

LEGAL NOTICE NO. 38

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, 2001

REGULATIONS

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

THE CIVIL AVIATION [(NO. 2) OPERATIONS] (AMENDMENT)  
REGULATIONS, 2007

1. These Regulations may be cited as the Civil Aviation [(No. 2) Citation  
Operations] (Amendment) Regulations, 2007.

2. In these Regulations, “the Regulations” means the Civil Aviation Interpretation  
[(No. 2) Operations] Regulations, 2004. L.N. Nos. 45  
and 101 of 2004

3. Regulation 2 of the regulations is amended by inserting in the Regulation 2  
appropriate alphabetical sequence, the following definitions: amended

“flight dispatcher” means a person who holds a flight  
dispatcher licence or certificate from another  
Contracting State;

“flight operations officer” means a person designated by  
the operator to engage in the control and supervision  
of flight operations who is qualified in accordance  
with the Civil Aviation [(No. 1) General Application  
and Personnel Licensing] Regulations, 2004 and who  
supports, briefs and assists the pilot in command in  
the safe conduct of the flight;

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

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

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

Regulation 41  
amended

4. Regulation 41 of the regulations is amended—
- (a) in subregulation (1), by deleting the words “of an aircraft carrying passengers, nor of an aircraft” and substituting the words “of a type or variant of a type of an aeroplane or helicopter carrying passengers, nor of an aeroplane or helicopter”;
  - (b) in subregulation (1)(a), by deleting the word “aircraft” and substituting the words “aeroplane or helicopter”;
  - (c) by inserting after subregulation (3), the following new subregulation:

“(4) Where a pilot in command or a co-pilot is flying several variants of the same type of aeroplane or helicopter or different types of aeroplanes or helicopters with similar characteristics in terms of operating procedures, systems and handling, the Director General shall determine under which conditions the requirements of subregulation (1) for each variant of each type of aeroplane or helicopter can be combined.”.

Regulation  
41A inserted

5. The Regulations are amended by inserting after regulation 41 the following new regulation:

**“Recent Experience—Cruise Relief Pilot**

Recent  
Experience—  
Cruise Relief  
Pilot

41A. (1) 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 simulator 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.

(2) 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 State shall decide under which conditions the requirements of subregulation (1) for each variant or each type of aeroplane can be combined.

6. Regulation 221 of the regulations is amended by deleting the words “sixty-three” and substituting the words “sixty-five”. Regulation  
221 amended

7. Regulation 260 of the regulations is amended— Regulation  
260 amended

(a) in subregulation (2)(a), by inserting after the words “proficiency checks” the words “of piloting technique and the ability to execute emergency procedures in such a way as to demonstrate the pilot’s competence on each type or variant of a type of aeroplane or helicopter”;

(b) by inserting after subregulation (2) the following:

“(2A) Where the operation may be conducted under instrument flight rules, an operator shall ensure that the competency of the pilot to comply with such rules is demonstrated to either a check pilot of the operator or a representative of the Authority.

(2B) Where the operator schedules flight crew on several variant of the same type of aeroplane or helicopter or different types of aeroplanes or helicopters with similar characteristics in terms of operating procedures, systems and handling, the Director General shall decide under which conditions the requirements of subregulation (2A) for each variant or each type of aeroplane or helicopter can be combined.”.

8. Regulation 292 of the Regulations is amended by inserting after subregulation (1), the following: Regulation  
292 amended

“(1A) Where the approved method of control and supervision of flight operations of a national air operator requires the use of a flight operations officer, the operator shall delegate the responsibility for operational control only to the pilot in command and a flight operations officer.”.

9. Regulation 293 of the Regulations is amended in subregulation (1), by inserting after the words “that officer has” the words “satisfactorily completed an operator-specific training course that addresses all the specific components of its approved method of control and supervision of flight operations and”. Regulation  
293 amended

10. Regulation 294 of the regulations is amended— Regulation  
294 amended

(a) in subregulation (2)—

(i) by deleting the words “a person holding the equivalent qualifications” and substituting the words “using a method of control and supervision of flight operations,”;

- (ii) in paragraph (a), by deleting the word “required”;  
and
  - (iii) by deleting paragraph (e); and
- (b) by deleting subregulation (3) and substituting the following:

“ (3) In the event of an emergency a flight operations officer performing the operational control duties shall—

- (a) initiate such procedures as outlined in the operations manual while avoiding taking any action that would conflict with Air Traffic Control 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 amendment to the flight plan that become necessary in the course of the flight.

(4) A Flight Operations Officer 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) the national air operator.

(5) Where a flight operations officer performing the operational control duties first becomes aware of an emergency situation which endangers the safety of the aircraft or persons, he shall, in addition to taking the actions required by subregulation (2), without delay notify the appropriate authorities of the nature of the situation and request assistance, where required.”.

Made by the Civil Aviation Authority this 6th day of February, 2007.

R. LUTCHMEDIAL  
*Civil Aviation Authority*

Approved by the Minister of Works and Transport this 6th day of February, 2007.

C. IMBERT  
*Minister of Works and Transport*

Laid in the House of Representatives this            day of            ,  
2007.

*Clerk of the House*

Laid in the Senate this            day of            , 2007.

*Clerk of the Senate*