

LEGAL NOTICE NO. 261

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. 7) INSTRUMENTS AND  
EQUIPMENT] (AMENDMENT) REGULATIONS, 2004

1. These Regulations may be cited as the Civil Aviation [(No. 7) Citation  
Instruments and Equipment] (Amendment) Regulations, 2004.

2. In these Regulations “the Regulations” means the Civil Aviation Interpretation  
[(No. 7) Instruments and Equipment] Regulations, 2004.

3. Regulation 7 of the Regulations is amended— Regulation 7  
amended

(a) in subregulation (1) by deleting paragraph (b) and  
substituting the following new paragraph:

“(b) the aircraft to proceed in accordance with—

- (i) its operational flight plan; and
- (ii) the requirements of Air Traffic Control, except when, if not prescribed by the Authority, navigation for flights under the visual flight rules is accomplished by visual reference to land marks at least every sixty nautical miles.”;

(b) by inserting after subregulation (1) the following new  
subregulation:

“(1A) the sixty nautical miles distance prescribed in  
subregulation (1) does not apply to air operators.”;

(c) in subregulation (5) by deleting paragraph (b) and  
substituting the following:

“(b) Reduced Vertical Separation Minimum; and

(c) RNP type,

requirements of these Regulations where applicable.”.

4. The Regulations are amended in the centre heading above Centre  
regulation 13 by deleting the words “*Minimum Navigational heading  
above  
regulation 13  
amended*”.

Regulation 13  
amended

5. Regulation 13 of the Regulations is amended by inserting after subregulation (2) the following new subregulation:

“ (3) Where an air operator is conducting operations in an aircraft in defined portions of airspace as on routes where an RNP type has been prescribed, he shall ensure that such aircraft has the required equipment that would enable it to operate in accordance with the prescribed RNP type.

(4) Where an operator is conducting operations in an aeroplane in defined portions of airspace based on a Regional Air Navigation Agreement and where a Reduced Vertical Separation Minimum of 1000 feet is applied above FL 290, he shall ensure that such aeroplane shall—

(a) has the required equipment that is capable of—

- (i) indicating to the flight crew the flight level being flown;
- (ii) automatically maintaining a selected flight level;
- (iii) automatically reporting pressure-altitude;
- (iv) providing an alert at a maximum threshold of plus or minus 300 feet to the flight crew when a deviation occurs from the selected flight level; and

(b) is authorized by the Authority for the operations in the airspace concerned.”.

Regulation 25  
amended

6. Regulation 25 of the Regulations is amended by deleting subregulation (2) and substituting the following new subregulation:

“ (2) The equipment on an aeroplane that operates in defined portions of airspace where a Reduced Vertical Separation Minimum of 1000 feet is applied above FL 290 under regulation 13, shall be capable of—

(a) indicating to the flight crew the flight level being flown; and

(b) providing an alert at a maximum threshold of plus or minus 300 feet to the flight crew when a deviation occurs from the selected flight level.”.

7. Regulation 26 of the Regulations is amended—

Regulation 26  
amended

- (a) in subregulation (2) by deleting the words “general aviation operations unless his aircraft has a ground proximity warning system which automatically provides,” and substituting the words “operations unless his aircraft ground proximity warning system automatically provides,”; and
- (b) in subregulation (6) by deleting the words “has a ground proximity warning system which automatically provides,” and substituting the words “ground proximity warning system automatically provides,”.

8. Regulation 52 of the Regulations is deleted and substituted with the following new regulation:

Regulation 52  
deleted and  
substituted

“ 52 (1) Where an individual Certificate of Airworthiness for an aeroplane or helicopter was first issued after 1st January, 2002, operations shall not be conducted on—

- (a) that aeroplane by an air operator on long-range over-water flights unless it is equipped with at least two Emergency Locator Transmitters one of which shall be automatic;
- (b) that aeroplane by an air operator on flights over land areas specified in subregulation (2) unless such aeroplane is equipped with at least one Automatic Emergency Locator Transmitter;
- (c) that aeroplane by an operator on extended flights over water or on flights over land areas specified in subregulation (2) unless such aeroplane is equipped with one Automatic Emergency Locator Transmitter;
- (d) that helicopter with Performance Class 1 or Performance Class 2 by an operator on flights over water at a distance from land corresponding to more than ten minutes at normal cruise speed or in a Performance Class 3 helicopter by an operator on flights over water beyond auto-rotational on safe landing distance from land, unless such helicopter is equipped with at least one Automatic Emergency Locator Transmitter and one Survival Emergency Locator Transmitter in a raft; and
- (e) that helicopter by an operator on flights over land areas specified in subregulation (2) unless it is equipped with at least one Automatic Emergency Locator Transmitter.

(2) An air operator shall not conduct operations on an aeroplane on flight over land areas designated by the State concerned as areas in which search and rescue would be especially difficult, unless such aeroplane is equipped with at least one Survival Emergency Locator Transmitter.

(3) Notwithstanding subregulation (2) an air operator shall not conduct operations in an aeroplane on flights over land areas specified in subregulation (2), unless that aeroplane is equipped with at least one Automatic Emergency Locator Transmitter with effect from 1st January, 2005.

(4) An operator shall not conduct operations in an aeroplane on extended flights over water or on flights over land areas specified in subregulation (2), unless such aeroplane is equipped with one Emergency Locator Transmitter.

(5) Notwithstanding subregulation (4) an operator shall not conduct operations in an aeroplane on extended flights over water or on flights over land areas specified in subregulation (2), unless such aeroplane is equipped with one Automatic Emergency Locator Transmitter with effect from 1st January, 2005.

(6) An operator shall not conduct operations in a Performance Class 1 or Performance Class 2 helicopter on flights over water at a distance from land corresponding to more than ten minutes at normal cruise speed or in a Performance Class 3 helicopter operating on flights over water beyond auto-rotational or safe landing distance from land unless such helicopter is equipped with at least one Survival Emergency Locator Transmitter per raft carried but not more than a total of two Emergency Locator Transmitters are required.

(7) Notwithstanding subregulation (6), an operator shall not conduct operations in a Performance Class 1 or Performance Class 2 helicopter on flights over water at a distance from land corresponding to more than ten minutes at normal cruise speed or in a Performance Class 3 helicopter operating on flights over water beyond auto-rotational or safe landing distance from land, unless such helicopter is equipped with at least one Automatic Emergency Locator Transmitter and one Survival Emergency Locator Transmitter in a raft with effect from 1st January, 2005.

(8) An operator shall not conduct operations in a helicopter on flights over land areas specified in subregulation (2) unless such helicopter is equipped with at least one Emergency Locator Transmitter.

(9) Notwithstanding subregulation (8) an operator shall not conduct operation in a helicopter on flights over land areas specified in subregulation (2), unless it is equipped with at least one Automatic Emergency Locator Transmitter with effect from 1st January, 2005.

(10) An Air operator shall not operate an aeroplane on long-range over-water flights, unless it is equipped with at least two Survival Emergency Locator Transmitters.

(11) Notwithstanding subregulation (10) an operator shall not conduct operations in an aeroplane on long-range over-water flights, unless it is equipped with at least two Emergency Locator Transmitters, one of which shall be automatic with effect from 1st January, 2005.

(12) An operator shall ensure that an Emergency Locator Transmitter required by this regulation operates on either 121.5 Megahertz or 121.5 Megahertz and 406 Megahertz.

(13) Notwithstanding subregulation (12) an operator shall ensure that with effect from 1st January, 2005, an Emergency Locator Transmitter operates on 121.5 Megahertz and 406 Megahertz simultaneously and meets the technical standards prescribed in Annex 10 to the Convention on International Civil Aviation.

(14) An operator shall not conduct operations in an aircraft, unless all batteries used in an Emergency Locator Transmitter are replaced or recharged where applicable when—

- (a) such Emergency Locator Transmitter has been in use for more than one cumulative hour; or
- (b) fifty per cent of the useful life of the batteries has expired or where the batteries are rechargeable, fifty per cent of the useful life of charge has expired.

(15) An operator shall ensure that the expiration date of the batteries for an Emergency Locator Transmitter is legibly marked on the outside of such Emergency Locator Transmitter.

(16) An operator shall take into consideration when making a determination under subregulation (14), useful life of that battery or charge requirements of an Emergency Locator Transmitter does not apply to batteries such as water-activated batteries that are likely to be affected during probable storage intervals.

(17) In this Regulation—

“Emergency Locator Transmitter” is a generic term used to describe equipment which broadcast distinctive signals on designated frequencies;

“Survival Emergency Locator Transmitter” means an Emergency Locator Transmitter which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and manually activated by survivors;

“Automatic Emergency Locator Transmitter” means an Emergency Locator Transmitter, attached to the aircraft, which is automatically deployed and activated by impact, and in some cases, also by hydrostatic sensors;

“long-range over-water flight” means a flight in which an aeroplane may be over water more than a distance corresponding to 120 minutes at cruising speed or 400 nautical miles, whichever is the lesser, away from land suitable for making an emergency landing operating under *en route* limitations of the Civil Aviation [(No. 2) Operations] Regulations, 2004.”.

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      day of      ,  
2004.

*Clerk of the House*

Laid in the Senate this      day of      , 2004.

*Clerk of the Senate*