taxiways, aprons, holding bays and other areas, in that order.
- (2) 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.
- Preventive maintenance of visual aids** **106.** (1) An operator shall not operate an aerodrome unless a system of preventive maintenance of visual aids is employed at the aerodrome.
- (2) The system of preventive maintenance required under sub-regulation (1) shall, if employed for instrument precision approach runways categories I and II include -
- visual inspections and in-field measurement of the intensity, beam spread and orientation of lights included in the approach and runway lighting systems;
 - control and measurement of the electrical characteristics of each circuitry included in the approach and runway lighting systems; and
 - control of the correct functioning of the light intensity settings used by air traffic control unit.
- (3) 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.
- (4) 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.
- (5) An operator who is required to employ a system of preventive maintenance under sub-regulation (1), 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 and the standards of the latest effective edition of Chapter 10.4 – *Visual Aids*- of Annex 14 – *Aerodromes* to the Chicago Convention.
- Construction or** **107.** 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.

**maintenance
activity
during low
visibility
operations**

- Works on
aerodrome** **108.** (1) An operator shall establish procedures and precautions to ensure that any works carried out on an aerodrome do not endanger the safety of any aircraft operations.
- (2) The procedures and precautions in sub-regulation (1) shall comply with standards prescribed by the Authority.

PART XIII - ELECTRICAL SYSTEMS

- Application
of Part** **109.** This part shall apply to all categories of aerodromes.

- Electrical
power supply
systems for
air navigation
facilities,
system design
and
monitoring** **110.** (1) 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.
- (2) 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.
- (3) 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.
- (4) The time interval between failure of the primary source of power and the complete restoration of the services required by sub-regulation (19) should be as short as practicable, except that for visual aids associated with non-precision, precision approach or take-off runways the requirements of Table 5 for maximum switch-over times should apply.
- (5) The provision of a definition of switch-over time shall not require the replacement of an existing secondary power supply before 1 January 2010; however, for a secondary power supply installed after 4 November 1999, the electric power supply connections to those facilities for which secondary power is required shall be so arranged that the facilities are capable of meeting the requirements of Table 5 for maximum switch-over times as defined in the Regulations.
- (6) For a precision approach runway, a secondary power supply capable of meeting the requirements of Table 5 for the appropriate category of precision approach runway shall be provided; electric power supply connections to those facilities for which secondary power is required shall be so arranged that the facilities are automatically connected to the secondary power supply on failure of the primary source of power.
- (7) For a runway meant for take-off in runway visual range conditions less than a value of 800 m, a secondary power supply capable of meeting the relevant requirements of Table 5 shall be provided.
- (8) At an aerodrome where the primary runway is a non-precision approach runway, a secondary power supply capable of meeting the requirements of Table 5 should be provided except that a secondary power supply for visual aids need not be provided for more than one non-precision approach runway.
- (9) At an aerodrome where the primary runway is a non-instrument runway, a secondary power supply capable of meeting the requirements of sub-regulation (4) shall be provided, except that a secondary power supply for visual aids need not be provided when an emergency lighting system in accordance with the requirements of Annex 14- *Aerodromes* to the Chicago Convention concerning Emergency Lights is provided and capable of being deployed in 15 minutes.
- (10) Requirements for a secondary power supply shall be met by either of the following:
- (a) independent public power, which is a source of power supplying the aerodrome service from a substation other than the normal substation through a

transmission line following a route different from the normal power supply route and such that the possibility of a simultaneous failure of the normal and independent public power supplies is extremely remote; or

- (b) standby power unit(s), which are engine generators, batteries, etc., from which electric power can be obtained.
- (11) For a runway meant for use in runway visual range conditions less than a value of 550 m, the electrical systems for the power supply, lighting and control of the lighting systems included in Table 5 shall be so designed that an equipment failure will not leave the pilot with inadequate visual guidance or misleading information.
 - (12) Where the secondary power supply of an aerodrome is provided by the use of duplicate feeders, such supplies shall be physically and electrically separate so as to ensure the required level of availability and independence.
 - (13) Where a runway forming part of a standard taxi-route is provided with runway lighting and taxiway lighting, the lighting systems shall be interlocked to preclude the possibility of simultaneous operation of both forms of lighting.
 - (14) A system of monitoring shall be employed to indicate the operational status of the lighting systems.
 - (15) Where lighting systems are used for aircraft control purposes, such systems shall be monitored automatically so as to provide an indication of any fault which may affect the control functions; this information shall be automatically relayed to the air traffic service unit.
 - (16) Except if the Authority decides otherwise, where a change in the operational status of lights has occurred, an indication shall be provided within two seconds for a stop bar at a runway holding position and within five seconds for all other types of visual aids.
 - (17) Except if the Authority decides otherwise, for a runway meant for use in runway visual range conditions less than a value of 550m, the lighting systems detailed in Table 5 shall be monitored automatically so as to provide an indication when the serviceability level of any element falls below the minimum serviceability level specified in regulation 106, as appropriate. This information should be automatically relayed to the maintenance crew.
 - (18) Except if Authority decides otherwise, for a runway meant for use in runway visual range conditions less than a value of 550 m, the lighting systems detailed in Table 5 shall be monitored automatically to provide an indication when the serviceability level of any element falls below the minimum level specified by the Authority below which operations should not continue. This information should be automatically relayed to the air traffic services unit and displayed in a prominent position.
 - (19) 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 -
 - the signalling lamp and the minimum lighting necessary to enable air traffic services personnel to carry out their duties;
 - all obstacle lights which, in the opinion of the Authority are essential to ensure the safe operation of aircraft;
 - approach, runway and taxiway lighting;
 - meteorological equipment;
 - essential security lighting, if provided;
 - essential equipment and facilities for the aerodrome emergency agencies;
 - floodlighting on a designated isolated aircraft parking position if provided; and
 - (h) illumination of apron areas over which passengers may walk.
 - (20) The maximum switch-over time between failure of the primary source of power and the secondary source of power for the services required by sub-regulation (6) shall be as indicated in Table 5.

Table 5 - Secondary power supply requirements

Runway Type	Lighting aids requiring power	Maximum switch-over time
Non-instrument	Visual approach slope indicators ^a	15 seconds
	Runway edge ^b	15 seconds
	Runway threshold ^b	15 seconds

	Runway end ^b	15 seconds
	Obstacle	15 seconds
Non-precision approach	Approach lighting system	15 seconds
	Visual approach slope indicators ^{a,d}	15 seconds
	Runway edge ^d	15 seconds
	Runway threshold ^d	15 seconds
	Runway end	15 seconds
	Obstacle ^a	15 seconds
Precision approach category I	Approach lighting system	15 seconds
	Visual approach slope indicators ^{a,d}	15 seconds
	Runway edge ^d	15 seconds
	Runway threshold ^d	15 seconds
	Runway end	15 seconds
	Essential taxiways ^a	15 seconds
	Obstacle ^a	15 seconds
Precision approach category II/III	Inner 300 m of the approach lighting system	1 second
	Other parts of the approach lighting system	15 seconds
	Obstacle ^a	15 seconds
	Obstacle ^a	1 second
	Runway edge	1 second
	Runway threshold	1 second
	Runway end	1 second
	Runway centre line	1 second
	Runway touchdown zone	15 seconds
	All stop bars	
	Essential taxiway	
Runway meant for take-off in runway visual range conditions less than a value of 800 m	Runway edge	15 seconds ^c
	Runway end	1 second
	Runway centre line	1 second
	All stop bars	1 second
	Essential taxiway ^a	15 seconds
	Obstacle ^a	15 seconds
<p>Note</p> <p>a. Supplied with secondary power when their operation is essential to the safety of flight operation.</p> <p>b. See provisions regarding the use of emergency lighting.</p> <p>c. One second where no runway centre line lights are provided.</p> <p>d. One second where approaches are over hazardous or precipitous terrain.</p>		

**PART XIV - AERONAUTICAL INFORMATION TO BE REPORTED TO
AERONAUTICAL INFORMATION SERVICES**

Application of Part 111. This part shall apply to all categories of aerodromes.

- Information to be availed to users of aerodromes** 112. (1) An operator shall ensure that all 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.
- (2) An operator shall be responsible for notifying the 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.
- (3) An operator shall provide information on the following for the guidance of pilots and operators -
- construction or maintenance work on or immediately adjacent to the manoeuvring area;
 - unservicable portions of any part of the manoeuvring area;
 - the runway surface conditions when affected by water, damp, wet, water patches or flooded, as appropriate;
 - parked aircraft or other objects on, or immediately adjacent to the taxiways;
 - the presence of other temporary hazards;
 - failure or irregular operation of any part of the aerodrome lighting system, or of the aerodrome main and secondary power supplies;
 - failure, irregular operation and changes in the operational status of any electronic approach or navigation aid, or aeronautical communication facility;
 - failures and changes in the runway visual range observer system; and
 - (i) any other information of operational significance.
- Action required for occurrences of operational significance other than those involving electronic aids and communication facilities** 113. (1) 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 -
- 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;
 - significant changes in aerodrome lighting and other visual aids;
 - presence or removal of temporary obstructions to aircraft operation in the manoeuvring area;
 - presence of airborne hazards to air navigation;
 - interruption, return to service, or major changes to rescue facilities and fire fighting services available; except that permanent changes to the promulgated rescue fire fighting category may only be made with the approval of the Authority;
 - failure of or return to operation of hazard beacons and obstruction lights on or in the vicinity of the aerodrome;
 - erection or removal of obstructions to air navigation, and erection or removal of significant obstacles in take-off, climb or approach areas;
 - air displays, air races, parachute jumping, or any unusual aviation activity; and
 - any other information of operational significance.
- (2) Where any of the conditions in sub-regulation (1) arises at short notice, an operator shall notify the Aeronautical Information Services for promulgation of a NOTAM.
- (3) Where any of the conditions in sub-regulation (1) 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.
- Action required for occurrences that affect** 114. (1) An operator or a person in charge of a navigation facility shall initiate NOTAM action- for the establishment or withdrawal of electronic aids to air navigation; and for changes in the regularity or reliability of operation of any electronic aid to air navigation or aeronautical communication facility.

- electronic aids and communication facilities**
- (2) 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.
- Aeronautical data reporting** 115.
- (1) An operator shall provide to the Authority for promulgation, accurate aeronautical data as specified in Chapter 2 – *Aerodrome Data* to the latest effective edition of Annex 14 – *Aerodromes* to the Chicago Convention.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) Without prejudice to the generality of sub-regulations (1), (2), (3) and (4), 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.
- (6) Subject to sub-regulation (5), the following classification and data integrity levels shall apply -
- (a) critical data, integrity level 1×10^{-8} : where there is a high probability, when using corrupted critical data that the continued safe flight and landing of an aircraft may be severely at risk with the potential for catastrophe;
- (b) essential data, integrity level 1×10^{-5} : where there is a low probability, when using corrupted essential data that the continued safe flight and landing of an aircraft may be severely at risk with the potential for catastrophe;
- (c) routine data, integrity level 1×10^{-3} : where there is a very low probability when using corrupted essential data that the continued safe flight and landing of an aircraft may be severely at risk with the potential for catastrophe.

PART XV – MISCELLANEOUS

- Application of Part** 116. This regulation shall apply to all categories of aerodromes.
- Conditions for operating an aerodrome** 117. 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.
- Standards for physical characteristics** 118. A person shall not operate an aerodrome unless the physical characteristics of the aerodrome comply with the standards prescribed by the Authority and any publications as may be published or approved by the Authority.
- Dangerous light** 119.
- (1) 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.
- (2) Where a light appears to the Authority to be capable of endangering the safety of aircraft as described in sub-regulation (1), 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.
- (3) 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.
- Lighting of** 120. (1) An owner or a person in charge of an en-route obstacle shall ensure that the en-route obstacle

**en-route
obstacles**

is fitted with medium intensity steady red light –

- (a) positioned as close as possible to the top of the obstacle; and
 - (b) 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.
- (2) 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.
- (3) Subject to sub-regulation (2), 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.
- (4) 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.
- (5) 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.
- (6) For the purpose of this regulation –
- (a) “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;
 - (b) “medium intensity steady light” means a light, which complies with the characteristics described for a medium intensity type C light as specified in the Manual of Aerodrome Standards.

**Land use in
the vicinity of
an aerodrome**

- 121.** All land use practices and activities in the vicinity of an aerodrome shall conform to the guidelines prescribed by the Authority.

**Aeronautical
studies**

- 122.** Where an aerodrome does not meet the requirements of prescribed standards, the Authority may determine, after carrying out aeronautical studies, the conditions and procedures that are necessary to ensure a level of safety equivalent to that established by the relevant prescribed standard

**Deviations
from
standards**

- 123.** Any deviation from a prescribed standard or procedure in these Regulations shall be set out in an endorsement on the aerodrome manual.

**Safety
inspections
and audits**

- 124.** The Authority shall –
- (a) 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;
 - (b) 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.

**Obligation to
insure an
aerodrome**

- 125.**
- (1) 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.
 - (2) A policy of insurance shall be of no effect for the purposes of sub regulation (1) unless-
 - (a) 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
 - (b) the operator has sent, or caused to be sent, to the Authority a copy of such certificate.
 - (3) If the policy of insurance at any time or for any reason ceases to 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.
 - (4) 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.
 - (5) 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.

- (6) This regulation shall not apply to aerodromes in categories C and D unless required by the Authority.

General penalty

126. (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aerodrome, the operator of that aerodrome shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any person who contravenes any provision specified as an “A” provision in the Fourth Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the Fourth Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

Repeals, savings and transition

127. (1) A licence, certificate or any other document issued to an operator prior to the commencement of these Regulations shall continue in force as if it was issued under these Regulations until it expires or is cancelled by the Authority.
- (2) A person who, immediately before the commencement of these Regulations was operating as an aerodrome operator shall within twelve months after the commencement of these Regulations, comply with these Regulations.

Regulation 38

FIRST SCHEDULE

PART A

Systematic Management of Safety at Aerodrome

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 Schedule, 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

Safety Management Systems established at aerodromes shall include the following-

- (a) a statement that the highest priority shall be attached to safety in relations to all business activities;
- (b) a business objective for safety that shall minimise the aerodrome’s contribution to aviation accidents risk to as low as reasonably practicable;
- (c) a commitment by the aerodrome operator to adopt an explicit and pro-active approach to safety management;
- (d) statements of safety-related responsibilities at all levels of the organization;
- (e) a commitment to comply with all appropriate safety standards;

- (f) a commitment that the safety assurance processes used by external suppliers comply with safety standards and requirements.

5. Safety Management Principles

- (1) (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.
- (b) An operator shall assess all existing operations, proposed changes, additions or replacements for their safety significance.
- (c) 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.
- (d) An operator shall ensure that personnel whose functions impact on safety at the aerodrome are and remain adequately trained and qualified for the job they are required to do and for which they have accountability.
- (2) (a) An operator shall ensure that there is accountability, at a suitable senior level for the management, development and monitoring of the safety management system.
- (b) 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.
- (c) 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 the Part B of this Schedule –
 - (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;
- (d) 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

- (1) An operator shall establish processes to identify safety shortcomings, so that remedial action can be taken to ensure safety levels are maintained.
- (2) The basic principles to be applied in the safety management strategy shall include -
 - safety achievement; specifying the means by which the safety performance of the organization meets its safety objectives and derived requirements;
 - safety assurance; specifying the means for providing assurance that risks are being managed properly and effectively;
 - safety promotion; specifying the means by which safety issues are communicated within the aerodrome to eliminate unnecessary risks and avoid repeat errors or risks.

7. Operational safety assurances documentation

An operator shall produce and maintain safety assurance documentation, and this documentation shall cover-

- (a) all safety related roles and functions;
- (b) a safety based risk assessment of the roles and functions where practicable;
- (c) a process of risk management for safety related tasks and functions to ensure that identified risks remain tolerable;
- (d) safety performance measurements of the current operations as part of the ongoing risk management; and
- (e) corrective procedures and measures that modify the original tasks or functions to address inadequate performance.

8. 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.

9. Safety assessment methodology

The safety assessment of the aerodrome shall involve -

- (a) systematic identification of possible hazards to aircraft;
- (b) evaluation of the seriousness of the consequences of the hazard occurring;
- (c) considering the chances of a hazard happening;
- (d) determining whether the consequent risk is tolerable and within the operators acceptable safety performance criteria; and
- (e) 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.

10. Safety auditing of aerodromes

An operator shall carry out internal safety auditing of the aerodrome in order to determine -

- (a) the level of compliance with requirements;
- (b) the areas and degree of risk and their effective management; and
- (c) the competence and performance of those responsible for safety.

PART B

Aircraft accident and incident reporting and investigation at aerodromes

1. Aerodrome occurrence reporting

(1) 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.

(2) The objectives of the aerodrome occurrence reports are as follows -

- (a) to ensure that knowledge of these occurrences is disseminated so that other persons and organizations may learn from them; and
- (b) 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 and reporting procedures

(1) 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.

(2) 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.

(3) 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 -

- (a) the date and local time of occurrence;
- (b) the exact location of the occurrence with reference to some easily defined geographical point ;
- (c) detailed particulars of the parties involved, including the owner, operator, manufacturer, nationality, registration marks, serial numbers, assigned identities of aircraft and equipment;
- (d) a detailed description of the sequence of events leading up to the incident;
- (e) 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;
- (f) the identification of the person sending the notice and where the incident occurred;
- (g) 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
- (h) a description of the follow-up action being taken after the incident has occurred.

3. Aerodrome occurrence records

- (1) 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.
- (2) An operator shall use aerodrome occurrence reports to monitor and improve the level of operational safety, including reviews of safety standards required.
- (3) 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 and incident report

An operator shall inspect his aerodrome, as circumstances require, to ensure safety as soon as practicable after any aircraft accident or incident.

Regulations 55

SECOND SCHEDULE

PARTICULARS TO BE INCLUDED IN AN AERODROME MANUAL FOR AERODROMES IN CATEGORIES A AND B

PART I: GENERAL

General information, including the following -

- (a) purpose and scope of the aerodrome manual;
- (b) the legal requirement for an certificate and an aerodrome manual as prescribed in the national regulations;
- (c) 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;
- (d) the available aeronautical information system and procedures for its promulgation;
- (e) the system for recording aircraft movements; and
- (f) obligations of the operator.

PART 2: PARTICULARS OF THE AERODROME SITE

General information, including the following -

- (a) 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;
- (b) a plan of the aerodrome showing the aerodrome boundaries;
- (c) 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
- (d) 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.

PART 3: PARTICULARS OF THE AERODROME REQUIRED TO BE REPORTED TO THE AERONAUTICAL INFORMATION SERVICE

1. General Information

- (a) the name of the aerodrome;
- (b) the location of the aerodrome;
- (c) the geographical coordinates of the aerodrome reference point determined in terms of the World Geodetic System - 1984 reference datum;
- (d) the aerodrome elevation and geoid undulation;
- (e) 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;
- (f) the aerodrome reference temperature;
- (g) details of the aerodrome beacon; and
- (h) the name of the operator and the address, telephone and facsimile numbers at which the operator may be contacted at all times.

2. Aerodrome dimensions and related information

General information, including the following -

- (a) 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;
- (b) length, width and surface type of strip, runway end safety areas, stopways;
- (c) length, width and surface type of taxiways;
- (d) apron surface type and aircraft stands;
- (e) clearway length and ground profile;
- (f) 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;
- (g) the location and radio frequency of VOR aerodrome checkpoints;
- (h) the location and designation of standard taxi routes;
- (i) the geographical coordinates of each threshold;
- (j) the geographical coordinates of appropriate taxiway centre line points;
- (k) the geographical coordinates of each aircraft stand;
- (l) 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 Annexes 4 and 15 to the Convention);
- (m) pavement surface type and bearing strength using the Aircraft Classification Number - Pavement Classification Number method;
- (n) one or more pre-flight altimeter check locations established on an apron and their elevation;
- (o) declared distances: take-off run available, take-off distances available, accelerate-stop distance available, landing distance available;
- (p) 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
- (q) 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.

PART 4: PARTICULARS OF THE AERODROME OPERATING PROCEDURES AND SAFETY MEASURES

1. Aerodrome reporting

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 -

- (a) arrangements for reporting any changes to the Authority and recording the reporting of changes during and outside the normal hours of aerodrome operations;
- (b) 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
- (c) the address and telephone and facsimile numbers, as provided by the Authority, of the place where changes are to be reported to the Authority.

2. Access to the aerodrome movement area

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 -

- (a) 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

- (b) the personnel responsible for controlling access to the aerodrome, and the telephone numbers for contacting them during and after working hours.

3. Aerodrome emergency plan

Particulars of the aerodrome emergency plan, including the following -

- (a) 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 airport covering “during the emergency” and “after the emergency” considerations;
- (b) details of test and aerodrome facilities and equipment to be used in emergencies, including the frequency of those tests;
- (c) details of exercises to test emergency plans, including the frequency of those exercises;
- (d) a list of organizations, agencies and persons of authority, both on-and/off-airport, for site roles; their telephone and facsimile numbers, e-mail addresses and the radio frequencies of their offices;
- (e) the establishment of an aerodrome emergency committee to organize training and other preparations for dealing with emergencies; and
- (f) the appointment of an on-scene commander for the overall emergency operation.

4. Rescue and fire-fighting

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.

5. Inspection of the aerodrome movement area and obstacle limitation surface by the operator

Particulars of the procedures for the inspection of the aerodrome movement area and obstacle limitation surfaces, including the following -

- (a) 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;
- (b) arrangements and means of communicating with air traffic control during an inspection;
- (c) arrangements for keeping an inspection logbook, and the location of the logbook;
- (d) details of inspection intervals and times;
- (e) inspection checklist;
- (f) arrangements for reporting the results of inspections and for taking prompt follow-up actions to ensure correction of unsafe conditions; and
- (g) the names and roles of persons responsible for carrying out inspections, and their telephone numbers during and after working hours.

6. Visual aids and aerodrome electrical systems

Particulars of the procedures for the inspection and maintenance of aeronautical lights (including obstacle lighting), signs, markers and aerodrome electrical systems, including the following -

- (a) arrangements for carrying out inspections during and outside the normal hours of aerodrome operation, and the checklist for such inspections;
- (b) arrangements for recording the result of inspections and for taking follow-up action to correct deficiencies;
- (c) arrangements for carrying out routine maintenance and emergency maintenance;
- (d) arrangements for secondary power supplies and, if applicable, the particulars of any other method of dealing with partial or total system failure; and
- (e) personnel responsible for the inspection and maintenance of the lighting, and the telephone numbers for contacting those persons during and after working hours.

7. Maintenance of the movement area

Particulars of the facilities and procedures for the maintenance of the movement area, including arrangements for -

- (a) maintaining the paved areas;
- (b) maintaining the unpaved runways and taxiways;
- (c) maintaining the runway and taxiway strips; and
- (d) the maintenance of aerodrome drainage.

8. Aerodrome works - safety

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 -

- (a) arrangements for communicating with air traffic control during the progress of such work;

- (b) 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;
 - (c) 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;
 - (d) a distribution list for work plans, if required.
- 9. Apron management**
Particulars of the apron management procedures, including the following -
- (a) arrangements between air traffic control and the apron management unit;
 - (b) arrangements for allocating aircraft parking positions;
 - (c) arrangements for initiating engine start and ensuring clearance of aircraft push-back;
 - (d) marshalling service; and
 - (e) leader (van) service.
- 10. Apron safety management**
Procedures to ensure apron safety, including -
- (a) protection from jet blasts;
 - (b) enforcement of safety precautions during aircraft refuelling operations;
 - (c) apron sweeping;
 - (d) apron cleaning;
 - (e) arrangements for reporting incidents and accidents on an apron; and
 - (f) arrangements for auditing the safety compliance of all personnel working on the apron.
- 11. Airside vehicle control**
Particulars of the procedure for the control of surface vehicles operating on or in the vicinity of the movement area, including the following -
- (a) details of the applicable traffic rules (including speed limits and the means of enforcing the rules);
 - (b) the method of issuing driving permits for operating vehicles in the movement area.
- 12. Birds and wildlife hazard management**
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-
- (a) arrangements for assessing birds and wildlife hazards;
 - (b) arrangements for implementing birds and wildlife control programmes; and
 - (c) the names and roles of the persons responsible for dealing with birds and wildlife hazards, and their telephone numbers during and after working hours.
- 13. Obstacle control**
Particulars setting out the procedures for -
- (a) monitoring the obstacle limitation surfaces and type A chart for obstacles in the take-off surface;
 - (b) controlling obstacles within the authority of the operator;
 - (c) monitoring the height of buildings or structures within the boundaries of the obstacle limitation surfaces;
 - (d) controlling new developments in the vicinity of aerodromes; and
 - (e) notifying the Authority of the nature and location of obstacles and subsequent addition or removal of obstacles for action as necessary, including amendment of the Aeronautical Information Services publications.
- 14. Removal of disabled aircraft**
Particulars of the procedures for removing a disabled aircraft on or adjacent to the movement area, including the following -
- (a) the roles of the operator and the holder of the aircraft operator certificate.
 - (b) arrangements for notifying the aircraft operator.
 - (c) arrangements for liaising with the air traffic control unit;
 - (d) arrangements for obtaining equipment and personnel to remove the disabled aircraft; and
 - (e) role and telephone numbers of personnel responsible for arranging for the action as necessary, including amendment of the AIS publications.
- 15. Handling of hazardous materials**
- (1) Particulars of the procedures for the safe handling and storage of hazardous materials on the aerodrome, including the following -
 - (a) 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

- (b) the method to be followed for the delivery storage, dispensing and handling of hazardous materials.
- (2) For the purposes of this paragraph “hazardous materials” include inflammable liquids and solids, corrosive liquids, compressed gases and magnetized or radioactive materials.

16. Low visibility operations

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.

17. Protection of sites for radar and navigational aids

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-

- (a) arrangements for the control of activities in the vicinity of radar and navigational aids installations;
- (b) arrangements for ground maintenance in the vicinity of these installations; and
- (c) 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 -

- (i) when, or in what circumstances, an operating procedure is to be activated;
- (ii) how an operating procedure is to be activated;
- (iii) actions to be taken;
- (iv) 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.

PART 5: AERODROME ADMINISTRATION AND SAFETY MANAGEMENT SYSTEM

1. Aerodrome administration

Particulars of the aerodrome administration, including the following -

- (a) an aerodrome organizational chart showing the names and positions of key personnel, including their responsibilities;
- (b) the name, position and telephone number of the person who has overall responsibility for aerodrome safety; and
- (c) airport committees.

2. Safety Management System

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 -

- (a) the safety policy, in so far as applicable, on the safety management process and its relation to the operational and maintenance process;
- (b) the structure or organization of the Safety Management System, including staffing and the assignment of individual and group responsibilities for safety issues;
- (c) 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;
- (d) Safety Management System implementation, including facilities, methods and procedures for the effective communication of safety messages and the enforcement of safety requirements;
- (e) a system for the implementation of, and action on, critical safety areas which require a higher level of safety management integrity (safety measures programme);
- (f) 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.
- (g) the internal safety audit and review system detailing the systems and programmes for quality control of safety;
- (h) the system for documenting all safety-related airport 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;
- (i) 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
- (j) the incorporation and enforcement of safety-related clauses in the contract for construction work at the aerodrome.

THIRD SCHEDULE

PARTICULARS TO BE INCLUDED IN AN AERODROME MANUAL FOR AERODROMES IN CATEGORIES C, D AND E.

PART I: GENERAL

General information, including the following -

- (a) purpose and scope of the aerodrome manual;
- (b) the legal requirement for an aerodrome licence and an aerodrome Handbook as prescribed in the national regulations;
- (c) 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;
- (d) the available aeronautical information system and procedures for its promulgation;
- (e) the system for recording aircraft movements; and
- (f) obligations of the aerodrome operator.

PART 2: PARTICULARS OF THE AERODROME SITE

General information, including the following -

- (a) 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;
- (b) a plan of the aerodrome showing the aerodrome boundaries;
- (c) 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

PART 3: PARTICULARS OF THE AERODROME REQUIRED TO BE REPORTED TO THE AERONAUTICAL INFORMATION SERVICE (AIS)

1. General Information

- (a) the name of the aerodrome;
- (b) the location of the aerodrome;
- (c) the geographical coordinates of the aerodrome reference point determined in terms of the World Geodetic System - 1984 (WGS-84) reference datum;
- (d) the aerodrome elevation
- (e) points along the runway, and the highest elevation of the touchdown zone of a precision approach runway;
- (f) the aerodrome reference temperature;
- (h) the name of the aerodrome operator and the address, telephone and facsimile numbers at which the aerodrome operator may be contacted at all times.

2. Aerodrome dimensions and related information

General information, including the following -

- (a) 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; Length, width and surface type of strip,

- (c) apron surface type and aircraft stands;
- (n) one or more pre-flight altimeter check locations established on an apron and their elevation;
- (o) rescue and fire-fighting **plan**;

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.

PART 4: PARTICULARS OF THE AERODROME OPERATING PROCEDURES AND SAFETY MEASURES

1. Aerodrome reporting

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 -

- (a) arrangements for reporting any changes to the Authority and recording the reporting of changes during and outside the normal hours of aerodrome operations;
- (b) 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

(c) the address and telephone and facsimile numbers, as provided by the Authority, of the place where changes are to be reported to the Authority.

2. Access to the aerodrome movement area

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 -

- (a) 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
- (b) the personnel responsible for controlling access to the aerodrome, and the telephone numbers for contacting them during and after working hours.
- (c) inspection checklist;
- (d) arrangements for reporting the results of inspections and for taking prompt follow-up actions to ensure correction of unsafe conditions; and
- (e) the names and roles of persons responsible for carrying out inspections, and their telephone numbers during and after working hours.

3. Maintenance of the movement area

Particulars of the facilities and procedures for the maintenance of the movement area, including -

- (a) Arrangements for maintaining the unpaved runways and taxiways;
- (b) arrangements for maintaining the runway and taxiway strips; and
- (c) arrangements for the maintenance of aerodrome drainage.

4. Aerodrome works – safety

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 -

- (a) 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;
- (b) a distribution list for work plans, if required.

5. Birds and Wildlife Hazard Management

6. Obstacle Control

Particulars setting out the procedures for -

- (a) monitoring the obstacle limitation surfaces and Type A Chart for obstacles in the take-off surface;
 - (b) controlling obstacles within the authority of the operator;
 - (c) monitoring the height of buildings or structures within the boundaries of the obstacle limitation surfaces;
 - (d) controlling new developments in the vicinity of aerodromes; and
- notifying the Authority of the nature and location of obstacles and subsequent addition or removal of obstacles for action as necessary, including amendment of the AIS publications.

7. Handling of Hazardous Materials

(1) Particulars of the procedures for the safe handling and storage of hazardous materials on the aerodrome, including the following –

- (a) 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
- (b) the method to be followed for the delivery, storage, dispensing and handling of hazardous materials.

(2) For the purposes of this rule, “hazardous materials” include inflammable liquids and solids, corrosive liquids, compressed gases and magnetized or radioactive materials.

8. Protection of Sites for Radar and Navigational Aids

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

- (a) arrangements for the control of activities in the vicinity of radar and navigational aids installations;
- (b) arrangements for ground maintenance in the vicinity of these installations; and
- (c) 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 -

- when, or in what circumstances, an operating procedure is to be activated;
- how an operating procedure is to be activated;
- actions to be taken;
- 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.

FOURTH SCHEDULE

PENALTIES

REG. NO.	TITLE	PART
5	Requirements for an application for an aerodrome construction permit	B
7	Design and construction of aerodrome	B
20	Charges at licensed aerodrome	A
28	Certification of aerodromes used for international operations	B
33	Charges at certificated aerodrome	A
35	Compliance with conditions and Annex 14 (except otherwise prescribed)	A
36	Competence of operational and maintenance personnel	A
37	Aerodrome operations and maintenance	A
38	Safety management system	B
39	Storage of inflammable and other dangerous goods	B
40	Safety measures against fire	B
41	Access to and operations within restricted areas	B
42	Entry into or exit from restricted areas of aerodrome	B
43	Test-running of aircraft engine	A
44	Certain acts prohibited on aerodrome	B
45	Removal of obstructions from aerodrome surface	A
46	Maintenance of environment management programme	A
47	Protection of navigation aids	A
48	Responsibilities of operator	B
49	Staff of Authority to access an aerodrome	B
50	Notifying and reporting	A
51	Special inspections	A
52	Warning notices	A
56	Amendment of aerodrome manual	A
62	Requirements for obstacle limitation	B
64	Authorization to construct within the vicinity of an aerodrome	A
65	Removal of obstacle	A
66	Marking and lighting of obstacle	A
69	Secondary power supply	A
70	Aeronautical beacons	A
72	Wind direction indicators	A
82	Visual aids for denoting obstacles	A
87	Supply of aviation fuel to aircraft	B
88	Aerodrome emergency planning	B
89	Emergency planning committee	A
91	Emergency operation centre and command post	A
94	Removal of disabled aircraft	A
96	Ground servicing of aircraft	A
97	Aerodrome vehicle operation	A
98	Location, construction and installation of equipment on operational areas	A
99	Fencing of aerodromes and installations	A
101	Maintenance of fire prevention programme	B
103	Access of ground vehicles to aerodrome movement area	B

105	Maintenance of pavements	A
106	Preventive maintenance of visual aids	A
107	Construction or maintenance activity during low visibility operations	A
110	Electrical power supply systems for air navigation facilities	A
112	Information to be availed to users of aerodromes	A
113	Action required for occurrences of operational significance other than those involving electronic aids and communication facilities	A
115	Aeronautical data reporting	A
117	Conditions for operating an aerodrome	A
119	Dangerous light	B
120	Lighting of en-route obstacles	A

Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX XIV TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (COMMERCIAL AIR TRANSPORT OPERATIONS BY FOREIGN AIR OPERATOR IN AND OUT OF RWANDA) REGULATIONS, 2008

ARRANGEMENTS OF REGULATIONS

REGULATION

PART I - PRELIMINARY

1. Citation
2. Application

PART II – GENERAL REQUIREMENTS

3. Compliance requirements
4. Authority to inspect
5. Operations specifications
6. Certificate of airworthiness and certificate of registration
7. Air traffic rules and procedures

PART III – DOCUMENTS

8. Foreign air operator aircraft technical logbook
9. Foreign air operator aircraft journey logbook
10. Operations manual to be carried
11. Documents and additional information to be carried on board the aircraft
12. Access to and production of documentation, manuals and records
13. Preservation and production of flight recorded data

PART IV - PERFORMANCE

14. Computation of passenger and baggage mass
15. Approach and landing conditions
16. Aircraft security
17. Unauthorized carriage
18. Reporting of incidents and accidents

PART V – CARRIAGE OF DANGEROUS GOODS, WEAPONS AND MUNITIONS OF WAR

19. Carriage of dangerous goods by air.
20. Carriage of weapons of war and munitions of war
21. Carriage of sporting weapons and ammunition

PART VI – GENERAL

22. Drug and alcohol testing and reporting.

PART VII – OFFENCES AND PENALTIES

23. Offences and penalties

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SCHEDULE
—

Penalties

**THE CIVIL AVIATION (COMMERCIAL AIR TRANSPORT OPERATIONS BY FOREIGN AIR OPERATOR
IN AND OUT OF RWANDA) REGULATIONS, 2008**

PART I – PRELIMINARY

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| Citation | 1. | These Regulations may be cited as the Civil Aviation (Commercial Air Transport Operations by Foreign Air Operator in and out of Rwanda) Regulations, 2008. |
| Application | 2. | These Regulations prescribe the requirements applicable to the operation of any civil aircraft in and out of Rwanda for the purpose of commercial air transportation operations by any foreign air operator whose air operator certificate is issued and controlled by a civil aviation authority other than the Authority. |

PART II – GENERAL REQUIREMENTS

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| Compliance requirements | 3. | <p>(1) A foreign air operator shall not operate an aircraft in and out of Rwanda in commercial air transport operations contrary to the requirements of—</p> <ul style="list-style-type: none">(a) these Regulations;(b) the Civil Aviation (Instruments and Equipment) Regulations, the Civil Aviation (Operation of Aircraft) Regulations, and the Civil Aviation (Airworthiness) Regulations, as applicable;(c) standards contained in Parts I or III of Annex 6 – <i>Operation of Aircraft</i> to the Chicago Convention, as applicable; and(d) any other requirements the Authority may specify. <p>(2) An aircraft registered in a Contracting State other than Rwanda, or in a foreign country, shall not take on board or discharge any passengers or cargo in Rwanda where valuable consideration is given or promised in respect of the carriage of such persons or cargo unless it does so with the permission of the Minister granted under this regulation to the operator or the charterer of the aircraft or to the Government of the country in which the aircraft is registered, and in accordance with any conditions to which such permission may be subject.</p> <p>(3) Without prejudice to sub-regulation (8), any breach by a person to whom a permission has been granted under this regulation of any condition to which that permission was subject shall constitute a contravention of this regulation.</p> <p>(4) Where a permission granted under sub-regulation (2) contains a tariff provision, the operator or charterer of the aircraft concerned shall file with the Authority the tariff which it proposes to apply on flights to which the said permission relates and the Authority shall consider the proposed tariff and may, if it thinks fit, approve or disapprove it.</p> <p>(5) For the purposes of this regulation, "tariff provision" means a condition as to any of the following matters—</p> <ul style="list-style-type: none">(a) the price to be charged for the carriage of passengers, baggage or cargo on flights to which a permission granted under sub-regulation (2) relates;(b) any additional goods, services or other benefits to be provided in connection with such carriage; |
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- (c) the prices, if any, to be charged for any such additional goods, services or benefits; and
 - (d) 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.
- (6) The Authority shall act on behalf of the Minister in performing the functions conferred on it by sub-regulations (4) and (5).
 - (7) The Minister may, by Order or by delegation in bilateral or multilateral agreements, give to the Authority his authority to issue a permission under sub-regulation (2) and to revoke, suspend or vary any permission under sub-regulations (8) to (10) for a number of Contracting States other than Rwanda or foreign countries.
 - (8) Subject to the provisions of sub-regulation (9), the Minister may:
 - (a) revoke, suspend or vary any permission to which sub-regulation (2) applies.
 - (b) save as provided by sub-regulation (9), exercise his powers under sub-paragraph (a) only after notifying the holder of the permission of his intention to do so and after due consideration of the case.
 - (9) If, by reason of the urgency of the matter, it appears to the Minister to be necessary for him to do so, he may provisionally suspend or vary a permission to which sub-regulation (2) applies without complying with the requirements of sub-regulation (8)(b); but he shall in any such case comply with those requirements as soon thereafter as is reasonably practicable and shall then, in the light of his due consideration of the case, either—
 - (a) revoke the provisional suspension or variation of the permission; or
 - (b) substitute therefor a definitive revocation, suspension or variation, which, if a definitive suspension, may be for the same or a different period as the provisional suspension (if any) or, if a definitive variation, may be in the same or different terms as the provisional variation (if any).
 - (10) The powers vested in the Minister by sub-regulation (8) or, (9) may be exercised by him whenever, in his judgment and whether or not by reason of anything done or omitted to be done by the holder of the permission or otherwise connected with the holder of the permission, it is necessary or expedient that the holder should not enjoy, or should no longer enjoy, the rights conferred on him by a permission to which sub-regulation (2) applies or should enjoy them subject to such limitations or qualifications as the Minister may determine.
 - (11) The holder of the permission or any person having the possession or custody of any permit which has been revoked, suspended or varied under sub-regulations (8) to (10) shall surrender it to the Minister immediately.

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| Authority to inspect | 4. | A foreign air operator shall not, while in Rwanda, hinder or obstruct any person authorized by the Authority from boarding a foreign registered aircraft operated for commercial air transport at any time without prior notice to inspect the documents and manuals required by these Regulations. |
| Operations specifications | 5. | A foreign air operator shall conduct its operations in accordance with operations specifications or equivalent document issued by the State of operator and acceptable to the Authority, provided that the requirements under which the certificate was issued are at least equivalent to the applicable standards specified in the latest effective edition of Annex 6 – <i>Operation of Aircraft</i> to the Chicago Convention.. |
| Certificate of airworthiness and Certificate of registration | 6. | A foreign air operator may operate an aircraft in and out of Rwanda: <ul style="list-style-type: none"> (a) if that aircraft has a valid certificate of airworthiness and certificate of registration issued or validated by the State of registry and displays the nationality and registration markings of that State; and (b) in accordance with the limitations on maximum certificated mass prescribed |

for that aircraft and that operation by the State of design.

- Air traffic rules and procedures** 7. (1) A pilot-in-command of a foreign registered aircraft shall comply with the rules of the air and air traffic control specified in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations.
- (2) A foreign air operator shall establish procedures to ensure that each of its pilots complies with the requirements of sub-regulation (1), and shall check the ability of each of the pilots to operate safely according to applicable rules and procedures.

PART III - DOCUMENTS

- Foreign air operator aircraft technical logbook** 8. A foreign air operator shall use an aircraft technical logbook containing the following information for each aircraft—
- (a) information about each flight necessary to ensure continued flight safety;
 - (b) the current certificate of release to service or an equivalent document;
 - (c) the current maintenance statement giving the aircraft maintenance status of what next scheduled and out of phase maintenance is due, unless the Authority agrees to the maintenance statement being kept elsewhere;
 - (d) all outstanding deferred defects that affect the operation of the aircraft; and
 - (e) any necessary guidance instructions on maintenance support arrangement.

- Foreign air operator aircraft journey logbook** 9. (1) A foreign air operator shall maintain a journey logbook containing information on each flight, which includes:
- aircraft nationality and registration marks;
 - date of the flight;
 - name(s) of crew members;
 - duty assignments of crew members;
 - place of departure;
 - place of arrival;
 - time of departure;
 - time of arrival;
 - duration of flight;
 - purpose of flight;
 - incidents, and observations, if any; and
 - signature of the pilot-in-command.
- (2) The Authority may waive the requirement of sub-regulation (1) if the relevant information is available in the aircraft technical log referred to in regulation 8.
- (3) A foreign air operator shall ensure that all entries in the journey log are made concurrently and are permanent in nature.

- Operations manual to be carried** 10. A foreign air operator shall ensure that the following manuals are on board the aircraft on each flight the current:
- (a) parts of the Operations Manual relevant to the duties of the crew;
 - (b) parts of the Operations Manual which are required for the conduct of a flight which shall be easily accessible to the crew; and
 - (c) approved Aircraft Flight Manual, Rotorcraft Flight Manual, or an Aircraft Operating Manual.

- Documents and additional information to be carried on board the aircraft** 11. (1) A foreign air operator shall ensure that, the following documents are carried on each flight:
- (a) the aircraft certificate of registration;
 - (b) the aircraft certificate of airworthiness;
 - (c) the appropriate licences for each members of the crew;
 - (d) the aircraft journey or technical logbook;

- (e) the aircraft radio station licence;
 - (f) in the case of a passenger carrying aircraft, a list of the names of the passengers and places of embarkation and destination;
 - (g) in the case of a cargo aircraft, a manifest and detailed declarations of the cargo;
 - (h) loadsheet;
 - (i) copy of air operator certificate and attachments;
 - (j) insurance certificate;
 - (k) certificate of release to service (CRS) or equivalent document;
 - (l) operational flight plan;
 - (m) pre-flight information bulletin;
 - (n) current maps and charts for the area of operation;
 - (o) copy of applicable operations specifications; and
 - (p) notification of special loads including dangerous goods.
- (2) A flight crew member of a foreign registered aircraft shall hold a valid licence, certificate or authorization, including an appropriate and current medical certificate, issued by the State of registry and has it in his or her physical possession or at the work site when exercising the privileges of that licence, certificate or authorization.
- (3) The Authority may specify other documents and information to be carried on board in addition to those referred to in sub-regulation (1).

Access to and production of documentation, manuals and records

12. (1) A foreign air operator shall:
- (a) give an authorized person access to any documents, manuals and records which are related to flight operations and maintenance; and
 - (b) produce all such documents, manuals and records, when requested to do so by the Authority, within 14 days.
- (2) A pilot-in-command of an aircraft operated by a foreign air operator shall, when requested to do so by an authorized person, produce to that person the documentation, manuals and records required to be carried on board an aircraft.

Preservation and production of flight recorded data

13. (1) Following an aircraft accident, or incident, or when the Authority or the Aircraft Accidents and Incidents Investigation Branch so directs, a foreign air operator shall preserve the original recorded data for a period of sixty days unless otherwise directed by the investigating authority.
- (2) The recorded data under sub-regulation (1) shall be produced when the Authority or investigating authority so requires

PART IV - PERFORMANCE

Computation of passenger and baggage mass

14. (1) A foreign air operator shall compute the mass of passengers and checked baggage using the:
- (a) actual weighed mass of each person and the actual weighed mass of baggage; or
 - (b) standard mass values specified by the appropriate authority of the State of Registry.
- (2) The Authority may require a foreign registered air operator to produce evidence validating any standard mass values used.

Approach and landing conditions

15. Before initiating an approach to land, the pilot-in-command of an aircraft operated by a foreign air operator shall determine that, according to the information available:
- (a) weather at the aerodrome and the conditions of the runway are safe for the approach and landing; and
 - (b) in the case of a missed approach, the aircraft is able to meet the performance requirements contained in the operations manual.

Aircraft security

16. A foreign air operator shall—

- (a) ensure that all appropriate personnel are familiar and comply with the relevant requirements of the national security programmes of the State of the operator and those of Rwanda;
- (b) establish and use a security programme approved by the appropriate authority of the State of the operator and accepted by the Authority;
- (c) 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;
- (d) ensure that the flight crew compartment door, if installed, on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access, and is closed and locked from the time all external doors are closed following embarkation until any such door is opened for disembarkation, except when necessary to permit access and egress by authorized persons;
- (e) establish, maintain and conduct approved training programmes 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 minimize the consequences of such events should they occur; and
- (f) following an act of unlawful interference on board an aircraft the pilot-in-command or, in their absence the operator, shall submit, without delay, a report of such an act to the designated local authority and the appropriate authority in the State of the operator.

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| Unauthorized carriage | 17. | A foreign-air operator shall take measures to ensure that a person does not conceal themselves or cargo on board an aircraft. |
| Reporting of incidents and accidents | 18. | A foreign air operator or the pilot-in-command shall report to the Authority incidents and accidents occurring while operating in the Rwandan airspace within ninety six hours of the incident, accident or discovery unless exceptional circumstances prevent such reporting within the time stipulated. |

PART V – CARRIAGE OF DANGEROUS GOODS, WEAPONS AND MUNITIONS OF WAR

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| Carriage of dangerous goods by air. | 19. | <p>A foreign air operator shall:</p> <ul style="list-style-type: none"> (a) not offer or accept for transportation of dangerous goods as defined by the Technical Instructions for the Safe Transport of Dangerous Goods by air issued by the International Civil Aviation Organization in and out of Rwanda unless the operator has: <ul style="list-style-type: none"> (i) been authorized to do so by the State of the operator and approved by the Authority; and (ii) conducted the required personnel training. (b) properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods programme as approved by the State of the operator; (c) state in the operations specifications required in regulation 6 whether or not that operator has been authorized to accept dangerous goods by the State of operator; and (d) provide a copy of its dangerous goods programme to the Authority where the foreign air operator has been granted authority to accept dangerous goods, and has an approved dangerous goods programme by the State of operator. |
| Carriage of weapons and munitions of war | 20. | <p>A foreign air operator conducting commercial air transport operations in and out of Rwanda shall:</p> <ul style="list-style-type: none"> (a) not transport weapons and munitions of war by air unless an approval to do so has been granted by the State of operator, State of origin, States over which the |

aircraft overflies and at State of destination.

- (b) ensure that weapons and munitions of war are:
 - (i) stowed in the aircraft in a place which is inaccessible to the passengers during flight; and
 - (ii) unloaded in case of firearms, unless , before the commencement of the flight, an approval has been granted by all States which the aircraft originate, overfly and land that such weapons and munitions of war may be carried in circumstances that differ in part or in total from those specified in this subparagraph.
- (c) ensure that the pilot-in-command is notified before the flight begins of the details and location on board the aircraft of any weapons and munitions of war that are intended to be carried.

Carriage of sporting weapons and ammunition

- 21. (1) A foreign air operator conducting commercial air transportation operations to Rwanda shall take all necessary measures to ensure that any sporting weapons intended to be carried by air are reported to the Authority.
- (2) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are:
 - (a) stowed in the aircraft in a place which is inaccessible to passengers during flight unless the Authority has determined that compliance is impractical and has approved other procedures; and
 - (b) unloaded in the case of firearms or other weapons that contain ammunitions.
- (3) A foreign air operator may allow a passenger to carry ammunition for sporting weapons in passenger’s checked baggage, but such carriage shall be approved by the Authority.

PART VI - GENERAL

Drug and alcohol testing and reporting

- 22. (1) No crew member of a foreign air operator shall perform, or attempt to perform, a crew member function while under the influence of drugs or alcohol.
- (2) Any crew member of a foreign air operator may be tested for drug or alcohol usage.
- (3) A crew member of a foreign air operator who tests positive for drug or alcohol usage, or who refuses to submit to a test, shall be prohibited from boarding a flight to perform any crew member function.
- (4) The Authority shall report the positive test result, or the refusal to submit to a test, by a crew member of a foreign air operator to the State of operator.

PART VIi – OFFENCES AND PENALTIES

Offences and penalties

- 23. (1) If any provision of these Regulations, orders, notices or proclamations made there under is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command is not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.
- (2) Any Any person who contravenes any provision specified as an “A” provision in the First Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence and/or each flight or to imprisonment for a term not exceeding six (6) months or to both.
- (3) Any person who contravenes any provision specified as a “B” provision in the First Schedule to these Regulations shall be guilty of an offence and shall on conviction be

liable for each offence and/or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

FIRST SCHEDULE

OFFENCES AND PENALTIES – Regulation 23

Regulation Number	Regulation Title	Part
3	Compliance requirements	B
4	Authority to inspect	A
6	Certificates of airworthiness and certificate of registration	A
7	Air Traffic Control rules and procedures	A
8	Foreign air operator aircraft technical logbook	A
9	Foreign air operations journey logbook	A
10	Operations manual to be carried	A
11	Documents and additional information to be carried on board the aircraft	A
12	Access to and production of documentation, manuals and records	A
13	Preservation and production of flight recorded data	A
14	Computation of passenger and baggage mass	B
15	Approach and landing conditions	A
16	Aircraft security	A
17	Unauthorized carriage	A
18	Reporting of incidents and accidents	A
19	Carriage of dangerous goods by air	B
20	Carriage of weapons and munitions of war	B
21	Carriage of sporting weapons and ammunition	B
22	Drug and alcohol testing and reporting	B

Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic

KAGAME Paul

(sé)

The Prime Minister

MAKUZA Bernard

(sé)

The Minister of Infrastructure

BIHIRE Linda

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The Minister of Finance and Economic Planning

MUSONI James

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The Minister of Public
Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX XV TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (FEES AND CHARGES) REGULATIONS, 2008

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Fees to be charged
3. Expenses for services or inspections outside Rwanda
4. Fees for licence or permit to operate air services
5. Aerodrome landing charges
6. Aircraft parking charges
7. Passenger service and security charges
8. Fees for exemption from from any of the Civil Aviation Regulations.
9. Exemption from fees and charges
10. Air navigation and VSAT charges
11. Exemption from en-route charges
12. Notice of the fees and charges
13. Penalties
14. Persons liable for the fees and charges
15. Detention for failure to pay
16. Default
17. Extent of detention
18. Restriction on detention
19. Sale of the aircraft or of any other property
20. Restriction on sale
21. Proceeds of sale of aircraft or of any other property
22. Purchase of Aeronautical information publication and other publications
23. Rent Charges on Authority's facilities

Schedule
Proceedings To Detain And Sell Aircraft Or
Any Other Property

Citation	1.	These Regulations may be cited as the Civil Aviation (Fees and Charges) Regulations, 2008.
Fees to be charged	2.	The fees to be charged in connection with the issue, validation, renewal, extension or variation of any certificate, licence, permit, authorization, or other 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 Civil Aviation Regulations of Rwanda, shall be payable as prescribed by the Authority.
Expenses for services or inspections outside Rwanda	3.	An operator requesting services or inspection from the Authority or the Ministry in charge of Civil Aviation at any place outside Rwanda shall bear the expenses of the Authority or the Ministry in connection therewith, in addition to the payment of all other relevant fees and charges.
Fees for licence or permit to operate air services	4.	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.
Aerodrome landing charges	5.	In respect of landing at public aerodromes in Rwanda, charges shall be payable as prescribed by the Authority.
Aircraft parking charges	6.	<ol style="list-style-type: none"> (1) In respect of parking at public aerodromes in Rwanda, charges shall be payable prescribed by the Authority. (2) Operators or pilots of aircraft shall ensure that parking fees are paid promptly, and where no Government or Authority staff is available at the aerodrome, parking fees may be remitted to the Authority within 48 hours after departure of the aircraft from the aerodrome.
Passenger service and security charges	7.	<ol style="list-style-type: none"> (1) In respect of every departing passenger, both international and domestic, a passenger service and security charge shall be payable as prescribed by the Authority, which charge shall be collected by the carrier or operator at the point of sale of the relevant flight ticket and remitted to the Authority. (2) 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 charterer or the private operator concerned 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. (3) The Authority shall invoice the carrier or operator, on a monthly basis, for the full amount due.
Fees for exemption from from any of the Civil Aviation Regulations.	8.	The application for exemption from any of the Civil Aviation Regulations shall be accompanied by a fee prescribed by the Authority, for technical evaluation.

Exemption from fees and charges	9.	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 2 to 7.
Air navigation and VSAT charges	10.	<p>(1) An aircraft flying over Rwanda whether under instrument or visual flight rules shall be charged a fee prescribed by the Authority for air navigation services provided by the Kigali Flight Information Region.</p> <p>(2) When flights cross international FIR boundaries or international border of States where air traffic control centres are equipped with a SADC VSAT satellite communications system, SAT Network flat rate charge for South African Development Community (SADC) is levied.</p>
Exemption from air navigation charges	11.	<p>(1) The following flights shall be exempt from charges under regulation 10—</p> <p>(a) flights made by the Rwanda Defence Force aircraft;</p> <p>(b) flights for the purposes of search and rescue operations;</p> <p>(c) flights carried out using gliders, power gliders and an ultra light aircraft;</p> <p>(d) flights made by an aircraft which is the property of the Government of Rwanda including customs and police and which are not made for commercial purposes;</p> <p>(e) flights made exclusively for the purpose of checking or testing equipment used as an aid to air navigation;</p> <p>(f) flights arranged by the Authority exclusively for the purpose of instruction or testing of flight crew;</p> <p>(g) flights made for the purpose of enabling an aircraft to qualify for the issue, renewal, modification or validation of a certificate of airworthiness;</p> <p>(h) flights made for training purposes, terminating at the aerodrome from which the aircraft takes off; and</p> <p>(j) flights operated within the Kigali Flight Information Region consisting of a distance of less than 50 nautical miles.</p> <p>(2) The Authority may by Notice in the Gazette, exempt the application of these regulations to any other flight in the public interest</p>
Notice of the fees and charges	12.	<p>(1) Fees payable under regulations 2, 3, 4 and 8 shall be payable immediately upon application or receipt of an invoice.</p> <p>(2) The Authority shall, within a reasonable time, send an invoice to a person liable for the fees and charges payable under regulations 7 and 10.</p> <p>(3) The Authority shall decide, as it sees fit:</p> <p>(a) if fees payable under regulations 5 and 6 shall be payable immediately upon receipt of an invoice; or</p> <p>(b) if it shall, within a reasonable time, send an invoice to a person liable for the fees.</p> <p>(4) The fees and charges payable in accordance with these Regulations shall be paid in Rwanda Francs or in any other convertible currency at such place and time as may be approved by the Authority.</p>
Penalties	13.	<p>(1) Any fee or charge payable under sub-regulations 12(2) and 12(3)(b) shall be paid within 30 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.</p> <p>(2) 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 Civil Aviation Regulations of Rwanda, for non-payment of any fee or charge due under these Regulations</p>
Persons liable	14.	<p>(1) The operator of an aircraft shall primarily be responsible for the fees and charges payable</p>

for the fees and charges

- in accordance with regulations 3, 4, 5, 6, 7, and 10, and, if applicable, regulation 2.
- (2) Where the Authority is unable to ascertain who the operator of the aircraft is, it shall charge the owner of the aircraft which owner shall be liable for the fee until such time as the operator is known to the Authority.
 - (3) In sub-regulation (2), “owner”, in respect of an aircraft, means:
 - (a) the person in whose name the aircraft is registered;
 - (b) a person in possession of an aircraft as purchaser under a conditional sale or hire-purchase agreement that reserves to the vendor the title to the aircraft until payment of the purchase price or the performance of certain conditions;
 - (c) a person in possession of the aircraft as chattel mortgagor under a chattel mortgage; and
 - (d) a person in possession of the aircraft under a bona fide lease or agreement of hire.

Detention for failure to pay

15. (1) In addition to any other remedy available for the collection of an unpaid and overdue fee or charge imposed by the Authority, and whether or not a judgment for the collection of the fee or charge has been obtained, the Authority may apply to the Court in the legal district in which any aircraft owned or operated by the person liable to pay the amount is situated, where a default is made in the payment of any fees or charges, and interest thereon, under these Regulations, for an order, issued on such terms as the court considers appropriate, authorizing the Authority to seize and detain, either—
- (a) the aircraft in respect of which the fees or charges were incurred, whether or not they were incurred by the person who is the operator of the aircraft at the time of the detention begins;
 - (b) any other aircraft of which the person in default is the operator at the time when the detention begins; or
 - (c) any other property of which the person in default is the owner at the time when the detention begins, immovable or moveable, notwithstanding any rules of the Court to the contrary;
- until the fee or charge is paid or a bond or other security for the unpaid and overdue amount in a form satisfactory to the Authority is deposited with the Authority, and if the charges are not paid within 60 days after the date when the detention begins, to sell the aircraft or any other property in order to satisfy the charges, subject to these regulations.
- (2) An application for an order referred to in sub-regulation (1) may be made *ex parte* if the Authority has reason to believe that the person liable to pay the charge is about to leave Rwanda or take from Rwanda any aircraft owned or operated by the person.
 - (3) The Authority may detain an aircraft in accordance with sub-regulation (1) at any time when the aircraft is on any aerodrome in Rwanda.
 - (4) The Authority shall take such steps for the detention and sale as are set forth in the Schedule to these Regulations.

Default

16. For purposes of these Regulations, a person shall be in default by operation of law if an invoice or any part thereof issued in accordance with sub-regulations 12(2) and 12(3)(b) remains unpaid for a period of ninety days from the date of issue.

Extent of detention

17. Notwithstanding any stipulation to the contrary, the power of detention and sale conferred by these Regulations in respect of an aircraft, extends—
- (a) to the equipment of the aircraft and any stores for use in connection with its operation, carried in the aircraft, whether or not the equipment or stores is the property of the operator; and
 - (b) to any aircraft documents carried in it, and any such documents may, if the aircraft is sold, be transferred by the Authority to the purchaser.

Restriction on

18. (1) The Authority shall not detain an aircraft or any other property under these Regulations if

- detention** the operator of the aircraft or a person claiming an interest therein—
- (a) disputes that the fees or charges are due;
 - (b) disputes that the fees or charges in question were incurred in respect of that aircraft; and
 - (c) gives to the Authority pending the determination of the case, security sufficient to cover the payment of the fees or charges which are due.
- (2) The Authority shall release from detention an aircraft or any other property seized under these Regulations if:
- (a) the amount in respect of which the seizure was made is paid;
 - (b) a bond or other security in a form satisfactory to the Authority for the amount in respect of which the seizure was made is deposited with the Authority; or
 - (c) an order of a court directs the Authority to do so.
- Sale of the aircraft or any other property** 19.
- (1) The Authority may, where the fee or charge remains unpaid for a period of 60 days from the date of the detention, sell the aircraft or any other property in accordance with these Regulations and the Schedule to these Regulations.
 - (2) Notwithstanding any stipulation to the contrary, process shall issue against the immovable property of any person liable to pay the amount due under these Regulations notwithstanding that the said person has sufficient movable property to satisfy the said amount or not.
- Restriction on sale** 20.
- (1) The Authority shall not sell an aircraft or any other property under these Regulations without leave of the Court; and the Court shall not give leave except on proof that a sum is due to the Authority for fees or charges under these Regulations, that default has been made in the payment thereof and that the aircraft or any other property which the Authority seeks leave to sell is liable to sale under these Regulations by reason of default.
 - (2) If such leave is given, the Authority shall secure that the aircraft or any other property is sold for the best price that can reasonably be obtained; but failure to comply with any requirement of this regulation or of the Schedule to these regulations in respect of any sale, while actionable as against the Authority at the suit of any person suffering loss in consequence thereof, shall not, after the sale has taken place, be a ground for impugning its validity.
- Proceeds of sale of aircraft or any other property** 21.
- (1) Notwithstanding any stipulation to the contrary, the proceeds of sale of an aircraft under these Regulations shall be applied in the following order—
 - (a) in payment of customs duty as a result of the aircraft having been brought into Rwanda;
 - (b) in payment of expenses incurred by the Authority in detaining and selling the aircraft, including expenses in connection with the application to court;
 - (c) in payment of fees in respect of an aircraft which the court has found to be due from the operator by virtue of these or any other Civil Aviation Regulations of Rwanda;
 - (d) in payment of any interest on unpaid fees incurred in respect of any aircraft which the court has found to be due from the operator by virtue of these Regulations;
 - (e) in payment of airport charges incurred in respect of the aircraft which are due from the operator of the aircraft to the person owning or managing the aerodrome at which the aircraft was detained under these Regulations; and
 - (f) the surplus if any shall be paid to or among the persons whose interests in the aircraft have been divested by reason of the sale.
 - (2) Notwithstanding any stipulation to the contrary, the proceeds of sale of any other property than an aircraft under these Regulations shall be applied in the same order as specified in sub-regulation (1), with the necessary changes *mutatis mutandis*.

**Purchase of
Aeronautical
information
publications
and
publications**

22. The purchase of Rwanda Aeronautical Information Publication and publications shall be in accordance with the fees prescribed by the Authority.

**Rent charges
on Authority's
facilities**

23. The Authority shall draw up a scheme prescribing charges to be paid to the Authority in respect of rent for its facilities.

SCHEDULE
PROCEEDINGS TO DETAIN AND SELL AIRCRAFT OR
ANY OTHER PROPERTY
(Regulations 15, 19 and 20)

1. Notice of detention

The Authority shall inform the Aeronautical Authorities of the State of registry about the detention and possible sale of an aircraft.

2. Notice to other interested parties in the case of an application to sell the aircraft or any other property

- (1) The Authority shall bring the application to sell the aircraft or any other property to the notice of persons whose interests may be affected by the determination of the court and for affording to any such person, an opportunity of becoming a party to the proceedings.
- (2) The Authority shall, at least 21 days before applying to the court, publish in at least one local newspaper, a notice in accordance with rule 3, and shall as far as is practical, serve such a notice on each of the following persons—
 - (a) a person under whose name the aircraft or any other property is registered;
 - (b) a person if any, who appears to the Authority to be the owner of the aircraft or any other property;
 - (c) a person who appears to the Authority to be a charterer of the aircraft whether or not by demise;
 - (d) a person who appears to the Authority to be the operator of the aircraft;
 - (e) a person who is registered as a mortgagee of the aircraft or of any other property under the laws of Rwanda or who appears to the Authority to be a mortgagee of the aircraft under the law of any country other than Rwanda; and
 - (f) any other person who appears to the Authority to have a proprietary or financial interest in the aircraft or any other property.
- (3) If a person has been served with a notice in accordance with sub-paragraph 2, and the person informs the Authority in writing within 14 days of the service of the notice of his intention to be a party to the proceedings, the Authority shall cite the person as a defendant in the application. The delay is peremptory.

3. Content of notice

A notice served in accordance with rule 2 shall—

- (a) state the nationality and registration marks on the aircraft;
- (b) state the type of aircraft;
- (c) in case any other property is detained for sale, description of the said property, the name of the district in which it is situated and the registered number, if any, of the land shall be given, and street number, if any;

- (d) state that by reason of default in the payment of a sum due to the Authority for charges imposed by these regulations, the Authority, on a specified date, detained the aircraft or any other property under these regulations and unless payment of the sum so due is made within a period of 60 days from the date when the detention began, or within 21 days of the date of service of the notice, whichever is the later, will apply to the Court for leave to sell the aircraft or any other property; and
- (e) invite the person to whom the notice is given to inform the Authority within 14 days of the service of the notice if he wishes to become a party to the proceedings on the application.

**Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX XVI TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (SEARCH AND RESCUE) REGULATIONS, 2008

Regulation

1. Citation
2. Search and rescue region
3. National Search and Coordination Committee
4. Chairman
5. Responsibilities
6. Search and Rescue Coordination Centre
7. International agreements or arrangements
8. Assistance by any aircraft
9. Unlawful act or omission
10. Notification

THE CIVIL AVIATION (SEARCH AND RESCUE) REGULATIONS, 2008

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|--|----|---|
| Citation | 1. | These regulations can be cited quoted as The Civil Aviation (Search and Rescue) Regulations, 2008. |
| Search and Rescue Region | 2. | The Authority shall be responsible for a civil aviation search and rescue region which shall be coincident with the Rwandan territorial boundaries. |
| National Search and Co-ordination Committee | 3. | The Authority shall be in charge of a National Search and Rescue Coordination Committee (herein after referred to as the Committee) comprised of representatives from the Ministries responsible for Defence, police, immigration, health and such other members, including air carriers, as the Authority considers to be necessary or desirable for operational readiness in search and rescue work. |
| Chairman | 4. | A person appointed by the Authority shall be the chairman of the Committee. |
| Responsibilities | 5. | <p>In collaboration with the Committee, the Authority shall have the following responsibilities:</p> <ul style="list-style-type: none">(a) to promote cooperation and provide coordination between various departments and agencies for search and rescue work;(b) to provide search and rescue facilities for aircraft in distress, or relief operations, in the event of an air accident or natural disaster;(c) to keep search and rescue facilities in a state of operational readiness and availability to meet any demand;(d) to serve as a vehicle for co-operation with search and rescue centers in neighboring countries; <p>in accordance with the Standards and Recommended Practices contained in the latest effective editions of Annex 12 – <i>Search and Rescue</i> and other Annexes to the Chicago Convention relating to search and rescue, in particular those relating to communications, the designation of rescue units and the preparation of a detailed plan for the conduct of air search and rescue operations.</p> |
| Search and Rescue Coordination | 6. | The Authority shall be responsible for a Search and Rescue Coordination Centre, which shall be directed by a person appointed by the Authority. |

Centre

- International agreements or arrangements** 7. With the concurrence of the Minister, the Authority, shall, whenever it appears necessary or desirable, in conformity with Chapter 3 of Annex 12 – *Search and Rescue* to the Chicago Convention, negotiate international agreements, and arrangements with other States on the subject of international co-operation in the conduct of search and rescue operations.
- Assistance by any aircraft** 8. The Authority or a person so authorized by it may call on any aircraft for air search and rescue work, and compensation may be authorized by the Authority for such work, limited to the cost of the operation only.
- Unlawful act or omission** 9. In the case of an unlawful act or omission by any person resulting in air search and rescue work, the Authority may direct that the whole or any part of the expense thereby incurred may be recovered from such person.
- Notification** 10. (1) Any person who knows or has reason to believe that an aircraft is or may be in distress shall notify the nearest air traffic control unit, a police station, a military unit or district administration who shall, in turn, immediately inform the Search and Rescue Coordination Centre or any air traffic control unit for any necessary action.
(2) Any person who contravenes to sub-regulation (1) shall be liable to either imprisonment for a maximum of six (6) months or a fine of six hundred thousand (600,000) francs or to both.

Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:
Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX XVII TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/01/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

THE CIVIL AVIATION (AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION) REGULATIONS, 2008

REGULATIONS

1. Citation
2. Application
3. Purpose of the investigation of accidents and incidents
4. Duty to furnish information relating to accidents and incidents
5. Publication of information
6. Removal of damaged aircraft
7. Inspectors of Air Accidents
8. Powers of Inspectors
9. Form and conduct of investigations
10. Inspector's Report
11. Notice of Inspector's Report and Representations thereon
12. Publication of Reports
13. Safety recommendations
14. Reopening of Investigation
15. Accredited representatives
16. Obstruction of Investigation
17. Disclosure of relevant records
18. Penalties

The Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2008

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|--|-----------|--|
| Citation | 1. | These Regulations may be cited as the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, 2008. |
| Application | 2. | These Regulations apply only to civil aviation accidents and incidents. |
| Purpose of the investigation of accidents and incidents | 3. | The sole objective of the investigation of an accident or incident under these Regulations shall be the prevention of accidents and incidents. It shall not be the purpose of such an investigation to apportion blame or liability. |
| Duty to furnish information relating to accidents and incidents | 4. | <p>(1) Where an accident or a serious incident occurs in respect of which the Chief Inspector is required to carry out, or to cause an Inspector to carry out, an investigation, the relevant person and, in the case of an accident or a serious incident occurring on or adjacent to an aerodrome, the aerodrome operator shall forthwith give notice thereof to the Chief Inspector by the quickest means of communication available and, in the case of an accident occurring in or over the Rwanda, shall also notify forthwith a police officer for the area where the accident occurred of the accident and of the place where it occurred.</p> <p>(2) In this regulation the expression "relevant person" means—</p> <p>(a) in the case of an accident or serious incident occurring in or over the Rwanda or occurring elsewhere to an aircraft registered in the Rwanda, the pilot-in-</p> |

- command of the aircraft involved at the time of the accident or serious incident or, if he be killed or incapacitated, the operator of the aircraft; and
- (b) in the case of a serious incident occurring in or over any country or territory outside Rwanda to an aircraft registered elsewhere than in the Rwanda but operated by an undertaking established in the Rwanda, that undertaking.
- (3) The notice to the Chief Inspector referred to in sub-paragraph (1) above shall contain as much of the following information as is available—
- (a) in the case of an accident, the identifying abbreviation "ACCID" or, in the case of a serious incident, the identifying abbreviation "INCID";
- (b) the type, model and the nationality and registration marks of the aircraft;
- (c) the name of the owner, operator and hirer (if any) of the aircraft;
- (d) the name of the pilot-in-command of the aircraft;
- (e) the date and Co-ordinated Universal Time of the accident or serious incident;
- (f) the last point of departure and the next point of intended landing of the aircraft;
- (g) the position of the aircraft by reference to some easily defined geographical point and latitude and longitude;
- (h) the number of—
- (i) crew on board the aircraft at the time of the accident or serious incident and, in the case of an accident, the number of them killed or seriously injured as a result of the accident;
- (ii) passengers on board the aircraft at the time of the accident or serious incident and, in the case of an accident, the number of them killed or seriously injured as a result of the accident;
- (iii) in the case of an accident, other persons killed or seriously injured as a result of the accident;
- (i) the nature of the accident or serious incident and the extent of the damage to the aircraft as far as is known.
- (4) Where an incident, other than a serious incident, takes place—
- (a) in or over the Rwanda; or
- (b) otherwise than in or over the Rwanda to an aircraft registered in the Rwanda;
- the owner, operator, pilot-in-command or lessee of the aircraft shall, if so required by notice given to him by the Chief Inspector, send to the Chief Inspector such information as is in his possession or control with respect to the incident in such form and at such times as may be specified in the notice.

Publication of information 5. Subject to the provisions of regulations 10(4)(b) and 17, the Chief Inspector may at any time publish, or cause to be published, information relating to an accident or incident whether or not such accident or incident is the subject of an investigation by an Inspector.

Removal of damaged aircraft 6. (1) Subject to sub-regulation (2) and regulation 8 below, where an accident, or a serious incident which results in the withdrawal from service of an aircraft, occurs in or over the Rwanda, no person other than an authorized person shall have access to the aircraft involved and to the area immediately surrounding the place at which the aircraft or its parts or content are located and neither the aircraft nor its contents shall, except under the authority of the Minister, be removed or otherwise interfered with.

(2) (a) The aircraft may be removed or interfered or seized with so far as may be necessary for the purpose of—

(i) extricating persons or animals;

(ii) removing any mail, valuables or dangerous goods carried by the aircraft;

(iii) preventing destruction by fire or other cause;

(iv) preventing any danger or obstruction to the public, air navigation or other transport;

(v) removing any other property from the aircraft under the supervision of an Inspector or with the agreement of an Inspector or of a police officer;

(b) if an aircraft is wrecked on water, the aircraft or any of its contents may be removed to such extent as may be necessary for bringing it or them to a place of

safety..

- (3) Where any thing is seized by an Inspector under sub-regulation (2), the Inspector:
 - (a) may, subject to sub-paragraph (b), cause such tests, including tests to destruction, to be conducted on the thing as are necessary for the purposes of the investigation in respect of which the thing was seized;
 - (b) shall, to the extent that it is practical and safe to do so and does not unreasonably impede the progress of the investigation,
 - (i) take all reasonable measures to invite the owner of the thing, and any person who appears on reasonable grounds to be entitled to it, to be present at any tests referred to in sub-paragraph (a), and
 - (ii) allow persons referred to in sub-paragraph (i) to be present at those tests; and
 - (c) subject to the need to conduct such tests, shall cause the thing to be preserved pending its return in accordance with sub-regulation (4).
- (4) Subject to sub-regulation (6), a person from whom any thing was seized pursuant to this regulation, or the owner or any other person who appears on reasonable grounds to be entitled thereto, may apply to a court of competent jurisdiction for an order that the seized thing be returned to the person making the application.
- (5) Subject to sub-regulation (6), where, on an application under sub-regulation (4), the court is satisfied that the seized thing has served the purpose for which it was seized or should, in the interests of justice, be returned to the applicant, the court may grant the application and order the seized thing to be returned to the applicant, subject to any terms or conditions that appear necessary or desirable to ensure that the thing is safeguarded and preserved for any purpose for which it may subsequently be required by an Inspector under these Regulations.
- (6) Sub-regulation (4) and (5) do not apply in respect of any thing seized and tested to destruction in accordance with sub-regulation (3).
- (7) Any thing seized pursuant this regulation shall, unless
 - (a) the owner thereof or a person who appears on reasonable grounds to be entitled thereto consents otherwise in writing, or
 - (b) a court of competent jurisdiction orders otherwise,be returned to that owner or person, or to the person from whom it was seized, as soon as possible after it has served the purpose for which it was seized.
- (8) In this regulation the expression "authorized person" means—
 - (a) any person authorized by the Minister either generally or specially to have access to any aircraft involved in an accident or serious incident;
 - (b) any police officer;
 - (c) any officer from the Customs department.

**Inspectors of
Air Accidents**

7. (1) For the purpose of carrying out investigations into accidents and incidents to which these Regulations apply, the Minister shall, subject to sub-regulation (2) below, appoint persons as Inspectors of Aircraft Accidents and Incidents, one of whom shall be appointed by the Minister as Chief Inspector of Aircraft Accidents and Incidents.
- (2) The body of Inspectors of Aircraft Accidents shall form a part of the Ministry in charge of Civil Aviation known as the Aircraft Accidents and Incidents Investigation Branch and shall be independent in particular of the national aviation authorities responsible for airworthiness, certification, flight operation, maintenance, licensing, air traffic control or airport operation and, in general, of any other party whose interests could conflict with the task entrusted to the investigating body or entity.
- (3) Notwithstanding sub-regulation (2), the activities entrusted to this Branch may be extended to the gathering and analysis of air safety related data, in particular for prevention purposes, in so far as these activities do not affect its independence and entail no responsibility in regulatory, administrative or standards matters.
- (4) An Inspector shall not, directly or indirectly, as owner, shareholder, director, officer, partner or otherwise,
 - (a) be engaged in a transportation undertaking or business, or

- (b) the manufacture or distribution of transportation plant or equipment, except where the distribution is merely incidental to the general merchandising of goods,
- (5) Where any interest referred to in sub-regulation (4) vests in a member for the benefit of the member by gift, will, succession or otherwise, the interest shall, within three months after the vesting, be absolutely disposed of by that member.
- (6) During the term of office of an Inspector, in addition to the prohibitions described in sub-regulation (4), the Inspector shall not
 - (a) accept or hold any office or employment, or
 - (b) carry on any activity
 inconsistent with the performance of the Inspector's duties under these Regulations.
- (7) Subject to sub-regulations (9) and (10), the Chief Inspector shall carry out, or cause an Inspector to carry out, an investigation into—
 - (a) accidents and serious incidents which occur in or over Rwanda;
 - (b) accidents and serious incidents which occur in or over any country or territory which is not a Contracting State to aircraft registered in Rwanda when such an investigation is not carried out by another State;
 - (c) serious incidents which occur in or over any country or territory which is not a Contracting State to aircraft which are registered elsewhere than in Rwanda but which are operated by an undertaking established in Rwanda when such an investigation is not carried out by another State; and
 - (d) accidents and serious incidents to aircraft registered in the Rwanda in the circumstances described in paragraph 5.3 of Annex 13 – *Aircraft Accident and Incident Investigation* to the Chicago Convention.
- (8) Subject to paragraphs (9) and (10), the Chief Inspector may, when he expects to draw air safety lessons from it, carry out, or cause an Inspector to carry out, an investigation into an incident, other than a serious incident, which occurs—
 - (a) in or over the Rwanda; or
 - (b) otherwise than in or over the Rwanda to an aircraft registered in the Rwanda.
- (9) The Chief Inspector may delegate the task of carrying out an investigation into an accident or an incident to another Contracting State in accordance with paragraphs 5.1, 5.1.1 or 5.3 of Annex 13 – *Aircraft Accident and Incident Investigation* to the Chicago Convention.
- (10) Where the Chief Inspector delegates the task of carrying out an investigation pursuant to sub-regulation (9), he shall so far as he is able facilitate inquiries by the investigator appointed by the relevant State.
- (11) The Chief Inspector may carry out, or cause an Inspector to carry out, an investigation into an accident or incident where the task of carrying out the investigation has been delegated to Rwanda by another Contracting State or, in accordance with paragraphs 5.1, 5.1.1 or 5.3 of the Annex 13 – *Aircraft Accident and Incident Investigation* to the Chicago Convention.
- (12) Without prejudice to the power of an Inspector to seek such advice or assistance as he may deem necessary in making an investigation, the Minister may at the request of the Chief Inspector appoint persons to assist an Inspector in a particular investigation and such persons shall for the purpose of so doing have such of the powers of an Inspector under these Regulations as may be specified in their appointment, provided these persons are not in conflict of interest as specified in sub-regulations (4) and (6).
- (13) In any case where the Chief Inspector causes more than one Inspector to carry out an investigation he shall nominate one of them to be in overall charge of the investigation.

Powers of Inspectors

- 8. (1) For the purpose of enabling him to carry out an investigation into an accident or incident in the most efficient way and within the shortest time, an investigating Inspector is hereby authorized, where appropriate in cooperation with the authorities responsible for the judicial inquiry, to—
 - (a) have free access to the site of the accident or incident as well as to the aircraft, its contents or its wreckage;
 - (b) ensure an immediate listing of evidence and controlled removal of debris, or components for examination or analysis purposes;

- (c) have immediate access to and use of the contents of the flight recorders and any other recordings;
 - (d) have access to the results of examination of the bodies of victims or of tests made on samples taken from the bodies of victims;
 - (e) have immediate access to the results of examinations of the people involved in the operation of the aircraft or of tests made on samples taken from such people;
 - (f) examine witnesses; and
 - (g) have free access to any relevant information or records held by the owner, the operator or the manufacturer of the aircraft and by the authorities responsible for civil aviation or airport operation.
- (2) For the purpose of sub-regulation (1) above, an investigating Inspector shall have power—
- (a) by summons under his hand to call before him and examine all such persons as he thinks fit, to require such persons to answer any question or furnish any information or produce any books, papers, documents and articles which the investigating Inspector may consider relevant and to retain any such books, papers, documents and articles until the completion of the investigation;
 - (b) to take statements from all such persons as he thinks fit and to require any such person to make and sign a declaration of the truth of the statement made by him;
 - (c) on production if required of his credentials, to enter and inspect any place, building or aircraft the entry or inspection whereof appears to the investigating Inspector to be requisite for the purposes of the investigation;
 - (d) on production if required of his credentials, to remove, test, take measures for the preservation of or otherwise deal with any aircraft other than an aircraft involved in the accident or incident where it appears to the investigating Inspector requisite for the purposes of the investigation, and
 - (e) to take such measures for the preservation of evidence as he considers appropriate.
- (3) Every person summoned by an investigating Inspector under sub-regulation (2)(a) above shall be allowed such expenses as the Minister may determine.
- (4) When requested to do so by the investigating body or entity of another Contracting State, the Chief Inspector may provide assistance to that body or entity by supplying—
- (a) installations, facilities and equipment for—
 - the technical investigation of wreckage and aircraft equipment and other objects relevant to the investigation,
 - the evaluation of information from flight recorders, and
 - the computer storage and evaluation of aircraft accident data, and
 - (b) accident investigation experts to undertake specific tasks but only when an investigation is opened following a major accident.

Form and conduct of investigations

9. The extent of investigations and the procedure to be followed in carrying out investigations required or authorized under these Regulations shall be determined by the Chief Inspector taking account of the purpose described in regulation 3, the lessons he expects to draw from the accident or incident for the improvement of safety and the Standards of Annex 13 – *Aircraft Accident and Incident Investigation* to the Chicago Convention.

Inspector's Report

10. (1) On completion of an investigation into an accident or incident, the investigating Inspector shall prepare a report of the investigation in a form appropriate to the type and seriousness of the accident or incident.
- (2) If it appears to the investigating Inspector that the investigation of any accident or incident—
- (a) involving a collision between a civil aircraft and a military aircraft, or
 - (b) occurring while a civil aircraft was on, or in the course of taking off from or landing on, an aerodrome controlled by any of military or air forces of Rwanda or by the naval, military or air forces of any country
- has been completed but for the investigation of matters affecting the discipline or internal administration of any of those forces which are more appropriate for the investigation by some other person or body, the investigation may be treated for the purposes of sub-

regulation (1) above as if it had been completed without such matters being investigated under these Regulations; in such a case the report of the investigation into the accident or incident shall state those matters to which the investigation has not extended by reason of this sub-regulation.

- (3) The report of an investigation into an accident shall state the sole objective of the investigation as described in regulation 3 above and, where appropriate, contain safety recommendations.
- (4) The report of an investigation into an accident or incident shall—
 - (a) where appropriate, contain relevant safety recommendations;
 - (b) protect the anonymity of the persons involved in the accident or incident; and
 - (c) be circulated by the investigating Inspector to the parties likely to benefit from its findings with regard to safety.
- (5) A safety recommendation shall in no case create a presumption of blame or liability for an accident or incident.
- (6) An opinion of an investigator is not admissible in evidence in any legal, disciplinary or other proceedings.
- (7) The Chief Inspector shall submit a copy of every report prepared pursuant to sub-regulation (1) above to the Minister without delay.
- (8) In this regulation the expression "investigating Inspector" in a case where more than one Inspector is carrying out the task of investigation means the Inspector nominated under regulation 7(13) above.

**Notice of
Inspector's
Report and
Representations
thereon**

11. (1) No report which is required by regulation 12 to be published shall be so published if, in the investigating Inspector's opinion, it is likely to affect adversely the reputation of any person, until the investigating Inspector has—
 - (a) where it appears to him to be practicable so to do, served a notice under this regulation upon that person, or if that person is a deceased individual, upon the person who appears to him, at the time he proposes to serve notice pursuant to this sub-paragraph, to represent best the interest of the deceased in the matter; and
 - (b) made such changes to the report as he thinks fit following his consideration of any representations which may be made to him in accordance with sub-regulation (3) below by or on behalf of the person served with such notice.
- (2) The notice referred to in sub-regulation (1)(a) shall include particulars of any proposed analysis of facts and conclusions as to the cause or causes of the accident or incident which may affect the person on whom or in respect of whom the notice is served.
- (3) Any representations made pursuant to sub-regulation (1)(b) above shall be in writing and shall, subject to sub-regulation (6), be served on the investigating Inspector within 28 days of service of the notice referred to in sub-regulation (1)(a)
- (4) A copy of the report submitted to the Minister under regulation 10(7) shall be served by the investigating Inspector on any person who has been served with a notice pursuant to sub-regulation (1).
- (5) No person shall disclose or permit to be disclosed any information contained in a notice or report served on him pursuant to sub-regulation (1) or (4) to any other person without the prior consent in writing of the Chief Inspector.
- (6) The Chief Inspector shall have power to extend the period of 28 days prescribed in sub-regulation (3) and this power shall be exercisable notwithstanding that that period has expired.
- (7) In this regulation the expression "investigating Inspector" in a case where more than one Inspector is carrying out the task of investigation means the Inspector nominated under regulation 7(13).

**Publication of
Reports**

12. Subject to regulation 11(1), the Chief Inspector shall cause the report of an investigation into an accident or incident, other than an incident the investigation of which has been delegated to the Rwanda by another Contracting State, to be made public in the shortest time possible (and, if possible, within 12 months of the date of the accident or serious incident) and in such manner as

he thinks fit.

**Safety
recommendations**

- 13.** (1) The Chief Inspector shall cause the reports referred to in regulation 12, including those not required to be published and including the safety recommendations contained therein, to be communicated to the undertakings or national aviation authorities concerned.
- (2) Any undertaking or authority to which a safety recommendation is communicated pursuant to sub-regulation (1) shall, without delay—
- (a) take that recommendation into consideration and, where appropriate, act upon it;
 - (b) send to the Minister—
 - (i) full details of the measures, if any, it has taken or proposes to take to implement the recommendation and, in a case where it proposes to implement measures, the timetable for securing that implementation; or
 - (ii) a full explanation as to why the recommendation is not to be the subject of measures to be taken to implement it;
 - (c) give notice to the Minister if at any time any information provided to the Minister in pursuance of sub-paragraph (b)(i) concerning the measures it proposes to take or the timetable for securing their implementation is rendered inaccurate by any change of circumstances.

**Reopening of
Investigation**

- 14.** (1) The Chief Inspector may cause the investigation of any accident or incident to be reopened and shall do so—
- (a) if, after the completion of the investigation, evidence has been disclosed which is in his opinion both new and important; or
 - (b) if for any other reason there is in his opinion ground for suspecting that the reputation of any person has been unfairly and adversely affected.
- (2) Any investigation reopened shall be subject to and conducted in accordance with the provisions of these Regulations.

**Accredited
representatives**

- 15.** Where an investigation of an accident or serious incident is being carried out by an investigating Inspector, an accredited representative appointed by—
- (a) the State of registry;
 - (b) the State of design;
 - (c) the State of manufacture;
 - (d) the State of the operator;
 - (e) a Contracting State which has, on request, furnished information, facilities or experts to the investigating Inspector in connection with the accident or serious incident;

may take part in the investigation, that is to say, he shall be permitted to visit the scene of the accident, examine the wreckage, question witnesses, receive copies of all pertinent documents (saving all such just exceptions as may be determined by the investigating Inspector), have access to all relevant evidence and make submissions; and he may be accompanied by such technical and other advisers as may be considered necessary by the authorities of the country or territory by which he is appointed.

**Obstruction of
Investigation**

- 16.** (1) No person shall obstruct or impede an Inspector or any person acting under the authority of the Minister in the exercise of any powers or duties under these Regulations.
- (2) No person shall without reasonable excuse fail, after having had the expenses (if any) to which he is entitled under these Regulations tendered to him, to comply with any summons of an Inspector holding an investigation.

**Disclosure of
relevant
records**

- 17.** (1) Subject to sub-regulations (2) and (4) to (6) no relevant record shall be made available by the Minister to any person for purposes other than accident or incident investigation.
- (2) Nothing in sub-regulations (1) above shall preclude the Minister making a relevant record available to any person where—
- (a) in a case where that person is a party to or otherwise entitled to appear at judicial proceedings, the relevant court has ordered that the relevant record shall be made

- available to him for the purpose of those proceedings, or
- (b) in any other circumstances, the relevant court has ordered that the relevant record shall be made available to him for the purpose of those circumstances.
- (3) In this regulation—
- "judicial proceedings" includes any proceedings before any court, tribunal or person having by law power to hear, receive and examine evidence on oath,
- "relevant court" in the case of judicial proceedings or an application for disclosure made in Rwanda,
- "relevant record" means any item in the possession, custody or power of the Minister which is of a kind referred to in sub-paragraphs (a) to (e) of paragraph 5.12 of Annex 13 – *Aircraft Accident and Incident Investigation* to the Chicago Convention.; and.
- (4) Subject to sub-regulation (6) no order shall be made under sub-regulation (2) unless the relevant court is satisfied that the interests of justice in the judicial proceedings or circumstances in question outweigh any adverse domestic and international impact which disclosure may have on the investigation into the accident or incident to which the record relates or any future accident or incident investigation undertaken in Rwanda.
- (5) A relevant record or part thereof shall not be treated as having been made available contrary to sub-regulation (1) above in any case where that record or part is included in the final report (or the appendices to the final report) of the accident or incident.
- (6) The provisions of this regulation shall be without prejudice to any rule of law which authorizes or requires the withholding of any relevant record or part thereof on the ground that the disclosure of it would be injurious to the public interest.

Penalties

- 18.** Every person who
- (a) contravenes with these Regulations,
- (b) without lawful excuse, wilfully resists or otherwise obstructs a member or an investigator in the execution of powers or duties under the regulations,
- (c) knowingly gives false or misleading information at any investigation, or
- (d) makes a report that the person knows to be false or misleading
- is guilty of an indictable offence and liable on conviction to a term of imprisonment not exceeding six (6) months, a fine not exceeding 600,000 francs, or to both.

Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure

BIHIRE Linda

(sé)

The Minister of Finance and Economic Planning

MUSONI James

(sé)

The Minister of Defence

General GATSINZI Marcel

(sé)

The Minister of Internal Security

Sheikh HARERIMANA MUSSA Fazil

(sé)

The Minister of Public Service and Labour

MUREKEZI Anastase

(sé)

Seen and sealed with the Seal of the Republic:

The Minister of Justice/Attorney General

KARUGARAMA Tharcisse

(sé)

ANNEX XVIII TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 .RELATING TO RWANDA CIVIL AVIATION REGULATIONS

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THE CIVIL AVIATION (SECURITY) REGULATIONS 2008

PART I PRELIMINARY

- Interpretation**
1. The definitions in this regulation apply in these Regulations, that can be cited as the Civil Aviation (Security) Regulations, 2008:
"air carrier" means any person who operates a commercial air service;
"carry-on baggage" means baggage and personal belongings to which a person has or will have access on board an aircraft;

"checked baggage" means any baggage and personal belongings in respect of which a baggage tag is issued after the baggage and personal belongings are accepted for transportation;

"combination code" means a series of numbers or letters, or both, that is assigned by, or under the authority of, the aerodrome operator to a person, which series, when entered into mechanical or electronic equipment on or near a door, gate or other device, unlocks or releases the door, gate or other device and permits access to a restricted area;

"Committee" means the *National Civil Aviation Security Committee* established by Civil Security Aviation Law (...).

"escort officer" means:

- (a) a peace officer; and
- (b) any person authorized by the Government or any of its agencies or authorities to escort a person in custody on a flight;

"incendiary device" means an object, other than a match or pocket lighter, that is fabricated with combustible materials and designed to cause fire damage to property or inflict burn injuries on individuals;

"key" means a device, including a card, that is designed to allow for entry to a restricted area and is issued by, or under the authority of, the aerodrome operator to an individual;

"personal identification code" means a series of numbers or letters, or both, that is chosen by a person or assigned by, or under the authority of, the aerodrome operator to a person, which series, when entered into or placed near mechanical or electronic equipment on or near a door, gate or other device, unlocks or releases the door, gate or other device and permits access to a restricted area;

"restricted area access point" means a point in a security barrier at which an access control system is in place that controls access to a restricted area from a non-restricted area;

"restricted area pass" means a document issued by or under the authority of an aerodrome operator or by an air carrier with the approval of the aerodrome operator that entitles the holder to have access to a specific restricted area during a specified period;

"screening" means the checking, identification, observation, inspection or authorized search of persons, goods and other things in the possession or control of persons who are screened and vehicles under the care or control of persons who are screened to prevent the carrying or transport, contrary to these Regulations, of weapons, explosive substances, incendiary devices or their components or other dangerous items that could be used to jeopardize the security of an aerodrome or aircraft;

"screening authority" means the Authority or any other person authorized by it, responsible for screening persons, goods and other things in the possession or control of persons who are screened and vehicles under the care or control of persons who are screened;

"security barrier" means a physical structure or natural feature used to prevent or deter access by unauthorized persons to a restricted area.

Application

2. (1) Parts 1 to IV apply to
 - (a) persons at an aerodrome;
 - (b) persons on board an aircraft;
 - (c) persons who provide services to an air carrier that are related to the transportation by air of passengers or goods;
 - (d) persons at an area outside the boundaries of civil airports that are designated as security restricted areas;
 - (e) air carriers;
 - (f) aerodrome operators serving air carriers;
 - (g) persons in charge of an area outside the boundaries of civil airports that are designated as security restricted areas;
 - (h) screening authorities; and
 - (i) screening officers.
- (2) Part IV also applies to operators of aircraft who are not air carriers.

- (2) A peace officer, the manager of an aerodrome or a person acting on his behalf may use reasonable force to remove a person who fails to comply with a request under sub-regulation (1).
- Circumventing screening** 9. (1) 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.
- (2) 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.
- Screening while in possession of weapon** 10. (1) Subject to sub-regulations (2) and (3), a person shall not submit to a screening of their person, their carry-on baggage or other things in their possession or control or a vehicle under their care or control while carrying a weapon, an explosive substance or an incendiary device.
- (2) A person referred to in regulation 23, 27 or 28 may submit to a screening of their person, their carry-on baggage or other things in their possession or control or a vehicle under their care or control while carrying a weapon, a firearm or ammunition.
- (3) A person referred to in sub-regulation 29(1) may submit to a screening of their person or things in their possession or control or a vehicle under their care or control while carrying an explosive substance or an incendiary device.
- False declaration** 11. A person who is at an aerodrome or on board an aircraft shall not falsely declare that:
- (a) 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 aerodrome 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
- (b) another person who is at the aerodrome 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 aerodrome 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.
- Sale** 12. A person shall not sell or offer for sale in a restricted area a weapon, a model or replica of a weapon, an explosive substance or an incendiary device
- Prohibition to persons - weapons** 13. (1) Subject to regulation 17, sub-regulations 23(1) and 27(2) and regulation 28, and the Civil Aviation (Operation of Aircraft) Regulations, a person shall not carry, transport or have access to a weapon at an aerodrome.
- (2) Subject to sub-regulations 23(2) and 27(1), and the provisions of the Civil Aviation (Operation of Aircraft) Regulations concerning the carriage of weapons, a person shall not carry or have access to a weapon on board an aircraft.
- Prohibition to carriers - weapons** 14. (1) Subject to sub-regulations 23(2) and 27(1), and regulation 163(4) of the Civil Aviation (Operation of Aircraft) Regulations, an air carrier shall not allow a person who is on board an aircraft to have access to a weapon.
- (2) An air carrier shall not allow a person who is on board an aircraft to carry or have access to an explosive substance or an incendiary device.
- Prohibition to persons – loaded** 15. (1) Subject to regulation 163(4) of the Civil Aviation (Operation of Aircraft) Regulations, a person shall not transport or tender for transportation by an air carrier goods that contain

- firearms and explosives**
- (2) a loaded firearm.
 (2) Subject to sub-regulation 29(3), a person shall not transport or tender for transportation by an air carrier goods that contain an explosive substance or an incendiary device.
- Prohibition to carriers - loaded firearms and explosives**
16. (1) Subject to regulation 163(4) of the Civil Aviation (Operation of Aircraft) Regulations, an air carrier shall not knowingly allow a person to transport goods that contain a loaded firearm.
 (2) Subject to sub-regulation 29(3), an air carrier shall not knowingly allow a person to transport goods that contain an explosive substance, or an incendiary device
- Access to unloaded firearms**
17. A person may carry or have access to an unloaded firearm at an aerodrome for the purpose of transporting it by air as checked baggage or accepted cargo that is packed in accordance with the airlines instructions and complies with the provisions of the Civil Aviation (Operation of Aircraft) Regulations concerning the carriage of weapons.
- Declaration of unloaded firearms**
18. A person may tender, to an air carrier for subsequent acceptance and transportation, baggage or cargo that contains an unloaded firearm if the person declares to the air carrier that the firearm is unloaded.
- Carriage of unloaded firearms**
19. An air carrier may allow a person who has complied with regulation 18 to transport checked baggage or accepted cargo that contains an unloaded firearm.
- Storage of unloaded firearms**
20. An air carrier that transports an unloaded firearm that is contained in checked baggage or accepted cargo shall store the firearm in the aircraft so that it is not accessible to any person on board the aircraft other than crew members.

Alcoholic beverage and firearms	21.	<ul style="list-style-type: none"> (1) A peace officer referred to in sub-regulation 23(2) who carries or has access to a firearm on board an aircraft shall not consume any alcoholic beverage. (2) An employee referred to in sub-regulation 27(1) who has access to a firearm on board an aircraft shall not consume any alcoholic beverage.
Air carrier and alcoholic beverage	22.	An air carrier shall not provide any alcoholic beverage to a person who carries or has access to a firearm on board an aircraft.
Peace officers on duty	23.	<ul style="list-style-type: none"> (1) A peace officer may carry or have access to a weapon at an aerodrome while in the performance of duties. (2) An air carrier may allow a peace officer to carry or have access to an unloaded firearm on board an aircraft if: <ul style="list-style-type: none"> (a) the officer, while in the performance of the officer's duties, requires access to the firearm immediately before, during or immediately after the flight; (b) the officer informs the air carrier, at least twenty-four hours before the aircraft leaves the aerodrome or, in an emergency as soon as possible before the departure of the flight, that a firearm will be on board; (c) the officer shows a representative of the air carrier identification issued by the organization employing the peace officer that consists of the peace officer's full facial picture and signature and the signature of an authorized representative of the organization employing the peace officer and completes the form used by the air carrier to authorize the carriage of firearms on board an aircraft; (d) the air carrier verifies the identification referred to in sub-paragraph (c) before the peace officer: <ul style="list-style-type: none"> (i) enters a restricted area from which the peace officer may board the aircraft; or (ii) boards the aircraft, if the aerodrome does not have a restricted area from which the peace officer may board the aircraft; and (e) no alcoholic beverages are served to armed individuals.
Information	24.	<ul style="list-style-type: none"> (1) If a peace officer needs to carry or have access to a firearm on board an aircraft, the air carrier shall, before departure, inform: <ul style="list-style-type: none"> (a) the pilot-in-command of the aircraft by means of the form referred to in regulation 23(2)(c), and his(their) seat location(s); and (b) subject to sub-regulation (3), the screening authority, the crew members assigned to the flight or the aircraft and any other peace officer on board the aircraft. (2) The screening authority shall inform all the screening officers with whom the peace officer will have contact that the peace officer is carrying or will have access to a firearm on board the aircraft. (3) If a peace officer who is carrying or has access to a firearm on board an aircraft is engaged in an undercover operation and requests that the air carrier not reveal the officer's presence to any person other than the pilot-in-command on board the aircraft, the air carrier shall not reveal the presence of the peace officer.
Need for authorization	25.	Subject to regulation 26, the carriage of weapons on board a Rwanda aircraft by a peace officer and other authorized personnel, acting in performance of their duties, shall not be permitted except with the specific authorization of the Authority.
Aircraft registered outside Rwanda	26.	Regulation 25 shall not apply to weapons or ammunition taken on board an aircraft registered in a country other than Rwanda if the weapons or ammunition, as the case may be, may under the law of the country in which the aircraft is registered be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board.

- Wildlife control** 27. (1) An air carrier may allow the pilot-in-command or an employee of a government department or agency that is engaged in wildlife control to have access to an unloaded firearm on board an aircraft if the firearm is necessary for survival purposes.
- (2) A pilot-in-command or an employee of a government department or agency that is engaged in wildlife control may carry or have access to an unloaded firearm at an aerodrome if the firearm will be transported in accordance with sub-regulation (1).
- Person other than peace officer** 28. A person, other than a peace officer, who holds a licence to carry a firearm that is issued under the laws of Rwanda may carry or have access to a firearm at an aerodrome if the person is engaged:
- (a) in the protection of persons or property at the aerodrome; or
- (b) by the aerodrome operator for the control of animals at the aerodrome.
- Permission to carry explosive** 29. (1) An aerodrome operator may allow a person to carry or have access to explosive substances or incendiary devices at an aerodrome if:
- (a) the explosive substances or incendiary devices are to be used at the aerodrome:
- (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
- (b) the aerodrome operator has reasonable grounds to believe that the safety of the aerodrome and persons and aircraft at the aerodrome will not be jeopardized by the presence of the explosive substances or incendiary devices at the aerodrome.
- (2) 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 aerodrome.
- (3) 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 aerodrome.
- Persons in the custody of an escort officer** 30. (1) In this regulation, "organization responsible for the person in custody" does not include a person or an organization that provides escort officer services under a contract for remuneration.
- (2) An air carrier shall not transport a person in the custody of an escort officer on board an aircraft unless:
- (a) the organization responsible for the person in custody has provided to the air carrier a written confirmation that the organization has assessed the pertinent facts and determined whether the person in custody is a maximum, medium or minimum risk to the safety of the air carrier and aerodrome operations and the travelling public;
- (b) the air carrier and the organization responsible for escorting the person in custody have agreed on the number of escort officers necessary to escort that person, which number shall be at least:
- (i) two escort officers to escort each person who is a maximum risk;
- (ii) one escort officer to escort each person who is a medium risk; and
- (iii) one escort officer to escort not more than two persons who are a minimum risk;
- (c) the person in custody is escorted by the agreed number of escort officers;
- (d) the organization responsible for the person in custody has given a written notice to the air carrier at least twenty-four hours or, in an emergency as soon as possible, before the departure of the flight, stating:
- (i) the identity of the escort officer and the person in custody and the reasons why the person requires an escort;
- (ii) the level of risk that the person in custody represents to the safety of the

- public; and
- (iii) the flight on which the person in custody will be transported;
- (e) the escort officer shows a representative of the air carrier identification issued by the organization responsible for the person in custody or the organization employing the escort officer that consists of the escort officer's full facial picture and signature and the signature of an authorized representative of the organization and completes the form used by the air carrier to authorize the transportation of the person in custody; and
- (f) the air carrier verifies the identification required by paragraph (e) before the escort officer:
 - (i) enters a restricted area from which the escort officer may board the aircraft; or
 - (ii) boards the aircraft, if the aerodrome does not have a restricted area from which the escort officer may board the aircraft;
- (g) concurrence has been obtained in advance from the other States and other operators that may be involved en-route and at the intended final destination;
- (h) the escort officers are apprised of the potential danger to the safe operation of the aircraft should they take any action during an act of unlawful interference without direction from the pilot-in-command;
- (i) the air carrier informed any other security personnel and passengers authorized to carry firearms on board the aircraft of the transportation of a person in custody and escort officer and their locations;
- (j) the person in custody and the escort officer are boarded before all other passengers and disembarked after all other passengers have left the aircraft.
- (3) An air carrier or the pilot-in-command shall refuse to accept a person in custody if, in his judgment, such acceptance may jeopardize the safety of the other passengers.
- (4) An escort officer shall not escort a person in custody on board an aircraft unless the escort officer:
 - (a) provides the aerodrome operator with a copy of the written notice referred to in sub-regulation (2)(d) at least twenty-four hours or, in an emergency as soon as possible, before the departure of the flight;
 - (b) shows a representative of the air carrier the identification referred to in sub-regulation (2)(e).
- (5) An air carrier that transports a person in custody who is a maximum risk to the public shall not transport any other person in custody on board the aircraft.
- (6) As far as possible, an air carrier shall assign the escort officer and the person in custody the rearmost seats in the cabin but not in a lounge area or adjacent to an exit, with the prisoner seated at the window seat.

**Obligations of
escort officer**

- 31.**
- (1) An escort officer who is a peace officer and escorts a person in custody during a flight shall:
 - (a) remain with the person at all times, including visits to the lavatory;
 - (b) immediately before boarding the aircraft, search the person in custody and their carry-on baggage for weapons, matches or other items that could be used to jeopardize flight safety;
 - (c) search the area surrounding the aircraft seat assigned to the person in custody for weapons or other items that could be used to jeopardize flight safety; and
 - (d) carry restraining devices that can be used to restrain the person, if necessary.
 - (2) If an escort officer who is not a peace officer escorts a person in custody, the air carrier shall, immediately before the person boards the aircraft, cause an authorized search of the person in custody and their carry-on baggage to be conducted for weapons, matches or other items that could be used to jeopardize flight safety.
 - (3) An escort officer who is not a peace officer and who escorts a person in custody during a flight shall:
 - (a) remain with the person at all times;
 - (b) ensure that an authorized search of the person and their carry-on baggage for

weapons or other items that could be used to jeopardize flight safety is conducted before the escort officer and the person:

- (i) enter a restricted area from which they may board the aircraft, or
 - (ii) board the aircraft, if the aerodrome does not have a restricted area from which they may board the aircraft;
- (c) search the area surrounding the aircraft seat assigned to the person in custody for weapons, matches or other items that could be used to jeopardize flight safety; and
- (d) carry restraining devices that can be used to restrain the person, if necessary.

- Prohibition to consume alcohol** 32. A person in custody and the escort officer who is escorting the person shall not consume any alcoholic beverage on board an aircraft.
- Metal utensils or knife** 33. An escort officer, at his discretion that shall be legally exercised, may allow the person in custody to be served food but the person in custody shall not be provided with metal utensils or a knife.
- Alcohol to person in custody** 34. An air carrier shall not provide any alcoholic beverage to a person in custody or to the escort officer who is escorting the person on board an aircraft.
- Persons suffering from mental illness** 35. 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:
- (a) 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
 - (b) 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.
- Refusal from boarding** 36. An air carrier or the pilot-in-command shall refuse to accept a person in custody if, in his judgment, such acceptance may jeopardize the safety of the other passengers.

PART III AERODROME AND RESTRICTED AREA SECURITY

- Interpretation** 37. For greater certainty, nothing in this Part:
- (a) limits access to a restricted area by a person who is authorized by the Minister, the Authority or the Committee to carry out an inspection of the aerodrome and who presents their official credentials, bearing their name and photograph; or
 - (b) requires a person who is authorized by the Minister, the Authority or the Committee to carry out an inspection to have a restricted area pass or other authorization issued by an aerodrome operator in order to have access to a restricted area to carry out an inspection.
- Identification of restricted areas** 38. (1) The operator of an aerodrome set out in areas designated as security restricted areas at civil airports and the person in charge of any other restricted area outside the boundaries of civil airports that are designated as security restricted areas in the *National Aviation Security Programme* shall post signs on each security barrier, in at least English, French and Ikinyarwanda, that identify each restricted area and state that entry is restricted to authorized persons.
- (2) The signs posted on each security barrier shall be no more than 150 metres apart.
- (3) Any sign that identifies a restricted area is considered to have been posted by the operator in accordance sub-regulation (1)
- Control of access** 39. A person shall not provide false information for the purpose of obtaining a restricted area pass, key, combination code or personal identification code or a clearance granted by the Authority.

Use in performance of duties	40. A person shall not use a restricted area pass, key, combination code or personal identification code except if he is acting in the course of his employment and if he is in possession of his pass.
Pass and authorization	41. A person shall not enter a restricted area unless a restricted area pass has been issued to the person for access to the restricted area and, if applicable, the person is subject to the security controls.
Provision or assistance of access to another person	42. A person shall not: <ul style="list-style-type: none"> (a) provide access to a restricted area to any other person who does not have a restricted area pass in their possession for the restricted area; or (b) assist any other person who does not have a restricted area pass in their possession for the restricted area to enter that restricted area.
Specifications	43. (1) An aerodrome operator or a person in charge of any other restricted area mentioned in sub-regulation 38(1) shall not issue a restricted area identity card to a person unless the person: <ul style="list-style-type: none"> (a) applies in writing; (b) is sponsored in writing by their employer; (c) has a security clearance; (d) consents in writing to the collection, use, retention, disclosure and destruction of information for the purposes of this Part; and (e) confirms that the information displayed on the card is correct. (2) An aerodrome operator or a person in charge of any other restricted area mentioned in sub-regulation 38(1) 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: <ul style="list-style-type: none"> (a) the full name of the person to whom the card is issued; (b) the height of the person to whom the card is issued; (c) a photograph depicting a frontal view of the face of the person to whom the card is issued; (d) the expiry date of the card; (e) the name of the aerodrome where the card is issued; (f) the name of the employer of the person to whom the card is issued if that person has a single employer; (g) the terms "multi-employer" and "employeur multiple" if the person to whom the card is issued has more than one employer; (h) the occupation of the person to whom the card is issued if that person has a single occupation; and (i) the terms "multi-occupation" and "emplois multiples" if the person to whom the card is issued has more than one occupation. (3) A restricted area identity card expires no later than five years after the day on which it is issued or on the day on which the security clearance of the person to whom the card is issued expires, whichever is earlier.

- (4) An employer shall not
- (a) sponsor an employee who does not require ongoing access to restricted areas in the course of their employment; or
 - (b) knowingly sponsor an employee for more than one restricted area identity card at a time.
- (5) The employer of a person to whom a restricted area identity card has been issued shall immediately notify the aerodrome operator or a person in charge of any other restricted area mentioned in sub-regulation 38(1) 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.
- (6) An aerodrome operator or a person in charge of any other restricted area mentioned in sub-regulation 38(1) shall not issue more than one restricted area identity card at a time to a

- person.
- (7) A 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.
 - (8) A person shall not enter or remain in a restricted area with a vehicle unless the said vehicle has a permit which shall:
 - (a) be permanently displayed in a prominent and visible position on the vehicle; and
 - (b) 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.
 - (9) An aerodrome operator and the person in charge of any other restricted area referred to in sub-regulation 38(1) 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.
 - (10) A peace officer, the manager of an aerodrome, the person in charge of any other restricted area outside the boundaries of civil airports that are designated as security restricted areas or a person acting on his behalf may use reasonable force to remove a person who fails to comply with this regulation.

Prohibition

- 44. (1) No person:
 - (a) other than the aerodrome operator or the person in charge of any other restricted area mentioned in sub-regulation 38(1) or a person designated by the operator, may make a copy of a key;
 - (b) may loan or give a restricted area pass or a key that was issued to one person to another person;
 - (c) may alter or otherwise modify a restricted area pass or key;
 - (d) may have or use a restricted area pass or a key that was issued to another person;
 - (e) may use a counterfeit restricted area pass; or
 - (f) may make or reproduce a copy of a restricted area pass.
- (2) No person:
 - (a) other than the aerodrome operator or the person in charge of any other restricted area mentioned in sub-regulation 38(1) or a person designated by the operator, may:
 - (i) disclose a combination code; or
 - (ii) use a combination code that was assigned to another person;
 - (b) may disclose a personal identification code; or
 - (c) may use another person's personal identification code.

Loss or theft

- 45. (1) A person to whom a restricted area pass or a key has been issued shall immediately report its loss or theft to the aerodrome operator or the person in charge of any other restricted area mentioned in sub-regulation 38(1) or the person who issued it.
- (2) An employer who is informed by an employee of the loss or theft of a restricted area pass or a key shall immediately report the loss or theft to the aerodrome operator or the person in charge of any other restricted area mentioned in sub-regulation 38(1).
- (3) Before replacing a lost, stolen or non-functional restricted area identity card, an aerodrome operator or a person in charge of any other restricted area mentioned in sub-regulation 38(1) shall ensure that
 - (a) the person applying for the replacement card is the person to whom the lost, stolen or non-functional card has been issued; and
 - (b) the person still has a security clearance.

Key or pass in

- 46. (1) The holder of a restricted area pass or a key shall return it to the aerodrome operator or the

case of change or end of duties		<p>person in charge of any other restricted area mentioned in sub-regulation 38(1) or the person who issued it when:</p> <ul style="list-style-type: none"> (a) the holder ceases to work at an aerodrome or in any other restricted area mentioned in sub-regulation 38(1); (b) the holder's airport restricted area access clearance has been denied, suspended, revoked or cancelled or has expired; or (c) the holder otherwise ceases to require access to the restricted areas for which the pass or key was issued. <p>(2) When a restricted area pass or a key is returned to an employer, the employer shall immediately give it to the aerodrome operator or the person in charge of any other restricted area mentioned in sub-regulation 38(1).</p>
Key or pass to be surrendered on demand	47.	A person shall surrender on demand a key or a restricted area pass in their possession to the aerodrome operator, the person in charge of any other restricted area mentioned in sub-regulation 38(1), the person who issued it, a peace officer, or the Authority
Presentation of the pass	48.	The holder of a restricted area pass who is being screened by a screening officer at a restricted area access point or at a location inside a restricted area shall, on demand, present the restricted area pass to the screening officer making the demand.
Refusal to submit to an authorized search	49.	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.
Records to be kept	50.	<p>(1) The aerodrome operator and any person designated by the aerodrome operator or the person in charge of any other restricted area mentioned in sub-regulation 38(1) to issue restricted area passes or keys shall:</p> <ul style="list-style-type: none"> (a) keep at the aerodrome or at the other restricted areas mentioned in sub-regulation 38(1) updated records of the passes and keys that have been issued for use at the aerodrome or the other restricted areas mentioned in sub-regulation 38(1), respecting:: <ul style="list-style-type: none"> (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 aerodrome 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 aerodrome operator; (viii) restricted area identity cards that have been reported as lost or stolen; and (ix) steps taken to retrieve deactivated restricted area identity cards; and (b) provide the record to the Authority or the Committee under the <i>National Aviation Security Programme</i>, on reasonable notice given by the Authority or the Committee under the <i>National Aviation Security Programme</i>. <p>(2) Subject to sub-regulation (3), a record respecting a restricted area identity card that has been deactivated shall be retained for a period of at least one year from the day on which the card was deactivated.</p> <p>(3) A record respecting a restricted area identity card that has been reported as lost or stolen shall be retained for a period of at least one year from the card's expiry date.</p>
Escorted person	51.	<p>(1) A person who is being escorted in accordance with the directives issued by the Authority and the <i>National Aviation Security Programme</i> shall remain with the escort while in a</p>

		restricted area.
	(2)	A person who is an escort in accordance with the directives issued by the Authority and the <i>National Aviation Security Programme</i> shall remain with the person being escorted while in a restricted area.
	(3)	The person who appoints an escort shall:
	(a)	inform the escort of the requirement to remain with the person being escorted in a restricted area; and
	(b)	ensure that the escort remains with the person being escorted in a restricted area.
Tenant	52.	(1) A tenant at an aerodrome shall close and lock any door other than an emergency exit, gate or other device, if:
	(a)	the tenant has control of and responsibility for the door, gate or other device; and
	(b)	the door, gate or other device allows access between a restricted area and a non-restricted area.
	(2)	A tenant at an aerodrome shall institute a system, on or near an emergency exit, that prevents access by unauthorized persons to a restricted area if:
	(a)	the tenant has control of and responsibility for the emergency exit; and
	(b)	the emergency exit allows access between a restricted area and a non-restricted area
Lock of doors and system that prevents access	53.	(1) An aerodrome operator or a person in charge of any other restricted area mentioned in sub-regulation 38(1) shall close and lock any door other than an emergency exit, gate or other device, if:
	(a)	the operator has control of and responsibility for the door, gate or other device; and
	(b)	the door, gate or other device allows access between a restricted area and a non-restricted area.
	(2)	An aerodrome operator or a person in charge of any other restricted area mentioned in sub-regulation 38(1) shall institute a system, on or near an emergency exit, that prevents access by unauthorized persons to a restricted area if:
	(a)	the operator has control of and responsibility for the emergency exit; and
	(b)	the emergency exit allows access between a restricted area and a non-restricted area.
Temporary use or control	54.	Any person who has temporary use or control of a door, gate or other device that allows access between a restricted area and a non-restricted area shall prevent access to or from the restricted area by unauthorized persons.
Entering and leaving the restricted areas	55.	Unless an authorized person is controlling access between a restricted area and an unrestricted area, a person who enters or leaves the restricted area shall:
	(a)	lock the door, gate or other device that allows access to or from the restricted area; and
	(b)	prevent access to or from the restricted area by unauthorized persons while the door, gate or other device is open or unlocked.
Door locked	56.	A person shall not prevent a door, gate or other device, other than an emergency exit, that allows access between a restricted area and a non-restricted area from being locked.
Door opened	57.	A person shall not open any door that is designated as an emergency exit and allows access to a restricted area unless:
	(a)	the emergency exit is a restricted area access point; or
	(b)	there is an emergency.
Trespassing	58.	(1) Subject to sub-regulation (2), a person shall not enter or remain in any part of an aerodrome that is not a public area or in any part of a restricted area mentioned in sub-regulation 38(1) if the person has been given notice orally, in writing or by a sign that

- trespassing is prohibited or that entry is limited to authorized persons.
- (2) An aerodrome operator or a tenant at an aerodrome who has the use of, or is responsible for a part of an aerodrome that is not a public area may allow a person to enter or remain in that part of the aerodrome if:
- (a) the area is not a restricted area; and
 - (b) the safety of the aerodrome, persons at the aerodrome and aircraft is not jeopardized.

PART IV
RESPONSE TO THREATS, INFORMATION REPORTING, TESTS, DETENTION OF
AIRCRAFT AND PENALTIES

**Carrier's
assessment:
threats to
aircraft**

- 59.** (1) An air carrier that is made aware of a threat against an aircraft or a flight shall immediately determine whether there is a specific threat that jeopardizes the security of the aircraft or flight.
- (2) An operator of an aircraft, other than an air carrier, who is made aware of a threat against an aircraft or a flight, shall immediately determine whether the threat jeopardizes the security of the aircraft or flight.

**Carrier's
necessary
measures –
threats to
aircraft**

- 60.** (1) An air carrier that determines that there is a specific threat that jeopardizes the security of an aircraft or flight shall immediately take all of the measures necessary to ensure the safety of the aircraft and the passengers and crew on board the aircraft, including:
- (a) informing the pilot-in-command, the crew members assigned to the aircraft or flight, the aerodrome operator and the appropriate police service of the nature of the threat;
 - (b) if the aircraft is on the ground, moving it to a place of safety at the aerodrome according to the directions of the aerodrome operator; and
 - (c) inspecting the aircraft and causing an authorized search of the passengers and goods on board the aircraft to be conducted, unless the inspection and search are likely to jeopardize the safety of the passengers and crew members.
- (2) An operator of an aircraft, other than an air carrier, who determines that there is a threat that jeopardizes the security of an aircraft or flight shall immediately take all of the measures necessary to ensure the safety of the aircraft and the passengers and crew on board the aircraft, including:
- (a) informing the pilot-in-command, the crew members assigned to the aircraft or flight, the aerodrome operator and the appropriate police service of the nature of the threat;
 - (b) if the aircraft is on the ground, moving it to a place of safety at the aerodrome according to the directions of the aerodrome operator; and
 - (c) inspecting the aircraft and causing a search of the passengers and goods on board the aircraft, unless the inspection and search are likely to jeopardize the safety of the passengers and crew members.
- (3) If the aircraft is on the ground, the pilot-in-command shall comply with any direction given by the aerodrome operator under sub-regulation (1)(b) or (2)(b) or a member of the appropriate police service, unless complying with the direction is likely to jeopardize the safety of the passengers and crew members.

**Carrier's
assessment:
threats to facility**

- 61.** (1) An air carrier that is made aware of a threat against a facility or part of an aerodrome under its control shall immediately determine whether there is a specific threat that jeopardizes the security of the facility or part of the aerodrome.
- (2) An operator of an aircraft, other than an air carrier, that is made aware of a threat against a facility or part of an aerodrome under its control shall immediately determine whether the threat jeopardizes the security of the facility or part of the aerodrome.

**Carrier's
necessary**

- 62.** (1) An air carrier that determines that there is a specific threat that jeopardizes the security of a facility or part of an aerodrome under its control shall immediately take all of the

measures – threats to facility	<p>measures necessary to ensure the safety of the facility or part of the aerodrome and persons at the facility or aerodrome, including informing the aerodrome operator and the appropriate police service of the threat.</p> <p>(2) An operator of an aircraft, other than an air carrier, that determines that a threat jeopardizes the security of a facility or part of an aerodrome under its control shall immediately take all of the measures necessary to ensure the safety of the facility or aerodrome and persons at the facility or aerodrome, including informing the aerodrome operator and the appropriate police service of the threat.</p>
Aerodrome operator’s assessment	63. An aerodrome operator who is made aware of a threat against a facility or part of the aerodrome under its control shall immediately determine whether there is a specific threat that jeopardizes the security of the facility or part of the aerodrome.
Aerodrome operator’s necessary measures	64. An aerodrome operator who determines that there is a specific threat that jeopardizes the security of the aerodrome shall immediately take all of the measures necessary to ensure the safety of the aerodrome and persons at the aerodrome, including informing the appropriate police service of the nature of the threat, in accordance with the directives and the <i>National Aviation Security Programme</i> issued by the Committee.
Threats to facility under control of another person	65. An aerodrome operator who is made aware of a threat against a facility or part of the aerodrome that is under the control of a person carrying on any activity at the aerodrome, other than the aerodrome operator, shall immediately: <ul style="list-style-type: none"> (a) notify the person of the nature of the threat; and (b) determine whether there is a specific threat that jeopardizes the security of the aerodrome.
Other parties aware of threats	66. When a screening authority or any other person carrying on any activity at an aerodrome is made aware of a threat against the aerodrome, they shall: <ul style="list-style-type: none"> (a) immediately notify the aerodrome operator of the nature of the threat; and (b) assist the aerodrome operator in determining whether there is a specific threat that jeopardizes the security of the aerodrome.
Necessary measures	67. If it is determined under sub-regulation 65(b) or 66(b) that there is a specific threat that jeopardizes the security of the aerodrome, the aerodrome operator shall immediately take all of the measures necessary to ensure the safety of the aerodrome and persons at the aerodrome, including informing the appropriate police service of the nature of the threat.
Reporting of security incidents by air carrier	68. (1) An air carrier shall immediately notify the Authority when the following incidents occur, namely: <ul style="list-style-type: none"> (a) the hijacking or attempted hijacking of an aircraft; (b) the discovery, on board an aircraft, of a weapon, other than an unloaded firearm allowed under sub-regulations 23(2) and 27(1); (c) the discovery, on board an aircraft, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed on board the aircraft under sub-regulation 29(3); (d) an explosion on an aircraft, unless the explosion is known to be the result of an accident; (e) a specific threat against an aircraft, a flight or a facility or part of an aerodrome under its control; or (f) an aviation security incident that involves a peace officer in any part of an aerodrome under the air carrier's control. <p>(2) An air carrier shall immediately notify the aerodrome operator when a weapon other than a firearm allowed under regulation 17, sub-regulation 23(1) or 27(2) or regulation 28 is detected in any part of the aerodrome under its control.</p>
Reporting of	69. An aerodrome operator or a person in charge of any other restricted area mentioned in sub-

**security incidents
by aerodrome
operator**

regulation 38(1) shall immediately notify the Authority when the following incidents occur, namely:

- (a) the discovery, at the aerodrome, of a weapon, other than an unloaded firearm allowed under regulation 17, sub-regulations 23(1) and 27(2) and regulation 28;
- (b) the discovery, at the aerodrome, of an explosive substance or an incendiary device, other than an explosive substance or incendiary device allowed under sub-regulations 29(1) and (2);
- (c) an explosion at the aerodrome, unless the explosion is known to be the result of an accident, excavation, demolition, construction or the use of fireworks displays;
- (d) a specific threat against the aerodrome; or
- (e) an aviation security incident that involves a peace officer anywhere at the aerodrome other than areas under an air carrier's control.

**Reporting of
security incidents
by screening
authority**

70. (1) A screening authority shall immediately notify the appropriate air carrier, the aerodrome operator, the appropriate police service and, if the screening authority is a person authorized by the Authority, the Authority if any of the following is detected at a restricted area access point or any other part of an aerodrome where screening of persons, carry-on baggage or other things in their possession or control, or vehicles under their care and control, is conducted:
- (a) a weapon, other than a weapon allowed under sub-regulation 23(1) or a firearm allowed under sub-regulation 23(2) or sub-regulation 27 or 28;
 - (b) an explosive substance, other than
 - (i) ammunition carried by a person allowed to carry or have access to a weapon or firearm under sub-regulation 23, 27 or 28; or
 - (ii) an explosive substance allowed under sub-regulation 29(1); or
 - (c) an incendiary device, other than an incendiary device allowed under sub-regulation 29(1).
- (2) A screening authority shall immediately notify the appropriate air carrier, the aerodrome operator, the appropriate police service and, if the screening authority is a person authorized by the Authority, the Authority when any of the following is detected in checked baggage:
- (a) a loaded firearm;
 - (b) an explosive substance, other than ammunition; or
 - (c) an incendiary device.
- (3) A screening authority shall immediately notify the appropriate air carrier, the aerodrome operator and, if the screening authority is a person authorized by the Authority, the Authority of any other aviation security incident that involves a peace officer at a restricted area access point or in any other part of an aerodrome where it conducts screening.

**Security
information by
air carriers**

71. An air carrier shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of its operations, including:
- (a) information concerning the method of implementing the security measures that apply to the air carrier; and
 - (b) a description of the nature of operations related to a particular flight and the services provided in respect of the flight.

**Security
information by
services
providers**

72. Persons who provide services to an air carrier and persons who provide a service related to the transportation of accepted cargo or mail by air, shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the air carrier's operations, including:
- (a) information concerning the method of implementing the security measures that apply to those persons; and
 - (b) a description of the nature of the operations related to a particular flight and the services provided in respect of the flight.

Security information by screening authority

73. A screening authority, when it is a person authorized by the Authority, shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of its screening operations, including:
- (a) information concerning the method of implementing the security measures that apply to that person; and
 - (b) a description of the nature of the screening operations related to a particular flight or at a particular aerodrome.

Security information by Authority

74. (1) The Authority shall provide to the *National Civil Aviation Security Committee*, on reasonable notice given by the *National Civil Aviation Security Committee*, written or electronic records or other information concerning the implementation of the security measures under any Act dealing with aviation security, the Act that established the Authority and these Regulations.
- (2) For the purpose of enabling the *National Civil Aviation Security Committee* to review the implementation of security measures, the *Committee* may authorize any person in writing to inspect any aircraft registered or operating in Rwanda at a time when it is in Rwanda, or any aerodrome in Rwanda and may, for the purpose of carrying out that inspection, and on production of his credentials if required—
- (a) enter that aircraft and detain it for as long as may be necessary to carry out that inspection; or
 - (b) enter any building or works in the aerodrome or enter upon any land in the aerodrome.
- (3) An authorized officer carrying out an inspection under sub-regulation (2) may—
- (a) require the operator of an aircraft, the manager of an aerodrome or any employee of the Authority to furnish him with such information as he may consider necessary for the purpose for which the inspection is being carried out;
 - (b) subject any property found by him on that aircraft to such tests as he may consider necessary for the purpose for which the inspection is being carried out; or
 - (c) subject that aerodrome or any property found in it to such tests as he may consider necessary for the purpose for which the inspection is being carried out.
- (4) An authorized person may use such force as may be necessary for the purpose of entering any aircraft, building or works, or upon any land.
- (5) Any person who—
- (a) willfully obstructs or impedes a person acting in the exercise of a power conferred on him by this regulation;
 - (b) fails, without reasonable excuse, to comply with the requirement imposed on him by sub-regulation 3(a); or
 - (c) being required to furnish any information required of him under this regulation, makes any statement which he knows or has reason to believe to be false in a material particular, shall be guilty of an offence and shall be liable on conviction to imprisonment for a maximum of five (5) years.

Security information by aerodrome operator

75. (1) The aerodrome operator shall keep at the aerodrome a current scale map of the aerodrome that identifies the restricted areas, security barriers and restricted area access points.
- (2) The aerodrome operator shall provide to the Authority, on reasonable notice given by the Authority, written or electronic records or other information relevant to the security of the aerodrome, including:
- (a) information concerning the method of implementing the security measures that apply to the aerodrome operator under the Civil Aviation (Aerodrome) Regulations and the *National Aviation Security Programme*; and
 - (b) a copy of the scale map referred to in sub-regulation (1).
- (3) The aerodrome operator shall provide to the Authority written notice of any new commercial air service that is to begin at the air terminal building.

- Detention** 76. Any person authorized to enforce the Civil Aviation (Security) Regulations shall be an authorized person for the purposes of regulation 17 of the Introduction to the Civil Aviation Regulations.
- Inspection testing and exercises** 77. An aerodrome 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.
- Testing** 78. An aerodrome 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.
- Exercises** 79. An aerodrome 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.

Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
(sé)

The Prime Minister
MAKUZA Bernard
(sé)

The Minister of Infrastructure
BIHIRE Linda
(sé)

The Minister of Finance and Economic Planning
MUSONI James
(sé)

Minister of Defence
General GATSINZI Marcel
(sé)

The Minister of Internal Security
Sheikh HARERIMANA MUSSA Fazil
(sé)

The Minister of Public Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:
Minister of Justice/Attorney General
KARUGARAMA Tharcisse
(sé)

ANNEX XIX TO THE PRESIDENTIAL ORDER N° 60/01 OF 20/10/2008 RELATING TO RWANDA CIVIL AVIATION REGULATIONS

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THE CIVIL AVIATION (LICENSING OF AIR SERVICES) REGULATIONS 2008

PART I - PRELIMINARY

- Citation** 1. These Regulations may be cited as the Civil Aviation (Licensing of Air Services) Regulations of 2008.
- Interpretation and application** 2. (1) In these Regulations, unless the context otherwise requires-
- “**air service**” means any service performed by means of an aircraft for hire or reward and includes air transport service, aerial work and flight training;
- “**designation**” means 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**” means 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**” means the rights granted by a franchisor authorizing the franchisee to use various of the franchisor's corporate identity elements and marketing symbols including trademarks, service marks, tradenames, logotypes, flight designator code, livery, subject to standards and control intended to maintain the quality desired by the franchisor;
- “**franchisee**” means the airline granted a franchise;
- “**franchise licence**” approval granted by Authority to an airline to operate franchise business;
- “**franchisor**” means the airline granting a franchise;
- “**inclusive tour**” means a tour which is sold as a package consisting of :
- (a) such fixed accommodation and other land arrangements of services as may be appropriate for such persons in Rwanda; and
- (b) the transport of persons by air to and from any destination in Rwanda.
- “**international air service**” means 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**” means 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**” means international air transport service where flights are undertaken:
- (a) between the same two or more airports;
- (b) according to a published flights timetable;
- (c) with each flight being open to use by members of the public;
- (d) 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**” means 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**” means 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” means a licence to be in force for a period not exceeding seven days.

- (2) These Regulations do not apply in respect of any of the following air services:
- (a) aerial advertising services;
 - (b) aerial fire-fighting services;
 - (c) aerial survey services;
 - (d) aerial movie services;
 - (e) aerial photography services;
 - (f) aerial reconnaissance services;
 - (g) aerial sightseeing services;
 - (h) aerial traffic reporting services;
 - (i) aerial sport and game reporting services;
 - (j) aerial fish spotting services;
 - (f) aerial spreading services;
 - (g) agricultural air operations;
 - (h) aerial weather altering services;
 - (i) transportation services for the retrieval of human organs for human transplants;
 - (j) aircraft demonstration or exhibition services;
 - (k) rotorcraft external load operations;
 - (l) aerial banner towing services;
 - (m) glider towing services;
 - (n) hot air balloon services; and
 - (o) parachute jumping services.
- (2) An operator of an air service referred to in sub-regulation (1) 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.

PART II – LICENSING OF DOMESTIC AIR SERVICES

- Domestic air services to be licensed** 3. (1) 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.
- (2) 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.
- Air service to be licensed** 4. An application for a licence shall be made to the Authority where an applicant:
- (a) intends to commence any air service;
 - (b) intends to continue with any air service whose licence is due to expire;
 - (c) wishes to amend the type of air service or category of aircraft or base of operation specified on the current licence;
 - (d) in the case of a partnership, wishes to amend the particulars of any member associated in the partnership or amend its legal status;
 - (e) in the case of a company, wishes to amend the controlling shareholding of the company or amend its legal status; or
 - (f) wishes to amend the particulars of the prescribed personnel appointed by the licensee to be responsible and accountable for the safety and reliability of the air service.
- Application for a licence** 5. (1) 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 First Schedule and any other particulars prescribed by the Authority.
- (2) 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.
- (3) 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.

- (4) 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.

Grant of licence

6. An application shall be granted and a licence issued or amended if the applicant satisfies the Authority that:
- (a) the air service will be operated in a safe and reliable manner;
 - (b) if he is a natural person, he is a citizen or resident of Rwanda or if not a natural person, is incorporated in Rwanda and 51% of the voting rights in respect of such person is held by citizens and/or residents of Rwanda; and
 - (c) the aircraft which will be used in operating the air service is a Rwandan aircraft, provided that 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.

Conditions attached to licence for domestic scheduled air services

7. 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:
- (a) has reservation premises and facilities for ticket sales in each area to be served;
 - (b) have toilet facilities on board aircraft operating on a sector with duration of 90 minutes or more flight time;
 - (c) submits flight timetable for approval by the Authority and adheres to it;
 - (d) files regular traffic statistics including tariffs;
 - (e) has qualified for self-passenger handling or has engaged a qualified passenger handling entity at each airport of operation;
 - (f) produces business plan for proposed routes;
 - (g) 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.

Conditions attached to licence for domestic air service

8. (1) 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-
- (a) that the aircraft to be operated under the licence shall or shall not be used over specified routes or in specified areas;
 - (b) that certain classes or descriptions of passengers or goods shall or shall not be carried;
 - (c) that passengers or goods shall be carried between specified places;
 - (d) that intermediate landings may or shall be made at specified places for the purpose of landing or loading passengers or goods;
 - (e) that the schedule of air services from time to time approved by the Authority shall be observed;
 - (f) as to the number and type of aircraft to be used;
 - (g) limiting the loading of an aircraft over the whole or any portion of the route on which it is to be operated;
 - (h) specifying any charges that may be made for the air service;
 - (i) as to the conditions and hours of employment of any person employed in connection with the air service.

- (2) 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.
- (3) 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.

Matters to be taken into account

9. In exercising its discretion under regulation 6, 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-
 - (a) the existence of other air services in the area through which the proposed air service is to be operated;
 - (b) the possibilities of air transport in that area;
 - (c) 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;
 - (d) the period for which such services have been operated by the applicant or by other operators;
 - (e) 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;
 - (f) the financial resources of the applicant;
 - (g) the type of aircraft proposed to be used on the service;
 - (h) 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.

Universal service obligations

10. (1) 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:
 - (a) the availability of services to all consumers including low income, rural and disadvantaged passengers and shippers; and
 - (b) 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.
- (2) The adequacy of scheduled air service shall be assessed by the Authority having regard to:
 - (a) the public interest;
 - (b) 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;
 - (c) the airfares and conditions which can be quoted to users; and
 - (d) the combined effect of all air carriers operating or intending to operate on the route.
- (3) 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.
- (4) 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.
 - (5) 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.
 - (6) The capacity limitations shall not apply to air services covered by this Regulation.

PART III LICENSING OF INTERNATIONAL AIR SERVICE

**International
air services
to be licensed**

11. (1) 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.
- (2) Notwithstanding the provisions of sub-regulation (1), 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:
 - (a) any bilateral or multilateral agreement concluded between the Government of Rwanda and such other State or States; and
 - (b) the requirements of regulation 3 of the Civil Aviation (Commercial Air Transport Operations by Foreign Air Operator in and out of Rwanda) Regulations.
- (3) 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.
- (4) 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.
- (5) An application for such a licence shall contain the particulars set out in paragraph (1) of First Schedule and any other particulars prescribed by the Authority.
- (6) 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:
 - (a) he is a natural person, he is a citizen or resident of Rwanda; or
 - (b) 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.

**Licence for
international
scheduled air
service**

12. A licence for international scheduled air service shall be granted subject to the provisions of these Regulations, if the applicant satisfies the Authority that:-
 - (a) 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;
 - (b) it has interlining and co-operative arrangements with other air carriers on the established route network;
 - (c) it is a member of IATA (International Air Transport Airlines Association) and is connected to a Computer Reservations System;
 - (d) it meets the requirements of any law relating to safety, security, public health, environmental protection and business operations in general;
 - (e) it has duly been designated for the service by the Minister or by the entity designated by him.

Non-

13. (1) A foreign aircraft which does not possess the nationality of a Contracting State shall not fly in

scheduled flight by foreign aircraft not possessing nationality of a Contracting State

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:

- (a) these Regulations;
 - (b) the requirements of regulation 3 of the Civil Aviation (Commercial Air Transport Operations by Foreign Air Operator in and out of Rwanda) Regulations; and
 - (c) the requirements of regulation 2 of the Civil Aviation (Aerial Work) Regulations.
- (2) In granting a licence or permission under sub-regulation (1), 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

Non-scheduled flight by foreign aircraft possessing nationality of a Contracting State

14. (1) 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 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 sub-regulation.
- (2) 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 (Commercial Air Transport Operations by Foreign Air Operator in and out of Rwanda) Regulations.
- (3) 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.
- (4) In considering an application for a licence or permit referred to in sub-regulation (2) the Authority shall have regard to-
- (a) the public interest;
 - (b) 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
 - (c) 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.
- (5) The Authority in granting a licence or permit referred to in sub-regulation (2) may attach such conditions thereto as it sees fit.
- (6) 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.

Matters to be taken into account

15. 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:
- (a) 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;
 - (b) 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;

- (c) 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;
- (d) benefits may arise from the provision of an air service over the same route by two or more air service operators;
- (e) the proposed air service will not contravene any provision of any air service agreement in force and having a bearing on the application;
- (f) fair and equal opportunity and reciprocal treatment may be accorded by the State of the applicant for any air carriers whose principal place of business and place of registration is within Rwanda.

Conditions attached to licences for international air service

16. (1) 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:-
- (a) 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;
 - (b) furnish the Authority with any statistics which may be requested by the Authority, within 30 days after the date of request;
 - (c) have sufficient and appropriate experience in the operation of the air service concerned;
 - (d) 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;
 - (e) for inclusive tour charters, transport only passengers who are part of an inclusive tour, unless the Authority specifically authorizes transport of other certain passengers;
 - (f) 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.
- (2) Any person who contravenes the provisions of sub-regulation (1) shall be guilty of an offence and shall be liable, on conviction, for a first offence, to a fine not exceeding six hundred thousand (600,000) Francs and for every subsequent offence, to a fine not exceeding one million two hundred (1,200,000) Francs.

PART IV- GENERAL PROVISIONS RELATING TO LICENCES

Financial Fitness

17. (1) 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:
- a) 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
 - b) 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.
- (2) For the purpose of sub-regulation (1), 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;
- (3) The applicant shall also provide all relevant information, in particular the data referred to in Part A of the Sixth Schedule, and any other information prescribed by the Authority.
- (4) 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.
- (5) 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.

- (6) Upon request by the Authority, an air carrier shall provide the information relevant for the purposes of sub-regulation (4), and in particular the data referred to in Part C of the Sixth Schedule, and any other information prescribed by the Authority.
- (7) Sub-regulations (1), (2) and (3) shall not apply to air carriers exclusively engaged in operations with aircraft of less than ten tonnes 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 sub-regulation (5).
- (8) The Authority may apply the provisions of sub-regulations (1),(2),(3),(4) and (6) to air carriers licensed by it that operate scheduled air service or whose turnover exceeds twenty billion (20,000,000,000) Francs per year.

**Directors
Integrity**

- 18.**
- (1)(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.
 - (2)(a) 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 sub-regulation (1), 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;
 - (b) such authority or notary shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration

**Notification
of
operational
and
organizational
changes**

- 19.**
- (1) An air carrier shall notify in advance the Authority plans for:
 - (a) operation of a new scheduled service or a non-scheduled service to a region not previously served;
 - (b) changes in the type or number of aircraft used or a substantial change in the scale of its activities; and
 - (c) any intended mergers or acquisitions or franchises.
 - (2) 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.
 - (3) The submission of a 12 month 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.
 - (4) If the Authority deems the changes notified under sub-regulation (2) 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 Part B of the Sixth Schedule, and any other information prescribed by the Authority. .

**Owned or
leased
aircraft**

- 20.**
- (1) 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.
 - (2) Without prejudice to sub-regulation (1), aircraft used by an air carrier shall be registered in its national register.
 - (3) 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 above sub-regulations.

- Aircraft lease approval** 21. (1)(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.
(2) 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.
- Valid AOC a requirement** 22. 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.
- Reasons for decision** 23. 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.
- Conditions for issue of licence** 24. (1) A licence shall be issued on condition that:
(a) the licensee 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;
(b) the licensee shall commence with the air service and the operation of that air service shall not be interrupted for a period exceeding six conservative months;
(c) the licence shall lapse as soon as the estate of the licensee is sequestrated or wound up as the case may be; and
(d) the licensee 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.
(2) 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.
(3) 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.
- Six month lapse** 25. 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 licensee shall resubmit its application for approval by the Authority and operations may commence according to the directions given by the Authority.
- Insolvency** 26. 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.
- Amendment, variation, suspension or revocation of licence** 27. (1) 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.
(2) 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 month period.

- (3) A licence may also be revoked or suspended by the Authority on the ground-
 - (a) that the licence holder has been convicted of an offence under regulation 53 or regulation 54 in respect of his licence; or
 - (b) that any condition subject to which the licence was granted has not been observed.
- (4) The Authority may amend a licence to correct errors of administrative nature during the currency of a licence.
- (5) 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.

Action to vary, suspend or revoke licence

- 28.** (1) The Authority may,
 - (a) direct a licensee to comply with such conditions as it may specify within the period determined by the Authority; or
 - (b) vary the licence concerned; or
 - (c) suspend the licence concerned for a period not exceeding two years; or
 - (d) cancel the licence concerned.(2) 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.

Provisional licence

- 29.** (1) 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.
(2) 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.

Grant and duration of licence

- 30.** (1) The Authority may grant licences in accordance with the provisions of these Regulations and such licences shall, subject to regulation 27, 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.
(2) A licence shall lapse as soon as the estate of the licensee is sequestrated or wound up as the case may be.

Conditions, limitations or refusal to exercise traffic rights

- 31.** (1) 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.
(2) Action taken by the Authority in accordance with sub-regulation (1) shall:
 - (a) be non discriminatory on grounds of identity of air carriers;
 - (b) have a limited period of validity, not exceeding three years, after which it shall be reviewed;
 - (c) not unduly affect the objectives of these Regulations;
 - (d) not distort competition between air carriers; and
 - (e) not be more restrictive than necessary in order to relieve the problems.

Form of licence

- 32.** (1) 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.
(2) 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.

- Transfer of licence** **33.** 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.
- Confidential information** **34.** 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.
- Carriage of mail** **35.** (1) 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.
(2) 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.
- Returns** **36.** (1) 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 Second Schedule with regard to all air services authorized by the licence or operating authorization, and any other particulars that the Authority may prescribe.
(2) The returns to be made in accordance with sub-regulation (1) shall be sent to the Authority not later than two months after the expiration of the month to which the return relates.
- Surrender and cancellation of licence** **37.** (1) 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.
(2) A licence may at any time be surrendered by the holder to the Authority for cancellation.
(3) 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.
- Records** **38.** (1) 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-
(a) the date from which any licence is expressed to operate;
(b) the date on which it is expressed to expire;
(c) any condition attached to the licence under the provisions of these Regulations;
(d) in the case of a scheduled air service, the terminal places and the intermediate landing places to which the application relates; and
(e) 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.
(2) In this regulation the term licence includes operating authorization.
- Passenger** **39.** (1) The holder of a licence shall before each flight compile or cause to be compiled a passenger

- manifests** 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.
- (2) A passenger list compiled in terms of sub-regulation (1) shall at least contain the name of each passenger.
 - (3) On the written request of the Authority, a licensee shall, subject to the provisions of sub-regulation (1), forthwith furnish Authority with copies of any passenger lists compiled by the licensee for such period as may be determined by the Authority.

- Insurance** 40. (1) 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:
- (a) 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 Third Schedule; and
 - (b) insurance covering risks of third party liability in an amount that is not less than the amount determined in Third Schedule.
- (2) The insurance coverage required by sub-regulation(1)(a) 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.
- (3) No licensee shall take out liability insurance to comply with sub-regulation (1) that contains an exclusion or waiver provision reducing insurance coverage for any accident or incident below the applicable minima determined pursuant to that sub-regulation, unless that provision
- (a) 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;
 - (b) is in respect of chemical drift;
 - (c) 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
 - (d) 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.
- (4) 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 sub-regulations (1)(a) and (b).
- (5) 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 Fourth Schedule.
- (6) A person referred to in sub-regulation (5) who files a certificate of insurance electronically shall, on the request of the Authority, file forthwith a certified true copy of the certificate.

PART V – PROVISIONS FOR FRANCHISING IN AIR TRANSPORT

- Franchisee to be licenced** 41. 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.
- Foreign Franchisee** 42. 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.

- Condition for Franchising** 43. 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.
- Application for Franchise Licence** 44. (1) Every application for a franchise licence shall be made to the Authority and shall contain the particulars of Fifth Schedule and those prescribed by the Authority.
(2) The Authority may grant franchise licences in accordance with these Regulations and impose such conditions as the Authority may deem appropriate.
(3) In exercising its discretion the Authority shall have regard to all relevant factors including;
(a) the need to ensure safety in air transport;
(b) the need to protect the interests and welfare of the public; and
(c) the prevention of unfair competition.
- Disclosure of information of franchise** 45. (1) The disclosure document shall be updated within (60) days of the end of the franchisors fiscal year.
(2) Where there has been a material change in the information required to be disclosed under the Fifth Schedule the disclosure document shall be updated within (30) days of the occurrence of that material change.
(3) 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 Fifth Schedule the Authority without prejudice to any other action may revoke or suspended the franchise license.
(4). 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.
(5) 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
- Standards for Franchise** 46. 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.
- Retrospective Application** 47. 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.
- Content of Franchise Agreement** 48. (1) 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.
(2) 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.
- No Cabotage in Franchise operation** 49. 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.

PART VI- TARIFFS AND COMPETITION

- Approval of tariffs** 50. (1) 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.

- (2) 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.
- (3) 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.
- (4) 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.
- (5) For the purposes of this regulation, "tariff" means a condition as to any of the following matters—
 - (a) the price to be charged for the carriage of passengers, baggage or cargo on flights;
 - (b) any additional goods, services or other benefits to be provided in connection with such carriage;
 - (c) the prices, if any, to be charged for any such additional goods, services or benefits; and
 - (d) 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.

Compatible with universal service obligation. 51. 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.

Jurisdiction of Authority 52. 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.

PART VII-OFFENCES AND PENALTIES

Illegal use of aircraft 53. Any person who uses an aircraft in contravention of regulation 3, 10, 11, 12, 13, 14, 41 and 42 shall be guilty of an offence and liable upon conviction to a fine not exceeding five million (5,000,000) Francs or to imprisonment for a term not exceeding two years, or to both.

Presumptions 54. Any person:-

- (a) who falsifies, counterfeits, alters, defaces, or mutilates, or adds anything to, a licence or other document issued under these regulations, or is in possession of a licence or other document which has been thus falsified, counterfeited, altered, defaced or mutilated, or to which an addition has been made;
- (b) who uses a licence or other document issued under these Regulations of which he is not the holder;
- (c) who permits a licence or other document issued under these Regulations of which he is the holder, to be used by any other person;

shall be guilty of an offence and liable upon conviction to a fine not exceeding five million (5,000,000) Francs or to imprisonment for a term not exceeding two years, or to both

Evidence 55. In any proceeding under these Regulations:

- (a) an aircraft which is being used for the provision of an air service shall, until the contrary is proved, be presumed to be so used or caused to be used by the person in whose name that aircraft is registered in terms of any law relating to the registration of aircraft as to nationality;
- (b) an aircraft which is registered in the name of a person who is a licensed air carrier and

which is being used for the provision of an air service otherwise than in accordance with the terms and conditions of such air carrier's licence, shall, until the contrary is proved, be presumed to be so used or caused to be so used by such air carrier;

- (c) the conveyance in an aircraft of any person in addition to the normal operating crew or of any goods shall, until the contrary is proved, be presumed to be conveyance for reward;
- (d) a document purporting to be a licence issued under these Regulations, or a copy of any such licence certified in writing as such by the Director-General shall be accepted as prima facie evidence of the facts stated therein;
- (e) a certificate signed by the Director-General, stating that a licence has not been granted by the Authority to a specified person, shall be accepted as prima facie evidence of the facts stated therein;
- (f) the Director-General may, subject to such conditions and directions, delegate to an authorized officer, powers conferred upon him by or under these Regulations;
- (g) any delegation shall not prevent the Director-General from exercising any powers or performing any duty concerned.

False information

56. Any person who knowingly supplies any false or misleading information touching on any matter which is material to any application or appeal to the Authority or to any member, servant or agent of the Authority, or to the Director-General, shall be guilty of an offence and liable upon conviction to a fine not exceeding five million (5,000,000) Francs or to imprisonment for a term not exceeding two years, or to both.

Contravention of Regulations or conditions

57. Any person who contravenes or fails to comply with any of the provisions of these Regulations or of any terms or conditions of a licence granted under the provisions of these Regulations shall be guilty of an offence and, except as otherwise provided for in these Regulations, shall be guilty of an offence and liable upon conviction to a fine not exceeding five million (5,000,000) Francs or to imprisonment for a term not exceeding two years, or to both and, in the case of the holder of a licence granted under these Regulations, any penalty imposed under the provisions of this regulation shall be without prejudice to powers of revocation or suspension of the licence by the Authority.

PART VIII - SAVINGS

Saving Clause

58. Notwithstanding the requirements of these Regulations, any licences approvals and exemptions in force at the date of entry into force of the Regulations shall remain valid, subject to the laws on the basis of which they are granted, for a maximum period of one year during which period the air carriers holding such licences, approvals and exemptions shall make the necessary arrangements to conform with all the requirements of these Regulations

FIRST SCHEDULE

PARTICULARS TO BE FURNISHED IN CONNECTION WITH AN APPLICATION FOR A LICENCE

I. Scheduled Air Services

- (a) Name and address of applicant, nationality of applicant,
- (b) Names of places between which the air service is to be operated
- (c) Names of the regular stage stopping places for the purpose of taking on or setting down passengers, or goods
- (d) Times and frequencies of air service
- (e) Number and type or types of aircraft to be used.
- (f) Type of load to be carried.
- (g) 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.
- (h) Date of commencement of air service
- (i) Period for which licence is required.

- (j) 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.
- (k) List of other air services operated by the applicant at the time of application, past and present.
- (l) Particulars of any working arrangement with any other company operating an air service.
- (m) Particulars of 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.
- (n) 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 and Aerial Work, Other than Scheduled Air Services and Instruction*

- (a) Name and address of applicant
- (b) Numbers and types of aircraft and engines to be used.
- (c) Types of work to be carried out and the areas in which it is proposed to operate each type of service.
- (d) Maximum charges to be made for such type of work.
- (e) Date of commencement of air service.
- (f) Period for which licence is required
- (g) If air service is already in operation-
- (h) The period for which the air service has been operated;
- (i) Details as per monthly return for period of operation or last 12 months whichever be the less.
- (j) List of other air services operated by applicant at the time of application, past and present.
- (k) Particulars of working arrangements with other air service companies.
- (l) Particulars of 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.
- (m) 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-
 - (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 other subsidiary companies of the applicant.
- (n) Such particulars of the accounts of the applicant's business during the last 12 months as the Authority shall require.

3. *Instructional*

- (a) The names and address of applicant
- (b) The numbers and types of aircraft and engines to be used.
- (c) The types of instruction to be carried out and place where it is proposed to operate.
- (d) Maximum charges to be made for each type of instruction.
- (e) Date of commencement of air service
- (f) Period for which licence is required
- (g) 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.
- (h) List of other air services operated by the applicant at the time of application, past and present.
- (i) Particulars of working arrangements with other air service companies.
- (j) 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.
- (k) 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.
- (l) Such particulars of the accounts for the applicant's business during the last 12 months as the Authority shall require.

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.

SECOND SCHEDULE

PARTICULARS TO BE GIVEN BY HOLDER OF LICENCES AND OPERATING AUTHORIZATIONS IN MONTHLY RETURNS (EXCEPT WHERE OTHERWISE SPECIFIED)

1. Scheduled Air Services

- (a) 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.
- (b) A copy of the current timetable
- (c) A copy of current tariffs
- (d) 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.
- (e) 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-
 - (aa) the total passenger-miles offered, and carried; and
 - (bb) the total commercial cargo load-miles offered, and carried.
- (f) 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 week 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-
 - (aa) the total passenger-miles offered and carried;
 - (bb) 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 and Non-Scheduled Flights

- (a) Numbers and type or types of aircraft and engines operated during the month, actual dates of any changes made to be given.
- (b) Average daily service ability of aircraft complete.
- (c) Total number of miles flown on each class of work.

- (d) Total number of flights made on each class of work.
- (e) Passenger miles and total number of passengers carried.
- (f) Ton-miles and total weight of goods carried.
- (g) Number of flights commenced but not completed, giving cause.
- (h) Total number of requests for air service made.
- (i) Total number of requests for air service made which were not accepted given reasons.
- (j) Number of pilots, navigators, radio operators, flight engineers, stewards, photographers and any other personnel employed on flying duties, and their salaries by grade.
- (k) Copy of current schedule of charges for air services.

3. *Instructional*

- (a) The numbers and types of aircraft and engines operated during the month, the actual dates of any changes to be given.
- (b) The average daily service ability of aircraft complete
- (c) 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.
- (e) The total number of flights made;
 - (i) dual instruction;
 - (ii) solo.
- (f) The number of instructors employed and their salaries by grade.
- (g) A copy of the current schedule for instructional charges.
- (h) 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.
- (j) The total number of pilot licences, per class, held by pupils or members of the club.
- (k) The total number of pupils or members.

THIRD SCHEDULE

INSURANCE REQUIREMENTS FOR AIR CARRIERS AND AIRCRAFT OPERATORS

In addition to the 3rd Party requirements listed below, the following minimum insurance covers are required:

- 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. †
- Baggage at 1,000 SDRs per passenger
- Cargo at 17 SDRs per kg

Article 40 Requirements

CATEGORY	MTOM (kg)	MINIMUM INSURANCE (MILLION SDRs)	MINIMUM INSURANCE (Million Francs *) Approximate only
1	Up to 499 ^	0.75	625

2	500 - 999	1.5		1,250
3	1,000 - 2,699	3		2,500
4	2,700 - 5,999	7		5,832
5	6,000 - 11,999	18		15,000
6	12,000 - 24,999	80		66,660
7	25,000 - 49,999	150		125,000
8	50,000 - 199,999	300		250,000
9	200,000 - 499,999	500		417,000
10	500,000 plus	700		584,000

The minimum combined single limit (CSL) liability cover for each aircraft will be calculated as follows:

- 3rd Party for relevant category (see table)
- + 250,000 SDRs x maximum number of passengers carried on that aircraft 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.
- + 1,000 SDRs x maximum number of passengers
- + 17 SDRs x kilograms of cargo carried

* Special Drawing Right, international currency unit defined by the International Monetary Fund - as at 10 July 2007, 1SDRs = 833 RWFs. The franc equivalent given in the table is only for information, as the amount in SDR shall prevail in any circumstances. Insurers purchasing in other than SDR's should ensure they have made sufficient allowance for possible exchange rate movements.

FOURTH SCHEDULE

CERTIFICATE OF INSURANCE

INSURANCE COVERING AIR CARRIER LIABILITY TO PASSENGERS, LUGGAGE, CARGO AND THIRD PARTY LIABILITY

1. 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).

2. 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 40 of the Civil Aviation (Licensing of Air Services) Regulations.

3. The air carrier has been insured against the risks described in section 2 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		

4. The policies listed in this certificate insure (*fill in the appropriate service in either (a) or (b)*):

- (a) all aircraft operated by the air carrier in (*domestic, international, or domestic and international*) services; or
 (b) (*domestic, international, or domestic and international*) services operated by the air carrier with the following aircraft:

<i>Registration Marking</i>	<i>Type and Model</i>

5. The Insurer undertakes to notify the Director-General of the Civil Aviation Authority of Rwanda forthwith in writing when

- (a) the air carrier's coverage has been cancelled or is intended to be cancelled;
 (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 40 of the Civil Aviation (Licensing of Air Services) Regulations; or
 (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 40 of the Civil Aviation (Licensing of Air Services) Regulations.

6. The insurer (*check (a) or (b)*)

- (a) is registered and/or licensed in Rwanda to issue aircraft insurance policies; or
 (b) is licensed or approved by a foreign government to issue aircraft insurance policies.

Date	On behalf of the insurer:
	(<i>Signature, name and title of authorized person or agent</i>)

FILING DIRECTIONS:

- (1) An original of this certificate and any notification made pursuant to section 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 section 2 under Policy no. _____, which is issued on one or more of the following conditions:

- (a) the aircraft are as described, and are insured for the amounts shown, in the table below;
 (b) the number of passengers carried does not exceed the number of passenger seats insured for each aircraft as shown in the table below; and

(c) the aircraft will be used for the following purposes:

TABLE

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

FIFTH SCHEDULE

INFORMATION TO BE DISCLOSED FOR FRANCHISES

Disclosure Document

1. The franchisor/franchisee shall provide the following information in the disclosure document.
 - (a) the legal name, legal form and legal address of the franchisor and the address of the principal place of business of the franchisor;
 - (b) any name other than the legal name under which the franchisor carries on or intends to carry on business.
 - (c) the address of the franchisor's principal place of business in Rwanda;
 - (d) a description of the airline experience of the franchisor including the length of time during which the franchisor has offered franchises;
 - (e) details of shareholding, directorship and senior management of franchisor/franchisee.
 - (f) 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;
 - (g) 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(e)
 - (h) relevant details concerning any bankruptcy, insolvency or comparable proceeding involving the franchisor for the previous five years;
 - (i) the total number of franchises in the franchisor network.
 - (j) the names and business addresses of all the franchisees.
 - (k) information about the franchisees that have ceased to be franchisees of the franchisor during the five preceding fiscal years, with an indication of the reasons for which the franchisees have ceased to be franchisees of the franchisor. Disclosure of the following categories would fulfill the disclosure requirement: voluntarily terminated or not renewed; reacquired by purchase by the franchisor; otherwise reacquired by the franchisor; refused renewal by the franchisor; terminated by the franchisor;
 - (l) the following information regarding the franchisor's intellectual property relevant for the franchise, in particular trademarks, service marks, 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;
 - (m) 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. 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;

- (iii) a description of the franchise to be operated by the franchisees;
- (iv) the term and conditions of renewal of the franchise;
- (v) a description of the initial and on-going training programme
- (vi) the nature and extent of exclusive rights granted, if any, including rights relating to territory and/or customers;
- (vii) the conditions under which the franchise agreement may be terminated by the franchisor and the effects of such termination;
- (viii) the conditions under which the franchise agreement may be terminated by the franchisee and the effects of such termination;
- (ix) the limitations imposed on the franchisee, if any, in relation to territory and/or to customers;
- (x) in-term and post-term non-compete covenants;
- (xi) any reservation by the franchisor of the right
 - (aa) to use, or to license the use of, the trademarks covered by the franchise agreement;
 - (bb) 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;
- (xii) restrictions or conditions imposed on the franchisee in relation to services that the franchisee may offer.
- (xiii) certified copies of air services licence, air operators certificate issued to franchisee and franchisor.
- (xiv) certified copies of the current conditions of carriage for passenger baggage and mail of the prospective franchisor and the prospective franchisee.
- (xv) certified copies of the current conditions of carriage for cargo of the prospective Franchisee and the prospective franchisee and the prospective franchisor.
- (xvi) description of the safety record of the Franchisor for the past ten years.
- (xvii) details of the financing of aircraft purchase/leasing of franchisee.
- (xviii) a draft of the proposed franchise agreement (excluding financial clauses).

Any other information, date, certification or document the Authority may request.

SIXTH SCHEDULE

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 is 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.

**Seen to be annexed to the Presidential Order n°60/01 of 20/01/2008 Relating
to Rwanda Civil Aviation Regulations**

The President of the Republic

KAGAME Paul

(sé)

The Prime Minister

MAKUZA Bernard

(sé)

The Minister of Infrastructure

BIHIRE Linda

(sé)

The Minister of Finance and Economic Planning

MUSONI James

(sé)

Minister of Defence

General GATSINZI Marcel

(sé)

The Minister of Internal Security

Sheikh HARERIMANA MUSSA Fazil

(sé)

The Minister of Public Service and Labour

MUREKEZI Anastase

(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/Attorney General

KARUGARAMA Tharcisse

(sé)

TARIF DES ABONNEMENTS ET DES INSERTIONS

Référence faite à l'Arrêté présidentiel n° 19/01 du 01/10/2001 portant révision de l'Arrêté Présidentiel n° 02/01 du 02/02/1996 portant fixation du tarif des abonnements et d'insertions au Journal Officiel de la République Rwandaise, le tarif est modifié comme suit à partir du 1^{er} janvier 2002 :

A. Abonnement annuel

- Rwanda	21.000 Frs
-Pays limitrophes	25.200 Frs
-Autres Pays d'Afrique	25.500 Frs
-Europe	27.000 Frs
-Amérique et Asie	28.500 Frs
-Océanie	30.000 Frs

B. Prix de détail au numéro

- Rwanda	700 Frs
-Pays limitrophes	840 Frs
-Autres Pays d'Afrique	850 Frs
-Europe	900 Frs
-Amérique et Asie	950 Frs
-Océanie	1.000 Frs

C. Prix des insertions

525 Frw pour chaque ligne de texte dactylographié ou écrit à l'ordinateur.

Le Journal Officiel de la République Rwandaise paraît le premier et le quinzième jour de chaque mois.

Les sommes dues pour les abonnements, les numéros séparés ou pour les insertions sont à verser à l'Office Rwandais des Recettes-Recettes non Fiscales, en indiquant le motif du versement. Les abonnements sont annuels et prennent cours le premier janvier.

Les demandes d'abonnement ou de renouvellement d'abonnement doivent être adressées au Secrétariat Général du Gouvernement, Services du Premier Ministre B.P. 1334 à Kigali, au plus tard le 31 décembre de l'année précédant celle à laquelle l'abonnement se rapporte.

A l'avenir, il ne sera plus procédé au renouvellement, d'office, des abonnements antérieurs.

Les demandes d'insertion doivent être adressées à ce même service.

Edité par le Secrétariat Général du Gouvernement

Services du Premier Ministre
www.primature.gov.rw

IBICIRO BY'IGAZETI YA LETA N'INYANDIKO ZIYTANGARIZWAMO

Hakurikijwe Iteka rya Perezida n° 19/01 ryo ku wa 01/10/2001 rivugurura Iteka rya Perezida n° 02/01 ryo ku wa 02/02/1996 rishyiraho ikiguzi cy'Igazeti ya Leta ya Repubulika y'u Rwanda n'inyandiko zitangarizwamo, ibiciro byahinduwe ku buryo bukurikira kuwa ku wa 1 Mutarama 2002:

A. Ikiguzi cy'umwaka wose

-Mu Rwanda	21.000 Frs
-Mu bihugu bidukikije	25.200 Frs
-Mu bindi bihugu by'Afurika	25.500 Frs
-Mu Burayi	27.000 Frs
-Muri Amerika na Aziya	28.500 Frs
-Muri Oseyaniya	30.000 Frs

B. Ikiguzi cya buri numero

-Mu Rwanda	700 Frs
-Mu bihugu bidukikije	840 Frs
-Mu bindi bihugu by'Afurika	850 Frs
-Mu Burayi	900 Frs
-Muri Amerika na Aziya	950 Frs
-Muri Oseyaniya	1000 Frs

C. Ikiguzi cy'inyandiko ziyitangarizwamo

Amafaranga 525 kuri buri murongo wandikishije imashini cyangwa orudineri.

Igazeti ya Leta ya Repubulika y'u Rwanda iboneka ku muni wa mbere no ku wa cumi n'itanu wa buri kwezi. Amafaranga agenewe igazeti, buri numero ukwayo cyangwa inzandiko ziyana nayo ashirwa mu Kigo cy'Imisoro n'Amahoro bakerekana icyo atangiye. Ifatabuguzi ni buri mwaka kandi ritangira ku ya mbere y'ukwezi kwa Mutarama.

Abasaba kugura Igazeti ya Leta mu gihe cy'umwaka, bagomba kubimenyesha Ubunyamabanga Bukuru bwa Guverinoma muri Serivisi za Minisitiri w'Intebe B.P. 1334 i Kigali, bitarenze itariki ya 31 Ukuboza y'umwaka ubanziriza uwo bifuzaho icyo gazeti. Abazaza batinze bazabakira, gusa ntawishingiye kuzabaha inumero zizaba zarahise.

Kuva ubu, ntawe uzoherezwa Igazeti atongeye kubisaba.

Abifuzza kugira icyo bayandikamo babinyuza muri ibyo biro.

Tirage : 1 000 exemplaires

SUBSCRIPTION AND ADVERTISING RATES

By Presidential Order n° 19/01 of 01/10/2001 relating to review of Presidential Order n°02/01 of 02/02/1996 concerning subscription and advertising rates for the Official Gazette of the Republic of Rwanda, those rates are modified as follows as from 1st January 2002:

A. Annual Subscription

-Rwanda	21,000 Frs
-Bordering countries	25,200 Frs
-Other Countries in Africa	25,500 Frs
-European Countries	27,000 Frs
-American and Asian countries	28,500 Frs
-Central and South Pacific Countries	30,000 Frs

B. Retail per copy

: 700 Frs
: 840 Frs
: 850 Frs
: 900 Frs
: 950 Frs
: 1,000 Frs

C. Advertising Rates

Insert per line by offset or computer is at 525 Frs.

The Official Gazette of the Republic of Rwanda is a bimonthly coming out on 1st and 15th of each month.

Dues for subscription, separate copies or advertisement are to be credited in Rwanda Revenue Authority with mention of the item purchased.

Subscription is for the whole year and takes effect on first January of the year subscribed for.

Request for subscription or renewal of subscription is to be addressed to General Secretariat of Government Office of the Prime Minister, P.O.Box 1334, Kigali, latest on 31st December of the year preceding the one subscribed for.

Late subscriptions are accepted but with no guarantee of securing previously published copies of the year(s).

In future, no automatic renewal of previous subscriptions will be accepted.

Requests for advertisement are to be addressed to the same office as above.

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