

LEGAL NOTICE No. 172

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ORDER, 1995

ORDER

MADE BY THE PRESIDENT UNDER SECTION 97 OF THE
CIVIL AVIATION ORDER, 1995

THE CIVIL AVIATION (PUBLIC TRANSPORT OPERATIONAL
REQUIREMENTS) ORDER, 1996

PART I

PRELIMINARY

1. This Order may be cited as the Civil Aviation (Public Transport Operational Requirements) Order, 1996. ^{Citation}

2. (1) In this Order “the Order” means the Civil Aviation Order, 1995. <sup>Interpretation
L.N. No. 91 of
1995</sup>

(2) Expressions used in this Order, unless the context otherwise requires, shall have the same respective meanings as in the Order.

PART II

OPERATIONS MANUAL

3. (1) Information and instructions relating to the following matters shall be included in the operations manual referred to in section 26 of the Order: <sup>Information
and
instructions to
be included in
the operations
manual</sup>

- (a) the number of the crew to be carried in the aircraft on each stage of any route to be flown, the respective capacities in which they are to act, and instructions as to the order and circumstances in which command is to be assumed by members of the crew;
- (b) the respective duties of each member of the crew and the other members of the operating staff;
- (c) the scheme referred to in section 59(1)(c) of the Order;
- (d) such technical particulars concerning the aircraft, its engines and equipment and the performance of the aircraft, as may be necessary to enable the flight crew of the aircraft to perform their respective duties;
- (e) the manner in which—
 - (i) the quantities of fuel and oil to be carried by the aircraft are to be computed; and

- (ii) records of fuel and oil carried and consumed, on each stage of the route to be flown, are to be maintained;
- (f) the manner in which the quantity, if any, of the oxygen and oxygen equipment to be carried in the aircraft for the purpose of complying with the provisions of the Civil Aviation (Aircraft Equipment) Order is to be computed;
- (g) the check system to be followed by the crew of the aircraft prior to and on takeoff, and landing, and in an emergency so as to ensure compliance with the operating procedures contained in the operations manual and in the flight manual or performance schedule forming part of the relevant certificate of airworthiness;
- (h) the circumstances in which a radio watch is to be maintained;
- (i) the circumstances in which oxygen is to be used by the crew, and by passengers;
- (j) communications, navigational aids, aerodromes, local regulations, in-flight procedures, approach and landing procedures, and such other information as the operator may deem necessary for the proper conduct of flight operations;
- (k) the information referred to in subparagraph (j) shall be contained in a route guide which may be in the form of a separate volume;
- (l) the reporting in flight to the notified authorities of meteorological observations;
- (m) the maximum altitudes for safe flight on each stage of the route to be flown and any planned diversion therefrom, such altitudes being not lower than any which may be applicable under the law of Trinidad and Tobago or of the countries whose territory is to be flown over;
- (n) the particulars referred to in section 31(2) of the Order;
- (o) emergency flight procedures, including procedures for the instruction of passengers in the use of emergency procedures, to be adapted when the commander becomes aware that another aircraft or a vessel is in distress and needs assistance;
- (p) in the case of an aircraft intended to fly at an altitude of more than 49,000 ft, the procedures for the use of cosmic radiation detection equipment;
- (q) the labelling and marking of dangerous goods, the manner in which they must be loaded on or suspended beneath an aircraft, the responsibilities of members of the crew in respect of the carriage of dangerous goods, and the action to be taken in the event of emergencies arising therefrom;

- (r) such particulars of any permission granted to the operator pursuant to section 15 of the Order, as may be necessary to enable the commander of the aircraft to determine whether he can comply with section 34(b) of the Order;
- (s) in relation to any flight which is not one of a series of flights between the same two places, it shall be sufficient if, to the extent that it is not practicable to comply with subparagraphs (j) and (m), the manual contains such information and instructions as will enable the equivalent data to be ascertained before take-off.

(2) The instructions shall take account of all circumstances likely to be encountered on the flight including the possibility of failure of one or more of the aircraft engines.

PART III

CREW TRAINING AND TESTS

4. Every member of the crew—

The crew

- (a) shall have been tested, within the relevant period, by the operator as to his knowledge of the use of the emergency and life saving equipment required to be carried on the aircraft during the flight; and
- (b) shall have practiced, within the relevant period, under the supervision of the operator or of any other person appointed for that purpose, the carrying out of the duties required of him in case of an emergency, either in an aircraft of the type to be used on the flight or in apparatus approved by the Minister for the purpose and controlled by persons so approved.

5. (1) Every pilot included in the flight crew, who is intended by ^{Pilots} the operator to fly as a pilot in circumstances requiring compliance with the Instrument Flight Rules shall, within the relevant period, have been tested by or on behalf of the operator:

- (a) as to his competence to perform his duties while executing normal flight manoeuvres and procedures in an aircraft of the type to be used on the flight, including the use of the instruments and equipment provided in the aircraft;
- (b) as to his competence to perform his duties in Instrument Flight Conditions while executing emergency flight manoeuvres and procedures in an aircraft of the type to be used on the flight, including the use of the instruments and equipment provided in the aircraft.

(2) A pilot's ability to carry out normal manoeuvres and procedures shall be tested in the aircraft in flight.

(3) The other tests required by this paragraph may be conducted either in the aircraft in flight, or under the supervision of a person approved by the Minister under section 21(21) of the Order.

(4) The test specified in subparagraph (1)(a), when conducted in the aircraft in flight, shall be carried out either in actual Instrument Flight Conditions or in Instrument Flight Conditions simulated by such means as may be approved by the Minister.

(5) Every pilot included in the flight crew, whose licence does not include an instrument rating or who is not intended by the operator to fly in circumstances requiring compliance with the Instrument Flight Rules, shall within the relevant period have been tested by the operator in flight and in an aircraft of the type to be used on the flight—

- (a) as to his competence to act as pilot thereof, while executing normal manoeuvres and procedures; and
- (b) as to his competence to act as pilot thereof while executing emergency procedures.

(6) Every pilot included in the flight crew—

- (a) who is seated at the flying controls during the take-off and landing; and
- (b) who is intended by the operator to fly as pilot in circumstances requiring compliance with the Instrument Flight Rules,

shall within the relevant period, have been tested as to his proficiency in using instrument approach-to-land systems of the type in use at the aerodrome of intended landing and in any alternate aerodromes, such test to be carried out either in flight in instrument flight conditions simulated by means approved by the Minister or under the supervision of a person approved by the Minister for the purpose and by means of a flight simulator approved by the Minister.

(7) Every pilot included in the flight crew, who is seated at the flying controls during take-off or landing shall within the relevant period have carried out, when seated at the flying controls not less than three landings in an aircraft of the type to be used on the flight.

Flight
engineers

6. (1) Every flight engineer included in the flight crew shall within the relevant period have been tested by or on behalf of the operator—

- (a) as to his competence to perform his duties while executing normal procedures in flight, in an aircraft of the type to be used on the flight; and

- (b) as to his competence to perform his duties while executing emergency procedures in flight, in an aircraft of the type to be used on the flight.

(2) A flight engineer's ability to carry out normal procedures shall be tested in an aircraft in flight.

(3) The other tests required by this paragraph may be conducted either in the aircraft in flight, or under the supervision of a person approved by the Minister and by means of a flight simulator approved by the Minister.

7. Every flight navigator and flight radio operator whose inclusion in the flight crew is required by sections 19(5) and 19(6) of the Order, shall within the relevant period have been tested by the operator as to his competence to perform his duties in conditions corresponding to those likely to be encountered on the flight—

Flight navigators and flight radio operators

- (a) in the case of a flight navigator, using equipment of the type to be used in the aircraft for the purpose of navigation;
- (b) in the case of a flight radio operator using radio equipment of the type installed in the aircraft to be used on the flight, and including a test of his ability to carry out emergency procedures.

8. (1) The pilot designated as commander of the aircraft for the flight, shall within the relevant period, have demonstrated to the satisfaction of the operator that he has adequate knowledge of the route to be taken, the aerodromes of take-off and landing, and any alternate aerodromes, including in particular his knowledge of:

Aircraft commanders

- (a) the terrain;
- (b) the seasonal meteorological conditions;
- (c) the meteorological communications and air traffic facilities;
- (d) services and procedures;
- (e) the search and rescue procedures; and
- (f) the navigational facilities relevant to the route.

(2) In determining whether a pilot's knowledge of the matters referred to in subparagraph (1) is sufficient to render him competent to perform the duties of aircraft commander on the flight, the operator shall take into account the pilot's flying experience with the following:

- (a) the experience of other members of the flight crew;
- (b) the influence of terrain and obstructions on departure and approach procedures at the aerodromes at take-off and intended landing and at alternate aerodromes;

- (c) the similarity of the instrument approach procedures and let-down aids to those with which the pilot is familiar;
- (d) the dimensions of runways which may be used in the course of the flight in relation to the performance limits of aircraft of the type to be used on the flight;
- (e) the reliability of meteorological forecasts and the probability of difficult meteorological conditions in the areas to be traversed;
- (f) the adequacy of the information available regarding the aerodrome of intended landing and alternate aerodromes;
- (g) the nature of air traffic control procedures and the familiarity of the pilot with such procedures;
- (h) the influence of terrain on route conditions and the extent of the assistance obtainable en route from navigational aids and air-to-ground communications facilities; and
- (i) the extent to which it is possible for the pilot to become familiar with unusual aerodrome procedures and features of the route by means of ground instructions and training devices.

Interpre-
tation

9. For the purposes of this Part—

“instrument flight conditions” means weather condition such that the pilot is unable to fly by visual reference to objects outside the aircraft;

“relevant period” means a period which immediately precedes the commencement of the flight being a period—

- (a) of 3 months, in the case of paragraph 5(6);
- (b) of 6 months, in the case of paragraphs 5(1)(b), 5(5)(b), 5(7) and 6(1)(b);
- (c) of 13 months, in the case of paragraphs 4, 5(1)(a), 5(5)(a), 6(1)(a), 7 and 8(1) except that—

- (i) any pilot of the aircraft to whom the provisions of paragraphs 5(1)(b), 5(5)(b) or 5(7) apply and any flight engineer of the aircraft to whom the provisions of paragraph 6(1)(b) applies shall for the purposes of the flight be deemed to have complied with such requirements respectively within the relevant period if he has qualified to perform his duties in accordance therewith on 2 occasions within the period of 13 months immediately preceding the flight, such occasions being separated by an interval of not less than 4 months;

- (ii) the requirements of paragraph 8(1) shall be deemed to have been complied with within the relevant period by a pilot designated as commander of the aircraft for the flight if, having become qualified so as to act on flights between the same places over the same route more than 13 months before commencement of the flight, he has within the period of 13 months immediately preceding the flight, flown as a pilot of an aircraft between those places over that route.

10. (1) Records which are required to be maintained by an operator under section 28(2) of the Order, shall be accurate and up-to-date for the purpose of showing, in relation to each person who has during the period of 2 years immediately preceding any given date flown as a member of the crew of any public transport aircraft operated by that operator—

Records to be kept by operator

- (a) the date and particulars of each test, required by this Order, which is taken by that person during the said period, including the name and qualifications of the examiner;
- (b) the date upon which that person last practiced the carrying out of duties referred to in paragraph 3(b) of this Order;
- (c) the operator's conclusions based on each test and practice, as to that person's competence to perform his duties;
- (d) the date and particulars of any decision taken by the operator during the said period, including particulars of the evidence upon which that decision is based.

(2) The operator shall, whenever called upon to do so by any authorised person—

- (a) produce for the inspection of that person all records referred to in subparagraph (1);
- (b) furnish to that person all such information as he may require in connection with any such records; and
- (c) produce for inspection by that person, all log books, certificates, papers and other documents whatsoever which he may reasonably require to see for the purpose of determining whether such records are complete or for verifying the accuracy of their contents.

(3) The operator shall, at the request of any person so authorised, or to any operator of an aircraft, for the purpose of public transport, by whom that person may subsequently be employed, produce particulars of any qualification in accordance with this Order, while in his service.

PART IV
TRAINING MANUAL

Information
and
instructions
to be included
in the
training
manual

11. The following information and instructions in relation to the training experience, practice and periodical tests required under section 28(2) of the Order, shall be included in the training manual referred to in section 27(2) of the Order:

- (a) the manner in which the training, practice and periodical tests under section 28(2) of the Order are to be carried out;
- (b) the minimum qualifications and experience which the operator requires of persons appointed by him to give or to supervise the said training practice and periodical tests;
- (c) the type of training, practice and periodical tests which each such person is appointed to give or to supervise;
- (d) the type of aircraft in respect of which each such person is appointed to give or to supervise the said training, practice and periodical tests;
- (e) the minimum qualifications and experience required for each member of the crew undergoing the said training, practice and periodical tests;
- (f) the syllabus and specimen forms for recording the said training, practice and periodical tests;
- (g) the manner in which instrument flight conditions and engine failure are to be simulated in the aircraft in flight;
- (h) the extent to which the said training and testing are permitted in the course of flights for the purpose of public transport; and
- (i) the use to be made, in the said training and testing, of apparatus approved for the purpose by the Minister.

Made this 8th day of November, 1996.

C. SOOKRAM
Secretary to Cabinet