Kenya Gazette Supplement No. 17

(Legislative Supplement No. 17)

LEGAL NOTICE No. 35

THE CIVIL AVIATION ACT

(Cap. 394)

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION) REGULATIONS, 2007

ARRANGEMENT OF REGULATIONS

PART I—PRELIMINARY

Regulation

- 1. Citation
- 2. Interpretation
- 3. Application

PART II - AIR OPERATOR CERTIFICATE

- 4. Compliance with an air operator certificate.
- 5. Application for an air operator certificate.
- 6. Issuance of air operator certificate.
- 7. Validity and renewal of an air operator certificate.
- 8. Duration and renewal of an air operator certificate.
- 9. Amendment of an air operator certificate.
- 10. Access for inspection.
- 11. Conducting tests and inspections.

PART III - AIR OPERATOR CERTIFICATION AND CONTINUED VALIDITY

- 12. Base of operations
- 13. Management personnel required for commercial air transport operations.
- 14. Qualification of personnel.
- 15. Company procedures indoctrination.
- 16. Quality system.
- 17. Submission and revision of policy and procedure manuals
- 18. Retention and maintenance of personnel and other records.
- 19. Inspection of personnel and other records.
- 20. Flight recorders records.
- 21. Aircraft record.
- 22. Authorised aircraft.
- 23. Dry leasing of foreign registered aircraft.
- 24. Interchange agreement.
- 25. Wet-leasing of aircraft.
- 26. Emergency evacuation demonstration
- 27. Demonstration flights.
- 28. Facilities.
- 29. Operations schedule.

PART IV - AIR OPERATOR CERTIFICATE FLIGHT OPERATIONS MANAGEMENT

30.	Operations	manual	
-----	------------	--------	--

- 31. Training programmes.
- 32. Aircraft operating manual.
- 33. Air operator certificate holder's journey log.
- 34. Designation of pilot-in-command
- 35. Required cabin crew members
- 36. Carriage of special situation passengers.
- 37. Cockpit check procedure.
- 38. Minimum equipment list and configuration deviation list.
- 39. Performance planning manual
- 40. Performance data control system.
- 41. Aircraft loading and handling manual.
- 42. Mass and balance data control system.
- 43. Cabin crew member manual
- 44. Passenger briefing cards.
- 45. Aeronautical data control system.
- 46. Route guide and aeronautical charts.
- 47. Weather reporting sources.
- 48. De-icing and anti-icing programme.
- 49. Flight supervision and monitoring system.
- 50. Flight following system for charter flights operations.
- 51. Communications facilities.
- 52. Routes and areas of operation
- 53. Enroute navigational facilities
- 54. Flight safety documents systems
- 55. Safety Management

PART V – AIR OPERATOR CERTIFICATE MAINTENANCE REQUIREMENTS

- 56. Maintenance responsibility.
- 57. Approval and acceptance of air operator certificate maintenance systems.
- 58. Maintenance control manual.
- 59. Maintenance management.
- 60. Quality system.: Maintenance
- 61. Technical logbook.
- 62. Technical logbook entries.
- 63. Maintenance records
- 64. Release to service or maintenance section records of the technical logbook.
- 65. Modification or repairs to aircraft.
- 66. Aircraft maintenance programme.
- 67. Preventive, maintenance and modifications

PART VI - AIR OPERATOR CERTIFICATE SECURITY MANAGEMENT

68.	Security requirements
69.	Security training programmes.
70.	Reporting acts of unlawful interference.
71.	Aircraft search procedure checklist
72.	Security of the flight crew compartment
PART V	II - AIR OPERATOR CERTIFICATE DANGEROUS GOODS MANAGEMENT
73.	Approval to transport dangerous goods.
74.	Compliance with Technical Instructions.
<i>7</i> 5.	Limitations on the transport of dangerous goods.
76.	Classification of dangerous goods
77.	Packing.
78.	Labelling and marking.
79.	Dangerous goods transport document.
80.	Acceptance of dangerous goods.
81.	Inspection for damage, leakage or contamination.
82.	Removal of contamination.
83.	Loading restrictions.
84.	Provision of information.
85.	Training programmes.
86.	Dangerous goods incident and accident reports
	PART VIII – GENERAL
87.	Possession of the certificate, authorization etc.
88.	Drug and alcohol testing and reporting
89.	Problematic use of psychoactive substances.
90.	Inspection of certificate of registration
91.	Change of name
92.	Change of address
93.	Replacement of documents
94.	Certificate suspension and revocations
95.	Use and retention of certificates and records
96.	Reports of violation
97.	Enforcement of directions
98.	Aeronautical user fees
99.	Application of regulations to Government and visiting forces, etc.
100.	Extra-territorial application of Regulations.
	PART IX – EXEMPTIONS
101.	Requirements for application for exemption
102.	Substance of the request for exemption.
103.	Initial review by the Authority.

104. Evaluation of the request.

PART X – OFFENCES AND PENALTIES

105. Contravention of Regulations

106. Penalties

PART X – SAVINGS AND TRANSITIONAL PROVISIONS

107. Savings

108. Transitional provisions

FIRST SCHEDULE - Operations Manual SECOND SCHEDULE - Aircraft Operating Manual THIRD SCHEDULE - Cabin Crew Manual FOUTH SCHEDULE - Flight Safety Documents System FIFTH SCHEDULE - Maintenance Control Manual SIXTH SCHEDULE - Penalties

THE CIVIL AVIATION ACT

(Cap. 394)

IN EXERCISE of the powers conferred by section 8C of the Civil Aviation Act, the Minister for Transport makes the following Regulations:—

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION) REGULATIONS, 2007

PART I—PRELIMINARY

1. These Regulations may be cited as the Civil Aviation (Air Operator Certification and Administration) Regulations, 2007.

Citation.

2. In these Regulations, unless the context otherwise requires:
"accountable manager" means the manager who has corporate
authority for ensuring that all operations and maintenance
activities required by the air operator certificate holder can be
financed and carried out to the highest degree of safety
standards required by the Authority;

"aerial work" means an aircraft operation in which an aircraft is used for specialised services including, but not limited to, agriculture, construction, photography, surveying, observation and patrol, search and rescue, and aerial advertisement;

"aerodrome" means a defined area on land or water, including any buildings, installations and equipment, used or intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

"aeronautical product" means any aircraft, aircraft engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon;

"aeroplane" means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

"aircraft" means any machine that can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth's surface;

"aircraft component" means any assembly, item component, part of an aircraft up to and including a complete engine or any operational or emergency equipment;

Interpretation.