

LEGAL NOTICE NO. 223

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, 2001

REGULATIONS

MADE BY THE CIVIL AVIATION AUTHORITY WITH THE APPROVAL OF THE
MINISTER UNDER SECTION 33 OF THE CIVIL AVIATION ACT

THE CIVIL AVIATION [(NO. 2) OPERATIONS] (AMENDMENT) (NO. 2)
REGULATIONS, 2005

1. These Regulations may be cited as the Civil Aviation [(No. 2) Citation
Operations] (Amendment) (No. 2) Regulations, 2005.

2. In these Regulations “the Regulations” means the Civil Aviation Interpretation
[(No. 2) Operations] Regulations, 2005. L. N. No.
45 of 2004

3. Regulation 8 of the Regulations is amended by inserting after Regulation 8
subregulation (2) the following: amended

“ (3) An air operator shall not operate a multi-engine aircraft
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 the air operator with operations specifications authorizing operations in accordance with an approved Minimum Equipment List;
- (c) 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 air operator’s operations specifications;
- (d) records identifying the inoperative instruments and equipment and the information required by subregulation (4)(b), shall be available to the pilot; and
- (e) the aircraft is operative under all applicable conditions and limitations contained in the Minimum Equipment List and the operations specifications authorizing use of the Minimum Equipment List.

- (4) The Minimum Equipment List under subregulation (3) shall—
- (a) be prepared in accordance with the limitations specified in the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004; and
 - (b) provide for the operations of the aircraft with certain instruments and equipment in an inoperative condition.”.
- L. N. No. 46
of 2004
- Regulation 26
amended 4. Regulation 26 of the Regulations is amended in subregulation (2),
by deleting the word “continuous” and substituting the word “aircraft”.
- Regulation 41
amended 5. Regulation 41 of the Regulations is amended by deleting
subregulations (4) and (5).
- Regulation
126 amended 6. Regulation 126 of the Regulations is amended by deleting the
word “aeroplane” wherever it occurs and substituting the word
“aircraft”.
- Regulation
134 amended 7. Regulation 134 of the Regulations is amended—
- (a) in subregulation (1), by inserting after the word “flight” the words “or while manoeuvring in the movement area of an aerodrome.”; and
 - (b) in subregulation (4), by inserting after the words “clear of it”, the words “, taking into account the effect of aircraft wake turbulence”.
- Regulation
143 amended 8. Regulation 143 of the Regulations is amended—
- (a) in subregulation (1)(a)(i), by deleting the word “specification” and substituting the word “specifications”;
 - (b) in subregulation (1)(b), by deleting the words “and RNP Type” and substituting the words “an RNP Type”; and
 - (c) by inserting after subregulation (2) the following:
 - “ (2A) An application under subregulation (2) shall be accompanied by the following documents:
 - (a) an identification of the RVSM aircraft group or the non-group aircraft;
 - (b) a definition of RVSM flight envelopes applicable to the aircraft;
 - (c) documentation that establishes compliance with the applicable RVSM aircraft requirements; and

(d) the conformity tests used to ensure that aircraft approved in accordance with the documents meet the RVSM aircraft requirements.”.

9. Regulation 152 of the Regulations is amended in subregulation (3), by inserting after the word “service”, the words “and shall make position reports as required by regulation 156”. Regulation 152 amended

10. Regulation 158 of the Regulations is amended by deleting subregulation (1)(b) and substituting the following: Regulation 158 amended

“(b) any deviations from the current flight plan necessitated by the circumstances,

to enable the Air Traffic Control Facility to give priority to the aircraft and to minimize conflict with other aircraft.”.

11. Regulation 173 of the Regulations is amended— Regulation 173 amended

(a) in paragraph (b), by deleting the word “statute” and substituting the words “ $\frac{1}{2}$ statute”; and

(b) in paragraph (c), by deleting the word “statute” and substituting the words “ $\frac{1}{2}$ statute”.

12. Regulation 174 of the Regulations is amended in subregulation (4) by deleting the words “subregulation (4)” and substituting the words “subregulation (3)”. Regulation 174 amended

13. Regulation 177 of the Regulations is amended in subregulation (1), by inserting after the words “level cruising flight”, the words “in uncontrolled airspace”. Regulation 177 amended

14. Regulation 178 of the Regulations is amended by deleting the words “178(1)” and substituting the words “178”. Regulation 178 amended

15. Regulation 182 of the Regulations is amended in subregulation (1), by deleting the word “runaway” wherever it occurs and substituting the word “runway”. Regulation 182 amended

16. Regulation 186 of the Regulations is amended by deleting the words “186(1)” and substituting the words “186”. Regulation 186 amended

17. Regulation 187 of the Regulations is amended in subregulation (2) by deleting the words “may not” and substituting the words “shall not”. Regulation 187 amended

18. The heading occurring immediately above regulation 188 of the Regulations is amended by deleting the words “in Instrument Flight Rules” and substituting the words “under Instrument Flight Rules”. Heading amended

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- Regulation 188 amended 19. Regulation 188 of the Regulations is amended in subregulation (1), by deleting the words “in Instrument Flight Rules conditions, or where continued flight in Visual Flight Rules is judged not feasible” and substituting the words “under Instrument Flight Rules, or where continued flight under Visual Flight Rules is judged not feasible”.
- Heading amended 20. The heading occurring immediately above regulation 223 of the Regulations is amended by deleting the words “Turbofan Small Aircraft” and substituting the words “Non-Turbofan Small Aircraft”.
- Regulation 223 amended 21. Regulation 223 of the Regulations is amended in paragraph (b), by inserting after the word “category” the words “, type”.
- Regulation 234 amended 22. Regulation 234 is amended in subregulation (1), by inserting after the word “crewmember” the words “or Flight Operations Officer,”.
- Regulation 240 amended 23. Regulation 240 of the Regulations is amended in subregulation (2), by deleting the word “twelfth” and substituting the word “sixth”.
- Regulation 260 amended 24. Regulation 260 of the Regulations is amended—
- (a) in subregulation (1)(a), by deleting the word “areas” and substituting the word “are”;
 - (b) by inserting after subregulation (3) the following:
 - “ (3A) Where a proficiency check is issued within the final three months of validity of a previous proficiency check, the period of validity of the new proficiency check shall extend from the date of issue until six months from the expiry date of that previous proficiency check.”;
 - (c) in subregulation (13), by deleting the words “subregulation (11)” and substituting the words “subregulation (12)”; and
 - (d) in subregulation (15), by deleting the words “subregulation (12)” and substituting the words “subregulation (14)”.
- Regulation 285 amended 25. Regulation 285 is amended—
- (a) in subregulation (1), by deleting the words “or one period of at least three consecutive days within each seventeen consecutive days”; and
 - (b) in subregulation (2), by deleting the words “or one period of at least three consecutive days within each seventeen consecutive days”.
- Regulation 304 amended 26. Regulation 304 of the Regulations is amended by deleting the words “Night Visual Flight Rules conditions” and substituting the words “at night”.

27. Regulation 305 of the Regulations is amended— Regulation
305 amended
- (a) by inserting after the words “66,” the words “67 through 74,”;
 - (b) by inserting after the words “136,” the words “143,”; and
 - (c) by inserting after the words “219,” the words “260(5),”.

28. Regulation 307 of the Regulations is amended by inserting after subregulation (2), the following: Regulation
307 amended

“ (3) Notwithstanding subregulation (2), an operator of an aircraft of maximum certified take-off mass of less than 20,000 kilogrammes, shall meet the requirements of these Regulations on or before 1st, July 2006.”.

29. Schedule 9 of the Regulations is amended— Schedule 9
amended
- (a) in Part N, by deleting paragraphs (c), (d) and (e) and substituting the following:

“(c) emergency equipment and drills—

(i) every twelve months—

- (A) instruction on the location and use of all emergency and safety equipment carried on the aircraft;
- (B) instruction on the location and use of all types of exits;
- (C) actual donning of a life jacket where fitted;
- (D) actual donning of protective breathing equipment; and
- (E) actual handling of fire extinguishers;

(ii) every three years—

- (A) actual operation of all types of exits;
- (B) demonstration of the method used to operate a slide, where fitted;
- (C) fire-fighting using equipment representative of that carried in the aircraft on an actual or simulated fire;

NOTE: With halon extinguishers, an alternative method acceptable to the Authority may be used.

- (D) effects of smoke in an enclosed area and actual use of all relevant equipment in a simulated smoke-filled environment;
- (E) actual handling of pyrotechnics, real or simulated, where fitted;
- (F) demonstration of the use of life rafts where fitted;
- (G) an emergency evacuation drill;
- (H) a “dry” ditching drill; and
- (I) a rapid decompression drill, if applicable; and

(b) in Part O in paragraph (a), by deleting item “(vii) emergency equipment:” and substituting item “(i) emergency equipment:”.

Schedule 10
amended

30. Schedule 10 of the Regulations is amended—

- (a) in the item “Example Flight and Duty Time Scheme—Aeroplane Operations” in paragraph 28, by deleting the words “or one period of at least three consecutive days within each seventeen consecutive days”; and
- (b) in the item “Example Flight and Duty Time Scheme—Helicopter Operations” in paragraph 26 by deleting the first sentence and substituting the following:

“At least thirty-six consecutive hours rest each seven days shall be provided.”.

Schedule 12
amended

31. Schedule 12 of the Regulations is amended—

- (a) in Implementing Standards for Regulation 8 by deleting paragraph (d);
- (b) by inserting after Implementing Standards for Regulation 66, the following:

“Regulation 67 through 74

Trinidad and Tobago Civil Aviation Authority Advisory Circular No. 031 (TAC—031) as amended from time to time meets the minimum requirement for occurrence reports. Operators may be guided by TAC—031 in meeting the requirements for Trinidad and Tobago Occurrence Reports.”;

- (c) in Implementing Standards for Regulation 100—
 - (i) insert before the words “An operator shall ensure”, the words “(a)”; and

(ii) insert after new paragraph (a) the following—

“(b) Trinidad and Tobago Civil Aviation Authority Advisory Circular No. 006 (TAC—006) as amended from time to time meets the minimum requirements for this regulation. Operators may be guided by the current TAC—006 in meeting the requirements for mass and balance.”;

(d) by inserting after Implementing Standards for Regulation 136 the following:

“Regulation 143

The United States of America, Federal Aviation Administration, 91—RVSM, Guidance Material on the Approval of Operators or Aircraft for RVSM Operations, as amended from time to time, meets the minimum International Civil Aviation Organization requirements for giving effect to the Chicago Convention in respect of the minimum standards relating to regulation 143 for operations in RVSM airspace. Operators may be guided by the current 91—RVSM in meeting the RVSM requirements.”; and

(e) by inserting after Implementing Standards for Regulation 219 the following:

“Regulation 260(5)

A national air operator shall ensure that the line check under regulation 260(5), meets the following minimum standards:

(a) line checks shall establish the ability to perform satisfactorily, a complete line operation including pre-flight and post flight procedures and use of the equipment provided, as specified in the Operations Manual;

(b) the flight crew shall be assessed on their crew resource management skills in accordance with a methodology acceptable to the Authority and published in the Operations Manual. The purpose of such assessment is to—

- (i) provide feedback to the crew collectively and individually and serve to identify re-training; and
- (ii) be used to improve the crew resource management training system;

- (c) a pilot shall, where required to perform such functions, be checked on either pilot flying or pilot non-flying duties or both;
- (d) line checks shall be completed in an aircraft;
- (e) line checks shall be conducted by pilots in command nominated by the operator and acceptable to the Authority. The person conducting the line check, who is described in regulation 260(1)(g)(ii), shall be trained in crew resource management concepts and the assessment of crew resource management skills and shall occupy an observer's seat where installed; and
- (f) in the case where additional operating flight crew are carried for crew augmentation under regulation 282, the person conducting the line check may fulfil the function of a cruise relief pilot and shall not occupy either pilot's seat during take off, departure, initial cruise, descent, approach and landing. His crew resource management assessments shall be based solely on observations made during the initial briefing, cabin briefing, cockpit briefing and those phases where he occupies the observer's seat."

Made by the Civil Aviation Authority this 27th day of July, 2005.

R. LUTCHMEDIAL
Civil Aviation Authority

Approved by the Minister of Works and Transport.

C. IMBERT
Minister of Works and Transport

Laid in the House of Representatives this 5th day of September, 2005.

N. JAGGASSAR
Acting Clerk of the House

Laid in the Senate this 25th day of August, 2005.

N. JAGGASSAR
Acting Clerk of the Senate