CIVIL AVIATION [(NO. 3) AIR OPERATOR CERTIFICATION AND ADMINISTRATION] REGULATIONS, 2004

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LEGAL NOTICE NO. 46

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. 3) AIR OPERATOR CERTIFICATION AND ADMINISTRATION REGULATIONS, 2004

Citation

1. These Regulations may be cited as the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004.

Interpretation

2. (1) In these Regulations—

"Accountable Manager" means the manager who has corporate authority for ensuring that all prescribed actions are performed to the standard required by the Authority in accordance with regulation 14;

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

"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 technical log," means a document pertaining to an aircraft —

(a) for recording defects and malfunctions discovered during operations;

(b) for recording details of all maintenance carried out whilst the aircraft is operating between scheduled visits to the main maintenance base facility; and

(c) which contains operating information relevant to flight safety and maintenance data needed by the operating crew;

"air operator" means a person, organization or enterprise which undertakes to engage in domestic commercial air transport or international commercial air transport, whether directly or indirectly or by a lease or any other arrangement;

"Air Operator Certificate" means a certificate authorizing an operator to carry out specified commercial air transport operations;

"aircraft category" means the classification of aircraft according to specified basic characteristics such as aeroplane, rotocraft, glider or lighter-than-air;

"aircraft type" means all aircraft of the same basic design;

"aircraft interchange" means an arrangement between two air operators in which the aircraft of the first air operator is crewed by the crew of the second air operator at an interchange point linking their respective routes where operational control is transferred to the second operator for the period of the interchange;

"Aircraft Maintenance Programme" means a maintenance programme approved by the Authority;

"airworthy" means that an aircraft or aeronautical product is in a fit and safe state for flight and is in conformity with its type design;

No. 11 of 2001 "Authority" means the Civil Aviation Authority established under the Civil Aviation Act;

"Aircraft Maintenance Engineer" means a person approved by the Authority to perform defined maintenance upon aeronautical products and includes persons similarly qualified by other Contracting States and referred to as "licenced mechanic", "certified mechanic" or "certified mechanic", "aircraft maintenance licence holder", "aviation maintenance engineer", aviation repair specialist, or by any other term which means an Aircraft Maintenance Engineer;

"CARICOM national" means a person who is a citizen of any Member State of the Caribbean Community;

"Certificate of Release to Service", means a document certifying an aircraft as being released for service;

"commercial air transport" means the transport by air of passengers, cargo and mail for remuneration or hire;

"co-pilot" means a licenced pilot serving in a piloting capacity other than the pilot in command who is designated as the second in command and who meets the requirements of a co-pilot;

"directly in charge", means a person assigned to a position in which he is responsible for the work of a shop or station that performed maintenance, preventive maintenance, or modifications, or other functions affecting aircraft airworthiness;

"dry lease" means a contractual arrangement where a leased aircraft is operated by the flight crew members of the lessee;

"equivalent system of maintenance" means an air operator may conduct maintenance activities through an arrangement with an approved maintenance organization or may conduct his own maintenance, preventive maintenance, or modification, as long as the maintenance system of the air operator is approved by the Authority and is equivalent to that of an approved maintenance organization, except that the Certificate of Release to Service of an aircraft or aeronautical product shall be made by an appropriately licensed Aircraft Maintenance Engineer or aviation repair specialists under Civil Aviation [(No. 1) General Application and Personnel Licencing] Regulations, 2004 as appropriate;

"handling agent" means an agency which performs on behalf of the operator some or all of the latter's functions including receiving, loading, unloading, transferring or other processing of passengers or cargo;

"holdover time" means the estimated time that de-icing or anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on protected surfaces of an aircraft which benibs when the final application of de-icinc or anti-icing fliud commences and ex[pires when the de-icing fluid applied to the aircraft loses its effectiveness;

"Interchange agreement" means an arrangement which permits a national air operator to enter into a short term dry lease and temporarily take or relinquish operational control of an aircraft at an airport during the life of the agreement;

"large aircraft" means an aeroplane having a maximum certified take-off mass of five thousand and seven hundred

kilogrammes or more or a helicopter having a maximum certified take-off mass of three thousand one hundred and eighty kilogrammes or more;

"life limited part" means that a part as a condition of the type certificate, shall not exceed a specified time or number of cycles in service;

"Maintenance Control Manual", means a manual containing policies, procedures, instructions and guidance for use by maintenance and operational personnel in the execution of their duties;

"modification" means the alteration of an aircraft or aeronautical product in conformity with an approved standard;

"national air operator" means a person who has issued a Trinidad and Tobago Air Operator Certificate in accordance with regulation 6;

"Operations Manual" means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;

"Overhaul life part" means that a part as a condition of the type certificate shall not exceed a specified time or number of cycles in service unless a complete overhaul is performed on it;

"pilot in command" means a pilot responsible for the opperation and safety of the aircraft during flight time;

"Certificate of release to service", means an aircraft or aircraft component is certified as either airworthy or serviceable and is permitted to return to normal operations;

"small aircraft" means an aeroplane having a maximum certified take-off mass of less than five thousand and seven hundred kilogrammes and a helicopter of a maximum certified take-off mass of less than three thousand, one hundred and eighty kilogrammes

"State of Registry" means the Contracting State on whose register an aircraft is registered;

"Technical Instructions" means the International Civil Aviation Organization, Technical instructions for the Safe Transport of Dangerous Goods by Air;

"training to proficiency," means the process of the Flight Instructor administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period; and

"wet lease" means a contractual arrangement where a leased aircraft is operated by the flight crew members of the lessor.

(2) These Regulations apply to the carriage of passengers, cargo or mail for remuneration or hire by persons whose principal place of business or permanent residence is located in the CARICOM community.

(3) These Regulations prescribe requirements for the original certification and continued validity of air operator certificates issued by the Authority.

(4) Except where specifically noted, these Regulations apply to all commercial air transport operations by air operators for which Trinidad and Tobago is the State of the Operator under the definitions provided in Annex 6 to the Chicago Convention.

(5) The provisions of Part I of the Civil Aviation [(No. 1) General Application and Personnel Licencing] Regulations, 2004 with respect to the surrender, suspension or revocation of aviation documents apply to certificates, authorizations and ratings issued under these Regulations.

PART I

GENERAL REQUIREMENTS

Prohibition on operation of aircraft in Trinidad and Tobago

3. (1) A person shall not operate an aircraft in commercial air transport operations in Trinidad and Tobago, unless he—

(a) holds a Trinidad and Tobago Air Operator Certificate issued by the Authority, (hereinafter referred to as a "national air operator"); or

(b) holds an Air Operator Certificate issued by another contracting state which is accepted by the Authority under Civil Aviation [(No. 10) Foreign Air Operator] Regulations, 2004, (hereinafter referred to as a "foreign air operator"),

for the operations being conducted.

(2) A national air operator shall, at all times comply with—

(a) the specifications of his Trinidad and Tobago Air Operator Certificate;

(b) the terms and conditions of the issuance of the Trinidad and Tobago Air Operator Certificate specified in regulation 7; and

(c) maintenance requirements specified in Part VI, in order to hold such Trinidad and Tobago Air Operator Certificate.

(3) Where a national air operator fails to comply with any provision in these Regulations, the Authority may revoke or suspend his certificate.

(4) A national air operator shall conduct commercial air transport operations in accordance with such conditions and limitations as may be specified by the Authority.

(5) A Trinidad and Tobago Air Operator Certificate issued by the Authority under these Regulations shall be dependent upon the national air operator demonstrating 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 Trinidad and Tobago Air Operator Certificate

Application for a national air operator Certificate

4. (1) Where a person (herein after referred to as "the applicant"), wishes to apply for a Trinidad and Tobago Air Operator Certificate, he shall—

(a) make such application to the Authority in the form and manner prescribed by the Authority; and

(b) pay the prescribed fee.

(2) An application under subregulation (1), shall contain—

(a) a detailed statement showing how the procedures and manuals required by these Regulations are complied with; and

(b) any information the Director General requires the applicant to submit.

(3) An application under subregulation (1), shall be accompanied by—

(a) documentation showing that the applicant has or can obtain use of at least one aircraft and has or can obtain appropriate facilities in respect of such operation;

(b) any partial or completed manuals required by these Regulations;

(c) an aviation security programme in accordance with Civil Aviation [(No. 8) Aviation Security] Regulations, 2004;

(d) curricula, syllabi of personnel training; and

(e) a schedule of events.

(4) The manuals referred to in subregulation (3) are as follows:

(a) Operations Manual;

(b) Maintenance Control Manual;

(c) Aircraft Maintenance Manual;

(d) Aircraft Operating Manual; and

(e) Training Manual.

(5) An applicant under these Regulations shall make the application for an initial issue of a Trinidad and Tobago Air Operator Certificate at least ninety days before the date of intended operation.

(6) Notwithstanding subregulations (3)*(b)* and (4), the Operations Manual specified in regulation 34 and Maintenance Control Manual specified in regulation 76 shall be submitted no less than sixty days before the date of intended operation.

(7) An applicant shall standardize company procedures for all aircraft operations, except where aircraft specific procedures may necessitate a deviation from standard procedure.

Aviation Manuals

Contents of aviation manuals

5. (1) The Manuals referred to in regulation 4(4) shall—

(a) include instructions and information necessary to allow the personnel concerned 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 the current revision status of each manual;

(c) have a date of the last revision on each page concerned;

(d) not be contrary to any applicable law and the specific operating provisions of the Trinidad and Tobago Air Operator; and

(e) include a reference, where applicable, to the appropriate civil aviation regulations.

(2) In addition to the matters set out in subregulation (1), the manuals referred to in regulation 4(4), may be produced either—

(a) in a series of parts;

(b) as a series of volumes; or

(c) as a single document.

Conditions for issue of a Trinidad and Tobago Air Operator Certificate

Issuance or denial of Air Operator Certificate

6. (1) The Director General may recommend that that the Authority issue an Air Operator Certificate where he is satisfied that the applicant—

(a) is a CARICOM national;

(b) has his principal place of business and its registered office within the Caribbean Community;

(c) meets the applicable regulations and standards for the holder of a Trinidad and Tobago Air Operator Certificate;

(d) is properly and adequately equipped for safe operations in commercial air transport;

(e) is properly and adequately equipped for maintenance of the aircraft; and

(f) has sufficient financial resources to conduct safe operations.

(2) The Director General shall not recommend the issue of an Air Operator Certificate—

(a) where the applicant—

(i) does not meet the requirements of these Regulations;

(ii) has provided incomplete, inaccurate, fraudulent or false information in applying for the Air Operator Certificate;

(iii) held a certificate or licence issued by the Authority which was revoked or suspended within the previous five years by reason of criminal, fraudulent, improper action or insanity on the part of such person; or

(iv) employs or proposes to employ a person in a management position or supervisory capacity who—

(A) held a certificate or licence issued by the Authority which was revoked or suspended within the previous five years by reason of criminal, fraudulent, improper action or insanity on the part of such person; or

(B) contributed materially to the revocation or suspension of an aviation document issued by the Authority; or

(b) where a person having substantial ownership of the organization—

(i) held a certificate or licence issued by the Authority which was revoked or suspended within the previous five years by reason of criminal, fraudulent, improper action or insanity on the part of such person; or

(ii) contributed materially to the revocation or suspension of an aviation document issued by the Authority.

Contents of Trinidad and Tobago Air Operator Certificate

Contents of Trinidad and Tobago Air Operator Certificate Schedule 1

7. (1) A Trinidad and Tobago Air Operator Certificate shall be in the form set out as Form I in Schedule 1 and shall comprise—

(*a*) a document for public display signed by the Authority; and

(b) a document containing the Operations Specifications with the terms and conditions and the authorizations applicable to the Air Operator Certificate.

(2) The documents under subregulation (1) shall contain—

(a) the name of the national air operator and his main base of operation;

(b) the date of issue and period of validity;

(c) the descriptions of the types of operations authorized;

(d) the types of aircraft authorized for use; and

(e) the authorized areas of operation or routes.

(3) The authority may by means of Operations Specifications under subregulation (1)*(b)*, define which specific operations shall be authorized, prohibited, limited or subject to certain conditions, in the interest of public safety.

(4) The document containing the Operations Specifications referred to in subregulation (1)*(b)*, shall contain—

(a) general provisions;

(b) en-route authorization and limitations;

(c) aerodrome authorizations and limitations;

(d) maintenance;

(e) mass and balance;

(f) interchange of equipment operations; and

(g) aircraft leasing operations.

Duration of a Trinidad and Tobago Air Operator Certificate

Duration of a Trinidad and Tobago Air Operator Certificate

8. A Trinidad and Tobago Air Operator Certificate, or any portion thereof, issued by the Authority, shall be valid for twelve calendar months or until the—

(a) Authority amends, suspends, revokes or otherwise terminates the certificate;

(b) national air operator surrenders it to the Authority; or

(c) national air operator suspends operations for more than sixty days.

Amendment of a Trinidad and Tobago Air Operator Certificate

Amendment of a Trinidad and Tobago Air Operator Certificate

9. (1) The Director General may recommend that the Authority amend any Trinidad and Tobago Air Operator Certificate where—

(*a*) the Director General determines that safety in commercial air transport and the public interest require the amendment; or

(b) the air operator applies for an amendment, and the Director General determines that safety in commercial air transport and the public interest allows the amendment.

(2) Where the Director General recommends to the Authority that an emergency exists requiring immediate amendment to a Trinidad and Tobago Air Operator Certificate, in the public interest with respect to safety in commercial air transportation, a notification shall be issued to the national air operator and such an amendment is effective on the date that the national air operator receives such notification.

(3) A national air operator may appeal the amendment, under subregulation (2), but shall operate in accordance with it, unless it is subsequently withdrawn.

(4) Amendments under subregulation (1)*(a)*, which are recommended by the Director General, other than emergency amendments, become effective thirty days after notification to the national air operator unless he appeals the proposal in writing prior to the effective date.

(5) The filing of an appeal under subregulation (4), stays the effective date until the appeal process is completed.

(6) Amendments proposed by the national air operator under subregulation (1)*(b)*, shall be made at least thirty days prior to the intended date of any operation under that amendment.

(7) A national air operator shall not perform a commercial air transport operation for which a Trinidad and Tobago Air Operator Certificate amendment is required, unless he has received notice of approval from the Authority.

Access for Inspection

Air operator to give access for inspection

10. (1) A national air operator shall—

(a) grant the Director General access to and co-operation with any of its organizations, facilities, aircraft and records related to flight operations and maintenance;

(b) ensure that the Director General is granted access to and co-operation with any organization or facilities that it has contracted for services associated with commercial air transport operations and maintenance for services; and

(c) grant the Director General free and uninterrupted access to the flight deck of the aircraft during flight operations.

(2) A national air operator shall provide the Authority with a forward observer's seat on each aircraft of the national air operator from which the actions and conversations and radio communications of the flight crew may be easily observed.

(3) The suitability of the seat location under subregulation (2), to monitor crew members actions, conversations and radio communications shall be determined by the Director General.

(4) In this section "record" means all operations and maintenance manuals, lease agreements, exclusive of their financial components, and records pertaining to flight licencing and aircraft use.

Conducting Tests and Inspections

Director General to conduct tests and inspections

11. (1) The Director General shall conduct on-going validation of the continued eligibility of a national air operator to hold his Trinidad and Tobago Air Operator Certificate and associated approvals.

(2) A national air operator shall allow the Director General to conduct tests and inspections, at any time or place, to determine whether he is complying with the applicable laws, regulations and standards.

(3) A national air operator shall make available at his main base—

(a) his current Trinidad and Tobago Air Operator Certificate;

(b) all portions of his Operations Manual and Maintenance Manual referred to in regulation 4 (4);

(c) a current listing that includes the persons responsible for each record, document and report required to be kept by the air operator under the applicable aviation law, regulations or standards and the position he holds in the organization; and

(d) records which are related to flight operations and maintenance.

(4) A national air operator shall—

(a) give the Director General or person authorized by the Director General access to any records which are related to flight operations or maintenance; and

(b) produce all such records, when requested to do so by the Director General within a reasonable period of time.

(5) A pilot in command shall, when requested to do so by a person authorized by the Authority or any other Civil Aviation Authority of an International Civil Aviation Organization Member State, produce to that person the documentation required to be carried on board an aircraft.

(6) Where a national air operator fails to—

(a) make available to the Director General upon request, any portion of the—

(i) Trinidad and Tobago Air Operator Certificate;

(ii) the manuals referred to in regulation 4(4); or

(iii) any required record or report; or

(b) grant access for inspection of the documents referred to in paragraph *(a)*,

the Director General may recommend that the Authority suspend all or part of the Trinidad and Tobago Air Operator Certificate.

PART II

TRINIDAD AND TOBAGO AIR OPERATOR CERTIFICATION AND CONTINUED VALIDITY

Applicability

Applicability

12. This Part provides requirements applicable to the certification and continued validity of all national air operators.

Bases of Operations

Applicant for a Trinidad and Tobago Air Operator Certificate to maintain base of operations

13. (1) An applicant shall establish and maintain a main base of operations

(2) An applicant may establish and maintain a main maintenance base facility at the same location as the main base of operations, or at a separate location.

(3) An applicant shall maintain operational and airworthiness support facilities at the main operations base, appropriate for the area and type of operation.

(4) An applicant shall arrange appropriate ground handling facilities at each airport used to ensure the safe servicing and loading of its flights.

(5) An applicant shall provide written notification to the Director General of his intention to establish or change the location of any of his bases at least thirty days before the proposed establishment or change.

Management Personnel of a National Air Operator

Management personnel required for commercial air transport operations of a National air operator

14. (1) A national air operator shall have a manager (hereinafter referred to as "the Accountable Manager"), acceptable to the Authority, who shall ensure that all prescribed actions are performed to the standards required by the Authority.

(2) An Accountable Manager under subregulation (1), shall have corporate authority for ensuring that all flight operations and maintenance activities can be financed and carried out to the highest degree of safety standards required by the Authority.

(3) When conducting commercial air transport operations, a national air operator shall have qualified personnel, with proven competency in civil aviation, available and serving in the following required management personnel positions or their equivalent:

(*a*) Director of Operations;

(b) Chief Pilot;

(c) Director of Safety;

(d) Director of Maintenance; and

(e) Quality Manager.

(4) In this regulation "competency in civil aviation" means that an individual shall have a technical qualification and management experience acceptable to the Authority for the position served.

(5) The Director General may recommend the Authority approve positions, other than those listed in subregulation (3), where the national air operator is able to show that he can perform the operation with the highest degree of safety under the direction of a

combination of, fewer or different categories of management personnel due to the—

(a) kind of operations involved;

(*b)* number of aircraft used; and

(c) area of operation.

Company Indoctrination Training

Training requirements for company indoctrination training

15. (1) A person shall not serve as a Quality Manager or the Director of Maintenance with a national air operator, unless he has completed the company indoctrination training approved by the Director General.

(2) The company indoctrination training under subregulation (1), shall include a complete review of the contents of the Operations Manual and Maintenance Control Manual of the air operator and the procedures relating to the respective duties of the Quality Manager and Director of Maintenance.

Quality System

National air operator to establish a quality system

16. (1) A national air operator shall establish a quality system headed by a Quality Manager.

(2) The Quality Manager under subregulation (1), shall monitor compliance with, and adequacy of, the procedures required to ensure safe operational practices and airworthy aircraft.

(3) A national air operator may nominate one Quality Manager for operations and one Quality Manager for maintenance.

(4) Where a national air operator nominates one Quality Manager for operations and one Quality Manager for maintenance under subregulation (3), he shall establish one Quality Management unit to ensure that the quality system is applied uniformly throughout the entire operation.

(5) The monitoring of compliance under subregulation (2), shall include a feedback system to the Accountable Manager to ensure corrective action as necessary, which shall specify who is required to rectify discrepancies and non-compliance in each case and the procedure to be followed where corrective action is not completed within an appropriate timeframe.

(6) The quality system and the Quality Managers under this Part shall be acceptable to the Authority.

(7) A national air operator shall describe the quality system under subregulation (1), in relevant documentation.

(8) Notwithstanding subregulation (1), the Accountable Manager shall have overall responsibility for—

(*a*) the quality system of the air operator including frequency, format and structure of the internal management evaluation activities; and

(*b*) resourcing the corrective action and ensuring through the Quality Manager that the corrective action has re-established compliance with the standards required by the Authority.

(9) In carrying out the functions under subregulation (2), the Quality Manager shall verify that the standards required by the Authority and any additional requirements defined by the national air operator are being carried out by monitoring activities in the fields of flight operations, maintenance, crew training and ground operations.

(10) A national air operator shall ensure that a quality system meets the standards set out in Schedule 2.

(11) The Quality Manager shall ensure that the Quality Assurance programme is properly established, implemented and maintained. Schedule 2

Requirements of Management Personnel

17. (1) The minimum initial qualifications for— Minimum qualifications of management Personnel

(*a*) a Director of Operations under regulation 14(3)*(a)* shall be as follows:

(i) holds or has held the appropriate licence and ratings for which a pilot in command is required to hold for one of the aircraft operated;

(ii) has acquired not less than three years related managerial experience with a commercial air operator whose flight operations are similar in size and scope; and

(iii) demonstrates knowledge to the Authority with respect to the content of the Operations Manual, the Air Operator Certificate, operations specifications, regulations and standards necessary to carry out the duties and responsibilities to ensure safety and the maintenance of the Air Operator Certificate.

(*b*) a Chief Pilot under regulations 14(3)*(b)* shall be—

(i) an Airline Transport Pilot Licence with the appropriate ratings for at least one of the aircraft used in the operations of the air operator; and

(ii) three years experience as pilot in command in commercial air transport operations;

(c) Director of Safety shall be—

(i) extensive operational experience normally achieved as a fight crew member or equivalent experience in technical aviation management; and

(ii) successfully completed a recognized Air Safety training course acceptable to the Director General; and

(d) Director of Maintenance and Quality Manager shall be—

(i) possession of an Aircraft Maintenance Engineer licence; and

(ii) three years experience in maintaining the same aircraft category and aircraft class used by the national air operator including one year in the capacity of returning aircraft to service.

(2) A national air operator may employ a person who does not meet the appropriate qualifications or experience required under subregulation (1), where the Authority issues a deviation that that person has comparable experience and can effectively perform the required management functions.

Submission and Revision of Policy and Procedures

Requirements for submission and revision of policy and procedures

18.(1) An applicant shall submit any proposed policy or procedures or any revision thereof, to the Director General at least thirty days prior to the date of intended implementation.

(2) An applicant shall not cause the use of any policy and procedure for flight operations or airworthiness function without the approval of the Director General.

PART III

AIRCRAFT OPERATIONS

Applicability

Applicability of Part III

19. This Part prescribes aircraft operations requirements and includes leasing and interchange operations by a national air operator.

Restrictions on Operation of Aircraft in Commercial Air Transport Operation

Restrictions on operation of aircraft in commercial air transport

20. (1) A national air operator shall not operate an aircraft in commercial air transport unless that aircraft—

(a) has an appropriate current Certificate of Airworthiness;

(b) is in airworthy condition; and

(c) meets the applicable airworthiness requirements for these operations, including those related to identification and equipment.

(2) A national air operator shall not operate any specific type of aircraft in commercial air transport until it has completed satisfactory initial certification, which includes the issuance of a Trinidad and Tobago Air Operator Certificate listing that type of aircraft.

(3) A national air operator shall not operate additional or replacement aircraft of a type for which it is currently authorized or unauthorized unless it can show that for each aircraft, an evaluation process was completed for inclusion in the fleet of the air operator.

Leasing Operations

Leasing operations

21. (1) A person wishing to operate a leased aircraft in Trinidad and Tobago, shall apply to the Authority in the form prescribed by the Director General for approval to so operate.

(2) A lease under subregulation (1) may be either a dry lease or wet lease operation.

Dry Leasing Operations

Dry leasing operations

22. The dry lease operation under regulation 21 shall apply to the following persons in respect of the operation of a leased aircraft by the lessee where the aircraft is registered in the name of the lessor:

(*a*) a national air operator that leases a Trinidad and Tobago aircraft;

(b) a foreign air operator that leases a Trinidad and Tobago aircraft; and

(c) a national air operator that leases an aircraft from a foreign State.

Evidence to be provided by a dry lease operator under regulation 22*(a)*

23. An applicant for a dry lease operation under regulation 22*(a)*, shall provide the Authority with evidence establishing that—

(a) throughout the term of the lease, the aircraft shall—

(i) be in the legal custody and control of the lessee; and

(ii) not be made the subject of another lease during the term of the lease except with the approval of the Authority;

(b) the lessee of the aircraft holds a Trinidad and Tobago Air Operator Certificate or an approved Aviation Training Organization certificate issued under the Act; and

(c) the lessee is responsible for—

(i) the maintenance of the aircraft in accordance with the applicable standards of airworthiness;

(ii) the maintenance control system and maintenance schedules approved by the Authority; and

(iii) any requirements set out in the authorization issued.

Dry Lease Conditions

Evidence to be provided by a dry lease operator under regulation 22*(b)*

24. (1) An applicant for a dry lease operation under regulation 22 *(b)* shall provide the Authority with evidence establishing that—

(a) throughout the term of the lease the aircraft shall—

(i) be registered to the lessor;

(ii) be in the legal custody and control of the lessee; and

(iii) not be made the subject of another lease during the term of the lease authorized for that aircraft except with the approval of the Authority;

(b) the lessee—

(i) is a citizen of a foreign state or an entity incorporated or formed by or under the laws of a foreign Contracting State;

(ii) holds an Air Operator Certificate or equivalent document, issued by the foreign Contracting State in respect of the aircraft type being leased;

(iii) shall operate the aircraft on such basis as approved by the Authority; and

(iv) has demonstrated the ability and qualification to maintain the aircraft in accordance with the maintenance control system and approved maintenance schedule;

(c) the main operations base facility of the lessee, during the term of the lease, will be located in the state of the lessee;

(d) the aircraft—

(i) has a valid certificate of airworthiness;

(ii) shall not undergo modification unless it is authorized by the Authority; and

(iii) shall continue to meet the maintenance control system and the maintenance schedule approved by the Authority;

(iv) shall be maintained in accordance with an inspection programme approved by the Authority and any additional requirements set out in the authorization issued;

(e) every crew member assigned to the aircraft by the lessee—

(i) where the aircraft will be operated by a lessee of a Contracting State, holds the licence appropriate to the duties of the crew member issued by the Authority or issued by the State of the lessee and validated by the Authority;

(ii) where the aircraft will be operated outside the State of the lessee and that foreign state is not a contracting State, holds the licence appropriate to the duties of the crew member issued by the Authority;

(iii) in the case of a large aircraft, has received training equivalent to that described in Annex 6 to the Chicago Convention.

(2) Where an aircraft is dry leased under this Part and is to be re-registered in the State of the lessee it shall be first de-registered by the Authority before such re-registration.

Aircraft for Dry Lease Operations

Evidence to be provided by a dry lease operator under regulation 22*(c)*

25. (1) An applicant for a dry lease operation under regulation 22*(c)* shall provide the Authority with evidence establishing that—

(a) the aircraft—

(i) is of a type and model designation to be eligible for a Trinidad and Tobago Certificate of Airworthiness and complies with all environmental and operational requirements;

(ii) has a valid Certificate of Airworthiness issued in respect of the aircraft by the State of Registry where the State of Registry is a contracting State; and

(iii) will not be made the subject of another lease during the term of the lease except as approved by the Authority;

(b) the lessee holds a Trinidad and Tobago Air Operator Certificate or an approved Aviation Training Organization Certificate;

(c) the lessee provides the Authority with evidence establishing that—

(i) the aircraft complies with the type approval issued in respect of the aircraft or other equivalent document and meets the applicable standards of airworthiness and maintenance control system and the maintenance schedules approved by the Authority;

(ii) the lease will not affect the registration of the aircraft or the certificate of airworthiness issued in respect of the aircraft by the State of Registry;

(d) the aircraft crew members are in the employ of the lessee; and

(e) during the term of the lease authorized by the Authority, the aircraft shall be—

(i) in the legal custody and control of the lessee;

(ii) maintained in accordance with the applicable standards of airworthiness and maintenance control system and the maintenance schedules approved by the Authority; and

(iii) maintained in accordance with an inspection programme approved by the Authority and any requirements set out in the authorization issued.

(2) Notwithstanding subregulation (1)*(c)*(ii) a lessee may apply for registration of an aircraft in Trinidad and Tobago which is the subject of a dry lease operation under regulation 22*(c)*.

Restrictions on Dry Lease Operations

Restrictions on dry lease operations

26. (1) A person shall not operate an aircraft as part of a dry lease operation unless—

(a) the maintenance control system and the maintenance schedule approved by the Authority are, during the term of the lease, equivalent for the lessor and the lessee;

(b) the crew members of the aircraft are employed by the lessee; and

(c) the national air operator provides the Authority in writing with the following information:

(i) the registration mark, manufacturer model designation and serial number of the aircraft;

(ii) the names, addresses and telephone numbers, and any other contact means as applicable, of the registered owner;

(iii) the Trinidad and Tobago Air Operator Certificate number of a Trinidad and Tobago lessee and details of the maintenance arrangements pertinent to the aircraft as agreed between the lessor and lessee, including the name of the person who is responsible for the maintenance of the aircraft during the term of the lease, and the address of the main maintenance base for the aircraft;

(iv) the certificate of airworthiness and statement from the registered owner that the aircraft fully complies with the continuing airworthiness requirements of the State of Registry;

(v) the name address and signature of the lessee or person responsible for operational control of the aircraft under the lease agreement, including a statement that such individual and the parties to the lease agreement fully understand their respective responsibilities under the applicable regulations; and

(vi) the commencement and termination dates of the lease.

(2) A national air operator may dry lease an aircraft for commercial air transport to any air operator of a Contracting State.

(3) A national air operator shall provide the Authority with a copy of the dry lease agreement to be executed.

(4) A national air operator shall not operate a foreign registered aircraft unless there is in existence an agreement between the Authority and the State of Registry that—

(a) while the aircraft is operated by the national air operator, the operations regulations of Trinidad and Tobago are applicable;

(b) while the aircraft is operated by the national air operator, the airworthiness regulations of the State of Registry are applicable; or

(c) where 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 airworthiness regulations of Trinidad and Tobago shall apply to the extent agreed upon by the Authority and State of Registry.

(5) The agreement under subregulation (4), shall provide that the Director General has free and uninterrupted access to the aircraft at any place and any time.

(6) Where an authorization has been issued in respect of a Trinidad and Tobago aircraft, the registered owner of the aircraft shall, immediately on receipt of the authorization, forward to the lessee all airworthiness directives that apply to the aircraft.

(7) Where an authorization has been issued in respect of an aircraft registered in a foreign state, the Trinidad and Tobago lessee shall ensure that the aircraft conforms with all applicable airworthiness directives.

(8) A copy of the lease authorization pursuant to this regulation shall be carried on board the aircraft at all times during the period of the lease.

Aircraft Interchange

Aircraft interchange

27. (1) A national air operator shall not interchange his aircraft with another air operator without the approval of the Authority.

(2) Before operating under an interchange agreement under subregulation (1), an air operator shall satisfy the Authority that—

(a) the procedures of the interchange operation conform to safe operating practices;

(b) the required crew members and flight operations officers meet approved training requirements for the aircraft and equipment used and are familiar with the communications and dispatch procedures to be used;

(c) maintenance personnel meet training requirements for the aircraft and equipment and are familiar with the maintenance procedures to be used;

(d) flight crew members and flight operations officers meet appropriate route and airport qualifications;

(e) the aircraft to be operated is essentially similar to the aircraft of the national air operator 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 national air operator has adequate training to ensure that any potentially hazardous dissimilarities are safely overcome by flight crew familiarization.

(3) Where a national air operator conducts an interchange agreement he shall—

(a) ensure that the pertinent provisions and procedures of the agreement are included in his Operations Manual; and

(b) apply to the Authority for the amendment of his operations specifications to reflect an interchange agreement.

(4) A national air operator shall comply with the applicable regulations of the State of Registry of an aircraft involved in an interchange agreement while he has operational control of that aircraft.

Wet Leasing Operations

Wet leasing operations

28. (1) A national air operator shall not conduct wet lease operations on behalf of another air operator except in accordance with the applicable laws and regulations of the country in which the operation occurs and the conditions imposed by the Authority.

(2) A national air operator shall not allow another air operator to conduct wet lease operations on his behalf unless such a lease is approved by the Authority.

(3) The national air operator shall in allowing another air operator to conduct wet lease operations on his behalf under subregulation (2), ensure that—

(a) the safety standards of the lessor with respect to maintenance and operations are equivalent to Regulations made under the Act;

(b) the air operator holds a Trinidad and Tobago Air Operator Certificate or its equivalent from a Contracting State that authorizes those operations; and

(c) the aircraft has a Certificate of Airworthiness issued in accordance with Annex 8 of the Chicago Convention.

(4) A national air operator engaged in a wet leasing operation shall apply to the Authority for an amendment to his operations specifications to contain the following information:

(a) the names of the parties to the agreement and the duration of the agreement;

(b) the make, model and series of each aircraft involved in the agreement;

(c) the kind of operation;

(d) the expiration date of the wet lease agreement;

(e) a statement specifying the party deemed to have operational control; and

(f) any other item, condition or limitation that the Authority deems necessary.

Emergency Evacuation Demonstrations

Requirement for national air operator to carry out full capacity emergency evacuation demonstration

29. (1) A person shall not use an aircraft of a particular type and model in commercial air transport passenger-carrying operations unless he has first applied to and conducted for the Authority, an actual full capacity emergency evacuation demonstration for the configuration, in ninety seconds or less.

(2) The actual full capacity emergency evacuation demonstration under subregulation (1), may not be required, where the applicant provides a written petition for deviation 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 by another air operator; and

(b) there is an engineering analysis which shows that an evacuation is still possible within the ninety second standard, where the aircraft configuration of the applicant differs with regard to number of exits or exit types or number of cabin crew or location of the attendants.

(3) Where an actual full capacity emergency evacuation demonstration is not required, under this regulation an applicant may not use an aircraft of a particular type and model in commercial air transport passenger-carrying operations unless he has first demonstrated to the Authority that his available personnel, procedures and equipment are able to provide sufficient open exits for evacuation in fifteen seconds or less

(4) An applicant shall not use a land plane in extended over-water operations unless he has first demonstrated to the Authority in respect of that aircraft type, that he has the ability and equipment to efficiently carry out his ditching procedures.

(5) Cabin crew who participate in emergency evacuation demonstrations shall—

(a) be selected randomly by the Authority;

(b) have completed the approved training of the Authority for the type and model of aircraft; and

(c) have passed the drills and competence check on the emergency equipment and procedures.

Demonstration Flights

Demonstration flights

30. (1) A person shall not operate an aircraft type in commercial air transport unless he first conducts satisfactory demonstration flights for the Authority in that aircraft type.

(2) A person shall not operate an aircraft in a designated special area, or using a specialized navigation system, unless he conducts a satisfactory demonstration flight for the Authority.

(3) Demonstration flights required under subregulations (1) and (2), shall be conducted in accordance with the regulations applicable to the type of operation and aircraft type used.

(4) Demonstration flights under this regulation shall comprise 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, where night flights are authorized;

(c) five instrument approach procedures under simulated or actual instrument weather condition, where Instrument Flight Rules flights are to be authorized; and

(d) entry into a representative number of en route airports, as determined by the Authority.

(5) No person other than those needed to make a demonstration flight or those designated by the Authority may be carried as passengers on an aircraft during demonstration flights.

(6) Where an aeroplane is less than five thousand, seven hundred kilogrammes maximum certified take-off mass and a helicopter is less than three thousand, one hundred and eight kilogrammes the necessity and extent of demonstration under this regulation shall be determined by the Authority.

(7) An applicant shall arrange appropriate ground handling facilities to ensure the safe servicing and loading of its demonstration flights.

(8) The Authority may authorize deviations from this regulation where it finds that special circumstances make full compliance with this regulation unnecessary.

Time for Proper Servicing of Aircraft

31. In establishing flight operations schedules, a national air operator conducting scheduled operations shall ensure the safe servicing and loading of its aircraft allow enough time for the proper servicing of aircraft at intermediate stops, and shall consider the prevailing winds en route and cruising speed for the type of aircraft.

PART IV

NATIONAL AIR OPERATOR CERTIFICATE FLIGHT OPERATIONS MANAGEMENT

32. This Part provides those certification requirements that apply to management of flight operations personnel and their functions.

Safe and Efficient Flight Operations Management

33. (1) A national air operator shall ensure safe and efficient flight operations management.

(2) In ensuring safe and efficient Flight Operations Management an air operator shall make provision for the following areas:

(a) operations administration and supervision;

(b) accident prevention and flight safety programmes;

(c) personnel training;

(d) crew fatigue and flight time limitations;

(e) flight operations;

(f) aircraft performance;

(g) route guides and charts;

(h) minimum flight altitudes;

(i) aerodrome operating minima;

(j) search and rescue;

(k) dangerous goods;

(l) navigation;

(m) communications;

(n) security;

(o) human factors;

(p) an Operational Flight Plan; and

(q) a chain of command appropriate to ensure proper supervision and accountability at all times.

GOVERNMENT OF TRINIDAD AND TOBAGO

OPERATIONS SPECIFICATIONS

Issued to: .....

Air operator certificate No. ..... Initial issue date: .....

PART A—GENERAL PROVISIONS

1. Applicability.
2. Definitions and abbreviations.
3. Operations by air operators outside the territory of Trinidad and Tobago.
4. Aircraft authorization.

PART B—ENROUTE AUTHORIZATIONS AND LIMITATIONS

1. Aircraft operations within the territory of Trinidad and Tobago.
2. Aircraft operations outside the territory of Trinidad and Tobago.
3. Instructions Flight Rules.
4. Operations at aerodromes without aerodrome ATC tower service.
5. Operations within North Atlantic minimum navigation performance specification airspace.

PART C—AERODROME AUTHORIZATIONS AND LIMITATIONS

1. General.
2. Instrument approach procedures and aerodrome operating minima.
   (a) Instrument approach minima;
   (b) Take-off minima;
   (c) Circling minima; and
   (d) Authorized instrument approach minima.
3. Authorized aerodromes.

PART D—MAINTENANCE

1. General.
2. Check, inspection and overhaul time limits.
3. Reliability programme authorization.
4. Short-term escalation authorization.
5. Maintenance contractual authorization.
6. Leased aircraft maintenance authorization.
7. Parts pool authorization.
8. Prorated time authorization.
9. Parts borrowing authorization.
10. Ferry flights authorization.

PART E—MASS AND BALANCE

1. Aircraft mass and balance control.

PART F—INTERCHANGE OR EQUIPMENT OPERATIONS

PART G—AIRCRAFT LEASING OPERATIONS
(wet lease)

[(Regulation 7(1)]

SCHEDULE 2

[Regulation 16(10)]

The following standards are required by a national air operator in respect of his quality system:

1. A national air operator shall establish a plan acceptable to the Authority to show when and how often the activities required in regulation 78 of the regulations will be monitored. In addition, reports should be produced at the completion of each monitoring investigation and include details of discrepancies of non-compliance with procedures or requirements.
2. The feedback part of the system shall address who is required to rectify discrepancies and non-compliance in each particular case and the procedure to be followed if rectification is not completed within appropriate time scales. The procedure should lead to the Accountable Manager.
3. To ensure effective compliance, the national air operator and the applicant should use the following elements:

    (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 to not carry out maintenance on time;

    (d) On time maintenance sampling—the monitoring of when (flying hours/calendar time/flight cycles, etc.) aircraft and their components are brought in for maintenance;

    (e) Sample report of un-airworthy conditions and maintenance errors on aircraft and components.

Note: *The primary purpose of the Quality System for maintenance is to monitor compliance with the approved procedures specified in an operators maintenance control manual to ensure compliance and thereby ensure the maintenance aspects of the operational safety of the aircraft. In particular, this part of the Quality System provides a monitor of the effectiveness of maintenance, and should include a feedback system to ensure that corrective actions are identified and carried out in a timely manner.*

SCHEDULE 3

[Regulation 34(6)]

OPERATIONS MANUAL

The Operations Manual may be based on the following outline:

Administration and Control of Operations Manual

1.1 Introduction

(a) A statement that the manual complies with all applicable Authority regulations and requirements and with the terms and conditions of the applicable Trinidad and Tobago Air Operator Certificate.

(b) A statement that the manual contains operational instructions that are to be complied with by the relevant personnel in the performance of their duties.

(c) A list and brief description of the various operations manual parts, their contents, applicability and use.

(d) Explanations and definitions of terms and words used in the manual.

1.2 System of Amendment and Revision

(a) An operations manual shall describe who is responsible for the issuance and insertion of amendments and revisions.

(b) A record of amendments and revisions with insertion dates and effective dates is required.

(c) A statement that hand-written amendments and revisions are not permitted.

(d) A description of the system for the annotation of pages and their effective dates.

(e) A list of effective pages and their effective dates.

(f) Annotation of changes (on text pages and, as practicable, on charts and diagrams).

(g) A system for recording temporary revisions.

(h) A description of the distribution system for the manuals, amendments and revisions.

(i) A statement of who is responsible for notifying the Authority of proposed changes and working with the Authority on changes requiring Authority approval.

2.0 Organization and Responsibilities

2.1 Organizational Structure

A description of the Organizational structure including the general company Organization and operations department Organization. The relationship between the operations department and the other departments of the company. In particular, the subordination and reporting lines of all divisions, departments, etc., which pertain to the safety of flight operations shall be shown.

2.2 Responsible Manager

The name of each manager responsible for flight operations, the maintenance system, crew training and ground operations shall be listed. A description of their function and responsibilities shall be included.

2.3 Responsibilities and Duties of Operations Management Personnel

A description of the duties, responsibilities and authority of operations management personnel pertaining to the safety of flight operations and with compliance with applicable regulations shall be listed.

2.4 Authority, Duties and Responsibilities of a pilot in command

A statement defining the authority, duties and responsibilities of the pilot in command shall be listed.

2.5 Duties and Responsibilities of Crew Members Other than the pilot in command

A statement defining the authority, duties and responsibilities of all required aircraft crew members shall be listed.

3.0 Operational Control and Supervision

3.1 Supervision of the Operation by the National Air Operator

A description of the system for supervision of the operation by the national air operator shall be listed. This description shall show how the safety of flight operations and the qualifications of personnel involved in all such operations are supervised and monitored. In particular, the procedures related to the following items shall be described:

(a) Competence of operations personnel; and

(b) Control, analysis and storage of records, flight documents, additional information, and safety related data.

3.2 System of Promulgation of Additional Operational Instructions and Information

A description of any system for promulgating information which may be of an operational nature but is supplementary to that in the operations manual. The applicability of this information and the responsibilities for its promulgation shall be included.

3.3 Accident Prevention and Flight Safety

A description of the main aspects of the flight safety including—

(a) Programmes to achieve and maintain risk awareness by all persons involved in flight operations; and

(b) Evaluation of accidents and incidents and the promulgation of related information.

3.4 Operational Control

A description of the objectives, procedures and responsibilities necessary to exercise operational control with respect to flight safety.

4.0 Quality System

A description of the quality system adopted.

5.0 Crew Composition

5.1 Crew Composition

An explanation of the method for determining crew compositions taking into account of the following:

(a) experience (total and on type), recency and qualification of the crew members; and

(b) the designation of the pilot in command and, if required by the duration of the flight, the procedures for the relief of the pilot in command or other members of the flight crew.

5.2 Designation of the pilot in command

The rules applicable to the designation of a pilot in command.

5.3 Flight Crew Incapacitation

Instructions on the succession of command in the event of flight crew incapacitation.

6.0 Qualification Requirements

6.1 Qualifications

A description of the required license rating(s), qualification or competency (e.g., for routes and airports) experience, training, checking and recency of experience for operations personnel to conduct their duties. Consideration shall be given to the aircraft type, kind of operation, and composition of the crew.

6.2 Flight Crew

Operation on more than one type or variant.

6.3 Cabin Crew

(a) Senior cabin crew member.

(b) Cabin crew member:

(i) Required cabin crew member;

(ii) Additional cabin crew member; and

(iii) Cabin crew member during familiarization flights;

(c) Operation on more than one type or variant.

6.4 Other Operations Personnel

7.0 Crew Health Precautions

7.1 Crew Health Precautions

The relevant regulations and guidance for crew members concerning health including—

(a) alcohol and other intoxicating liquor;

(b) narcotics;

(c) drugs;

(d) sleeping tablets;

(e) pharmaceutical preparations;

(f) immunization;

(g) scuba diving;

(h) blood donation;

(i) meal precautions prior to and during flight;

(j) sleep and rest; and

(k) surgical operations.

8.0 Operating Procedures

8.1 Flight Preparation Instructions

As applicable to the operation:

8.1.1 Criteria for determining the usability of airports.

8.1.2 En route Operating Minima for Visual Flight Rules Flights.

A description of en route operating minima for Visual Flight Rules flights or Visual Flight Rules portions of a flight and, where single-engine aircraft are used, instructions for route selection with respect to the availability of surfaces which permit a safe forced landing.

8.1.3 Presentation and application of airport and en route operating minima.

8.1.4 Interpretation of meteorological information.

Explanatory material on the decoding of Meteorological forecasts and Meteorological reports relevant to the area of operations, including the interpretation of conditional expressions.

8.1.5 Determination of the quantities of fuel, oil and water methanol carried.

The methods by which the quantities of fuel, oil and water methanol to be carried are determined and monitored in flights. This section shall also include instructions on the measurement and distribution of the fluid carried on board. Such instructions shall take account of all circumstances likely to be encountered on the flight, including the possibility of in-flight re-planning and of failure of one or more of the aircraft's power plants. The system for maintaining fuel and oil records shall be described.

8.1.6 Mass and centre of gravity.

The general principles of mass and center of gravity including—

(a) the policy for using either standard and/or actual masses;

(b) the method for determining the applicable passenger, baggage and cargo mass;

(c) the applicable passenger and baggage masses for various types of operations and aircraft type;

(d) general instruction and information necessary for verification of the various types of mass and balance documentation in use;

(e) last minute changes procedures; and

(f) seating policy/procedures.

8.1.7 List of documents, forms and additional information to be carried during a flight.

8.2 Ground Handling Instructions

8.2.1 Fuelling procedures.

A description of fuelling procedures, including—

(a) safety precautions during refueling and de-fueling including when an Auxiliary Power Unit is in operation or when a turbine engine is running and the prop rakes are on;

(b) refueling and de-fueling when passengers are embarking, on board or disembarking; and

(c) precautions to be taken to avoid mixing fuels; and

(d) method to ensure required amount of fuel is loaded.

8.2.2 Aircraft, passengers and cargo handling procedures related to safety.

A description of the handling procedures to be used when allocating seats and embarking and disembarking passengers and when loading and unloading the aircraft. Further procedures, aimed at achieving safety whilst the aircraft is on the ramp, shall also be given. Handling procedures shall include—

(a) sick passengers and persons with reduced mobility;

(b) permissible size and mass of hand baggage;

(c) loading and securing of items in the aircraft;

(d) special loads and classification of load compartments (i.e., dangerous goods, live animals, etc.);

(e) positioning of ground equipment;

(f) operation of aircraft doors;

(g) safety on the ramp, including fire prevention, blast and suction areas;

(h) start-up, ramp departure and arrival procedures;

(i) servicing of aircraft;

(j) documents and forms; and

(k) multiple occupancy of aircraft seats.

8.2.3 Procedures of the refusal of embarkation.

Procedures to ensure that persons who appear to be intoxicated or who demonstrate by manner or physical indications that they are under the influence of alcohol or drugs, except medical patients under proper care, are refused embarkation.

8.2.4 De-icing and anti-icing on the ground.

A description of the de-icing and anti-icing policy and procedures for aircraft on the ground. These shall include descriptions of the types and effects of icing and other contaminants on aircraft while stationary, during ground movements and during take-off. In addition, a description of the fluid types used shall be given including:

(a) proprietary or commercial names;

(b) characteristics; and

(c) procedures in the event of system degradation.

8.3.2 Policy and procedures for in-flight fuel management.

8.3.3 Adverse and potentially hazardous atmospheric conditions.

Procedures for operating in, and/or avoiding, potentially hazardous atmospheric conditions including:

(a) thunderstorms;

(b) icing conditions;

(c) turbulence;

(d) windshear;

(e) jet stream;

(f) volcanic ash clouds;

(g) heavy precipitation;

(h) sand storms;

(i) mountain waves; and

(j) significant temperature inversions.

8.3.4 Operating restrictions:

(a) cold weather operations;

(b) take-off and landing in turbulence;

(c) low-level wind shear operations;

(d) cross-wind operations (including tail wind components);

(e) high temperature operations; and

(f) high altitude operations.

8.3.5 Incapacitation of crew members.

Procedures to be followed in the event of incapacitation of crew members in flight. Examples of the types of incapacitation and the means for recognizing them shall be included.

8.3.6 Cabin Safety Requirements.

Procedures covering—

(a) cabin preparation for flight, in-flight requirements and preparation for landing including procedures for securing cabin and galleys;

(b) procedures to ensure that passengers are seated where, in the event that an emergency evacuation is required, they may best assist and not hinder evacuation from the aircraft;

(c) procedures to be followed during passenger embarkation and disembarkation;

(d) procedures for fuelling with passengers on board, embarking or disembarking;

(e) smoking on board; and

(f) use of portable electronic equipment and cellular telephones.

8.3.7 Passenger briefing procedures.

The contents, means and timing of passenger briefing.

8.3.8 Procedures for use of cosmic or solar radiation detection equipment.

Procedures for the use of cosmic or solar radiation detection equipment and for recording its readings including actions to be taken in the event that limit values specified in the operations manual are exceeded. In addition, the procedures, including Air Traffic Control procedures, to be followed in the event that a decision to descend or re-route is taken.

8.4 All Weather Operations

8.5 Use of the minimum equipment and configuration deviation list

8.6 Non revenue flights

Procedures and limitations for—

(a) training flights;

(b) test flights;

(c) delivery flights;

(d) ferry flights;

(e) demonstration flights; and

(f) positioning flights, including the kind of persons who may be carried on such flights.

8.7 Oxygen Requirements

An explanation of the conditions under which oxygen shall be provided and used.

9.0 Dangerous Goods and Weapons

9.1 Transport of Dangerous Goods

Information, instructions and general guidance on the transport of dangerous goods including—

(a) the policy of national air operator on the transport of dangerous goods;

(b) guidance on the requirements for acceptance, labeling, handling, stowage and segregation of dangerous goods;

(c) procedures for responding to emergency situations involving dangerous goods;

(d) duties of all personnel involved; and

(e) instructions on the carriage of the employees of national air operator.

9.2 Transport of Weapons

The conditions under which weapons, munitions of war and sporting weapons may be carried.

10.0 Security

10.1 Security Policies and Procedures

A description of security policies and procedures for handling and reporting crime on board such as unlawful interference, sabotage, bomb threats, and hijacking.

10.2 Security Instructions and Guidance

Security instructions and guidance of a non-confidential nature which shall include the authority and responsibilities of operations personnel.

10.3 Preventive Security Measures and Training

A description of preventive security measures and training. (Note: Parts of the security instructions and guidance may be kept confidential.)

11.0 Handling of accidents and occurrences

11.1 Procedures for the handling, notifying and reporting of accidents and occurrences.

This section shall including—

(a) definitions of accidents and occurrences and the relevant responsibilities of all persons involved;

(b) the descriptions of which company departments, authorities or other institutions have to be notified by which means and in which sequence in case of an accident;

(c) special notification requirements in the event of an accident or occurrence when dangerous goods are being carried;

(d) a description of the requirements to report specific occurrences and accidents;

(e) the forms used for reporting and the procedure for submitting them to the Authority, shall also be included; and

(f) if the national air operator develops additional safety related reporting procedures for its own internal use, a description of the applicability and related forms to be used.

12.0 Rules of the air

12.1 Rules of the Air including:

(a) territorial application of the Rules of the Air;

(b) the circumstances during which a radio listening watch shall be maintained;

(c) Air Traffic Control clearances, adherence to flight plan and position reports;

(d) the ground and air visual codes for use by survivors, description and use of signal aids; and

(e) distress and urgency signals.

SCHEDULE 4

[Regulation 38(1)]

The following items shall be included in the Training Programme Manual of a national air operator:

TRAINING SYLLABI

1.1 General Requirements

Training Syllabi for all operations personnel assigned to operational duties in connection with the preparation and conduct of a flight shall be developed to meet the respective requirements of the Authority. A national air operator may not use, nor may any person serve in a required crew member capacity or operational capacity unless that person meets the training and currency requirements established by the Authority for that respective position.

1.2 Flight Crew

The training syllabi for flight crew members shall include—

(a) a written training acceptable to the authority that provides for initial, transition, difference, and recurrent training, as appropriate, for flight deck crew members for each type of aircraft flown by that crew member. This written training shall include both normal and emergency procedures training applicable for each type of aircraft flown by the crew member;

(b) adequate ground and flight training facilities and properly qualified instructors required to meet training objectives and needs;

(c) a current list of approved training materials, equipment, training devices, simulators, and other required training items needed to meet the training needs for each type and variation of aircraft flown by the national air operator;

(d) adequate numbers of ground, flight, and check pilots to ensure adequate training and flight testing of flight crew members; and

(e) a record system acceptable to the authority to show compliance with appropriate training and currency requirements.

1.3 Cabin Crew

The training syllabi for cabin crew members shall include—

(a) basic initial ground training covering duties and responsibilities;

(b) appropriate authority rules and regulations;

(c) appropriate portions of the operating manual of a national air operator;

(d) appropriate emergency training as required by the authority and the operating manual of a national air operator;

(e) appropriate flight training;

(f) appropriate recurrent, upgrade, or difference training, as required, to maintain currency in both type and any variance the crew member may be required to work in; and

(*g*) maintain a training record system acceptable to the authority to show compliance with all required training.

1.4 All Aircraft Crew

The written training shall be developed for all aircraft crew members in the emergency procedures appropriate to each make and model of aircraft flown in by the crew member. Areas shall include—

(a) instruction in emergency procedures, assignments and crew co-ordination;

(b) individual instruction in the use of onboard emergency equipment such as fire extinguishers, emergency breathing equipment, first aid equipment and its proper use, emergency exits and evacuation slides, and the aircraft's oxygen system including the use of portable emergency oxygen bottles. Flight deck crew members shall also practice using their emergency equipment designed to protect them in case of a cockpit fire or smoke;

(c) training shall also include instruction in potential emergencies such as rapid decompression, ditching, fire fighting, aircraft evacuation, medical emergencies, hijacking, and disruptive passengers; and

(d) scheduled recurrent training to meet authority requirements.

1.5 All operations personnel

The training syllabi for all operations personnel shall include—

(a) Training in the safe transportation and recognition of all dangerous goods permitted by the Authority to be shipped by air. Training shall include the proper packaging, marking, labeling, and documentation of dangerous articles and magnetized materials;

(b) All appropriate security training required by the Authority; and

(c) A method of providing any required notification of an accident or incident involving dangerous good.

1.6 Operations personnel other than aircraft crew

Operations personnel other than aircraft crew (e.g., flight operations officer, handling personnel etc.), a written training shall be developed that pertains to their respective duties. The training shall provide for initial, recurrent, and any required upgrade training.

2.0 Procedures for training and checking

2.1 Proficiency checking pocedures

Procedures to be applied in the event that personnel do not achieve or maintain the required standards.

2.2 Procedures involving the simulation of abnormal or emergency situations

Procedures to ensure that abnormal or emergency situations requiring the application of part or all abnormal or emergency procedures, and simulation of Instrument Meteorological Conditions by artificial means, are not simulated during commercial air transportation flights.

3.0 Document retention

3.1 Documentation to be stored and storage periods

A national air operator shall retain all documentation required by appropriate Authority or the Authority of a foreign country in which the national air operator is operating for the time specified by the respective Authority or for the time period needed to show compliance with appropriate regulations or this operations manual, which is longer.

SCHEDULE 5

[Regulation 51(1)]

The following are the approved sources for weather reports under regulation 51:

(a) Trinidad and Tobago Meteorological Services at Piarco International Airport;

(b) observations taken by Piarco and Crown Point Airport traffic control tower;

(c) Trinidad and Tobago-contracted weather observatories;

(d) any active meteorological office listed in the Meteorological tables located in Civil Aviation Regional Navigational Plans;

(e) any military weather reporting sources approved by the Authority, but limited to control of those flight operations which use military airports as departure, destination, alternate, or diversionary airports;

(f) near real time reports such as pilot reports, radar reports, radar summary charges, and satellite imagery reports made by commercial weather source or other sources specifically approved by the Authority; and

(g) a national air operator operated and maintained weather-reporting system approved by the Authority.

SCHEDULE 6

[Regulation 54(5)]

An Aircraft Operating Manual under regulation 54 shall include the following items:

1.0 General information and unites of measurement

1.1 General Information (e.g., aircraft dimensions), including a description of the units of measurement used for the operation of the aircraft type concerned and conversion tables.

2.0 Limitations

2.1 Certification and operational limitations

A description of the certified limitations and the applicable operational limitations including—

(a) certification status;

(b) passenger seating configuration for each aircraft type including a pictoral presentation;

(c) types of operation that are approved (for example, instrument flight rules/visual flight rules, cat ii, cat iii, flights in known icing conditions);

(d) crew composition;

(e) operating within mass and centre of gravity limitations;

(f) speed limitations;

(g) flight envelopes;

(h) wind limits including operations on contaminated runways;

(i) performance limitations for applicable configurations;

(j) runway slope;

(k) limitations on wet or contaminated runways;

(l) airframe contamination; and

(m) post landing.

3.1 Normal Procedures

The normal procedures and duties assigned to the crew, the appropriate checklists, the system for use of the checklists and a statement covering the necessary co-ordination procedures between flight and cabin crew. The following normal procedures and duties shall be included:

(a) pre-flight;

(b) pre-departure and loading;

(c) altimeter setting and checking;

(d) taxi, take-off and climb;

(e) noise abatement;

(f) cruise and descent;

(g) approach, landing preparation and briefing;

(h) visual flight rules approach;

(i) instrument approach;

(j) visual approach and circling;

(k) missed approach;

(l) normal landing;

(m) post landing; and

(n) operation on wet and contaminated runways.

3.2 Specific flight deck procedures

(a) determining airworthiness of aircraft;

(b) obtaining flight release;

(c) initial cockpit preparation;

(d) standard operating procedures;

(e) cockpit discipline;

(f) standard call-outs;

(g) communications;

(h) flight safety;

(i) push-back and towing procedures;

(j) taxi guidelines and ramp signals;

(k) take-off and climb out procedures;

(l) choice of runway;

(m) take-off in adverse weather;

(n) use and limitations of weather radar;

(o) use of landing lights;

(p) monitoring of flight instruments;

(q) power settings for take-off;

(r) malfunctions during take-off;

(s) rejected take-off decision;

(t) climb, best angle, best rate;

(u) sterile cockpit procedures;

(v) en route and holding procedures;

(w) cruise control;

(x) navigation log book;

(y) descent, approach and landing procedures;

(*z*) standard call-outs;

(aa) reporting maintenance problems; and

(bb) how to obtain maintenance and service en route.

4.0 Abnormal and emergency procedures

Abnormal and emergency procedures and duties

The manual shall contain a listing of abnormal and emergency procedures assigned to crew members with appropriate check-lists that include a system for use of the check-lists and a statement covering the necessary co-ordination procedures between flight and cabin crew. The following abnormal and emergency procedures and duties shall be included:

(a) crew incapacitation;

(b) fire and smoke drills;

(c) unpressurised and partially pressurised flight;

(d) exceeding structural limits such as overweight landing;

(e) exceeding cosmic radiation limits;

(f) lightning strikes;

(g) distress communications and alerting air traffic control to emergencies;

(h) engine failure;

(i) system failures;

(j) guidance for diversion in case of serious technical failure;

(k) ground proximity warning;

(l) tcas warning;

(m) windshear; and

(*n*) emergency landing and ditching;

(o) aircraft evacuation;

(p) fuel jettisoning and overweight landing:

(i) general considerations and policy;

(ii) fuel jettisoning procedures and precautions;

(q) emergency procedures:

(i) emergency decent;

(ii) low fuel;

(iii) dangerous goods incident or accident;

(r) interception procedures;

(s) emergency signal for cabin crews;

(t) communication procedures; and

(u) radio listening watch.

5.0 Performance Data

Performance data shall be provided in a form in which it can be used without difficulty.

5.1 Performance data

Performance material which provides the necessary data to allow the flight crew to comply with the approved aircraft flight manual performance requirements shall be included to allow the determination of—

(a) take-off climb limits—mass, altitude, temperature;

(b) take-off field length (dry, wet, contaminated);

(c) net flight path data for obstacle clearance calculation or, where applicable, take-off flight path;

(d) the gradient losses for banked climb outs;

(e) en route climb limits;

(f) approach climb limits;

(g) landing climb limits;

(h) landing field length (dry wet, contaminated) including the effects of an inflight failure of system or device, if it affects the landing distance;

(i) brake energy limits; and

(j) speeds applicable for the various flights stages (also considering wet or contaminated runways).

5.1.1 Supplementary performance data

Supplementary data covering flights in icing conditions. Any certified performance related to an allowable configuration, or configuration deviation, such as anti-skid inoperative, shall be included.

5.1.2 Other acceptable performance data

If performance data, as required for the appropriate performance class, is not available in the approved Aircraft Flight Manual, then other data acceptable to the Authority shall be included. Alternatively, the operations manual may contain cross-reference to the approved data contained in the Aircraft Flight Manual where such data is not likely to be used often or in an emergency.

5.2 Additional performance data

Additional performance data where applicable including—

(a) all engine climb gradients;

(b) drift-down data;

(c) effect of de-icing or anti-icing fluids;

(d) flight with landing gear down;

(e) for aircraft with three or more engines, one engine inoperative ferry flights; and

(f) flights conducted under the provisions of a configuration deviation list.

6.0 Flight plannings

6.1 Flight planning data

Data and instructions necessary for pre-flight and in-flight planning including factors such as speed schedules and power settings. Where applicable, procedures for engine(s) out operations, Extended Twin-engine Operations flights to isolated airports shall be included.

6.2 Fuel calculation

The method for calculating fuel needed for the various stages of flight.

7.0 Mass and balance

7.1 Calculating mass and balance

Instructions and data for the calculation of mass and balance including—

(a) calculation system (e.g., index system);

(b) information and instructions for completion of mass and balance documentation, including manual and computer generated types;

(c) limiting mass and center of gravity of the various versions;

(d) dry operating mass and corresponding centre of gravity or index.

8.0 Loading

8.1 Loading Procedures

Procedures and provisions for loading and securing the load in the aircraft.

8.2 Loading dangerous goods

The operations manual shall contain a method to notify the pilot in command when dangerous goods is loaded in the aircraft.

9.0 Survival and emergency equipment including oxygen

9.1 List of survival equipment to be carried

A list of the survival equipment to be carried for the routes to be flown and the procedures for checking the serviceability of this equipment prior to take-off. Instructions regarding the location, accessibility and use of survival and emergency equipment and its associated check list(s) shall also be included.

9.2 Oxygen usage

The procedure for determining the amount of oxygen required and the quantity that is available. The flight profile, number of occupants and possible cabin decompression shall be considered. The information provided shall be in a form in which it can be used without difficulty.

9.3 Emergency equipment usage

A description of the proper use of the following emergency equipment:

(a) life jackets;

(b) life rafts;

(c) medical kits and first aid kits;

(d) survival kits;

(e) emergency locator transmitter;

(f) visual signaling devices;

(g) evacuation slides; and

(*h*) emergency lighting.

10.0 Emergency evacuation procedures

10.1 Instructions for emergency evacuation

Instructions for preparation for emergency evacuation including, crew co-ordination and emergency station assignment.

10.2 Emergency evacuation procedures

A description of the duties of all members of the crew for the rapid evacuation of an aircraft and the handling of the passengers in the event of a forced landing, ditching or other emergency.

11.0 Aircraft systems

11.1 Aircraft systems

A description of the aircraft systems, related controls and indications and operating instructions.

12.0 Route and airport instructions and information (optional for this manual)

12.1 Instructions and information

Instructions and information relating to communications, navigation and airports including minimum flight levels and altitudes for each route to be flown and operating minima for each airport planned to be used, including—

(a) minimum flight level/altitude;

(b) operating minima for departure, destination and alternate airports;

(c) communication facilities and navigation aids;

(d) runway data and airport facilities;

(e) approach, missed approach and departure procedures including noise; abatement procedures;

(f) communications-failure procedures;

(g) search and rescue facilities in the area over which the aircraft is to be flown;

(h) a description of the aeronautical charts that shall be carried on board in relation to the type of flight and the route to be flown, including the method to check their validity;

(i) availability of aeronautical information and meteorological services;

(j) en route communication and navigation procedures, including holding; and

(k) airport categorization for flight crew competence qualification.

SCHEDULE 7

[Regulation 57(2)]

AERONAUTICAL DATA CONTROL SYSTEM

The aeronautical data required to be provided under regulation 57(2) shall include in relation to—

(a) airports the following:

(i) facilities;

(ii) navigational and communications aids;

(iii) construction affecting take-off, landing, or ground operations; and

(iv) air traffic facilities;

(b) runways, clearways and stopways the following:

(i) dimensions;

(ii) surface;

(iii) markings and lighting systems; and

(iv) elevations and gradient;

(c) displaced thresholds the following:
- (i) locations;
- (ii) dimensions; and
- (iii) take-off or landing or both;

(d) obstacles the following:
- (i) those affecting take-off and landing performance computations;
- (ii) controlling obstacles;
- (iii) departure procedure;
- (iv) instruments flight procedures
- (v) approach procedure; and
- (vi) missed approach procedure; and

(e) special information the following:
- (i) runway visual range measurement equipment; and
- (ii) prevailing winds under low visibility conditions.

SCHEDULE 8

(Regulation 65)

The following syllabus with appropriate updating, shall be used as a basis a security training programme:

(a) security of the flight crew compartment;

(b) aeroplane search procedure check-list;

(c) determination of the seriousness of any occurrence;

(d) crew communication and coordination;

(e) appropriate self-defence responses;

(f) use authorized by the state of the operator of non-lethal protective devices assigned to crew members;

(g) understanding of behaviour of terrorists so as to facilitate the ability of crew members to cope with hijacking behaviour and passenger responses;

(h) live situational training exercises regarding various threat conditions;

(i) flight crew compartment procedure to protect the aeroplane; and

(j) post flight concerns for the crew.

SCHEDULE 9

[Regulation 76(5)]

The following items shall be included in the Maintenance Control Manual of a national air operator:

PART I: GENERAL ORGANIZATION

1.1 Corporate commitment by the air operator

1.2 General information:

(a) brief description of organization;

(b) relationship with other organizations;

(c) fleet composition—type of operation; and

(d) line station locations.

1.3 Maintenance management personnel:

(a) accountable manager;

(b) nominated postholder;

(c) maintenance co-ordination;

(d) duties and responsibilities;

(e) organization chart(s); and

(f) manpower resources and training policy.

1.4 Notification procedure to the Authority regarding changes to the maintenance arrangements.

1.5 Manual amendment procedures.

PART 2: MAINTENANCE PROCEDURES

2.1 Aircraft logbook utilization and Minimum Equipment List application

2.2 Aircraft maintenance—development and amendment

2.3 Time and maintenance records, responsibilities, retention

2.4 Accomplishment and control of mandatory continued airworthiness information (Airworthiness Directives)

2.5 Analysis of the effectiveness of the maintenance

2.6 Non-mandatory modification embodiment policy

2.7 Major modification standards

2.8 Defect reports:

(a) Analysis;

(b) liaison with manufacturers and regulatory authorities; and

(c) deferred defect policy.

2.9 Engineering activity:

(a) Reliability

(b) airframe

(c) propulsion

(d) components

2.10 Pre-flight inspection:

(a) preparation of aircraft for flight;

(b) sub-contracted ground handling functions;

(c) security of cargo and baggage loading;

(d) control of refueling, quantity/quality; and

(e) control of snow, ice, dust and sand contamination.

2.11 Aircraft weighing

2.12 Flight test procedures

2.13 Sample of documents, tags and forms used

2.14 Flight test procedures

2.15 Appropriate portions of the operating manual of the air operator.

SCHEDULE 10

[Regulation 95(1)]

IMPLEMENTING STANDARDS

The following standards are numbered to correspond numerically with the relevant provisions in the Regulations:

Regulation 14

A national air operator shall ensure that his recruitment of Management Personnel meets the following minimum standards.

A national air operator shall make the following arrangements to ensure continuity of supervision where operations are conducted in the absence of any required management personnel:

(a) required management personnel shall be contracted to work sufficient hours such that the management functions are fulfilled;

(b) a person serving in a required management position for a national air operator may not serve in a similar position for any other air operator, unless a deviation is issued by the Authority;

(c) unless a deviation is issued by the Authority, the minimum initial qualifications for a Director of Operations are as follows:

(i) holds or has held the appropriate licence and ratings for which a pilot in command is required to hold for one of the aeorplanes operated;

*(*ii) has acquired not less than three years related managerial experience with a commercial air operator whose flight operations are similar in size and scope; and

(iii) demonstrates knowledge to the Authority with respect to the content of the Operations Manual, the Air Operator Certificate, operations specifications, regulations and standards necessary to carry out the duties and responsibilities to ensure safety and the maintenance of the Air Operator Certificates.

(d) unless a deviation is issued by the Authority, the minimum qualifications for a Chief Pilot are—

(i) an Airline Transport Licence with the appropriate ratings for at least one of the aircraft used in the air operator's operations; and

(ii) three years experience as pilot in command in commercial air transport operations.

Note: *The Authority may accept a commercial pilot license with instrument rating in lieu of the Airline Transport Pilot licence where the pilot in command requirements for the operations conducted require only a commercial certificate.*

(e) unless a deviation is issued by the Authority, the minimum qualifications for a Director of Safety is extensive operational experience normally achieved as a flight deck crew member or equivalent experience in aviation technical management;

(f) unless a deviation is issued by the Authority, the minimum entry qualifications for a Director of Maintenance and Quality Manager are—

(i) an Aircraft Maintenance Engineer (transport) license; and

(ii) three years experience in maintaining the same aircraft category and aircraft class used by the air operator including 1 year in the capacity of returning aircraft to service;

(g) a national air operator may employ a person who does not meet the appropriate airman qualification or experience where the Authority issues a deviation finding that that person has comparable experience and can effectively perform the required management functions.

Regulation 15

A national air operator shall ensure that his Company Procedures Indoctrination training meets the following minimum standards:

(a) national air operators organization, scope of operation and maintenance, and administrative practices as applicable to their assignments and duties;

(b) appropriate provisions of these regulations and other applicable regulations and guidance materials;

(c) national air operator policies and procedures;

(d) appropriate portions of the air operator's operations manual and maintenance control manual; and

(e) appropriate portions of the air operator's operations manual and maintenance control manual.

Regulation 22

1. A national air operator shall in dry leasing an aircraft for the purpose of commercial air transportation to any air operator of a State which is signatory to the Chicago Convention ensure that he meets the following minimum standards:

(a) the aircraft carries an appropriate airworthiness certificate issued, in accordance with International Civil Aviation Organization Annex 8, by the country of registration and meets the registration and identification requirements of that country;

(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 Trinidad and Tobago, including the requirements which shall be met for issuance of a Trinidad and Tobago 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 Trinidad and Tobago-certified airmen employed by the air operator.

2. A national air operator shall provide the Authority with a copy of the dry lease to be executed.

3. Operational control of any dry leased aircraft rests with the air operator operating that aircraft.

4. The Authority will remove a dry leased aircraft from the lessor air operator's operations specifications and list it on the foreign air operator lessee's operations specifications.

5. A national air operator engaged in dry leasing aircraft shall make the dry lease agreement explicit concerning the maintenance and Minimum Equipment List to be followed during the term of the dry lease.

6. An application from a national air operator for an authorization permitting the operation of a leased aircraft shall meet the following requirements:

(a) a national air operator who leases a Trinidad and Tobago aircraft from another national air operator shall provide evidence establishing that—

(i) throughout the term of the lease, the aircraft—

(A) will be in the legal custody and control of the lessee; and

(B) will not be made the subject of another lease during the term of the lease authorized for that aircraft;

(ii) the lessor and the lessee of the aircraft each hold a Trinidad and Tobago Air Operator Certificate or a flight training unit operator certificate;

(iii) the lessee or lessor is responsible for the maintenance of the aircraft in accordance with the applicable standards of airworthiness and the maintenance control system and the maintenance schedules approved by the Authority and any requirements set out in the authorization issued;

(iv) the aircraft crew members are in the employ of the lessee; and

(v) the application form prescribed by the Authority duly completed and signed in ink;

(b) a foreign air operator who leases a Trinidad and Tobago registered commercial aircraft from a national air operator, shall provide evidence establishing that—

(i) throughout the term of the lease, the aircraft—

(A) will be registered to the lessor as a commercial aircraft,

(B) will be in legal custody and control of the lessee, and

(C) will not be made the subject of another lease during the term of the lease authorized for that aircraft;

(ii) the Trinidad and Tobago lessor holds a Trinidad and Tobago Air Operator Certificate or a person holding a Trinidad and Tobago Aviation Training Organization Certificate issued in respect of the aircraft type that is being leased;

(iii) the lessee—

(A) is a citizen or subject of a foreign state or an entity incorporated or formed by or under the laws of a foreign Contracting State;

(B) holds a national air operator certificate or equivalent document, issued by the foreign Contracting State in respect of the aircraft type being leased;

(C) will operate the aircraft on a charter service, or other commercial air service approved by Trinidad and Tobago; and

(D) has demonstrated the ability and qualification to maintain the aircraft in accordance with the maintenance control system and approved maintenance schedules;

(iv) an indication in the application as to—

(A) the location at which the aircraft will have its operations base during the term of the lease;

(B) each location at which the aircraft will have a maintenance base during the term of the lease; and

(C) which, the lessor or the lessee, will be responsible for the maintenance of the aircraft during the term of the lease in accordance with the applicable standards of airworthiness and the maintenance control system and the maintenance schedules approved by the Authority;

(v) the lessee's main operations base, during the term of the lease, will be located in the state of the lessee;

(vi) the aircraft—

(A) has a valid certificate of airworthiness;

(B) will not undergo modification unless it is authorized by the Authority;

(C) will continue to meet the maintenance control system and the maintenance schedules approved by the Authority;

(D) will be maintained during the term of the lease, in a configuration that complies with its type approval or such other equivalent document; and

(E) will be maintained in accordance with an inspection programme approved by the Authority and any additional requirements set out in the authorization issued;

(vii) every crew member assigned to the aircraft by the lessee—

(A) where the aircraft will be operated solely within the state of the lessee, holds the licence appropriate to the crew member's duties, issued by Trinidad and Tobago or the state of the lessee;

(B) where the aircraft will be operated outside the state of the lessee, holds the licence appropriate to the crew member's duties issued by Trinidad and Tobago or issued by the state of the lessee and validated by Trinidad and Tobago;

(C) where the aircraft will be operated outside the state of the lessee and that foreign state is not a Contracting State, holds the licence appropriate to the crew member's duties issued by Trinidad and Tobago; and

(D) in the case of a large aircraft, every crew member other than a flight crew member has received training equivalent to that described in Chapter 12, Part 1 of Annex 6 to the Convention On International Civil Aviation;

(viii) the application form prescribed by the Authority duly is completed and signed in ink by the applicant or his lawful agent;

(c) a national air operator who leases an aircraft that is registered in a Foreign State, provides evidence establishing that—

(i) the aircraft—

(A) is of a type and model designation to be eligible for a Trinidad and Tobago certificate of airworthiness and complies with all environmental and operational requirements;

(B) is registered in a foreign Contracting State;

(C) has a valid certificate of airworthiness issued in respect of the aircraft by the State of Registry; and

(D) will not be made the subject of another lease during the term of the lease authorized by the Authority for that aircraft;

(ii) the lessee holds a Trinidad and Tobago Air Operator Certificate or an Aviation Training Organization Certificate;

(iii) the lessee provides the Authority with evidence that—

(A) the aircraft complies with the type approval issued in respect of the aircraft or other equivalent document and meets the applicable standards of airworthiness and maintenance control system and the maintenance schedules approved by the Authority; and

(B) the lease will not affect the registration of the aircraft or the certificate of airworthiness issued in respect of the aircraft by the State of Registry;

(iv) the aircraft crew members are in the employ of the lessee;

(v) during the term of the lease authorized by the Authority, the aircraft—

(A) will be in the legal custody and control of the lessee;

(B) will be maintained in accordance with the applicable standards of airworthiness and maintenance control system and the maintenance schedules approved by the Authority; and

(C) will be maintained in accordance with an inspection programme approved by the Authority and any requirements set out in the authorization issued;

(vi) the application form prescribed by the Authority is duly completed and signed by the applicant or his lawful agent in ink.

Regulation 27

A national air operator shall in operating under an interchange agreement ensure that he meets the following minimum standards:

(a) before operating under an interchange agreement, a national air operator shall show that—

(i) the procedures for the interchange operation conform to safe operating practices;

(ii) 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;

(iii) maintenance personnel meet training requirements for the aircraft and equipment, and are familiar with the maintenance procedures to be used;

(iv) flight crew members and flight operations officers meet appropriate route and airport qualifications;

(vi) the aircraft to be operated are essentially similar to the aircraft of the national air operator with whom the interchange is effected; and

(vii) the arrangement of flight instruments and controls that are critical to safety are essentially similar, unless the authority determines that the air operator has adequate training as to insure that any potentially hazardous dis-similarities are safely overcome by flight crew familiarization;

(b) a national air operator conducting an interchange agreement shall include the pertinent provisions and procedures of the agreement in his manuals;

(c) the national air operator shall amend his operations specifications to reflect an interchange agreement; and

(d) the national air operator shall comply with the applicable regulations of the State of Registry of an aircraft involved in an interchange agreement while he has operational control of that aircraft.

Regulation 28

A national air operator shall in wet leasing an aircraft for the purpose of commercial air transportation to any air operator of a State which is signatory to the Chicago Convention ensure that he meets the following minimum standards:

(a) a national air operator shall provide the Authority with a copy of the wet lease to be executed;

(b) the Authority will determine which party to a wet lease agreement has operational control considering the extent and control of certain operational functions such as—

(i) initiating and terminating flights;

(ii) maintenance and servicing of aircraft;

(iii) scheduling crew members;

(iv) paying crew members; and

(v) training crew members;

(c) a national air operator engaged in a wet leasing arrangement shall amend its operations specifications to contain the following information:

(i) the names of the parties to the agreement and the duration of the agreement.

(ii) the make, model, and series of each aircraft involved in the agreement.

(iii) the kind of operation.

(iv) the expiration date of the lease agreement.

(v) a statement specifying the party deemed to have operational control.

(vi) any other item, condition, or limitation the authority determines necessary.

Regulation 29

A national air operator shall in conducting partial emergency evacuation and ditching demonstration ensure that he meets the following minimum standards:

(a) a national air operator shall conduct a partial emergency evacuation and ditching evacuation, observed by the Authority, that demonstrates the effectiveness of its crew member emergency training and evacuation procedures;

(b) prior to conducting an emergency evacuation demonstration, the national air operator shall apply for and obtain approval from the Authority;

(c) cabin crews used in the emergency evacuation demonstrations shall—

(i) be selected at random by the Authority;

(ii) have completed the national air operator training approved by the Authority for the type and model of aircraft; and

(iii) have passed the drills and competence check on the emergency equipment and procedures;

(d) to conduct the partial emergency evacuation demonstration, the assigned cabin crews of the national air operator shall, using the line operating procedures of the national air operator—

(i) demonstrate the opening of fifty per cent of the required floor-level emergency exits and fifty per cent of the required non-floor-level emergency exits (whose opening by a cabin crew is defined as an emergency evacuation duty) and deployment of fifty per cent of the exit slides, selected by the Authority; and

(ii) prepare for use those exits and slides within fifteen seconds;

(e) to conduct the ditching evacuation demonstration, the assigned cabin crew of the air operator shall—

(i) demonstrate their knowledge and use of each item of required emergency equipment;

(ii) prepare the cabin for ditching within six minutes after the intention to ditch is announced;

(iii) remove each life raft from storage (one life raft, selected by the Authority, shall be launched and properly inflated or one slide life raft properly inflated); and

(iv) enter the raft (the raft shall include all required emergency equipment) and completely set it up for extended occupancy.

Regulation 30

A national air operator shall in conducting demonstration flights ensure that he meets the following minimum standards:

(a) a national air operator shall conduct demonstration flights for each type of aircraft, including those aircraft materially modified in design, and for each kind of operation the national air operator intends to conduct.

Definition: "Materially modified aircraft" refers to aircraft having powerplants installed other than those for which it is certified; or modifications to the aircraft or its components that materially affect flight characteristics.

(b) a national air operator shall conduct demonstration flights which contain at least:

(i) one hundred total hours of flight time, unless the Authority determines that a satisfactory level of proficiency has been demonstrated in fewer hours;

(ii) five hours of nighttime, if night flights are to be authorized;

(iii) five instrument approach procedures under simulated or actual instrument weather conditions, if Instrument Flight Rules flights are to be authorized; and

(iv) entry into a representative number of en route airports, as determined by the Authority;

(c) no person may carry passengers in an aircraft during demonstration flights, except for those needed to make the demonstration flight and those designated by the Authority; and

(d) for a national air operator of an aeroplane of less than fifty-seven hundred kilogrammes, the necessity and extent of demonstration shall be at the option of the Authority.

Regulations 34

A national air operator shall ensure that the contents and structure of the Operations Manual meets the following minimum standards:

(a) a national air operator shall ensure that the contents and structure of the operations manual are in accordance with rules and regulations of the Authority, and is relevant to the area(s) and type(s) of operation;

(b) a national air operator may design a manual to be more restrictive than the Authority's requirements;

(c) a national air operator shall ensure that the operations manual presents the items of information listed below. The manual may consist of two or more parts containing together all such information in a format and manner based upon the outline presented in paragraph *(d)*(iv) below;

(d) each part of the operations manual shall contain the following information required by each group of personnel addressed in that part:

(i) general policies;

(ii) duties and responsibilities of each crew member, appropriate members of the ground Organization, and management personnel;

(iii) reference to appropriate Civil Aviation Regulations;

(iv) flight dispatching and operational control, including procedures for co-ordinated dispatch or flight control or flight following procedures and maintenance control procedures, as applicable;

(v) en route flight, navigation, and communication procedures, including procedures for the dispatch or release or continuance of

flight if any item of equipment required for the particular type of operation becomes inoperative or unserviceable en route;

(vi) appropriate information from the en route specific operating provisions, including for each approved route the types of aircraft authorized, the type of operation such as Visual Flight Rules, Instrument Flight Rules, day, night, etc., and any other pertinent information;

(vii) appropriate information from the airport specific operating provisions, including for each airport—

(A) its location (domestic and international operations only);

(B) its designation (regular, alternate, provisional, etc.) (domestic and international operations only);

(C) the types of aircraft authorized (domestic and international operations only);

(D) instrument approach procedures;

(E) landing and takeoff minimums; and

(F) any other pertinent information;

(viii) procedures for familiarizing passengers with the use of emergency equipment, during flight;

(ix) emergency equipment and procedures.

(x) the method of designating succession of command of flight crew members;

(xi) procedures for determining the usability of landing and take-off areas, and for disseminating pertinent information thereon to operations personnel;

(xii) procedures for operating in periods of ice, hail, thunderstorms, turbulence, or any potentially hazardous meteorological condition;

(xiii) airman training programmes, including appropriate ground, flight, and emergency phases;

(vx) procedures for refueling aircraft, eliminating fuel contamination, protection from fire (including electrostatic protection), and supervising and protecting passengers during refueling;

(xv) methods and procedures for maintaining the aircraft mass and centre of gravity within approved limits;

(xvi) where applicable, pilot and dispatcher route and airport qualification procedures;

(xvii) accident notification procedures;

(xviii) procedures and information to assist personnel to identify packages marked or labelled as containing hazardous materials and, if these materials are to be carried, stored, or handled, procedures and instructions relating to the carriage, storage, or handling of hazardous materials, including the following:

(A) procedures for determining the proper shipper certification and proper packaging, marking, labelling, shipping documents, compatibility of materials, and instructions on the loading, storage, and handling;

(B) notification procedures for reporting hazardous material incidents;

(C) instructions and procedures for the notification of the pilot in command when there are hazardous materials aboard; and

(D) other information or instructions relating to safety.

Regulation 35

A national air operator shall ensure that the journey log contains the items listed in regulation 35 in the order presented, identified by roman numerals.

Regulations 36

A national air operator shall in conducting charter flights ensure that he meets the following minimum standards:

(a) a national air operator shall have an approved flight following system established and adequate for the proper monitoring of each flight, considering the operations to be conducted;

(b) for national air operators having flight following centres, these centres shall be located at those points necessary to ensure—

(i) 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

(ii) that the pilot in command is provided with all information necessary for the safety of the flight;

(c) a national air operator conducting charter operations may arrange to have flight following facilities provided by persons other than its employees, but in such a case national air operator continues to be primarily responsible for operational control of each flight;

(d) a national air operator conducting charter operations using a flight following system shall show that the system has adequate facilities and personnel to provide the information necessary for the initiation and safe conduct of each flight to—

(i) the flight crew of each aircraft; and

(ii) the persons designated by the certificate holder to perform the function of operational control of the aircraft;

(e) a national air operator conducting charter operations shall show that the personnel required to perform the function of operational control are able to perform their duties.

Regulations 37

A national air operator shall ensure that the contents and structure of his Accident Prevention and Flight Safety Programme meets the following minimum standards:

National air operator Flight Safety Programme

(a) A national air operator shall on a continuing basis maintain a Flight Safety Programme. This standard specifies the programme elements;

(b) A person accountable for managing the programme shall be appointed full-time or part-time. As an alternative, the programme may be managed by a consulting company approved by the Authority to provide flight safety services. The individual in the consulting company who is responsible for managing the flight safety programme shall meet the qualification and training requirements of a Flight Safety Person as set out below in paragraph *(e)*, Qualifications of the Flight Safety Person, and paragraph *(g)*, Training of the Flight Safety Person, below;

Programme elements

(c) The following elements shall be included in a national air operator's Flight Safety Programme and described in the appropriate manuals:

(i) national air operator's management plan;

(ii) qualifications of the flight safety person;

(iii) responsibilities of the flight safety person;

(iv) training for the flight safety person;

(v) incident management;

(vi) flight safety committee;

(vii) emergency response planning; and

(viii) communication and safety education;

Description of programme elements

(d) National air operator's management plan:

The plan shall identify the management position responsible for ensuring that—

(i) all the necessary elements of the programme have been developed, properly integrated, and coordinated;

(ii) the programme has been disseminated to all appropriate personnel;

(iii) a detailed description of the programme is incorporated in the appropriate air operator's manuals; and

(iv) adequate Programme management is maintained;

(e) Qualifications of the Flight Safety Person:

(i) extensive operational experience, normally achieved as a flight deck crew member or equivalent experience in aviation technical management; and

(ii) training in accordance with paragraph *(g)* of this standard;

(f) Responsibilities of the Flight Safety Person:

This person shall have direct access to the operations manager in flight safety matters and shall be responsible for managing the flight safety programme by—

(i) monitoring and advising on all national air operator flight safety activities which may have an impact on flight safety;

(ii) establishing a reporting system which provides for a timely and free flow of flight safety related information;

(iii) conducting safety surveys;

(iv) soliciting and processing flight safety improvement suggestions;

(v) developing and maintaining a safety awareness programme;

(vi) monitoring industry flight safety concerns which may have an impact on air operator operations;

(vii) maintaining close liaison with aeroplane manufacturers;

(viii) maintaining close liaison with the Authority on Safety issues;

(ix) maintaining close liaison with industry safety associations;

(x) developing and maintaining the air operator accident response plan;

(xi) identifying flight safety deficiencies and making suggestions for corrective action;

(xii) investigating and reporting on incidents/accidents and making recommendations to preclude a recurrence;

(xiii) developing and maintaining a flight safety database to monitor and analyze trends;

(xiv) making recommendations to the air operator senior management on matters pertaining to flight safety; and

(xv) monitoring the response and measuring the results of flight safety initiatives;

(g) Training of the Flight Safety Person:

This person shall successfully complete a training course that shall include the following subjects:

(i) flight safety philosophy;

(ii) human factors and the decision making process;

(iii) accident prevention;

(iv) the role of the flight safety officer as advisor to senior management;

(v) risk management;

(vi) accident or incident management;

(vii) the aviation safety survey;

(viii) emergency response plan; and

(ix) incident investigation;

(h) Incident Management

The national air operator shall be responsible for providing employees with a timely means of reporting any unsafe conditions. The person responsible for the flight safety programme shall institute and maintain an incident reporting system. This system will provide for—

(A) a process of reporting incidents;

(B) investigation of incidents;

(C) the means of advising management; and

(D) information feedback to employees.

Flight Safety Committee:

(i) A national air operator shall establish a Flight Safety Committee.

Responsibilities

(j) The responsibilities of the Committee shall be to monitor all areas of the operation, identify safety concerns and deficiencies, and make recommendations for corrective measures to senior management where applicable.

Members

(k) The Committee shall be chaired by the operations manager or designate. Members shall include representatives of all operating departments in the Organization.

Meetings

(l) The Committee shall meet on a regular basis (at least twice a year) as established by the committee chairperson. Special meetings on urgent matters may be called by any Committee member.

Minutes

(m) Minutes of the Committee meetings shall provide a record of agenda items, decisions and corrective actions taken where applicable.

Emergency Response Planning

(n) The national air operator shall develop and maintain a national air operator Emergency Response Plan that shall include the following elements:

(i) national air operator policy;

(ii) national air operator mobilization and agencies notification;

(iii) passenger and crew welfare;

(iv) casualty and next-of-kin coordination;

(v) accident investigation on behalf of the national air operator;

(vi) national air operator team's response to the accident site;

(vii) preservation of evidence;

(viii) media relations;

(ix) claims and insurance procedures;

(x) aeroplane wreckage removal; and

(xi) emergency response training.

Communication and Safety Education

(o) The national air operator shall be responsible for an efficient system of distributing appropriate safety material.

Regulation 48

A national air operator shall ensure that the mass and balance data control system meets the following minimum standards:

(a) the mass and balance system required by regulation 48 of these Regulations shall specify for each flight how the air operator will establish and be responsible for the accuracy of—

(i) aircraft basic empty mass and centre of gravity determined in accordance with the Aeroplane Flight Manual;

(ii) aircraft operational empty mass and centre of gravity. The aircraft operational empty mass is the actual mass of the aircraft before loading for dispatch consisting of the aircraft basic empty mass and may include removable equipment, flight crew members (including baggage), crew members (including baggage and supplies) water, toilet fluids and chemicals, oil, unusable fuel and emergency equipment and shall be defined by the air operator;

(iii) mass of passengers, carry-on baggage and checked baggage, determined either by actual mass, by using approved standard weights or by using approved survey weights, and the actual mass of cargo; and

(iv) mass of the fuel load determined by using either the actual specific gravity or a standard specific gravity.

Regulation 50

A national air operator shall ensure that his passenger briefing cards meets the following minimum standards:

A national air operator shall, at each emergency exit passenger seat, provide passenger information cards that include the following information in English language, in which emergency commands are given by the crew:

(i) functions required of a passenger in the event of an emergency in which a crew member is not available to assist—

(A) locate the emergency exit;

(B) recognize the emergency exit opening mechanism;

(C) comprehend the instructions for operating the emergency exit;

(D) operate the emergency exit;

(E) assess whether opening the emergency exit will increase the hazards to which passengers may be exposed;

(F) follow oral directions and hand signals given by a crew member;

(G) stow or secure the emergency exit door so that it will not impede use of the exit;

(H) assess the condition of an escape slide, activate the slide, and stabilise the slide after deployment to assist others in getting off the slide;

(I) pass expeditiously through the emergency exit; and

(J) assess, select, and follow a safe path away from the emergency exit;

(ii) a request that a passenger identify himself or herself to allow reseating if he or she—

(A) cannot perform the emergency functions stated in the information card;

(B) has a non-discernible condition that will prevent him or her from performing the functions;

(C) may suffer bodily harm as the result of performing one or more of those functions; or

(D) does not wish to perform those functions;

(E) lacks the ability to read, speak, or understand the language or the graphic forms in which instructions are provided by the air operator.

Regulation 51

The Authority approves and considers the following sources of weather reports satisfactory for flight planning or controlling flight movement:

(a) Trinidad and Tobago State Meteorological Services at Piarco International Airport;

(b) Trinidad and Tobago-operated automated surface observation stations;

Note: Some automated systems cannot report all required items for complete surface aviation weather report.

(c) Trinidad and Tobago-operated supplemental aviation weather reporting stations;

(d) observations taken by Piarco and Crown Point airport traffic control towers;

(e) Trinidad and Tobago-contracted weather observatories;

(f) any active meteorological office operated by a foreign state, which subscribes to the standards and practices of International Civil Aviation Organization conventions;

Note: These meteorological offices are normally listed in the MET tables located in International Civil Aviation Organization Regional Air Navigation Plans.

(g) any military weather reporting sources approved by the Authority;

Note: Use of military sources is limited to control of those flight operations which use military airports as departure, destination, alternate, or diversionary airports.

(h) 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;

(i) an air operator operated and maintained weather-reporting system approved or accepted by the Authority.

Regulation 52

A national air operator shall ensure that his ground de-icing and anti-icing programme meets the following minimum standards:

(a) contents of the national air operator's ground de-icing and anti-icing programme shall include a detailed description of—

(i) how the national air operator determines that conditions are such that frost, ice, or snow may reasonably be expected to adhere to the aircraft and that ground de-icing and anti-icing operational procedures shall be in effect;

(ii) who is responsible for deciding that ground de-icing and anti-icing operational procedures shall be in effect;

(iii) the procedures for implementing ground de-icing and anti-icing operational procedures; and

(iv) 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.

(b) the national air operator's ground de-icing and anti-icing programme shall include procedures for flight crew members to increase or decrease the determined holdover time in changing conditions. The holdover time shall be supported by data acceptable to the Authority. If the maximum holdover time is exceeded, take-off is prohibited unless at least one of the following conditions exists:

(i) 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, are free of frost, ice, or snow;

(ii) it is otherwise determined by an alternate procedure, approved by the Authority and in accordance with the approved of the national air operator, that the wings, control surfaces, and other critical surfaces are free of frost, ice, or snow; or

(iii) the wings, control surfaces, and other critical surfaces are de-iced again and a new holdover time is determined.

Regulation 57

A national air operator shall provide aeronautical data for each airport used by the national air operator, which includes the following:

(a) airports:

(i) facilities;

(ii) navigational and communications aids;

(iii) construction affecting tak-eoff, landing, or ground operations; and

(iv) air traffic 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 take-off and landing performance computations;

(ii) controlling obstacles;

(iii) instrument flight procedures;

(iv) departure procedure;

(v) approach procedure; and

(vi) missed approach procedure;

(e) special information:

(i) runway visual range measurement equipment; and

(ii) prevailing winds under low visibility conditions;

Regulation 61

A national air operator shall ensure that his communications facilities meet the following minimum standards:

(a) In-flight communications

Timely and direct communication between the responsible flight operations officer/flight dispatcher, if applicable, and the pilot-in-command of a flight shall be maintained during flight time over all or almost all the route structure. Where direct communication is not practical for mid-route communications a private agency under contract to the air operator may be approved to provide the required communications services. The use of Air Traffic Service communications is permitted if the services of a private agency are not available.

(b) On-ground Communications—

(i) a direct communications capability between the pilot-in-command and the flight dispatcher shall be provided at any station regularly served by the air operator. The equipment used shall be accessible to the pilot-in-command and may include the following:

(A) Very High Frequency and High Frequency Radio voice;

(B) telephone;

(C) data link;

(D) teletype; and

(E) any other approved communications medium;

(ii) this requirement may be waived by the Authority at those stations where a lack of facilities prevents communication between the pilot-in-command and operations control;

(iii) timely communication means the ability to establish communications domestically within thirty minutes of first trying and internationally within one hour when the flight is in cruise;

(iv) direct communication means the ability of the flight operations officer/flight dispatcher and the pilot-in-command to communicate using the air operator's facilities, an electronic data link facility, or a facility operated by a third party according to an agreement.

Regulation 78

A national air operator shall ensure that his Quality Management System and Quality Manager meet the following minimum standards:

(a) a national air operator shall establish a plan acceptable to the Authority to show when and how often the activities required in regulation 78 of these regulations will be monitored. In addition, reports should be produced at the completion of each monitoring investigation and include details of discrepancies of non-compliance with procedures or requirements.

(b) the feedback part of the system shall address who is required to rectify discrepancies and non-compliance in each particular case and the procedure to be followed if rectification is not completed within appropriate time scales. The procedure should lead to the Accountable Manager.

(c) to ensure effective compliance, the applicant should use the following elements:

(i) product sampling—the part inspection of a representative sample of (ii) the aircraft fleet;

(ii) defect sampling—the monitoring of defect rectification performance;

(iii) concession sampling—the monitoring of any concession to not carry out maintenance on time;

(iv) on time maintenance sampling—the monitoring of when (for example: flying hours, calendar time, and flight cycles), aircraft and their components are brought in for maintenance; and

(v) sample report of unairworthy conditions and maintenance errors on aircraft and components.

Note: *The primary purpose of the Quality System for maintenance is to monitor compliance with the approved procedures specified in an operators maintenance control manual to ensure compliance and thereby ensure the maintenance aspects of the operational safety of the aircraft. In particular, this part of the Quality System provides a monitor of the effectiveness of maintenance, and should include a feedback system to ensure that corrective actions are identified and carried out in a timely manner.*

Regulation 80, 81 and 89

A national air operator shall ensure that his procedures for the retention and maintenance of records meet the following minimum standards:

(a) unless otherwise prescribed by the Authority, the national air operator shall require the use of crew duty and flight time records with the following information:

(i) the national air operator's company company's name;

(ii) the crew members full name and employee identification number, if applicable;

(iii) a running summary of number of hours flown in the past:

(A) 12 months;

(B) 28 days;

(C) 24 hours; and

(iv) a running summary of the landings in the past 24 hours;

(v) if the flight time is scheduled more than 24 hours in advance, a daily record by date, of the assigned duty times, flight times and projected rest periods;

(vi) a daily record by date, with an hourly display of the actual time spent showing the beginning and the end of each period of—

(A) duty, including duty aloft;

(B) flight time in commercial air transport, aerial work activities; and any other activity that required the application of the crew member's commercial or airline transport pilot privileges; and

(C) required rest;

(vii) a provision for the certification of each 28 days of records by the crew member and the person making the assignments and entries;

(b) document storage periods.

A national air operator shall ensure that the following information/documentation is stored in a form, accessible to the Authority, for the periods specified in the Tables below:

TABLE 1—INFORMATION USED FOR THE PREPARATION AND EXECUTION OF A FLIGHT

Information used for the preparation and execution of the flight	
Operational flight plan	3 months
Aeroplane Technical log	24 months after the date of the last entry
Route specific NOTAM/AIS briefing documentation if edited by the operator	3 months
Mass and balance documentation	3 months
Notification of special loads including written information to the commander about dangerous goods	3 months

TABLE 2—REPORTS

Reports	
Journey log	6 months
Flight report(s) for recording details of any occurrence, as prescribed by the DGCA, or any event which the commander deems necessary to report/record	3 months
Reports on exceedances of duty and/or reducing rest periods	3 months

TABLE 3—FLIGHT CREW RECORDS

Flight Crew Records	
Flight, Duty and Rest time	15 months
Licence	As long as the flight crew member is exercising the privileges of the licence for the operator
Conversion training and checking	three years
Command course (including checking)	three years
Recurrent training and checking	three years
Training and checking to operate in either pilot's seat	three years
Recent experience	15 months
Route and aerodrome competence	three years
Training and qualification for specific operations when required by the Authority (e.g., ETOPS CATII/III operations)	three years
Dangerous Goods training as appropriate ...	three years

TABLE 4—CABIN CREW RECORDS

Cabin Crew Records	
Flight, Duty and Rest time	15 months
Initial training, conversion and differences training (including checking)	As long as the cabin crew member is employed by the operator
Recurrent training and refresher (including checking)	Until 12 months after the cabin crew member has left the employ of the operator
Dangerous Goods training as appropriate ...	three years

TABLE 5 - RECORDS FOR OTHER OPERATIONS PERSONNEL

Records for other operations personnel	
Training/qualification records of other personnel for whom an approved training is required by the Authority	Last 2 training records

TABLE 6—OTHER RECORDS

Other Records	
Records on cosmic solar radiation dosage ...	Until 12 months after the crew member has left the employ of the operator
Quality System records	5 years
Dangerous Goods Transport Document	3 months after completion of the flight
Dangerous Goods Acceptance Checklist	3 months after completion of the flight

Made by the Authority this 19th day of March, 2004.

R. LUTCHMEDIAL
Civil Aviation Authority

Approved by the Minister of Works and Transport.

F. KHAN
Minister of Works and Transport

Laid in the House of Representatives this day of , 2004.

Clerk of the House

Laid in the Senate this day of , 2004.

Clerk of the Senate

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