

LEGAL NOTICE NO. 303

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] (AMENDMENT) REGULATIONS, 2004

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

2. In these Regulations “the Regulations” means the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004. Interpretation

3. Regulation 2 of the Regulations is amended—

Regulation 2
amended

(a) by renumbering regulation 2(1) as regulation 2;

(b) by inserting after the definition of “equivalent system of maintenance” the following definitions:

“Flight safety document system” means a set of inter-related documentation established by the operator, compiling and organizing information necessary for flight and ground operations, and comprising, as a minimum, the Operations Manual and the Maintenance Control Manual of the operator;

“Ground handling” means services, other than air traffic services, necessary for the arrival of an aircraft at, and the departure of an aircraft from an airport;” and

(c) in the definition of “national air operator” by inserting after the words “who has” the word “been”.

4. Regulation 3 of the Regulations is amended in subregulation (5) by inserting after the words “training programme” the words “as well as ground handling”. Regulation 3
amended

Regulation 5
amended

5. Regulation 5 of the Regulations is amended by inserting after subregulation (2) the following new subregulation:

“(3) An applicant shall establish a flight safety document system for the use and guidance of his operational personnel.”.

Regulation 33
amended

6. Regulation 33 of the Regulations is amended by inserting after subregulation (2) the following new subregulation:

“(3) An operator shall establish a flight safety document system for the use and guidance of his operational personnel.”.

Regulation 34
amended

7. Regulation 34 of the Regulations is amended by deleting subregulation (6) and substituting the following subregulations:

“(6) Notwithstanding the generality of subregulation (2) a national air operator shall provide for the use and guidance of operational personnel an Operations Manual as set out in Part A of Schedule 3.

(7) From 1st January, 2006, the structure and content of an Operations Manual shall be organized in accordance with Part B of Schedule 3.”.

Schedule 3
Part B

Regulation 67
amended

8. Regulation 67 of the Regulations is amended in subregulation (2) by inserting after the words “guidance on the” the word “appropriate”.

Regulation 68
amended

9. Regulation 68 of the Regulations is amended—

(a) by deleting subregulation (2) and substituting the following:

“(2) Where an aeroplane is equipped with a flight crew compartment door, the air operator shall ensure that such flight crew compartment door is capable of being locked and that there is a means by which cabin crew can discreetly notify the flight crew in the event of suspicious activity or security breaches in the cabin.”; and

(b) in subregulation (3) by deleting the word “aircraft” and substituting the words “an aeroplane”.

Regulation 75
amended

10. Regulation 75 of the Regulations is amended by inserting after subregulation (1) the following new subregulations:

“(1A) The pre-flight inspection referred to in subregulation (1) may be performed by an operating flight crew member.

(1B) Where a repetitive airworthiness directive inspection is part of the pre-flight inspection specified in subregulation (1), the flight crew member performing such pre-flight inspection shall have a limited certification authorization for the repetitive airworthiness directive inspection issued under the Civil Aviation [(No. 6) Approved Maintenance Organization] Regulations, 2004, and a Certificate of Release to Service shall be issued by him in respect of that pre-flight inspection.”.

11. Schedule 3 of the Regulations is amended by inserting—

Schedule 3
amended

(a) above the words “OPERATIONS MANUAL” the words “PART A”; and

(b) after PART A the following new Part:

“PART B

STRUCTURE AND CONTENTS OF AN OPERATIONS MANUAL

Notwithstanding PART A of Schedule 3, an operator shall ensure that with effect from 1st January, 2006, his Operations Manual is organized in accordance with the structure and contents provided as follows:

1. Structure:

- (a) General;
- (b) Aircraft operating information;
- (c) Routes and aerodromes; and
- (d) Training.

2. The Minimum Contents of Structure:

- (a) General—
 - (i) instructions outlining the responsibilities of operations personnel pertaining to the conduct of flight operations;
 - (ii) rules limiting the flight time and flight duty periods and providing for adequate rest periods for flight crew members and cabin crew members;
 - (iii) a list of the navigational equipment to be carried, including any requirements relating to operations in RNP airspace;
 - (iv) where relevant to the operations, the long range navigation procedures, the engine failure procedure for ETOPS and the nomination and utilization of diversion aerodromes;
 - (v) the circumstances in which a radio listening watch is to be maintained;
 - (vi) the methods of determining minimum flight altitudes;
 - (vii) the methods of determining aerodrome operating minimum;
 - (viii) safety precautions during refueling of an aircraft with passengers on board;

- (ix) ground handling arrangements and procedures;
- (x) procedures, as prescribed in Annex 12 to the Convention on International Civil Aviation, for pilots in command observing an accident;
- (xi) the flight crew for each type of operations including the designation of the succession of command;
- (xii) specific instructions for the computation of the quantities of fuel and oil to be carried, having regards to all circumstances of the operation including the possibility of the failure of one or more powerplants while *en-route*;
- (xiii) the condition under which oxygen shall be used and the procedure for determining the amount of oxygen to be carried;
- (xiv) instructions for mass and balance control;
- (xv) instructions for the conduct and control of ground de-icing/anti-icing operations;
- (xvi) the specifications for the operational flight plan;
- (xvii) standard operating procedures (SOP) for each phase of flight;
- (xviii) instructions on the use of normal checklists and the timing of their use;
- (xix) departure contingency procedures;
- (xx) instructions on the maintenance of altitude awareness and the use of automated or flight crew altitude callout;
- (xxi) instructions on the use of autopilots and auto-throttles in IMC;
- (xxii) instructions on the clarification and acceptance of ATC clearances, particularly where terrain clearance is involved;
- (xxiii) departure and approach briefings;
- (xxiv) route and destination familiarization;
- (xxv) stabilized approach procedure;
- (xxvi) limitation on high rates of descent near the surface;
- (xxvii) conditions required to commence or to continue an instrument approach;
- (xxviii) instructions for the conduct of precision and non-precision instrument approach procedures;
- (xxix) allocation of flight crew duties and procedures for the management of crew workload during night and IMC instrument approach and landing operations;
- (xxx) instructions and training requirements for the avoidance of controlled flight into terrain and policy for the use of the ground proximity warning system (GPWS);
- (xxxi) policy, instructions, procedures and training requirements for the avoidance of collisions and the use of the airborne collision avoidance system (ACAS);
- (xxxii) information and instructions relating to the interception of civil aircraft including—
 - (A) procedures, as prescribed in Annex 2 to the Convention on International Civil Aviation, for pilots in command of intercepted aircraft; and
 - (B) visual signals for use by intercepting and intercepted aircraft;

- (xxxiii) for aeroplanes intended to be operated above 15000 m (49000 ft.)—
 - (A) information which will enable the pilot to determine the best course of action to take in the event of exposure to solar cosmic radiation; and
 - (B) procedures in the event that a decision to descend is taken, covering—
 - (I) the necessity of giving the appropriate ATS unit prior warning of the situation and of obtaining a provisional descent clearance; and
 - (II) the action to be taken in the event that communication with the ATS unit cannot be established or is interrupted;
 - (xxxiv) details of the accident prevention and flight safety programme provided in accordance with regulation 37, including a statement of safety policy and the responsibility of personnel;
 - (xxxv) information and instructions on the carriage of dangerous goods, including action to be taken in the event of an emergency;
 - (xxxvi) security instructions and guidance; and
 - (xxxvii) the search procedure checklist;
- (b) Aircraft operating information—
- (i) certification limitations and operating limitations;
 - (ii) the normal, abnormal and emergency procedures to be used by the flight crew and the checklists relating thereto;
 - (iii) operating instructions and information on climb performance with all engines operating if provided;
 - (iv) flight planning data for pre-flight and in-flight planning with different thrust/power and speed settings;
 - (v) instructions and data for mass and balance calculations;
 - (vi) instructions for aircraft loading and securing of load;
 - (vii) aircraft systems, associated controls and instructions for their use;
 - (viii) the minimum equipment list and configuration deviation list for the aeroplane types operated and specific operations authorized, including any requirements relating to operations in RNP airspace;
 - (ix) checklist of emergency and safety equipment and instructions for its use;
 - (x) emergency evacuation procedures, including type specific procedures, crew co-ordination, assignment of crew's emergency positions and the emergency duties assigned to each crew member;
 - (xi) the normal, abnormal and emergency procedures to be used by the cabin crew, the checklists relating thereto and aircraft systems information as required, including a statement related to the necessary procedures for the co-ordination between flight and cabin crew;
 - (xii) survival and emergency equipment for different routes and the necessary procedures to verify its normal functioning before take-off, including procedures to determine the required amount of oxygen and the quantity available; and
 - (xiii) the ground-air visual signal code for use by survivors, as contained in Annex 12 to the Convention on International Civil Aviation;

(c) Routes and aerodromes—

- (i) a route guide to ensure that the flight crew will have, for each flight, information relating to communication facilities, navigation aids, aerodromes, instrument approaches, instrument arrivals and instrument departures as applicable for the operation, and such other information as the operator may deem necessary for the proper conduct of flight operations;
- (ii) the minimum flight altitudes for each route to be flown;
- (iii) aerodrome operating minima for each of the aerodromes that are likely to be used as aerodromes of intended landing or as alternate aerodromes;
- (iv) the increase of aerodrome operating minima in case of degradation or approach or aerodrome facilities;
- (v) the necessary information for compliance with all flight profiles required by regulations, including but not limited to, the determination of—
 - (A) take-off runway length requirements for dry, wet and contaminated conditions, including those dictated by system failures which affect the take-off distance;
 - (B) take-off climb limitations;
 - (C) *en-route* climb limitations;
 - (D) approach climb limitations and landing climb limitations;
 - (E) landing runway length requirements for dry, wet and contaminated conditions, including systems failures which affect the landing distance; and
 - (F) supplementary information, such as tyre speed limitations; and

(d) Training—

- (i) details of the flight crew training programme;
- (ii) details of the cabin crew duties training programme; and
- (iii) details of the flight operations officer or flight dispatcher training programme when employed in conjunction with a method of flight supervision.

Note: An Operational Manual may be issued in separate parts corresponding to the specific aspects of operations, provided in accordance with regulation 34.”.

Made by the Authority this 18th day of August, 2004.

R. LUTCHMEDIAL
Civil Aviation Authority

Approved by the Minister of Works and Transport.

F. A. KHAN
Minister of Works and Transport

Laid in the House of Representatives this 15th day of September,
2004.

J. SAMPSON-JACENT
Clerk of the House

Laid in the Senate this 21st day of October, 2004.

N. JAGGASSAR
Acting Clerk of the Senate