THE CIVIL AVIATION (OPERATION OF AIRCRAFT) REGULATIONS, 2008

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PART I - PRELIMINARY

Citation 1. These Regulations may be cited as the Civil Aviation (Operation of Aircraft) Regulations, 2008.

Definition 2. In these Regulations, “air operator certificate holder” means any air operator certificate holder to whom the Civil Aviation (Air Operator Certification and Administration) Regulations apply.

PART II – GENERAL OPERATIONS REQUIREMENTS

Aircraft requirements

Registration markings 3. A person shall not operate an aircraft registered in Rwanda or a foreign-registered aircraft in Rwanda airspace unless that aircraft displays the proper markings prescribed in the Civil Aviation (Aircraft Registration and Marking) Regulations.

Civil aircraft airworthiness 4. (1) A person shall not operate an aircraft unless that aircraft is in an airworthy condition.

(2) Subject to sub-regulation (1), a pilot-in-command shall:

(a) determine whether an aircraft is in a condition for safe flight; and

(b) discontinue a flight when an unairworthy mechanical, electrical or structural condition occurs.

Special certificate of airworthiness 5. A person shall not operate an aircraft with a special certificate of airworthiness except as provided in the limitations issued with that certificate in accordance with the Civil Aviation (Airworthiness) Regulations.

Aircraft instruments and equipment 6. A person shall not operate an aircraft unless it is equipped with instruments and equipment appropriate to the type of flight operation conducted and the route being flown and in any case in compliance with the requirements of the Civil Aviation (Instruments and Equipment) Regulations.

Inoperative instruments and equipment 7. (1) A person shall not commence an aircraft flight with inoperative instruments or equipment installed, except as authorized by the Authority;

(2) A person shall not operate a multi-engine aircraft in commercial air transport with inoperative instruments and equipment installed unless the following conditions are met:
(a) an approved minimum equipment list exists for that aircraft;
(b) the Authority has issued operations specifications authorising operations in accordance with an approved minimum equipment list; the flight crew shall have direct access at all times prior to flight to all of the information contained in the approved minimum equipment list through printed or other means approved by the Authority in the operations specifications; an approved minimum equipment list, as authorized by the operations specifications, constitutes an approved change to the type design without requiring recertification.
(c) the approved minimum equipment list must:
   (i) be prepared in accordance with the limitations specified in sub-regulation (4);
   (ii) provide for the operation of the aircraft with certain instruments and equipment in an inoperative condition;
(d) records identifying the inoperative instruments and equipment and the information required by sub-regulation (2)(c)(ii) shall be available to the pilot;
(e) the aircraft is operated under all applicable conditions and limitations contained in the minimum equipment list and the operations specifications authorising use of the minimum equipment list;

3 Flight operations with inoperative instruments and equipment installed may be allowed in situations where no master minimum equipment list is available and no minimum equipment list is required for the specific aircraft operation under these Regulations.

4 The inoperative instruments and equipment referred to in sub-regulation (1) shall not be:
   (a) part of the VFR-day instruments and equipment prescribed in the Civil Aviation (Instruments and Equipment) Regulations;
   (b) required on the aircraft’s equipment list or the operations equipment list for the kind of flight operation being conducted;
   (c) required by the Civil Aviation (Instruments and Equipment) Regulations for the specific kind of flight operation being conducted; or
   (d) required to be operational by an airworthiness directive.

5 The Authority may authorize a person to operate an aircraft with inoperative instruments and equipment where such instruments and equipment are:
   (a) determined by the pilot-in-command not to be a hazard to safe operation;
   (b) deactivated and placarded “Inoperative”; and
   (c) removed from the aircraft, the cockpit control placarded and the maintenance recorded in accordance with the Civil Aviation (Airworthiness) Regulations.

6 Where deactivation of the inoperative instrument or equipment involves maintenance, it shall be accomplished and recorded in accordance with the Civil Aviation (Airworthiness) Regulations.

7 The following instruments and equipment shall not be included in the minimum equipment list:
   (a) instruments and equipment that are either specifically or otherwise
required by the certification airworthiness requirements and which are essential for safe operations under all operating conditions.

(b) instruments and equipment required for operable condition by an airworthiness directive, unless the airworthiness directive provides otherwise.

(c) instruments and equipment required for specific operations.

(8) Notwithstanding sub-regulation (7), an aircraft with inoperative instruments or equipment may be operated under a special flight permit issued under the Civil Aviation (Airworthiness) Regulations.

Aircraft flight manual, marking and placard requirements

8. (1) A person shall not operate an aircraft registered in Rwanda unless there is available in the aircraft:

(a) a current, approved aeroplane flight manual or rotorcraft flight manual; or

(b) an operations manual approved by the Authority for the air operator certificate holder;

(c) if no aeroplane flight manual or rotorcraft flight manual exists, approved manual material, markings and placards, or any combination thereof which provide the pilot-in-command with the necessary limitations for safe operation.

(2) A person shall not operate an aircraft within or over Rwanda without complying with the operating limitations specified in the approved aeroplane flight manual or rotorcraft flight manual, markings and placards, or as otherwise prescribed by the aircraft's State of registry.

(3) A person operating an aircraft under these Regulations shall display in the aircraft all placards, listings, instrument markings or combination thereof, containing those operating limitations prescribed by the aircraft's State of registry for visual presentation.

(4) Each aeroplane flight manual or rotorcraft flight manual shall be updated by implementing changes made mandatory by the State of registry.

Required aircraft and equipment inspections

9. (1) Unless otherwise authorized by the Authority, a person shall not operate an aircraft registered in Rwanda unless it has had the following inspections:

(a) an annual inspection within the past twelve months;

(b) a one hundred hour inspection;

(c) an altimeter and pitot-static system inspection in the past twelve months;

(d) for transponder equipped aircraft, a transponder check within the past twelve months;

(e) for emergency locator transmitter-equipped aircraft, an emergency locator transmitter check within the past twelve months.

(2) Aircraft for remuneration or hire operations maintained under maintenance and inspection programme approved by the Authority is not required to have current annual or one hundred hour inspections in their maintenance records.

Documents to be carried on aircraft

10. (1) A person shall not fly an aircraft unless it carries documents which are required to be carried on board under the law of the State of registry.

(2) An aircraft registered in Rwanda shall, when in flight, have on board the documents specified in this regulation, except that if the flight is intended to begin and end at the same aerodrome and does not include passage over
the territory of any other State other than Rwanda, the documents may be kept at the aerodrome instead of being carried aboard the aircraft.

(3) The documents to be carried in an aircraft are:

(a) on a flight for the purpose of commercial air transport:
   (i) licence in force in respect of the aircraft radio station installed in the aircraft;
   (ii) the certificate of airworthiness in force in respect of the aircraft;
   (iii) the licences and certificates of members of the flight crew of the aircraft;
   (iv) one copy of mass and balance documentation, if any, required with respect to the flight;
   (v) one copy of the certificate of release to service, if any, in force with respect to the aircraft;
   (vi) the technical logbook required by these Regulations;
   (vii) the operations manual, if any, required by these Regulations to be carried on the flight;
   (viii) aircraft certificate of registration;
   (ix) aircraft journey logbook;
   (x) list of passenger names and points of embarkation and disembarkation, if applicable;
   (xi) cargo manifest including special loads information if applicable;
   (xii) copy of the air operator certificate;
   (xiii) noise certificate if required;
   (xiv) aeroplane flight manual or rotorcraft flight manual;
   (xv) minimum equipment list;
   (xvi) category II or III Manual, as applicable;
   (xvii) operational flight plan;
   (xviii) filed NOTAMS briefing documentation;
   (xix) meteorological information;
   (xx) maps and charts required for the flight and possible diversions;
   (xxi) forms for complying with the reporting requirements of the Authority and the air operator certificate holder;
   (xxii) list of special situation passengers;
   (xxiii) filed air traffic control flight plan;
   (xxiv) search and rescue information;
   (xxv) any other document which may be required by the Authority or States concerned with a flight.

(b) on a flight which includes passage over a territory of any country other than Rwanda for the purpose of commercial air transport and aerial work:
   (i) those documents set forth in paragraph (a);
   (ii) a copy of notified procedure to be followed by pilot-in-command of an intercepted aircraft and the notified visual signals for use by intercepting and intercepted aircraft; and
   (iii) a general declaration for customs;

(c) on a flight for the purpose of aerial work:
   (i) the licence in force in respect of the aircraft radio station installed in the aircraft;
(ii) the certificate of airworthiness in force in respect of the aircraft;
(iii) the licences and certificates of members of the flight crew of the aircraft;
(iv) the technical logbook required by these Regulations;
(v) one copy of the certificate of release to service, if any, in force with respect to the aircraft;
(vi) aircraft certificate of registration; and
(vii) any other document required by the Authority.

(d) on a flight which includes passage over a territory of any country other than Rwanda for the purpose of aerial work:
(i) those documents set forth in paragraph (c);
(ii) a copy of notified procedure to be followed by pilot-in-command of an intercepted aircraft and the notified visual signals for use by intercepting and intercepted aircraft;

(e) on a flight which includes passage over a territory of any country other than Rwanda for the purpose of general aviation:
(i) licence in force in respect of the aircraft radio station installed in the aircraft;
(ii) the certificate of airworthiness in force in respect of the aircraft;
(iii) the licences of members of the flight crew of the aircraft;
(iv) the certificate of registration;
(v) a copy of notified procedure to be followed by pilot-in-command of an intercepted aircraft and the notified visual signals for use by intercepting and intercepted aircraft;
(vi) journey logbook;
(vii) if it carries passengers, a list of names, places of embarkation and destination; and
(viii) if it carries cargo, a manifest and detailed declarations of the cargo.

(f) for the purpose of general aviation flight within Rwanda:
(i) the licence in force in respect of the aircraft radio station installed in the aircraft;
(ii) the certificate of airworthiness in force in respect of the aircraft;
(iii) the licences and certificates of members of the flight crew of the aircraft;
(iv) one copy of the certificate of release to service, if any, in force with respect to the aircraft;
(v) aircraft certificate of registration;
(vi) noise certificate, if required;
(vii) aeroplane flight manual or rotorcraft flight manual;
(viii) category II or III Manual, as applicable;
(ix) filed NOTAMS briefing documentation;
(x) forms for complying with reporting requirements of the Authority;
(xi) filed air traffic control flight plan; and
(xii) any other document required by the Authority.

Production of 11. (1) A pilot-in-command shall, after being requested to do so by an authorized
(1) Subject to sub-regulation (2), a person required by these Regulations to preserve any documents or records by reason of his being the operator of an aircraft shall, if he ceases to be the operator of the aircraft, continue to preserve the documents or records as if he had not ceased to be the operator, and in the event of his death the duty to preserve the documents or records shall fall upon his personal representative.

(2) If another person becomes the operator of the aircraft, the first-mentioned operator or his personal representative shall deliver to that person upon demand the certificate of release to service, the logbooks and the mass and balance schedule and any record made by a flight recorder and preserved in accordance with these Regulations which are in force or required to be preserved in respect of that aircraft.
(3) If an engine or variable pitch propeller is removed from the aircraft and installed in another aircraft operated by another person the first-mentioned operator or his personal representative shall deliver to that person upon demand the logbook relating to that engine or propeller.

(4) If any person in respect of whom a record has been kept by the first-mentioned operator in accordance with these Regulations becomes a flight crew member of an aircraft registered in Rwanda engaged in commercial air transport operations in Rwanda and operated by another person, the first-mentioned operator or his personal representative shall deliver those records to that other person upon demand.

(5) It shall be the duty of the other person referred to in sub-regulations (2), (3) and (4) to deal with the documents or records delivered to him as if he were the first mentioned operator.

Insurance

13. (1) A person shall not fly, or cause or commit any other person to fly an aircraft unless there is in force an insurance policy in respect of third party risks.

(2) The insurance policy for commercial air transport aircraft shall cover insurance in respect of passengers’ liability, cargo, baggage and mail risks.

(3) The minimum sum of insurance in respect of any aircraft insured in accordance with sub-regulation (2) shall be notified by the Authority.

Stowaways

14. A person shall not secrete himself in an aircraft for the purpose of being carried in the aircraft without the consent of either the operator or the pilot-in-command thereof or of any other person entitled to give consent to his being carried in the aircraft.

Co-ordination of activities potentially hazardous to civil aircraft.

15. (1) A person shall not carry out activities potentially hazardous to civil aircraft whether flying over Rwanda or over the territorial waters of Rwanda without approval from the Authority.

(2) Notwithstanding the generalities of sub-regulation (1):

(a) a person shall not intentionally project, or cause to be projected, a laser beam or other directed high intensity light at an aircraft in such a manner as to create a hazard to aviation safety, damage to the aircraft or injury to its crew or passengers;

(b) a person using or planning to use lasers or other directed high-intensity lights outdoors in such a manner that the laser beam or other light beam may enter navigable airspace with sufficient power to cause an aviation hazard shall provide written notification to the competent authority;

(c) a pilot-in-command shall not deliberately operate an aircraft into a laser beam or other directed high-intensity light unless flight safety is ensured and there is a mutual agreement by the operator of the laser emitter or light source, the pilot-in-command and the competent Authority.

(3) A person shall not release into the atmosphere any radioactive material or toxic chemicals which could affect the safety of aircraft operating within the Rwandan airspace.

Power to prohibit or restrict flying

16. (1) Where the Authority deems it necessary in the public interest to restrict or prohibit:
or landing or taking off

(a) flying over any area of Rwanda or along any route therein; or
(b) landing or take-off at any place in Rwanda by reason of:
   (i) the intended gathering or movement of a large number of persons;
   (ii) the intended holding of an aircraft race contest or of an exhibition of flying; or
   (iii) national security or any reason affecting public interest,
   may make orders prohibiting, restricting or imposing conditions on flight by any aircraft, whether or not registered in Rwanda, in any airspace over Rwanda and by an aircraft registered in Rwanda, in any other airspace, being airspace in respect of which Rwanda has in pursuance of international arrangements undertaken to provide navigation services for aircraft.

(2) Orders made under this regulation may apply either generally or in relation to any class of aircraft.

(3) It shall be an offence to contravene or permit the contravention of or fail to comply with any Orders made hereunder.

(4) If the pilot-in-command becomes aware that he is flying in contravention of any regulation which have been made for any of the reasons referred to in sub-regulation (1)(b)(iii) he shall, unless otherwise instructed pursuant to sub-regulation (5), cause the aircraft to leave the area to which the order relate by flying to the least possible extent over such area and the aircraft shall not begin to descend while over such an area.

(5) The pilot-in-command flying either within an area for which Orders have been made for any of the reasons referred to in sub-regulation (1)(b)(iii) or within airspace notified as a danger area shall forthwith comply with instructions given by radio by the appropriate air traffic services unit or by, or on behalf of, the person responsible for safety within the relevant airspace.

(6) This regulation does not prevent the Minister in charge of Civil Aviation or the Minister of Defence to issue Orders within their respective jurisdictions based on the reasons referred to in sub-regulations (1)(a) and (1)(b)(iii).

Balloons, kites and airships

17. (1) A person shall not, within Rwanda:
   (a) fly a captive balloon or kite at a height of more than 60 m (200 ft) above the ground level or within 60 m (200 ft) of any vessel, vehicle or structure;
   (b) fly a captive balloon within an aerodrome traffic zone;
   (c) fly a balloon exceeding 1.83 m (6 ft) in any linear dimension at any stage of its flight, including any basket or other equipment attached to the balloon, in controlled airspace;
   (d) fly a kite within an aerodrome traffic zone;
   (e) moor an airship; or
   (f) fly a free balloon at night,
   without the permission in writing of the Authority, and in accordance with any conditions subject to which the permission may be granted.

(2) A captive balloon when in flight shall not be left unattended unless it is fitted with a device which ensures automatic deflation if it breaks.

(3) An unmanned free balloon shall be operated in such a manner as to
minimise hazards to persons, property or other aircraft.

PART III - AIRCRAFT MAINTENANCE REQUIREMENTS

18. (1) An owner, or in the case where it is leased, a lessee, or an air operator certificate holder of an aircraft shall ensure that:
   (a) the aircraft is maintained in an airworthy condition, including compliance with all airworthiness directives;
   (b) the operational and emergency equipment necessary for the intended flight is serviceable;
   (c) the certificate of airworthiness remains valid; and
   (d) the maintenance and release to service of the aeroplane is performed in accordance with the maintenance programme of, and under a system acceptable to, the State of registry.

   (2) A person shall not perform maintenance, preventive maintenance, or alterations on an aircraft other than as prescribed in this Part, in the Civil Aviation (Airworthiness) Regulations and in the Civil Aviation (Approved Maintenance Organization) Regulations

   (3) A person shall not operate an aircraft for which a manufacturer’s maintenance manual or instructions for continued airworthiness has been issued that contains an airworthiness limitations section unless the mandatory replacement times, inspection intervals and related procedures set out in operations specifications approved by the Authority.

   (4) An owner, or in the case where it is leased, a lessee, or an air operator certificated holder of an aeroplane over 5,700 kg maximum certificated take-off mass shall, as prescribed by the State of registry, ensure that the information resulting from maintenance and operational experience with respect to continuing airworthiness, is transmitted, as required by regulation 15 of the Civil Aviation (Airworthiness) Regulations;

Air Operator Certificate Holder

19. (1) An air operator certificate holder shall ensure the airworthiness of its aircraft and the serviceability of both operational and emergency equipment by:
   (a) carrying out preflight inspections;
   (b) correcting any defect or damage affecting safe operation of the aircraft to an approved standard, taking into account the minimum equipment list and configuration deviation list if available for the aircraft type;
   (c) carrying out maintenance on the aircraft in accordance with the approved operator's aircraft maintenance programme;
   (d) analysing of the effectiveness of the air operator certificate holder's approved aircraft maintenance programme;
   (e) effecting the provisions of any operational directive, airworthiness directive and any other continued airworthiness requirement made mandatory by the Authority; and
   (f) carrying out modifications in accordance with an approved standard and establishing an embodiment policy for non-
mandatory modifications.

(2) An air operator certificate holder shall ensure that the certificate of airworthiness for each aircraft operated remains valid in respect of:
   (a) the requirements specified in sub-regulation (1);
   (b) the expiry date of the certificate of airworthiness; and
   (c) any other maintenance condition specified in the certificate of airworthiness.

(3) An air operator certificate holder shall ensure that the requirements specified in sub-regulation (1) are performed in accordance with procedures approved by or acceptable to the Authority.

(4) An air operator certificate holder shall ensure that the maintenance, preventive maintenance and modification of its aircraft or aircraft component are performed in accordance with its maintenance control manual or current instructions for continued airworthiness and applicable civil aviation regulations.

(5) An air operator certificate holder shall employ a person or group of persons to ensure that all maintenance is carried out in accordance with the maintenance control manual.

(6) An air operator certificate holder may make an arrangement with another person for the performance of any maintenance, preventive maintenance or modifications but shall remain responsible for all work performed under the arrangement.

Approval and acceptance of air operator certificate maintenance systems

20. (1) Except for pre-flight inspections, an air operator certificate holder shall not operate an aircraft:
   (a) registered in Rwanda, unless it is maintained in an airworthy condition and released to service by an approved maintenance organization approved in accordance with the Civil Aviation (Approved Maintenance Organization) Regulations; and
   (b) of foreign registry, unless it is maintained in an airworthy condition and released to service in accordance with a system approved by the State of registry in which the person signing the maintenance release is licensed in accordance with the latest effective edition of Annex I – Personnel Licensing to the Chicago Convention, and is acceptable to the Authority;

(2) The State of registry may transfer some or all its responsibility for foreign registered aircraft operating in Rwanda under an agreement entered into pursuant to Article 83bis of the Chicago Convention.

Maintenance control manual

21. (1) An air operator certificate holder shall provide to the Authority, and to the State of registry of the aircraft, if different from the Authority, the air operator certificate holder's maintenance control manual and subsequent amendments, for the use and guidance of maintenance and operational personnel concerned, having a design that observe Human Factors principles, and containing details of the organization’s structure including:
   (a) the procedures to be followed to satisfy the maintenance responsibility required under regulation 19;
   (b) the procedures for the reporting of failures, malfunctions, and defects in accordance with the Civil Aviation (Airworthiness) Regulations to the Authority, State of registry and the State of
design within seventy two hours of discovery;

(c) items that warrant immediate notification to the Authority by telephone, telex or fax, with a written follow-on report as soon as possible but no later than within seventy two hours of discovery, which are-

(i) primary structural failure;
(ii) control system failure;
(iii) fire in the aircraft;
(iv) engine structure failure; or
(v) any other condition considered an imminent hazard to safety.

(2) An air operator certificate holder’s maintenance control manual shall contain the following information which may be issued in separate parts:

(a) a description of the administrative agreements between the air operator certificate holder and an approved maintenance organization;
(b) a description of the maintenance procedures and the procedures for completing and signing the certificate of release to service;
(c) a description of the procedures to ensure each aircraft an air operator certificate holder operates is in an airworthy condition;
(d) a description of the procedures to ensure the operational emergency equipment for each flight is serviceable;
(e) the names and duties of the person or persons required to ensure that all maintenance is carried out in accordance with the maintenance control manual;
(f) a reference to the maintenance programme;
(g) a description of the methods for completion and retention of the operator’s maintenance records required by regulation 26;
(h) a description of the procedures for monitoring, assessing and reporting maintenance and operational experience for all aircraft 5,700kg and above and helicopters 3,180kg and above maximum certificated take-off mass, providing the information as prescribed by the State of registry and reporting through the system specified in regulation 15 of the Civil Aviation (Airworthiness) Regulations;
(i) a description of the procedures for obtaining and assessing continued airworthiness information and implementing any resulting actions for all aircraft 5,700kg and above and helicopters 3,180kg and above maximum certificated take-off mass, from the organization responsible for the type design, and shall implement such actions considered necessary by the State of registry;
(j) a system of ensuring that any fault, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of aeroplanes 5,700kg and above and helicopters 3,180kg and above maximum certificated take-off mass shall be transmitted to the organization responsible for the type design of that aeroplane or helicopter;
(k) a description of the procedures for implementing mandatory continuing airworthiness information;
(l) a description of establishing and maintaining a system of analysis and continued monitoring of the performance and efficiency of the maintenance programme in order to correct any deficiency in that programme;
(m) a description of aircraft types and models to which the manual applies;
(n) a description of procedures for ensuring that unserviceabilities affecting airworthiness are recorded and rectified; and
(o) a description of the procedures for advising the State of registry and the State of the operator of significant in-service occurrences.

(3) An air operator certificate holder shall not provide for use of its personnel in commercial air transport, a maintenance control manual or its part that has not been reviewed and approved by the Authority.

(4) An air operator certificate holder shall ensure that
(a) his maintenance control manual is amended as necessary, to keep the information contained therein up to date; and
(b) copies of all amendments to the maintenance control manual is furnished promptly to all organizations or persons to whom the manual has been issued.

(5) An air operator certificate holder or applicant for an air operator certificate shall submit and maintain a maintenance control manual containing at least the information set out in Chapter 11 of Part I, or in Chapter 9 of Part III, Section II, to Annex 6 – Operation of Aircraft to the Chicago Convention and any other information requested by the State of registry or the Authority.

Maintenance management

22. (1) An air operator certificate holder, approved as an approved maintenance organization, may carry out the requirements in regulation 19.

(2) An air operator certificate holder shall employ a person or a group of persons, acceptable to the Authority, to ensure that all maintenance is carried out on time to an approved standard such that the maintenance requirements of regulation 19 and requirements of the air operator certificate holder's maintenance control manual are satisfied, and to ensure the functioning of the quality system.

(3) An air operator certificate holder shall provide suitable office accommodation at appropriate locations for the personnel specified in sub-regulation (2).

(4) Where an air operator certificate holder is not an approved maintenance organization, the air operator certificate holder shall make arrangements with an approved maintenance organization to carry out the requirement of regulation 19.

(5) The arrangement made pursuant to sub-regulation (4) shall be in the form of a written maintenance contract between the air operator certificate holder and the approved maintenance organization detailing the required maintenance functions and defining the support of the quality functions approved or accepted by the Authority.

Quality system: maintenance

23. (1) For maintenance purposes, an air operator certificate holder's quality system shall:
(a) include at least the following functions-
   (i) monitoring that the activities of regulation 19 are being performed in accordance with the accepted procedures;
   (ii) ensure that all contracted maintenance is carried out in accordance with the contract;
   (iii) monitoring the continued compliance with the requirements
of these Regulations; and
(iv) monitoring compliance with, and adequacy of, procedures
required to ensure safe maintenance practices, airworthy
aircraft and aircraft components.
(b) shall include a quality assurance programme that contains
procedures designed to verify that all maintenance operations are
being conducted in accordance with all applicable requirements,
standards and procedures.
(2) Compliance monitoring as referred to in sub-regulation (1) shall include a
feed-back system to the accountable manager to ensure corrective action as
necessary.
(3) Where an air operator certificate holder is also an approved maintenance
organization, the air operator certificate holder's quality management
system may be combined with the requirements of an approved
maintenance organization and submitted for approval and acceptance to
the Authority, and State of registry for aircraft not registered in Rwanda.
(4) An air operator certificate holder shall establish a plan acceptable to the
Authority indicating when and how often the activities as required in
regulation 19 may be monitored.
(5) Reports shall be made upon completion of monitoring of activities
including details of discrepancies of non-compliance with procedures or
requirements.
(6) The feedback part of the system shall specify the person responsible for
rectifying discrepancies and non-compliance in each particular case, the
procedure to be followed if rectification is not completed within
appropriate time scales, and a system of reporting to the accountable
manager.
(7) To ensure effective compliance with this regulation, an air operator
certificate holder or an applicant for an air operator certificate shall carry
out:
(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 not to carry
out maintenance on time;
(d) on time maintenance sampling - the monitoring of when flying
hours, calendar time and flight cycles, of the aircraft and the
components are brought in for maintenance; and
(e) sample reports of unairworthy conditions and maintenance errors
on aircraft and components.

Technical logbook 24. (1) An air operator certificate holder shall ensure that every aircraft registered
in Rwanda used for commercial air transport or aerial work maintains a
technical logbook.
(2) The following particulars shall be entered in the technical logbook:
(a) a title page with the name and address of the operator, the aircraft
type, and registration marks;
(b) details relating to the current certificate of release to service ;
(c) details relating to the next inspection on the approved maintenance
schedule;
(d) a section containing sector record pages, each page being serially numbered with the operator’s name printed thereon and having a provision for recording the following-
  (i) aircraft type, serial number and registration marks;
  (ii) date, place and time of take-off and landing;
  (iii) particulars of any defect experienced on the aircraft;
  (iv) the fuel and oil quantities on arrival and quantities uplifted in each tank;
  (v) a certificate of release to service in respect of any work performed for the purpose of rectifying defects;
  (vi) the running total of flying hours, such that the hours to the next scheduled inspection can be easily determined;
  (vii) provision for pre-flight and daily inspection signatures;
(e) a readily identifiable section containing a record of deferred defects with serially numbered pages and the operator’s name printed thereon including a provision for recording the following:
  (i) a cross-reference for each deferred defect such that the original defect together with brief related details can be clearly identified in the sector record section;
  (ii) the original date of occurrence of the deferred defect, together with brief related details;
  (iii) a cross-reference for each deferred defect such that the action in respect of such deferred defect can be clearly identified in the sector record section.
(f) the number of landings, flight pressure cycles or engine cycles as specified for that aircraft;
(g) any other details as the Authority may require.
(3) The technical log and any subsequent amendment shall be approved by the Authority.

Technical logbook entries

25. (1) At the end of every flight, the pilot-in-command shall enter, sign and date the following information in a technical logbook:
   (a) the times when the aircraft took off and landed; and
   (b) particulars of any defect which is known to him and which affects the airworthiness or safe operation of the aircraft, or if no such defect is known to him, an entry to that effect.
(2) Notwithstanding sub-regulation (1), in the case of a number of consecutive flights each of which begins and ends:
   (a) within the same period of 24 hours;
   (b) at the same aerodrome except where each such flight is for the purpose of dropping or projecting any material for agricultural, public health or similar purposes; and
   (c) with the same person as the pilot-in-command, the pilot-in-command may, except where he becomes aware of a defect during an earlier flight, make the entries in a technical logbook at the end of the last of such consecutive flights.
(3) Upon the rectification of any defect which has been entered in a technical logbook a person signing a maintenance release in respect of that defect shall enter the release in the technical logbook in such a position as to be readily identifiable with the defect to which it relates.
(4) An air operator certificate holder shall have in the approved operations
An air operator certificate holder shall ensure that a system has been established to keep the following records, in a form acceptable to the Authority:

(a) the total time in service in hours, calendar time and cycles, as appropriate, of the aircraft and all its life-limited components, and since last overhaul of the aircraft or its components subject to mandatory overhaul life, with appropriate details of modifications and repairs to the aircraft and its major components;

(i) the entire aircraft to include:
   (aa) total time in service indicated in hours, calendar time and cycles, as appropriate, of the aircraft and all life limited parts;
   (bb) current inspection status of the aircraft, including the time since required or approved inspections were last performed, the current aircraft status of compliance with the maintenance programme;
   (cc) current empty mass and the location of the centre of gravity when empty;
   (dd) addition or removal of equipment;
   (ee) type and extent of maintenance and alteration, including the time in service and date;
   (ff) when work was performed; and
   (gg) a chronological list of compliance with airworthiness directives issued in accordance with the Civil Aviation (Airworthiness) Regulations, including methods of compliance, and the current status of compliance with all mandatory continuing airworthiness information;

(ii) life-limited products:
   (aa) total time in service;
   (bb) date of the last overhaul;
   (cc) time in service since the last overhaul; and
   (dd) date of the last inspection.

(iii) instruments and equipment, the serviceability and operating life of which are determined by their time in service:
   (aa) records of the time in service as are necessary to determine their serviceability or to compute their operating life; and
   (bb) date of last inspection.

(b) the detailed maintenance records to show that all requirements for signing of a certificate of release to service have been met; and

(c) technical logbook records.

(2) An air operator certificate holder shall ensure that:

(a) the records specified in sub-regulation (1)(a) are kept for a minimum period of ninety days after the unit to which they refer
has been permanently withdrawn from service;
(b) the records referred to in sub-regulation (1)(b) are kept for a minimum of one year after the signing of the certificate of release to service;
(c) the records referred to in sub-regulation (1)(c) are retained for a minimum of one year after the date of the last entry;
(d) in the event of temporary change of operator, the records specified in sub-regulation (1) are made available to the new operator.
(e) when an aircraft is permanently transferred from one operator to another operator, the records specified in sub-regulation (1) are also transferred.

Release to service: maintenance section records of the technical logbook

27. (1) An air operator certificate holder shall not operate an aircraft unless it is maintained and released to service by an organization approved in accordance with the Civil Aviation (Approved Maintenance Organization) Regulations acceptable to the State of Registry.

(2) The certificate of release to service shall be issued in accordance with the air operator certificate maintenance control manual procedures.

(3) An air operator certificate holder shall not operate an aircraft after release under sub-regulation (1) unless an appropriate entry is made in accordance with the air operator certificate maintenance control manual procedures acceptable to the Authority.

(4) An air operator certificate holder shall give a copy of the certificate of release to service for the aircraft to the pilot-in-command or ensure that an entry noting the release is made in the technical logbook.

Modification or repairs to aircraft

28. (1) All modifications or repairs to an aircraft shall be made in compliance with the airworthiness requirements acceptable to the State of registry.

(2) An owner of an aircraft, or in the case where it is leased, the lessee, or air operator certificate holder, shall:
(a) establish the procedures to ensure that records supporting compliance with the airworthiness requirements are retained;
(b) ensure that major repair or major modification is carried out in accordance with technical data approved by the Authority;
(c) promptly, upon completion of a major modification or major repair, prepare a report of each major modification or major repair of an airframe, aircraft engine, propeller or appliance of an aircraft; and
(d) submit a copy of each report of a major modification to the Authority and keep a copy of each report of a major repair available for inspection.

Aircraft maintenance programme

29. (1) An air operator certificate holder shall provide, for the use and guidance of maintenance and operational personnel concerned, a maintenance programme, and any of its subsequent amendments, submitted to the Authority for approval, provided that the design and application of the maintenance programme observe Human Factors principles.

(2) In the case of the foreign registered aircraft the maintenance programme shall be approved by the State of registry and may be subsequently accepted by the Authority.
(3) In addition to the requirement of a maintenance programme for aircraft operated by an air operator certificate holder, an aircraft with maximum takeoff mass above 13,310 kg shall include a reliability programme in the maintenance programme.

(4) Where a determination is made by the Authority under sub-regulation (3), an air operator certificate holder shall provide the procedures and information in the maintenance control manual.

(5) An air operator certificate holder shall ensure that each aircraft is maintained in accordance with the approved maintenance programme which shall include:

(a) maintenance tasks and the intervals in which these are to be performed, taking into account the anticipated utilisation of the aircraft;
(b) where applicable, a continuing structural integrity programme;
(c) procedures for changing or deviating from sub-paragraphs (a) and (b); and
(d) where applicable, condition monitoring and reliability programme, descriptions for aircraft systems, components and engines.

(6) The Authority may amend any operation specifications issued to an air operator certificate holder to permit deviation from those provisions of this Part that would prevent the return to service and use of airframe components, engines, appliances, and spare parts because the airframe components, engines, appliances and spare parts have been maintained, altered, or inspected by persons employed outside Rwanda who do not hold a Rwanda maintenance engineer’s licence.

(7) An air operator certificate holder who is granted authority under this deviation shall provide for surveillance of facilities and practices to assure that all work performed on the airframe components, engines, appliances and spare parts specified in sub-regulation (6) is accomplished in accordance with an air operator certificate holder’s maintenance control manual.

(8) Maintenance tasks and intervals that have been specified as mandatory in approval of the type design shall be identified as such.

(9) The maintenance programme shall be based on maintenance programme information made available by the State of design or by the organization responsible for the type design, and any additional applicable information, documentation or experience.

(10) A person shall not provide for use of its personnel in commercial air transport a maintenance programme or portion thereof which has not been reviewed and approved for the air operator certificate holder by the Authority.

(11) An air operator certificate holder shall ensure that copies of all amendments to the maintenance programme is furnished promptly to all organizations or persons to which the maintenance programme has been issued.

(12) Approval of an air operator certificate holder's maintenance programme and any subsequent amendments shall be noted in the operations specifications.

Inspection 30. An air operator certificate holder shall have an inspection programme and a
programme covering other maintenance, preventive maintenance, and modifications to ensure that:

(a) maintenance, preventive maintenance and modifications are performed in accordance with an air operator certificate holder's maintenance control manual;

(b) each aircraft released to service is airworthy and has been properly maintained for operation.

Maintenance, preventive maintenance and modifications

31. An air operator certificate holder may make arrangements with an appropriately rated approved maintenance organization for the performance of maintenance, preventive maintenance, or modifications of any aircraft, airframe, aircraft engine, propeller, appliance, or component, or part thereof as provided in its maintenance programme and maintenance control manual.

Maintenance requirements for others than air operator certificate holder

32. (1) This regulation and regulations 33, 34, 35, 36, 37(1) and 38 do not apply to aircraft maintained in accordance with an approved maintenance programme as required under the Civil Aviation (Airworthiness) Regulations, the Civil Aviation (Air Operators Certification and Administration) Regulations and regulations 18 to 31 of these Regulations.

(2) An owner, lessee or operator of an aircraft shall:

(a) have that aircraft inspected as prescribed in these Regulations, and discrepancies noted and the equipment repaired as prescribed in the Civil Aviation (Airworthiness) Regulations;

(b) repair, replace, remove, modify, overhaul or inspect any inoperative instruments or equipment at the next required inspection, except when permitted under the provisions of a minimum equipment list or configuration deviation list;

(c) ensure that a placard has been installed on the aircraft when listed discrepancies include inoperative instruments or equipment; and

(d) ensure that maintenance personnel make appropriate entries in the aircraft maintenance records indicating the aircraft has been approved for return to service.

Inspections

33. (1) Except as provided in sub-regulation (4), a person shall not operate an aircraft unless, within the proceeding twelve months, the aircraft has had:

(a) an annual inspection in accordance with the Civil Aviation (Airworthiness) Regulations and has been approved for return to service by a person authorized under the Civil Aviation (Airworthiness) Regulations;

(b) an inspection for issuance or renewal of an airworthiness certificate in accordance with the Civil Aviation (Airworthiness) Regulations.

(2) Except as provided in sub-regulation (4), a person shall not operate an aircraft carrying any person, other than a crew member, for hire or reward or give flight instruction for hire unless within the preceding
100 hours of time in service the aircraft has received an:
(a) annual or 100-hour inspection and has been approved for return
to service in accordance with the Civil Aviation
(Airworthiness) Regulations; or
(b) inspection for the issuance or renewal of an airworthiness
certificate in accordance with the Civil Aviation
(Airworthiness) Regulations.

(3) The 100-hour limitation referred to in sub-regulation (2) may be
exceeded by not more than 10 hours while en-route to reach a place
where the inspection can be done and the excess time taken to reach a
place where the inspection is to be done shall be included in computing
of the next 100 hours of time in service.

(4) The provisions of sub-regulations (1) and (2) shall not apply to:
(a) aircraft that is operating under special certificate of
airworthiness or special flight permit.
(b) an aircraft subject to the requirements of sub-regulation (1) and
(6) of regulation 34.
(c) A turbine-powered rotorcraft when the operator selects to
inspect that rotorcraft in accordance with sub-regulation (6) of
regulation 34.

Progressive
inspection

34. (1) A registered owner, lessee or operator of an aircraft who intends to use
a progressive inspection program shall submit a written request to use
the programme to the Authority, and shall:
(a) identify a licensed aircraft maintenance engineer with
appropriate type ratings in accordance with the Civil Aviation
(Personnel Licensing) Regulations, an approved maintenance
organization appropriately rated in accordance with the Civil
Aviation (Approved Maintenance Organization) Regulations, or
the manufacturer of the aircraft to supervise or conduct the
progressive inspection;
(b) provide a current inspection procedures manual available and
readily understandable to the pilot and maintenance personnel
containing, in detail:
(i) an explanation of the progressive inspection, including
the continuity of inspection responsibility, the making of
reports, and the keeping of records and technical
reference material;
(ii) an inspection schedule, specifying the intervals in hours
or days when routine and detailed inspections shall be
performed and including instructions for exceeding an
inspection interval by not more than 10 hours while en-
route and for changing an inspection interval because of
service experience;
(iii) sample routine and detailed inspection forms and
instructions for their use; and
(iv) sample reports and records and instructions for their use;
(c) provide enough housing and equipment for necessary
disassembly and proper inspection of the aircraft; and
(d) provide appropriate current technical information for the
The frequency and detail of the progressive inspection referred to in sub-regulation (1) shall provide for the complete inspection of the aircraft within each 12 months and be consistent with the current manufacturer's recommendations, field service experience, and the kind of operation in which the aircraft is engaged.

(3) The progressive inspection schedule shall conform to all applicable aircraft specifications, type data sheets, airworthiness directives and other approved data acceptable to the Authority.

(4) Where the progressive inspection is discontinued, the owner or operator shall immediately notify the Authority in writing, after which the first annual inspection under these Regulations will be due within 12 months after the last complete inspection of the aircraft under the progressive inspection and the 100-hour inspection under regulation 33(2)(a) shall be due within 100 hours after that complete inspection.

(5) A complete inspection of the aircraft, for the purpose of determining when the annual and 100-hour inspections are due, shall be detailed inspection of the aircraft and all its components in accordance with the progressive inspection and a routine inspection of the aircraft and a detailed inspection of several components is not considered to be a complete inspection.

(6) The registered owner or operator of a large aircraft, turbojet multi-engine aeroplane, turbo propeller-powered multi-engine aeroplane and turbine powered rotorcraft shall select and use the following programmes for inspection of the aircraft:

(a) a current inspection programme recommended by manufacturer;
(b) a maintenance programme for that make and model of aircraft currently approved by the Authority for use by an air operator certificate holder; or
(c) any other inspection programme developed by the operator and approved by the Authority.

(7) An owner, lessee or operator of a large aeroplane shall include in the selected programme, the name and address of the person responsible for the scheduling of the inspections required by the programme, and provide a copy of the programme to the person performing inspection on the aeroplane.

(8) An aircraft shall not be approved for return to service unless the replacement times for life-limited parts specified in the aircraft specification-type data sheets are complied with and the aircraft, including airframe, engines, propellers, rotors, appliances, and survival and emergency equipment, is inspected in accordance with an inspection programme selected.

(9) A person wishing to establish or change an approved inspection programme shall submit the programme to the Authority for approval and shall in writing, include:

(a) instructions and procedures for the conduct of inspection for the particular make and model of the aircraft, including necessary tests and checks and these instructions shall set forth in detail the parts and areas of the aircraft or aircraft component including survival and emergency equipment required to be
inspected; and
(b) a schedule for the inspections that shall be performed expressed
in terms of time in service, calendar time, cycles of operations
or any combination of these.

(10) Where an owner, lessee or operator changes from one inspection
programme to another, the operator shall apply the time in service,
calendar times, or cycles of operation accumulated under the previous
programme, in determining time the inspection is due under the new
programme.

Changes to aircraft maintenance programmes 35. (1) Whenever the Authority finds that revisions to an approved inspection
programme are necessary for the continued adequacy of the
programme, the owner, lessee or operator of the aircraft shall, after
notification by the Authority, make any changes found to be necessary
in the programme.

(2) An owner, lessee or operator of an aircraft may petition the Authority
to reconsider the requirements contained in the notice, within thirty
days after receiving that notice.

(3) Except in the case of an emergency requiring immediate action in the
interest of safety, the Authority shall take no action until it is able to
make a final decision on the petition to reconsider the notice as
submitted by the operator to the Authority.

Inspections: all other aircraft 36. (1) A person shall not operate an aircraft not used in commercial air
transport unless within the preceding twelve months the aircraft has
been:
(a) inspected in accordance with the Civil Aviation (Airworthiness)
Regulations and approved for return to service by an authorized
person; and
(b) issued a certificate of airworthiness by the Authority.

(2) A person shall not operate an aircraft for flight instruction or for
compensation, hire or reward unless within the preceding 100 hours of
time in service the aircraft has been inspected in accordance with the
Performance Rules of the Civil Aviation (Airworthiness) Regulations
and approved for return to service by an authorized person.

Maintenance records 37. (1) The owner, lessee or operator of an aircraft shall keep a maintenance
record of:
(a) the entire aircraft to include:
(i) total time in service indicated in hours, calendar time and
cycles, as appropriate, of the aircraft and all life limited
parts;
(ii) current inspection status of the aircraft, including the
time since required or approved inspections were last
performed;
(iii) current empty mass and the location of the centre of
gravity when empty;
(iv) addition or removal of equipment;
(v) type and extent of maintenance and alteration, including
the time in service and date;
(vi) when work was performed; and
(vii) a chronological list of compliance with airworthiness directives issued in accordance with the Civil Aviation (Airworthiness) Regulations, including methods of compliance;

(b) life-limited products:
   (i) total time in service;
   (ii) date of the last overhaul;
   (iii) time in service since the last overhaul; and
   (iv) date of the last inspection.

(c) instruments and equipment, the serviceability and operating life of which are determined by their time in service:
   (i) records of the time in service as are necessary to determine their serviceability or to compute their operating life; and
   (ii) date of last inspection.

(2) Subject to sub-regulation 38(3), in case of general aviation operations only, the owner of the aircraft, or, where it is leased, the lessee, shall ensure that a system has been established to keep the following records, in a form acceptable to the Authority:

(a) the total time in service (hours, calendar time and cycles, as appropriate) of the aircraft and all life limited components;

(b) the current status of compliance with all mandatory continuing airworthiness information;

(c) appropriate details of modifications and repairs;

(d) the time in service (hours, calendar time and cycles, as appropriate) since last overhaul of the aircraft or its components, subject to a mandatory overhaul life;

(e) the current status of the aircraft’s compliance with the maintenance programme; and

(f) the detailed maintenance records to show that all requirements for signing a maintenance release are met.

Maintenance records retention 38. (1) Except for records maintained by an air operator certificate holder, a registered owner, lessee or operator of an aircraft shall retain the following records until the work is repeated or superseded by other work of equivalent scope and detail, or for one year after the subject to which they refer has been permanently withdrawn from service:

(a) records of the maintenance, preventive maintenance, minor modifications, and records of the 100-hour, annual, and other required or approved inspections, as appropriate, for each aircraft (including the airframe) and each engine, propeller, rotor, and appliance of an aircraft to include:
   (i) a description or reference to data acceptable to the Authority, of the work performed;
   (ii) the date of completion of the work performed; and
   (iii) the signature and licence number of the person approving the aircraft for return to service.

(b) records containing the following information:
   (i) the total time-in-service of the airframe, each engine, each propeller, and each rotor;
   (ii) the current status of all life-limited aircraft or
aeronautical product;

(iii) the time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis;

(iv) the current inspection status of the aircraft, including the time since the last inspection required by the inspection programme under which the aircraft and its appliances are maintained;

(v) the current status of applicable airworthiness directives including, for each, the method of compliance, the airworthiness directive number, and revision date; and if the airworthiness directive involves recurring action, the time and date when the next action is required; and

(vi) copies of the forms for each major modification to the airframe and currently installed engines, rotors, propellers, and appliances.

(2) An owner or operator of an aircraft shall:

(a) retain a list of defects on the aircraft until the defects are repaired and the aircraft is approved for return to service; and

(b) avail all maintenance records required by this regulation to the Authority for inspection.

(3) An owner or a lessee to which sub-regulation 37(2) applies shall ensure that:

(a) the records specified in sub-regulation 37(2)(a) to (e) are kept for a minimum period of ninety days after the unit to which they refer has been permanently withdrawn from service;

(b) the records referred to in sub-regulation 37(2)(f) are kept for a minimum of one year after the signing of the certificate of release to service;

(c) in the event of temporary change of lessee, the records specified in sub-regulation 38(3) are made available to the new operator;

(d) when an aircraft is permanently transferred from one owner or lessee to another owner or lessee, the records specified in sub-regulation 38(3) are also transferred.

39. An owner and who sells or leases an aircraft registered in Rwanda shall transfer to the purchaser or lessor, at the time of sale or lease, the records identified in regulation 26 and 37 for that aircraft, in plain language form or in coded form at the election of the purchaser or lessor if the coded form provides for the preservation and retrieval of information in a manner acceptable to the Authority.

PART IV- FLIGHT CREW REQUIREMENTS

40. (1) An aircraft shall not fly unless it carries a flight crew of the number and description required by the law of the State of registry.

(2) An aircraft registered in Rwanda shall carry a flight crew adequate in number and description to ensure the safety of the aircraft and of at least the number and description specified in the aircraft flight manual or other documents associated with the certificate of airworthiness.

(3) The number and composition of the flight crew of an aircraft registered in
Rwanda and flying for the purpose of commercial air transport operations, shall not be less than that number specified in the operator’s operations manual.

(4) The flight crew shall include flight crew members in addition to the minimum number specified in the aircraft flight manual or other documents associated with the certificate of airworthiness, when necessitated by considerations related to the type of aircraft used, the type of operation involved and the duration of flight between points where flight crews are changed.

(5) An aircraft registered in Rwanda and flying for the purpose of commercial air transport operations, having a maximum mass of 5,700kg or more shall carry not less than two pilots as members of the flight crew thereof.

(6) Without prejudice to the preceding provisions of this regulation, an operator shall ensure that:

(a) all flight crew members hold an applicable and valid licence acceptable to the Authority and are suitably qualified and competent to conduct the duties assigned to them;

(b) procedures are established, acceptable to the Authority, to prevent the crewing together of inexperienced flight crew members;

(c) one pilot amongst the flight crew, qualified as a pilot-in-command is designated as the pilot-in-command who may delegate the conduct of the flight to another suitably qualified pilot; and

(d) when a separate flight engineer station is incorporated in the design of the aeroplane or rotorcraft, the flight crew includes at least one flight engineer especially assigned to that station, unless the duties associated with that station can be satisfactorily performed by another flight crew member, holding a flight engineer licence, without interference with regular duties;

(e) the flight crew include at least one member who holds a valid licence, issued or rendered valid by the State of registry, authorizing operation of the type of radio transmitting equipment to be used; and

(f) the flight crew include at least one member who holds a valid flight navigator licence in all operations where, as determined by the State of the operator, navigation necessary for the safe conduct of the flight cannot be adequately accomplished by the pilots from the pilot station.

41. Operations under IFR or at night

(1) A person shall not conduct a single pilot operation under the instrument flight rules or at night unless the operation is approved by the Authority and:

(a) the flight manual does not require a flight crew of more than one;

(b) the aeroplane is propeller-driven;

(c) the maximum approved passenger seating configuration of the aeroplane is not more than nine;

(d) the maximum certificated take-off mass of the aeroplane is 5,700 kg or less;

(e) the aeroplane is equipped as described in sub-regulation (3); and

(f) the pilot has satisfied requirements of experience, training, checking and recency as prescribed by regulation 42.

(2) Notwithstanding the provisions of sub-regulation (1) (c) the Authority may
approve a single pilot operation under instrument flight rules (IFR) or at night for an aeroplane with a passenger seating configuration of more than nine if the aeroplane, in addition to meeting the requirements of sub-regulations (1) (a), (b), (d), (e) and (f), is type certificated for operation by a single pilot.

(3) A person conducting a single pilot operation under the IFR or at night shall ensure that the aeroplane is equipped with:
(a) a serviceable autopilot that has at least altitude hold and heading select modes;
(b) a headset with a boom microphone or equivalent; and
(c) means of displaying charts that enables them to be readable in all ambient light conditions.

(4) A helicopter which has a minimum approved seating configuration of nine and which is flying for the purpose of commercial air transport operations in circumstances where the pilot-in-command is required to comply with instrument flight rules or which is flying by night shall carry not less than two pilots as members of the flight crew thereof unless it is equipped with an autopilot with, at least, altitude hold and heading mode which is serviceable on take-off;

(5) A helicopter described in sub-regulation (3) which is equipped with an approved autopilot shall not be required to carry two pilots notwithstanding that before take-off the approved autopilot is found to be unserviceable, if the helicopter flies in accordance with arrangements approved by the Authority.

Requirements of experience, recency and training for single pilot operations at night or instrument flight rules

(1) A pilot-in-command of a single pilot operation at night or under instrument flight rules (IFR) shall satisfy the following requirements:
(a) for operations under IFR or at night, have accumulated at least 50 hours flight time on the class of aeroplane, of which at least 10 hours shall be as pilot-in-command;
(b) for operations under IFR, have accumulated at least 25 hours flight time under IFR on the class of aeroplane, which may form part of the 50 hours flight time in sub-paragraph (a);
(c) for operations at night, have accumulated at least 15 hours flight time at night, which may form part of the 50 hours flight time in sub-paragraph (a);
(d) for operations under IFR, have acquired recent experience as a pilot engaged in a single pilot operation under IFR of:
   (i) at least five IFR flights, including three instrument approaches carried out during the preceding 90 days on the class of aeroplane in the single pilot role; or
   (ii) an IFR instrument approach check carried out on such an aeroplane during the preceding 90 days;
(e) for operations at night, have made at least three take-offs and landings at night on the class of aeroplane in the single pilot role in the preceding 90 days; and
(f) have successfully completed training programmes that include, in addition to the requirements as specified in the Civil Aviation (Air Operator Certification and Administration) Regulations on flight crew member training programmes, passenger briefing with respect to emergency evacuation, auto-pilot management, and the
use of simplified in-flight documentation.

(2) The initial and recurrent flight training and proficiency checks stipulated in regulation 27 of the Civil Aviation (Air Operator Certification and Administration) and in these Regulations respectively, shall be performed by the pilot-in-command in the single pilot role on the class of aeroplane in an environment representative of the operation.

43. The Authority may authorize a pilot to operate an aircraft requiring a type rating without a type rating for a period not exceeding sixty days, provided:

(a) the applicant has demonstrated to the satisfaction of the Authority that an equivalent level of safety can be achieved through the operating limitations on the authorization;

(b) the applicant shows that compliance with these Regulations is impracticable for the flight or series of flights;

(c) the operations:

(i) involve only a ferry flight, training to qualify on type or test flight;

(ii) are within Rwanda, unless, by previous agreement with the Authority, the aircraft is flown to an adjacent Contracting State for maintenance;

(iii) are not for compensation or hire unless the compensation or hire involves payment for the use of the aircraft for training; and

(iv) involve only the carriage of flight crew members considered essential for the flight.

44. (1) An operator shall not assign a pilot-in-command or a co-pilot to operate at the flight controls of a type or variant of a type of an aircraft during take-off and landing unless that pilot has operated the flight controls for at least three take-offs and landings within the preceding 90 days on the same type of aeroplane or, except in the case of a pilot-in-command of a helicopter, in a flight simulation training device approved for that purpose.

(2) When a pilot-in-command or a co-pilot is flying several variants of the same type of aircraft or different types of aircraft with similar characteristics in terms of operating procedures, systems and handling, the Authority shall determine under which conditions the requirements of sub-regulation (1) for each variant or each type of aircraft can be combined.

(3) An operator shall not assign a pilot to act in the capacity of cruise relief pilot in a type or variant of a type of aeroplane unless, within the preceding 90 days, that pilot has either:

(a) operated as a pilot-in-command, co-pilot or cruise relief pilot on the same type of aeroplane; or

(b) carried out flying skill refresher training including normal, abnormal and emergency procedures specific to cruise flight on the same type of aeroplane or in a flight simulation training device approved for the purpose, and has practised approach and landing procedures, where the approach and landing procedure practice may be performed as the pilot who is not flying the aeroplane.

(4) When a cruise relief pilot is flying several variants of the same type of aeroplane or different types of aeroplanes with similar characteristics in
terms of operating procedures, systems and handling, the Authority shall determine under which conditions the requirements of sub-regulation (3) for each variant or each type of aeroplane can be combined.

(1) An operator shall not utilize a pilot as pilot-in-command of an aircraft on a route or route segment for which that pilot is not currently qualified until such pilot has complied with sub-regulations (2) and (3).

(2) The pilot referred to in sub-regulation (1) shall:

(a) demonstrate to the operator an adequate knowledge of:

(i) the route to be flown, and the aerodromes to be used which shall include knowledge of-

(aa) the terrain and minimum safe altitudes;
(bb) the seasonal meteorological conditions;
(cc) the meteorological, communication and air traffic facilities, services and procedures;
(dd) the search and rescue procedures; and
(ee) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place;

(ii) procedures applicable to flight paths over heavily populated areas and areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach procedures, and applicable operating minima.

(b) in the case of an aircraft, 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 any alternate aerodromes, such test being carried out either in flight in instrument meteorological conditions (IMC) or IMC simulated by means approved by the Authority for the purpose.

(3) A pilot-in-command shall have made an actual approach into each aerodrome of landing on the route, accompanied by a pilot who is qualified for the aerodrome, as a member of the flight crew or as an observer on the flight deck, unless:

(a) the approach to the aerodrome is not over difficult terrain and instrument approach procedures and aids available are similar to those with which the pilot is familiar, and a margin to be approved by the Authority is added to the normal operating minima, or there is reasonable certainty that approach and landing can be made in visual meteorological conditions; or

(b) the descent from the initial approach altitude can be made by day in visual meteorological conditions; or

(c) the operator qualifies the pilot-in-command to land at the aerodrome concerned by means of an adequate pictorial presentation; or

(d) in the case of an aircraft, the aerodrome concerned is adjacent to another aerodrome at which the pilot-in-command is currently qualified to land.

(4) The operator shall maintain a record, sufficient to satisfy the Authority of the qualification of the pilot and of the manner in which such qualification has been achieved.
(5) An operator shall not continue to utilize a pilot as a pilot-in-command on a route or within the area specified by the operator and approved by the Authority unless, within the preceding twelve months, that pilot has made at least one trip between the terminal points of that route as a pilot member of the flight crew, or as a check pilot, or as an observer on the flight deck:
   (a) within that specified area; and
   (b) if appropriate, on any route where procedures associated with that route or with any aerodromes intended to be used for take-off or landing require the application of special skills or knowledge.

(6) In the event that more than 12 months elapse in which a pilot-in-command has not made such a trip on a route in close proximity and over similar terrain, within such a specified area, route or aerodrome, and, in the case of an aeroplane, has not practiced such procedures in a training device which is adequate for this purpose, prior to again serving as a pilot-in-command within that area or on that route, that pilot must requalify in accordance with sub-regulations (2) and (3).

**Pilot proficiency checks**

1. An operator shall ensure that piloting technique and the ability to execute emergency procedures is checked in such a way as to demonstrate the pilot’s competence on each type or variant of a type of aircraft and where the operation may be conducted under instrument flight rules (IFR), an operator shall ensure that the pilot’s competence to comply with such rules is demonstrated to either a check pilot or to a representative of the Authority.

2. The checks referred to in sub-regulation (1) shall be performed twice within any period of one year, and any two such checks which are similar, and which occur within a period of four consecutive months shall not alone satisfy this requirement.

3. When an operator schedules flight crew on several variants of the same type of aircraft or different types of aircraft with similar characteristics in terms of operating procedures, systems and handling, the Authority shall determine under which conditions the requirements of sub-regulations (1) and (2) for each variant or each type of aeroplane can be combined.

**Licences required**

1. A person shall not act as pilot-in-command or in any other capacity as a required flight crew member of an aircraft of:
   (a) Rwandan registry, unless that person carries in his personal possession the appropriate and current licence for that flight crew position for that type of aircraft; or
   (b) foreign registry, unless that person carries in his personal possession a valid and current licence for that type of aircraft issued to them by the State of registry.

2. The flight crew for international and domestic operations shall hold a valid radio telephony operator licence or endorsement issued or rendered valid by the State of registry, authorizing operation of the type of radio transmitting equipment to be used.

**Pilots: qualifications**

1. The pilot-in-command in any general aviation operation shall ensure that the licences of each flight crew member have been issued or rendered valid by the State of registry, contain the proper ratings, and that all the flight
crew members have maintained recency of experience.

(2) A person shall not operate an aircraft in commercial air transport or aerial work unless that person is qualified for the specific operation and in the specific type of aircraft used.

(3) The operator or owner of the aircraft shall ensure that flight crew engaged in civil aviation operations speak and understand the English Language.

**Rating required for IFR operations**

49. A person shall not act as pilot-in-command of an aircraft under instrument flight rules (IFR) or instrument meteorological conditions (IMC) unless:

(a) in the case of an aeroplane, the pilot holds an instrument rating or an Airline Transport Pilot Licence or a Multi-crew Pilot Licence with an appropriate aeroplane category, class, and type rating if required, for the aeroplane being flown; or

(b) in the case of helicopter, the pilot holds a helicopter instrument rating or an Airline Transport Pilot Licence for helicopters not limited to visual flight rules (VFR) operations.

**Special authorization required for Category II or III operations**

50. (1) A person shall not act as a pilot of an aircraft in a Category II or III operations unless:

(a) in the case of a pilot-in-command, the person holds a current Category II or III pilot authorization for that aircraft type; or

(b) in the case of a co-pilot, the person is authorized by the State of registry to act in that capacity in that aircraft in Category II or III operations.

(2) An authorization is not required for individual pilots of an air operator certificate holder which has operations specifications approving Category II or III operations.

**Recording of flight time**

51. (1) A pilot shall record and keep details of all flights he has flown in a logbook format acceptable to the Authority.

(2) The pilot-in-command shall be responsible for the journey log book or the general declaration:

(i) containing the following information and the corresponding roman numerals:
   
   I- aircraft nationality and registration;
   II- date;
   III- names of crew members;
   IV- duty assignment of crew members;
   V- place of departure;
   VI- place of arrival;
   VII-time of departure;
   VIII-time of arrival;
   IX- hours of flight;
   X- nature of flight (private, aerial work, scheduled or non-scheduled);
   XI- incidents, observations, if any; and
   XII-signature of person in charge

(ii) with entries made currently and in ink or indelible pencils; and

(iii) retained to provide a continuous record of the last six
months’ operations.

(3) An air operator certificate holder may record details of flights flown by a pilot in an acceptable computerised format maintained by the air operator certificate holder and shall make the records of all flights operated by the pilot, including differences and familiarisation training, available on request to the pilot concerned.

(4) The record referred to in sub-regulations (1), (2) and (3) shall contain the following information:

(a) personal details: name and address of the holder;
(b) for each flight:
   (i) name of pilot-in-command;
   (ii) date (day, month, year) of flight;
   (iii) place and time of departure and arrival (times (UTC) to be block time);
   (iv) type (aircraft make, model and variant) and registration of aircraft;
   (v) single engine or multi-engine;
   (vi) total time of flight; and
   (vii) accumulated total time of flight;
(c) for each flight simulation training device or flight and navigation procedures trainers session:
   (i) type and qualification number of training device;
   (ii) synthetic training device instruction;
   (iii) date (date/month/year);
   (iv) total time of session; and
   (v) accumulated total time;
(d) pilot function:
   (i) pilot-in-command,
   (ii) co-pilot;
   (iii) dual;
   (iv) authorized instructor or authorized examiner;
   (v) a remarks column to give details of specific functions such as student pilot-in-command time, pilot-in-command under supervision time, pilot-in-command instrument flight time, etc;
(e) operational conditions:
   (i) night;
   (ii) IFR;
(f) logging of time:
   (i) pilot-in-command flight time:
      (aa) the holder of a licence may log as pilot-in-command time all of the flight time during which he is the pilot-in-command;
      (bb) the applicant for or the holder of a pilot licence may log as pilot-in-command time all solo flight time and flight time as student pilot-in-command provided that such student pilot-in-command time is countersigned by the instructor;
      (cc) the holder of an instructor rating may log as pilot-in-command all flight time during which he acts as an instructor in an aeroplane;
(dd) the holder of an examiner’s authorization may log as pilot-in-command all flight time during which he occupies a pilot’s seat and acts as an examiner in an aeroplane;

(ee) a co-pilot acting as pilot-in-command under the supervision of the pilot-in-command on an aeroplane on which more than one pilot is required under the certificate of airworthiness of the aeroplane or by these Regulations may log as pilot-in-command under supervision flight time, provided such pilot-in-command time under supervision is countersigned by the pilot-in-command;

(ff) where the holder of a licence carries out a number of flights upon the same day returning on each occasion to the same place of departure and the interval between successive flights does not exceed thirty minutes, such series of flights are to be recorded as a single entry.

(ii) co-pilot flight time - the holder of pilot licence occupying a pilot seat as co-pilot may log all flight time as co-pilot flight time on an aeroplane on which more than one pilot is required under the certificate of airworthiness of the aeroplane;

(iii) cruise relief co-pilot flight time - a cruise relief co-pilot may log all flight time as co-pilot when occupying a pilot’s seat;

(iv) instruction time - a summary of all time logged by an applicant for a licence or rating as flight instruction, instrument flight instruction, instrument ground time, shall be certified by the appropriately rated or authorized instructor from whom it was received;

(v) pilot-in-command under supervision - a co-pilot may log as pilot-in-command under supervision flight time flown as pilot-in-command under supervision, when all of the duties and functions of pilot-in-command on that flight were carried out, such that the intervention of the pilot-in-command in the interest of safety was not required, provided that the method of supervision is acceptable to the Authority.

(g) presentation of flight time record:

(i) the holder of a licence or a student pilot shall without undue delay present his flight time record for inspection upon request by an authorized person;

(ii) a student pilot shall carry his flight time record logbook with him on all solo cross-country flights as evidence of the required instructor authorizations.

Pilot-in-command and co-pilot currency: take-offs and landings

52. (1) A person shall not act as pilot-in-command or co-pilot of an aircraft unless within the preceding ninety days that person has:

(a) made three take-offs and landings as the sole manipulator of the flight controls in an aircraft of the same category and class and if a type rating is required, of the same type;

(b) for a tailwheel aeroplane, made three take-offs and landings in a tailwheel aeroplane with each landing to a full stop; and
(c) for night operations, made the three take-offs and landings required by paragraph (a) at night.

(2) A pilot who has not met the recency of experience for take-offs and landings shall satisfactorily complete a re-qualification curriculum acceptable to the Authority.

(3) The requirements of sub-regulations (1) and (2) may be satisfied in a flight simulation training device approved by the Authority.

**Pilot currency: IFR operations.** 53.

(1) A person shall not act as pilot-in-command under instrument flight rules (IFR), or in instrumental meteorological conditions (IMC), unless that person has, within the past six months:
   (a) logged at least six hours of instrument flight time including at least three hours in flight in the category of aircraft; and
   (b) completed at least six instrument approaches.

(2) A pilot who has completed an instrument competency check with an authorized person shall be considered to be current for IFR operations for six months following that check.

**Pilot currency: general aviation operations** 54.

(1) A person shall not act as pilot of an aircraft type certificated:
   (a) for more than one pilot unless, in the preceding twelve months, that person has passed a proficiency check carried out by an authorized person in an aircraft requiring more than one pilot;
   (b) for more than one pilot unless, in the preceding twenty four months, that person has passed a proficiency check in the type of aircraft to be operated; or
   (c) for a single pilot unless, in the preceding twenty four months, that person has passed a proficiency check carried out by an authorized person;

(2) The person conducting the proficiency checks as required under sub-regulation (1) shall ensure that each check duplicates the manoeuvres of the type rating practical test.

(3) A person shall not act as co-pilot of an aircraft type certificated for more than one pilot unless, in the preceding twelve months, that person has:
   (a) an appropriate class and type rating for the aircraft to be flown; and
   (b) logged three take-offs and landings as the sole manipulator of the controls.

**Pilot privileges and limitations** 55.

A pilot shall not conduct flight operations unless the operations are within the privileges and limitations of each licence he holds as specified in the Civil Aviation (Personnel Licensing) Regulations.

**PART V - CREW MEMBER DUTIES AND RESPONSIBILITIES**

**Authority and responsibility of the pilot-in-command.** 56.

(1) The pilot-in-command of an aircraft shall:
   (a) be responsible for the operations and safety of:
      (i) the aeroplane from the moment the aeroplane is ready to move for the purpose of taking off until the moment it finally comes to rest at the end of the flight and the engine(s) used as primary propulsion units are shut down;
(ii) the helicopter - from the moment the engine(s) are started until the helicopter finally comes to rest at the end of the flight, with the engine(s) shut down and the rotor blades stopped;

(b) be responsible for the safety of all crew members, passengers and cargo on board when the doors are closed;

(c) have final authority as to the operation of the aircraft while in command; and

(d) whether manipulating the controls or not, be responsible for the operation of the aircraft in accordance with the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, except that the pilot-in-command may depart from them in emergency circumstances that render such departure absolutely necessary in the interests of safety.

(2) The provisions of sub-regulation (1)(d) may be departed from to the extent necessary:

(a) to avoid immediate danger or in an emergency situation;

(b) to comply with the law of any State other than Rwanda within which the aircraft then is.

(3) If any departure from the provisions of sub-regulation (1)(d), is made for the purpose of avoiding immediate danger or in an emergency situation, the pilot-in-command shall cause written particulars of the departure, and of the circumstances giving rise to it, to be given without delay, and in any case within ten days thereafter, to the competent authority of the State in whose territory the departure was made with a copy of it to the Authority and in the case of Rwandan aircraft the departure was made over the high seas, to the Authority.

(4) In case of general aviation operations, the pilot-in-command shall ensure that:

(a) the licences of each flight crew member have been issued or rendered valid by the State of registry, and are properly rated and of current validity, and shall be satisfied that flight crew members have maintained competence.

(b) in case an aeroplane is equipped with an airborne collision avoidance system (ACASII), each flight crew member has been appropriately trained to competency in the use of ACASII equipment and the avoidance of collision.

A person in an aircraft registered in Rwanda shall obey all lawful commands which the pilot-in-command of that aircraft may give for the purpose of securing the safety of the aircraft and of persons or property carried therein, or the safety, efficiency or regularity of air navigation.

(1) A pilot-in-command shall comply with the relevant laws, regulations and procedures of:

(a) the State in which the aircraft is operated; and

(b) the Authority in all instances where such regulations exceed but not in conflict with those of the State in which the aircraft is operated.

(2) Where an emergency situation which endangers the safety of the aircraft or persons therein necessitates the taking of action which involves a violation
of local regulations or procedures, the pilot-in-command shall:
(a) notify the appropriate local authority of the violation without delay;
(b) submit a report of the circumstances, if required by the State in which the incident occurs; and
(c) submit a copy of the report to the State of Registry.

(3) The pilot-in-command shall be responsible for:
(a) notifying the nearest appropriate authority by the quickest available means of any accident involving the aeroplane, resulting in serious injury or death of any person or substantial damage to the aeroplane or property; and
(b) reporting all known or suspected defects in the aeroplane, to the operator, at the termination of the flight.

59. A person shall not willfully, recklessly or negligently cause or permit an aircraft to endanger any life or property.

60. (1) A person shall not act as a required crew member at any time when that person is aware of any decrease in the medical fitness which might render him unable to safely and properly execute the duties of a crew member.

(2) The operator and the pilot-in-command shall be responsible for ensuring that a flight is not:
(a) commenced if any required crew member is incapacitated from performing duties by any cause such as injury, sickness, fatigue, the effects of alcohol or drugs; or
(b) continued beyond the nearest suitable aerodrome if a flight crew members capacity to perform functions is significantly reduced by impairment of faculties from causes such as fatigue, sickness or lack of oxygen.

61. (1) A person shall not act or attempt to act as a crew member of an aircraft:
(a) within eight hours after the consumption of any alcoholic beverage;
(b) while under the influence of alcohol; or
(c) while using any drug that affects the person’s faculties in any way contrary to safety; or
(d) while having 0.04 percent by weight or more alcohol in the blood.

(2) A crew member shall, up to eight hours before or immediately after acting or attempting to act as a crew member, on the request of the Authority, submit to a test to indicate the presence of alcohol or narcotic drugs in the blood.

(3) Where there is a reasonable basis to believe that a person may not be in compliance with this regulation and upon the request of the Authority, that person shall furnish the Authority or authorize any clinic, doctor, or other person to release to the Authority, the results of each blood test taken for presence of alcohol or narcotic substances up to eight hours before or immediately after acting or attempting to act as a crew member.

(4) Any test information provided to the Authority under the provisions of this regulation may be used as evidence in any legal proceedings.

62. (1) A crew member shall, at all times during take-off, landing and while seated at his workstation, fasten his seat belt.
harnesses.

(2) A crew member occupying a station equipped with a shoulder harness shall fasten that harness during take-off and landing, except that the shoulder harness may be unfastened if the crew member cannot perform the required duties with the shoulder harness fastened.

(3) An occupant of a seat equipped with a combined safety belt and shoulder harness shall have the combined safety belt and shoulder harness properly secured during take-off and landing and be able to properly perform assigned duties.

(4) Where there is an unoccupied seat, the safety belt and shoulder harness at that seat if installed, shall be secured so as not to interfere with crew members in the performance of their duties or with the rapid egress of occupants in an emergency.

Flight crew members at duty stations

63. (1) All flight crew members required to be on flight deck duty shall remain in the assigned duty station during take-off, landing, critical phases of flight and when the pilot so directs, and they shall keep their seat belts, or when provided, safety harness fastened when at their stations.

(2) A pilot-in-command shall cause one pilot to remain at the controls of the aircraft at all times while the aircraft is in flight.

(3) Any flight crew member occupying a pilot’s seat shall keep the safety harness fastened during the take-off and landing phases, and all other flight crew members shall keep their safety harnesses fastened during the take-off and landing phases unless the shoulder straps interfere with the performance of their duties, in which case the shoulder straps may be unfastened but the seat belt shall remain fastened.

(4) A flight crew member shall remain at his station during all phases of flight unless:

(a) absence is necessary for the performance of the flight crew members duties in connection with the operation;

(b) absence is necessary for physiological needs, provided one qualified pilot remains at the controls at all times; or

(c) the flight crew member is taking a rest period and a qualified relief flight crew member replaces that crew member at the duty station.

(5) A required flight crew member may leave the assigned duty station if the crew member is taking a rest period, and relief is provided:

(a) for the assigned pilot-in-command during the en route cruise portion of the flight by a pilot who holds an airline transport pilot licence and an appropriate type rating, and who is currently qualified as pilot-in-command or co-pilot, and is qualified as pilot-in-command of that aircraft during the en route cruise portion of the flight; and

(b) in the case of the assigned co-pilot, by a pilot qualified to act as pilot-in-command or co-pilot of that aircraft during en route operations.

(6) Subject to sub-regulation (7), an air operator certificate holder shall not operate an aircraft unless it is equipped with a forward or rearward facing (within 15 degrees of the longitudinal axis of the aircraft) seat, fitted with a safety harness for the use of each cabin crew member required to satisfy the intent of this regulation in respect with emergency evacuation.

(7) Cabin crew seats provided in accordance with sub-regulation (4) shall be located near floor level and other emergency exits as required by the State of registry for emergency evacuation.
(8) Each cabin crew member assigned to emergency evacuation duties shall occupy a seat provided in accordance with sub-regulation (4) during take-off and landing and whenever the pilot-in-command so directs.

Required crew member equipment

64. (1) A crew member involved in night operations shall have an electric torch at his station.
(2) A pilot shall have at his station all normal, abnormal and emergency procedures checklists.
(3) A pilot shall have at his station current and suitable maps, charts, codes and other documents and navigational equipment necessary to cover the route of the proposed flight and any route along which it is reasonable to expect that the flight may be diverted.
(4) A flight crew member assessed as fit to exercise the privileges of a licence, subject to the use of suitable correcting lenses, shall have a spare set of the correcting lenses readily available when exercising those privileges in commercial air transport.
(5) A cabin crew member shall be required to have an emergency procedures manual for the type of aircraft.

Compliance with checklists

65. A pilot-in-command shall ensure that the flight crew follows the approved checklist procedures when operating the aircraft.

Search and rescue information

66. An operator, or in case of general aviation operations, a pilot-in-command, shall ensure that essential information pertinent to the intended flight concerning search and rescue services is easily accessible in the cockpit.

Information on emergency and survival equipment carried

67. An operator shall ensure that there are available at all times for immediate communication to rescue coordination centres, lists containing information on the emergency and survival equipment carried on board any of the operator’s aircraft engaged in international air navigation, which information shall include, as applicable, the number, colour and type of life-rafts and pyrotechnics, details of emergency medical supplies, water supplies and the type and frequencies of emergency portable radio equipment.

Locking of cockpit compartment door

68. (1) In an aircraft equipped with a cockpit compartment door:
   (a) the door shall be capable of being locked; and
   (b) means shall be provided by which the cabin crew can discreetly notify the flight crew in the event of suspicious activity or security breaches in the cabin.
(2) A pilot-in-command shall ensure that the cockpit compartment door, if installed, is locked at all times during passenger carrying commercial air transport operations, except as necessary to permit access and egress by authorized persons.

Admission to the cockpit

69. (1) A person shall not admit any person to the cockpit of an aircraft engaged in commercial air transport operations unless the person being admitted is:
   (a) an operating crew member;
   (b) an authorized person responsible for certification, licensing or inspection;
   (c) any person authorized by the Authority with the agreement with the operator; or
(d) permitted and carried in accordance with instructions contained in the operations manual.

(2) A person shall not admit any person who is not a flight crew member to the cockpit of an aircraft of maximum certificated take-off mass of 5,700 kg or more unless there is a seat available in the passenger compartment for use by the person to be admitted in the cockpit.

(3) A pilot-in-command shall ensure that:
   (a) in the interest of safety, admission to the cockpit does not cause distraction to the flight crew or interfere with the flight’s operations; and
   (b) all persons carried in the cockpit are made familiar with the relevant safety procedures.

Power to inspect

70. (1) The pilot-in-command shall give the inspector free and uninterrupted access to the aircraft, including the cockpit, when an inspector from the Authority presents valid aviation safety inspector credentials to the pilot-in-command in order to conduct an inspection.

(2) The pilot-in-command may refuse an inspector access to the cockpit if, in his opinion, the safety of the aircraft would thereby be endangered.

Duties during critical phases of flight

71. (1) A flight crew member shall not perform any duties during a critical phase of flight except duties required for the safe operation of the aircraft.

(2) A pilot-in-command shall not permit a flight crew member to engage in any activity during a critical phase of flight which could distract or interfere with the performance of that flight crew member’s assigned duties.

Microphones

72. All flight crew member required to be on flight deck duty shall use a boom or throat microphone to intercommunicate and communicate with another flight crew members and air traffic services below the transition level or altitude.

Manipulation of the controls: commercial air transport

73. (1) A pilot-in-command shall not allow an unqualified person to manipulate the controls of an aircraft during commercial air transport operations.

(2) A person shall not manipulate the controls of an aircraft during commercial air transport operations unless that person is qualified to manipulate the controls and is authorized to do so by the air operator certificate holder.

Simulated abnormal situations in flight: commercial air transport

74. A person shall not cause or engage in simulated abnormal or emergency situations or the simulation of instrument meteorological conditions by artificial means during commercial air transport operations.

Completion of the technical logbook: commercial air transport

75 A pilot-in-command shall ensure that all portions of the technical logbook required under the Civil Aviation (Air Operator Certification and Administration) Regulations and these Regulations are completed at the appropriate points before, during and after flight operations.

Reporting of facility and

76. A crew member shall report, without delay, any inadequacy or irregularity of a facility or navigational aid observed in the course of operations to the person
navigation aid inadequacies

Reporting of incidents, bird occurrences, mechanical irregularities and accidents

(1) A pilot-in-command shall submit, without delay, a signed written report to the Authority, of an air traffic incident whenever an aircraft in flight has been endangered by:
   (a) a near collision with another aircraft or object or whenever an aircraft in flight has manoeuvred in response to an ACAS Resolution Advisory;
   (b) faulty air traffic control procedures or lack of compliance with applicable procedures by an air traffic control unit or by the flight crew; or
   (c) a failure of air traffic control unit.

(2) A pilot-in-command shall report weather conditions or other hazardous flight conditions encountered en route which are likely to affect the safety of other aircraft, and give details as may be pertinent to the safety of other aircraft.

(3) A pilot-in-command shall inform the appropriate air traffic control unit if the situation permits, when an in-flight emergency involving dangerous goods occurs on board.

(4) A pilot-in-command shall, without delay, submit a report to the local authorities and to the Authority, following an act of unlawful interference.

(5) Subject to the provisions of sub-regulations (6), (7) and (8), the pilot-in-command shall make a report to the Authority of any birdstrike occurrence which occurs whilst the aircraft is in flight within Rwanda.

(6) The report mentioned in sub-regulation (7) shall be made within such time, by such means and shall contain such information as is specified in the First Schedule and it shall be presented in such form as the Authority may in any particular case approve.

(7) Nothing in sub-regulation (5) or (6) shall require a person to report any occurrence which he has reported under regulation 78 or which he has reason to believe has been or will be reported by another person to the Authority in accordance with that regulation.

(8) In this regulation, "birdstrike occurrence" means an incident in flight in which the pilot-in-command of an aircraft has reason to believe that the aircraft has been in collision with one or more than one bird.

(9) A pilot-in-command shall ensure that all mechanical irregularities occurring during flight time are:
   (a) reported to the operator at the termination of the flight;
   (b) for general aviation operations, entered in the aircraft logbook and dealt with in accordance with the minimum equipment list or other approved or prescribed procedure;
   (c) for commercial air transport operations, entered in the technical log of the aircraft at the end of that flight time.

(10) A pilot-in-command shall notify the nearest appropriate authority, by the quickest available means, of any accident involving the aircraft that results in serious injury or death of any person, or substantial damage to the aircraft or property.

(11) The pilot-in-command shall submit a report to the Authority of any accident which occurred while that pilot-in-command was responsible for the flight.
Mandatory reporting of occurrences which endanger or would endanger, if not corrected, an aircraft or a person

78. (1) This regulation shall apply to occurrences which endanger or which, if not corrected, would endanger an aircraft, its occupants or any other person and it is in addition with the requirements of regulations 76 and 77.

(2) Every person listed below shall report to the Authority any event which constitutes an occurrence for the purposes of sub-regulation (1) and which comes to his attention in the exercise of his functions:

(a) the operator and the pilot-in-command of a turbine-powered aircraft which has a certificate of airworthiness issued by the Authority;

(b) the operator and the pilot-in-command of an aircraft operated under an air operator certificate granted by the Authority;

(c) a person who carries on the business of manufacturing a turbine-powered or a public transport aircraft, or any equipment or part thereof, in Rwanda;

(d) a person who carries on the business of maintaining or modifying a turbine-powered an aircraft, which has a certificate of airworthiness issued by the Authority, and a person who carries the business of maintaining or modifying any equipment or part of such an aircraft;

(e) a person who carries on the business of maintaining or modifying an aircraft operated under an air operator certificate granted by the Authority, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;

(f) a person who signs a an airworthiness review certificate, or a certificate of release to service in respect of a turbine-powered an aircraft, which has a certificate of airworthiness issued by the Authority, and a person who signs an airworthiness review certificate or a certificate of release to service in respect of any part or equipment of such an aircraft;

(g) a person who signs a an airworthiness review certificate, or a certificate of release to service in respect of an aircraft, operated under an air operator’s certificate granted by the Authority, and a person who signs an airworthiness review certificate or a certificate of release to service in respect of any part or equipment of such an aircraft;

(h) a person who performs a function which requires him to be authorized by the Authority as an air traffic controller or as a flight information service officer;

(i) a licensee and a manager of a licensed aerodrome;

(j) a person who performs a function in respect of the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities which are utilized by a person who provides an air traffic control service under an approval issued by the Authority;

(k) a person who performs a function in respect of the ground-handling of aircraft, including fuelling, servicing, load sheet preparation, loading, de-icing and towing at an airport.

(3) Reports of occurrences shall be made within such time, by such means
and containing such information as is specified in the First Schedule and shall be presented in such form as the Authority may in any particular case approve.

(4) A person listed in subregulation (2) shall make a report to the Authority within such time, by such means, and containing such information as the Authority may specify in a notice in writing served upon him, being information which is in his possession or control and which relates to an occurrence which has been reported by him or another person to the Authority in accordance with this regulation.

(5) A person shall not make any report under this regulation if he knows or has reason to believe that the report is false in any particular.

(6) The Authority shall collect, evaluate, process and store occurrences reported in accordance with sub-regulations (2) to (4).

(7) The Authority shall store in its databases the reports which it has collected of occurrences, accidents and serious incidents.

(8) The Authority, having received an occurrence report, shall enter it into its databases and notify, whenever necessary: the competent authority of the State where the occurrence took place; where the aircraft is registered; where the aircraft was manufactured, and where the operator's air operator's certificate was granted, and any other person it thinks fit.

(9) The Authority shall provide any entity entrusted with investigating civil aviation accidents and incidents with access to information on occurrences collected and exchanged to enable it to draw the safety lessons from the reported occurrences.

Voluntary reporting of occurrences

79. (1) The Authority shall collect and analyze information of voluntary reporting of observed deficiencies in aviation which are not required to be reported under regulations 76 to 78, but which are perceived by the reporter as an actual or potential hazard.

(2) Voluntary reports presented to the Authority under sub-regulation (1) shall be subjected to a process of disidentification by it where the person making the report requests that his identity is not recorded on the databases.

(3) The Authority shall ensure that relevant safety information deriving from the analysis of reports, which have been subjected to disidentification, are stored and made available to all parties so that they can be used for improving safety in aviation.

Operation of flight recorders

80. (1) A pilot-in-command shall ensure that whenever an aircraft has flight recorders installed, the recorders are operated continuously from the instant:

(a) for a flight data recorder, the aircraft begins the flight until it has completed the landing roll; and

(b) for a cockpit voice recorder, the initiation of the pre-flight checklist until the end of the securing aircraft checklist.

(2) A pilot-in-command shall not permit a flight recorder to be disabled, switched off or erased during flight, unless necessary to preserve the data for an accident or incident investigation.

(3) In event of an aircraft accident or incident, the pilot-in-command shall act to preserve the recorded data for subsequent investigation.
(4) Flight recorders shall not be switched off during flight time.
(5) In order to preserve flight records, flight recorders shall be deactivated upon completion of flight time following an accident or incident; the flight recorders shall not be reactivated before their disposition as determined in accordance with the Civil Aviation (Accident and Incident Investigations) Regulations.
(6) An operator shall ensure, to the extent possible, in the event the aircraft becomes involved in an accident or incident, the preservation of all related flight recorder records and, if necessary, the associated flight recorders, and their retention in safe custody pending their disposition as determined in accordance with the Civil Aviation (Accident and Incident Investigations) Regulations.

Crew member Oxygen supply

81. (1) The approximate altitudes in the Standard Atmosphere corresponding to the values of absolute pressure used in this regulation are as follows:

<table>
<thead>
<tr>
<th>Absolute pressure</th>
<th>Metres</th>
<th>Feet</th>
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<tbody>
<tr>
<td>700 hPa</td>
<td>3 000</td>
<td>10 000</td>
</tr>
<tr>
<td>620 hPa</td>
<td>4 000</td>
<td>13 000</td>
</tr>
<tr>
<td>376 hPa</td>
<td>7 600</td>
<td>25 000</td>
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</tbody>
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(2) A flight intended to be operated at flight altitudes at which the atmospheric pressure in personnel compartments will be less than 700 hPa shall not be commenced unless sufficient stored breathing oxygen and dispensing apparatus is carried to supply:
(a) all crew members and 10 per cent of the passengers for any period in excess of 30 minutes that the pressure in compartments occupied by them will be between 700 hPa and 620 hPa; and
(b) the crew and passengers for any period that the atmospheric pressure in compartments occupied by them will be less than 620 hPa.

(3) A flight intended to be operated with a pressurized aircraft shall not be commenced unless a sufficient quantity of stored breathing oxygen and dispensing apparatus are carried to supply all the crew members and passengers, as is appropriate to the circumstances of the flight being undertaken, in the event of loss of pressurization, for any period that the atmospheric pressure in any compartment occupied by them would be less than 700 hPa.

(4) In addition to sub-regulation (3), when an aircraft is intended to be operated at flight altitudes at which the atmospheric pressure is less than 376 hPa, or which, if operated at flight altitudes at which the atmospheric pressure is more than 376 hPa and cannot descend safely within four minutes to a flight altitude at which the atmospheric pressure is equal to 620 hPa, there shall be automatically deployable oxygen equipment dispensing no less than a 10-minute supply for the occupants of the passenger compartment and the total number of oxygen dispensing units shall exceed the number of passenger and cabin crew seats by at least 10 per cent.

(5) When a pressurized aeroplane is intended to be operated at flight altitudes at which the atmospheric pressure will be less than 376 hPa, there shall be a device to provide positive warning to the pilot of any dangerous loss of pressurization.

(6) In no case shall the minimum supply of oxygen on board the aircraft be
Use of oxygen 82. (1) All flight crew members, when engaged in performing duties essential to the safe operation of an aircraft in flight, shall use breathing oxygen continuously whenever the circumstances prevail for which its supply has been required in regulation 81.

(2) All flight crew members of pressurized aircraft operating above an altitude where the atmospheric pressure is less than 376 hPa shall have available at the flight duty station a quick-donning type of oxygen mask which will readily supply oxygen upon demand.

Carriage of dangerous goods 83. (1) A person shall not carry dangerous goods in an aircraft except:

(a) with the written permission of the Authority and subject to any condition the Authority may impose in granting such permission; and

(b) in accordance with the provisions of Part VII - Air Operator Certificate Dangerous Goods Management - of the Civil Aviation (Air Operator Certification and Administration) Regulations, with the necessary changes - mutatis mutandis - to apply to the said person even in the case he is a non air operator certificate holder, including the provisions of the latest effective edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air, as amended by any supplement and any addendum, approved and published by decision of the Council of the International Civil Aviation Organization.

(2) A person shall not take or cause to be taken on board an aircraft or deliver or cause to be delivered for loading thereon, any goods which that person knows or has reasonable cause to know to be dangerous goods without complying with this regulation.

(3) The operator of an aircraft shall, before the flight begins, inform the pilot-in-command of the aircraft of the identity of the goods, the danger to which they give rise and the weight or quantity of the goods.

Portable electronic devices 84 A pilot-in-command or any other crew member shall not permit any person to use, nor shall any person use a portable electronic device on board an aircraft that may adversely affect the performance of aircraft systems and equipment unless:

(a) for IFR operations other than commercial air transport, the pilot-in-command allows such a device prior to its use; or

(b) for commercial air transport operations, the air operator certificate holder makes a determination of acceptable devices and publishes that information in the operations manual for the crew members use; and

(c) the pilot-in-command informs passengers of the permitted use.

PART VI - FLIGHT PLANS AND AIR TRAFFIC CONTROL CLEARANCE

Operational Flight Planning and Preparation
A pilot-in-command of an aircraft registered in Rwanda shall satisfy himself before take-off, and a flight shall not be commenced until flight preparation forms have been completed certifying that the pilot-in-command is satisfied, that:

(a) the flight can safely be made, taking into account the latest information available as to the route and aerodromes to be used, the weather reports and forecasts available, and any alternative cause of action which can be adopted in case the flight cannot be completed as planned;

(b) that the equipment, including radio apparatus, required by these Regulations to be carried is carried and is in a fit condition for use;

(c) that the aircraft is in every way fit for the intended flight, and that, where a certificate of release to service is required by the Civil Aviation (Airworthiness) Regulations to be in force, is in force and will not cease to be in force during the intended flight;

(d) that the load carried by the aircraft is of such weight, and is so distributed and secured, that it may safely be carried on the intended flight;

(e) the mass of the aircraft and centre of gravity location are such that the flight can be conducted safely, taking into account the flight conditions expected;

(f) in the case of an aeroplane, a rotorcraft or airship, that sufficient fuel, oil and engine coolant, if required, are carried for the intended flight, and that a safe margin has been allowed for contingencies, and, in the case of a flight for the purpose of commercial air transport, that the instructions in the operations manual relating to fuel, oil, and engine coolant have been complied with;

(g) in case of an airship or balloon, that, sufficient ballast if required is carried for the intended flight;

(h) in the case of an aeroplane, that having regard to the performance of the aeroplane in the condition to be expected on the intended flight, and to any obstacle at the places of departure and intended destination and on the intended route, it is capable of safely taking off, reaching and monitoring a safe height thereafter, and making a safe landing at the place of intended destination;

(i) that any pre-flight check system established by the operator and set out in the operations manual or elsewhere has been complied with by each member of the crew of the aircraft; and

(j) he has sufficient information on climb performance with all engines operating to enable determination of the climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off technique.

A person shall not taxi an aeroplane on the movement area of an aerodrome unless he:-

(a) has been authorized by the operator, the owner, or in the case where it is leased, the lessee., or a designated agent;

(b) is fully competent to taxi the aeroplane;
(c) is qualified to use the radiotelephone if radio communications are required;
(d) has received instruction from a competent person in respect of aerodrome layout, and where appropriate, information on routes, signs, marking, lights, air traffic control signals and instructions, phraseology and procedures, and is able to conform to the operational standards required for safe aircraft movement at the aerodrome; and
(e) has been given an air traffic control clearance where appropriate;

(2) A person shall not cause a helicopter rotor to be turned under power unless there is a qualified pilot at the controls properly secured in his seat.

Flight into known or expected icing

A person shall not commence a flight:-
(a) in an aircraft or continue to operate an aircraft en route when the icing conditions are expected or encountered, without ensuring that the aircraft is certified for icing operations and has sufficient operational de-icing or anti-icing equipment;
(b) in an aircraft when frost, ice or snow is adhering to the wings, control surfaces, propellers, engine inlets or other critical surfaces of the aircraft which might adversely affect the performance or controllability of the aircraft; or
(c) for commercial air transport operations in an aircraft when conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless the procedures approved for the air operator certificate holder by the Authority are followed to ensure ground de-icing, and anti-icing is accomplished.

Aerodrome operating minima

(1) A person shall not operate to or from an aerodrome using aerodrome operating minima lower than those which may be established for that aerodrome by the State in which it is located, unless that State specifically approves that operation.
(2) An air operator certificate holder shall establish aerodrome operating minima for each aerodrome; to be used in operations, subject to the approval of the Authority, and for that purpose he shall take full account of:
(a) the type, performance and handling characteristics of the aeroplane;
(b) the composition of the flight crew, their competence and experience;
(c) the dimensions and characteristics of the runways which may be selected for use or in the case of a heliport, the declared distances;
(d) the adequacy and performance of the available visual and non-visual ground aids;
(e) the equipment available on the aeroplane for the purpose of navigation and/or control of the flight path during the approach to landing and the missed approach;
(f) the obstacles in the approach and missed approach areas and the obstacle clearance altitude/height for the instrument approach procedures;
(g) the means used to determine and report meteorological
(h) the obstacles in the climb-out areas and necessary clearance margins.

(3) A flight shall not be continued towards the aerodrome of intended landing, unless the latest available information indicates that at the expected time of arrival, a landing can be effected at that aerodrome or at least one destination alternate aerodrome, in compliance with the operating minima established in accordance with sub-regulation (1);

(4) An instrument approach shall not be continued beyond the outer marker fix in case of precision approach, or below 300 m (1,000 ft) above the aerodrome in case of non-precision approach, unless the reported visibility or controlling runway visual range (RVR) is above the specified minimum.

(5) If, after passing the outer marker fix in case of precision approach, or after descending below 300 m (1,000 ft) above the aerodrome in case of non-precision approach, the reported visibility or controlling runway visual range (RVR) falls below the specified minimum, the approach may be continued to decision altitude or decision height (DA/H) or minimum descent altitude or minimum descent height (MDA/H).

(6) In any case, an aeroplane shall not continue its approach-to-land at any aerodrome beyond a point at which the limits of the operating minima specified for that aerodrome would be infringed.

Take-off conditions 89. Before commencing take-off, a pilot-in-command shall ensure that:
(a) according to the available information, the weather at the aerodrome and the condition of the runway intended to be used shall allow for a safe take-off and departure; and
(b) the runway visual range or visibility in the take-off direction of the aircraft is equal to or better than the applicable minimum.

Altimeter settings 90. A person operating an aircraft registered in Rwanda shall set the aircraft altimeters to maintain the cruising altitude for flight level reference in accordance with the procedure notified by:
(a) the State where the aircraft may be; or
(b) the Aeronautical Information Publication.

Operation of radio in aircraft 91. (1) The radio station in an aircraft shall not be operated, whether or not the aircraft is in flight, except in accordance with the conditions of the licence issued in respect of that station under the law of the State of registry, and by a person duly licenced or otherwise permitted to operate the radio station under that law.

(2) Subject to sub-regulations (3) and (4) whenever an aircraft is in flight in such circumstances that it is required by or under these Regulations to be equipped with radio communications apparatus, a continuous radio watch shall be maintained by a member of a flight crew listening to the signals transmitted upon the frequency notified, or designated by a message received from an appropriate aeronautical radio station, for use by that aircraft.

(3) The radio watch may be discontinued or continued on another frequency to the extent that a message as aforesaid so permits.

(4) The watch may be kept by a device installed in the aircraft if the appropriate aeronautical radio station has been informed to that effect and
has raised no objection; and that station is notified, or in the case of a station situated in a State other than Rwanda, otherwise designated as transmitting a signal suitable for that purpose.

(5) Whenever an aircraft is in flight in such circumstances that it is required by or under these Regulations to be equipped with radio or radio navigation equipment a member of the flight crew shall operate that equipment in such a manner as he may be instructed by the appropriate air traffic control unit or as may be notified in relation to any notified airspace in which the aircraft is flying.

(6) The radio station in an aircraft shall not be operated so as to cause interference, that impairs the efficiency of aeronautical telecommunications or navigational services, and in particular emissions shall not be made except as follows –

(a) emission of the class and frequency for the time being in use, in accordance with general international aeronautical practice, in the airspace in which the aircraft is flying;
(b) distress, urgency and safety messages and signals, in accordance with general international aeronautical practice;
(c) messages and signals relating to the flight of the aircraft, in accordance with general international aeronautical practice;
(d) such public correspondence messages as may be permitted by or under the aircraft radio station licence referred in sub-regulation (1).

(7) In any aircraft registered in Rwanda, which is engaged on a flight for the purpose of commercial air transport operations, the pilot and the flight engineer (if any) shall not make use of a hand-held microphone, whether for the purpose of radio communication or of intercommunication within the aircraft, whilst the aircraft is flying in controlled airspace below flight level 150 or is taking off or landing.

(8) An aircraft which is equipped with a radio station having a defect such as to impair the safety of the aircraft shall not undertake any flight until the aircraft has been rendered safe, or if such defect occurs during flight, shall land as soon as possible unless the radio station can be and is speedily rendered safe for flight.

Weather reports and forecasts

92. (1) A pilot-in-command shall before commencing a flight be familiar with all available meteorological information appropriate to the intended flight.

(2) Pre-flight action by a pilot-in-command for a flight away from the vicinity of the place of departure, and for every flight under instrument flight rules (IFR), shall include:

(a) a careful study of available current weather reports and forecasts taking into consideration fuel and oil requirements; and
(b) an alternative course of action if the flight cannot be completed as planned because of weather conditions.

(3) A pilot-in-command who is unable to communicate by radio with an air traffic control unit at the aerodrome of destination shall not begin a flight to an aerodrome within a control zone if the information which it is reasonably practicable for the pilot-in-command to obtain indicates that he will arrive at that aerodrome when the ground visibility is less than eight kilometres or the cloud ceiling is less than 455 m (1,500 ft), unless the pilot-in-command has obtained from an air traffic control unit at that
aerodrome permission to enter the aerodrome traffic zone.

Weather limitations for VFR flights

93. A person shall not commence a flight, except one of purely local character in visual meteorological conditions, to be conducted in accordance with visual flight rules (VFR) unless available current meteorological reports, or a combination of current reports and forecasts, indicate that the meteorological conditions along the route, or that part of the route to be flown under VFR, will, at the appropriate time, render possible VFR operations.

Adequacy of operating facilities

94. (1) A person shall not commence a flight, and an operator shall ensure that a flight shall not be commenced, unless:

(a) it has been ascertained by every reasonable means available that the ground and/or water areas and facilities available and directly required for such flight, for the safe operation of the aircraft and the protection of passengers, are adequate, including communication facilities and navigation aids; for the type of operation under which the flight is to be conducted and are adequately operated for this purpose; and

(b) that person is satisfied that the aerodromes at which the flight is intended to take-off or land and any alternative aerodrome at which a landing may be made are suitable for the purpose and in particular are adequately manned and equipped to ensure the safety of the aircraft and its passengers.

(2) In this regulation “reasonable means” denotes use, at the point of departure, of information available to the operator and the pilot-in-command either through official information published by the Aeronautical Information Services or readily obtainable from other sources.

(3) An operator shall ensure that any inadequacy of facilities observed in the course of operations is reported to the authority responsible for them, without undue delay.

(4) Subject to their published conditions of use, aerodromes and their facilities shall be kept continuously available for flight operations during their published hours of operations, irrespective of weather conditions.

Diversions decision: engine inoperative

95. (1) Except as provided in sub-regulation (2) of this regulation, a pilot-in-command shall land the aircraft at the nearest suitable aerodrome at which a safe landing can be made whenever an engine of an aircraft fails or is shut down to prevent possible damage.

(2) Where not more than one engine of an aeroplane having three or more engines fails, and its rotation stops, the pilot in command may proceed to an aerodrome if the pilot in command decides that proceeding to that aerodrome is as safe as landing at the nearest suitable aerodrome after considering the:

(a) nature of the malfunction and the possible mechanical difficulties that may occur if the flight is continued;

(b) altitude, mass, and usable fuel at the time of engine stoppage;

(c) weather conditions en route and at possible landing points;

(d) air traffic congestion;

(e) kind of terrain; and

(f) familiarity with the aerodrome to be used.
(1) Except in case of general aviation operations, subject to this regulation, a person shall not commence an IFR flight unless the available information indicates that the weather conditions at the aerodrome of intended landing or, where a destination alternate is required, at least one suitable alternate at the estimated time of arrival, be at or above the aerodrome operating minima.

(2) For any flights to be conducted in accordance with the instrument flight rules, at least one of the destination alternated aerodrome shall be selected and specified in the operational and air traffic services flight plans, unless:

   (a) the duration of the flight and the meteorological conditions prevailing are such that there is reasonable certainty that, at the estimated time of arrival at the aerodrome of intended landing, and for a reasonable period before and after such time, the approach and landing may be under visual meteorological conditions as prescribed by the State of operator; or

   (b) the aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome; for a helicopter, a point of no return shall be determined.

(3) In case of general aviation operations, when a destination alternate aerodrome is required, a flight to be conducted in accordance with the instrument flight rules shall not be commenced unless the available information indicates that conditions, at the aerodrome of intended landing and at least one destination alternate will, at the estimated time of arrival, be at or above the aerodrome operating minima.

(4) In case of general aviation operations, when a destination alternate aerodrome is not required, a flight to be conducted in accordance with the instrument flight rules to an aerodrome shall not be commenced unless:

   (a) a standard instrument approach procedure is prescribed for the aerodrome of intended landing; and

   (b) (i) in the case of an aeroplane, available current meteorological information indicates that the following meteorological conditions will exist from two hours before to two hours after the estimated time of arrival:

       (aa) a cloud base of at least 300 m (1 000 ft) above the minimum associated with the instrument approach procedure; and

       (bb) visibility of at least 5.5 km or of 4 km more than the minimum associated with the procedure; or

   (ii) in the case of a helicopter, available current meteorological information indicates that the following meteorological conditions will exist from two hours before to two hours after the estimated time of arrival or from the actual time of departure to two hours after the estimated time of arrival, whichever is the shorter period:

       (aa) a cloud base of at least 120 m (400 ft) above the minimum associated with the instrument approach procedure; and

       (bb) visibility of at least 1.5 km more than the minimum associated with the procedure.
IFR alternate aerodrome selection criteria

97. (1) Where alternate minimums are published, a pilot-in-command shall not designate an alternate aerodrome in an instrument flight rules (IFR) flight plan unless the current available forecast indicates that the meteorological conditions at that alternate at the estimated time of arrival shall be at or above those published alternate minimums.

(2) Where alternate minimums are not published, and if there is no prohibition against using the aerodrome as an IFR planning alternate, a pilot-in-command shall ensure that the meteorological conditions at that alternate at the estimated time of arrival shall be at or above:

(a) for a precision approach procedure, a ceiling of at least 185 m (600 ft) and visibility of not less than 3 kilometres; or

(b) for a non-precision approach procedure, a ceiling of at least 245 m (800 ft) and visibility of not less than 3 kilometres.

Off-shore alternates for helicopter operations

98. (1) A person shall not designate an offshore alternate landing site when it is possible to carry enough fuel to have an on-shore alternate landing site.

(2) The selection of offshore alternates shall be exceptional cases, the details of which have been approved by the Authority, and shall not include payload enhancement in Instrument Meteorological Conditions.

(3) A person selecting an off-shore alternate landing site shall consider the following:

(a) until the point of no return, he shall use an on-shore alternate only;

(b) the offshore alternate may be used only after a point of no return;

(c) attaining one engine inoperative performance capability prior to arrival at the alternate;

(d) guaranteeing helideck availability;

(e) the weather information must be reliable and accurate; and

(f) for IFR operations, an instrument approach procedure shall be prescribed and available.

(4) The landing technique specified in the flight manual following control system failure may preclude the selection of certain helideck as alternate aerodromes.

(5) The mechanical reliability of critical control systems and critical components shall be considered and taken into account when determining the suitability and necessity for an offshore alternate.

Take-off alternate aerodromes: Commercial air transport operations

99. (1) A person shall not release or take-off an aircraft without a suitable take-off alternate aerodrome specified in the flight release or operational flight plan if the weather conditions at the aerodrome of departure are at or below the applicable aerodrome operating minima or if it would not be possible to return to the aerodrome of departure for other reasons.

(2) An operator shall ensure that each take-off alternate specified shall be located within a distance equivalent to:

(a) for aircraft having two-power units, one hour flight time at single-engine cruise speed unless the aircraft and crews are authorized for extended range operations by turbine-engined aeroplanes (ETOPS); or

(b) for aircraft having three or more power-units, two hours flight
time at single-engine inoperative cruising speed.

(3) All calculations referred under this regulation shall be based on the one-engine-inoperative cruising speed according to the aeroplane flight manual in still air conditions based on the actual take-off mass.

(4) For an aerodrome to be selected as a take-off alternate the available information shall indicate that, at the estimated time of use, the condition will be at or above the aerodrome operating minima for that operation.

(1) Unless specifically granted an extended range operations by turbine-engined aeroplanes (ETOPS) approval by the Authority, an air operator certificate holder shall not operate an aeroplane with two turbine power-units over a route which contains a point further from an adequate aerodrome than, in the case of:

(a) large, turbine engine powered aeroplanes the distance flown in sixty minutes at the one-engine-inoperative cruise speed determined in accordance with sub-regulation (2) with either:
   (i) a maximum approved passenger seating configuration of twenty or more; or
   (ii) a maximum take-off mass of 45,360 kg or more;

(b) reciprocating engine powered aeroplanes:
   (i) the distance flown in 120 minutes at the one-engine-inoperative cruise speed determined in accordance with sub-regulation (2); or
   (ii) three hundred nautical miles, whichever is less.

(2) An air operator certificate holder shall determine a speed for the calculation of the maximum distance to an adequate aerodrome for each aeroplane with two turbine power-units type or variant operated, not exceeding Vmo based upon the true airspeed that the aeroplane can maintain with one-engine-inoperative under the following conditions:

(a) International Standard Atmosphere;
(b) level flight:
   (i) for turbine engined powered aeroplanes at:
      (aa) flight level 170; or
      (bb) at the maximum flight level to which the aeroplane, with one engine inoperative, can climb, and maintain, using the gross rate of climb specified in the aeroplane flight manual, whichever is less;
   (ii) for propeller driven aeroplanes:
      (aa) flight level 80; or
      (bb) at the maximum flight level to which the aeroplane, with one engine inoperative, can climb, and maintain, using the gross rate of climb specified in the aeroplane flight manual, whichever is less;
   (iii) maximum continuous thrust or power on the remaining operating engine;
   (iv) an aeroplane mass not less than that resulting from:
      (aa) take-off at sea-level at maximum take-off mass until the time elapsed since take-off is equal to the applicable threshold prescribed in sub-
regulation (1);

(bb) all engines climb to the optimum long range cruise altitude until the time elapsed since take-off is equal to the applicable threshold prescribed in sub-regulation (1); and

(cc) all engines cruise at the long range cruise speed at this altitude until the time elapsed since take-off is equal to the applicable threshold prescribed in sub-regulation (1).

(3) In approving the operation, the Authority shall:

(a) ensure that:

(i) the airworthiness certification of the aeroplane type;
(ii) the reliability of the propulsion system; and
(iii) the operator’s maintenance procedures, operating practices, flight dispatch procedures and crew training programmes;

provide the overall level of safety intended by the provisions of the Civil Aviation Regulations of Rwanda;

(b) in making this assessment, take into account:

(i) the route to be flown;
(ii) the anticipated operating conditions; and
(iii) the location of adequate en-route alternate aerodromes.

(4) An air operator certificate holder shall ensure that the following data, specific to each type or variant, is included in the operations manual:

(a) the one-engine-inoperative cruise speed determined in accordance with sub-regulation (2);

(b) the maximum distance from an adequate aerodrome determined in accordance with sub-regulations (1) and (2); and

(c) aeroplane climb performance with all engines operating to enable the pilot-in-command to determine the climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off technique.

(5) The speeds and altitudes specified in this regulation shall only be used for establishing the maximum distance from an adequate aerodrome.

101. (1) An air operator certificate holder shall not conduct operations beyond the threshold distance determined in accordance with regulation 100, unless approved to do so by the Authority.

(2) Prior to conducting an extended range operations by turbine-engined aeroplanes (ETOPS) flight, an air operator certificate holder shall ensure that:

(a) a suitable ETOPS en route alternate is available, within either the approved diversion time or a diversion time based on minimum equipment list generated serviceability status of the aeroplane, whichever is shorter; and

(b) during the possible period of arrival, the required en-route alternate aerodrome(s) will be available and the available information indicates that conditions at those aerodromes will be at or above the aerodrome operating minima approved for the operation.
En-route alternate aerodromes: ETOPS operations

102. (1) A pilot-in-command shall ensure that the required en route alternates for extended range operations by turbine-engined aeroplanes (ETOPS) are selected and specified in the operational and air traffic services flight plans in accordance with the ETOPS diversion time approved by the Authority.

(2) A person shall not select an aerodrome as an ETOPS en-route alternate aerodrome unless the appropriate weather reports or forecasts, or any combination thereof, indicate that during a period commencing one hour before and ending one hour after the expected time of arrival at the aerodrome, the weather conditions shall be at or above the planning minima prescribed in Table 1 and in accordance with the operator’s ETOPS approval.

TABLE 1 - WEATHER CONDITIONS PLANNING MINIMA

<table>
<thead>
<tr>
<th>Type of Approach</th>
<th>Planning Minima</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precision Approach Cat II, III (ILS, MLS)</td>
<td>Precision Approach Cat I Minima</td>
</tr>
<tr>
<td>Precision Approach Cat I (ILS, MLS)</td>
<td>Non-Precision Approach Minima</td>
</tr>
<tr>
<td>Non-Precision Approach</td>
<td>The lower of non-precision approach minima plus 60 m (200 ft) per 1000 m or circling minima</td>
</tr>
<tr>
<td>Circling Approach</td>
<td>Circling Minima</td>
</tr>
</tbody>
</table>

3. The forecast weather criteria used in the selection of alternate aerodromes for IFR flight shall also be used for the selection of ETOPS alternates.

4. Runways on the same aerodrome are considered to be separate runways when:
   (a) they are separate landing surfaces which may overlay or cross such that if one of the runways is blocked, it will not prevent the planned type of operations on the other runway; and
   (b) each of the landing surfaces has a separate approach based on a separate aid.

Fuel and oil supply

103. (1) A person shall not commenced a flight unless the aircraft carries sufficient fuel and oil including any reserve carried for contingencies to ensure that it can safely complete the flight taking into account both the meteorological conditions and any delays that are expected in flight.
A person computing the fuel and oil required in sub-regulation (1) shall consider at least the following:

(a) meteorological conditions forecast;
(b) expected air traffic control routings and traffic delays;
(c) for instrument flight rules (IFR) flight, one instrument approach at the destination aerodrome, including a missed approach;
(d) the procedures prescribed in the operations manual for loss of pressurization, where applicable, or failure of one power unit while en route; and
(e) any other conditions that may delay the landing of the aircraft or increase fuel and oil consumption.

Subject to sub-regulation (6), the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of propeller-driven aeroplanes, be at least the amount sufficient to allow the aeroplane:

(a) when a destination alternate aerodrome is required, either:
   (i) to fly to the aerodrome to which the flight is planned thence to the most critical, in terms of fuel consumption, alternate aerodrome specified in the operational and ATS flight plans and thereafter for a period of 45 minutes; or
   (ii) to fly to the alternate aerodrome via any predetermined point and thereafter for 45 minutes, provided that this shall not be less than the amount required to fly to the aerodrome to which the flight is planned and thereafter for:
       (aa) 45 minutes plus 15 per cent of the flight time planned to be spent at the cruising level(s), or
       (bb) two hours, whichever is less.

(b) when a destination alternate aerodrome is not required:
   (i) in case of the duration of the flight and the meteorological conditions prevailing are such that there is a reasonable certainty that, at the estimated time of arrival at the aerodrome of intended landing, and for a reasonable period before and after such time, the approach and landing may be under visual meteorological conditions, to fly to the aerodrome to which the flight is planned and thereafter for a period of 45 minutes; or
   (ii) where the aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome to which the flight is planned and thereafter for:
       (aa) 45 minutes plus 15 per cent of the flight time planned to be spent at the cruising level(s), or
       (bb) two hours, whichever is less.

Subject to sub-regulation (6), the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of aeroplanes equipped with turbo-jet engines, be at least the amount sufficient to allow the aeroplane:

(a) when a destination alternate aerodrome is required, either:
   (i) to fly to and execute an approach, and a missed approach, at the aerodrome to which the flight is planned, and thereafter:
       (aa) to fly to the alternate aerodrome specified in the operational and air traffic services (ATS) flight plans; and then
       (bb) to fly for 30 minutes at holding speed at 450 m (1,500 ft) above the alternate aerodrome under standard
temperature conditions, approach and land; and
to have an additional amount of fuel sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority; or

to fly to the alternate aerodrome via any predetermined point and thereafter for 30 minutes at 450 m (1,500 ft) above the alternate aerodrome, due provision having been made for an additional amount of fuel sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority; provided that fuel shall not be less than the amount of fuel required to fly to the aerodrome to which the flight is planned and thereafter for two hours at normal cruise consumption.

(b) when a destination alternate aerodrome is not required:

(i) in case of the duration of the flight and the meteorological conditions prevailing are such that there is a reasonable certainty that, at the estimated time of arrival at the aerodrome of intended landing, and for a reasonable period before and after such time, the approach and landing may be under visual meteorological conditions, to fly to the aerodrome to which the flight is planned and additionally –

(aa) to fly 30 minutes at holding speed at 450 m (1,500 ft) above the aerodrome to which the flight is planned under standard temperature conditions; and

(bb) to have an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority; and

(ii) in case where aerodrome of intended landing is isolated and there is no suitable destination alternate aerodrome, to fly to the aerodrome to which the flight is planned and thereafter for a period of two hours at normal cruise consumption.

(5) Subject to sub-regulation (6),
(a) the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of a helicopters under visual flight rules (VFR) operations, be at least the amount sufficient to allow the helicopter:

(i) to fly to the heliport to which the flight is planned;

(ii) to fly thereafter for a period of 20 minutes at best-range speed plus 10 per cent of the planned flight time; and

(iii) to have an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority.

(b) the fuel and oil carried in order to comply with sub-regulation (1) shall, in the case of a helicopter under IFR operations, be at least the amount sufficient to allow the helicopter:

(i) when an alternate is not required, in flights under VFR, to fly to the heliport to which the flight is planned, and thereafter:

(aa) to fly 30 minutes at holding speed at 450 m (1,500 ft)
above the destination heliport under standard temperature conditions and approach and land; and

(bb) to have an additional amount of fuel, sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority.

(ii) when an alternate is required, to fly to and execute an approach, and a missed approach, at the heliport to which the flight is planned, and thereafter:

(aa) to fly to the alternate specified in the flight plan; and then

(bb) to fly for 30 minutes at holding speed at 450 m (1,500 ft) above the alternate under standard temperature conditions, approach and land; and

(cc) to have an additional amount of fuel sufficient to provide for the increased consumption on the occurrence of any of the potential contingencies specified by the operator to the satisfaction of the Authority.

(iii) when the intended landing is isolated and no suitable alternate heliport is available to fly to the heliport to which the flight is planned and thereafter for a period of 2 hours at holding speed.

(6) In case of general aviation operations of an aeroplane, the fuel and oil carried in order to comply with sub-regulation (1) shall be at least the amount sufficient to allow the aeroplane, in a flight in accordance with the instrument flight rules,

(a) when in accordance 97(2), a destination alternate aerodrome is not required, to fly to the aerodrome to which the flight is planned and thereafter for a period of 45 minutes; or

(b) when a destination alternate is required, to fly to the aerodrome to which the flight is planned, thence to an alternate aerodrome, and thereafter for a period of 45 minutes.

(7) Nothing in this regulation precludes amendment of a flight plan in flight in order to replan the flight to another aerodrome or heliport take-off, provided the requirements of this regulation can be complied with from the point where the flight has been replanned.

Flight planning: document distribution and retention

104. (1) A pilot-in-command operating commercial air transport shall complete and sign the following flight preparation documents prior to departure:

(a) an operational flight plan, including NOTAMs and weather pertinent to the flight planning decisions regarding minimum fuel supply, en route performance, and destination and alternate aerodromes;

(b) a load manifest, showing the distribution of the load, centre of gravity, take-off and landing mass and compliance with maximum operating mass limitations, and performance analysis; and

(c) an applicable technical log page, to accept that the aircraft is fit for the intended flight after the pre-flight inspection has been conducted.

(2) A person shall not commence a flight in commercial air transport unless all flight release documents, specified in the operations manual and signed by the pilot-in-command, are retained and available at the point of departure.

(3) A pilot-in-command shall carry a copy of the documents specified in sub-regulation (1) on the aircraft.
Commercial air transport: loading of aircraft

105. (1) An air operator certificate holder shall not cause or permit an aircraft to be loaded for a flight for the purpose of commercial air transport except under the supervision of a person who the air operator certificate holder has caused to be furnished with written instructions as to the distribution and securing of the load so as to ensure that:
   (a) the load may safely be carried on the flight; and
   (b) any condition subject to which the certificate of airworthiness in force in respect of the aircraft was issued or rendered valid, being conditions relating to the loading of the aircraft are complied with.

(2) The instructions shall indicate the mass of the aircraft prepared for service, that is, the aggregate of the basic mass and the mass of such additional items in or on the aircraft as the operator thinks fit to include, and the instructions shall indicate the additional items included in the mass of the aircraft prepared for service, and shall show the position of the centre of gravity of the aircraft at that mass.

(3) The provisions of sub-regulation (2) shall not apply in relation to a flight if:
   (a) the aircraft’s authorized maximum take-off mass does not exceed 1,150 kg; or
   (b) the aircraft’s authorized maximum take-off mass does not exceed 2,730 kg. and the flight is not intended to exceed sixty minutes in duration and is either a flight:
      (i) solely for training persons to perform duties in an aircraft; or
      (ii) intended to begin and end at the same aerodrome.

(4) An operator of an aircraft shall not cause or permit the aircraft to be loaded in contravention of the instructions set out in sub-regulation (1).

(5) A person supervising the loading of the aircraft shall, before the commencement of a flight:
   (a) prepare and sign a load sheet in duplicate conforming to the requirements specified in sub-regulation (7); and
   (b) unless the operator is the pilot-in-command of the aircraft, submit the load sheet for examination by the pilot-in-command of the aircraft who shall, upon being satisfied that the aircraft is loaded in the manner required by sub-regulation (1), sign his name thereon;

(6) The requirements of sub-regulation (5) shall not apply where:
   (a) the load and the distributing and securing thereof upon the next intended flight are to be unchanged from the previous flight and the pilot-in-command of the aircraft makes and signs an endorsement to that effect upon the load sheet for the previous flight, indicating the date of the endorsement, the place of departure upon the next intended flight and the next intended destination; or
   (b) as set out in sub-regulation (3), sub-regulation (2) does not apply in relation to the flight.

(7) A pilot operating an aircraft shall ensure that one copy of the load sheet shall be carried in the aircraft when so required by these Regulations, until the flights to which the load sheet relates have been completed, and one copy of that load sheet and of the instruction referred to in this regulation shall be preserved by the operator until the expiration of a period of six months thereafter, and shall not be carried in the aircraft.

(8) A load sheet required under sub-regulation (5) shall contain the following information –
the nationality and registration marks of the aircraft to which the load sheet relates;
(b) particulars of the flight to which the load sheet relates;
(c) the total mass of the aircraft as loaded for the flight;
(d) the mass of the several items from which the total mass of the aircraft, as so loaded, has been calculated including in particular the mass of the aircraft prepared for service and the respective total mass of the passengers, crew, baggage and cargo intended to be carried on the flight;
(e) the manner in which the load is distributed and the resulting position of the centre of gravity of the aircraft which may be given approximately if and to the extent that the relevant certificate of airworthiness so permits; and
(f) at the foot or end of the load sheet, a certificate signed by the person referenced in sub-regulation (1) as responsible for the loading of the aircraft, stating that the aircraft has been loaded in accordance with the written instructions furnished to him by the operator of the aircraft pursuant to that sub-regulation.

(9) (a) For the purpose of calculating the total mass of the aircraft, the respective total mass of the passengers and crew entered in the load sheet shall be computed from the actual mass of each person, and for that purpose each person shall be separately weighed unless sub-regulations (10), (11) and (12) apply.
(b) When determining the actual mass by weighing, an operator must ensure that passengers’ personal belongings and hand baggage are included and such weighing shall be conducted immediately prior to boarding and at an adjacent location.

(10) (a) An operator shall compute the mass of passengers and checked baggage using the standard mass values specified in Tables 2 and 3 except where the number of passenger seats available is less than 10; the standard masses values include hand baggage and the mass of any infant below 2 years of age carried by an adult on one passenger seat; infants occupying separate passenger seats shall be considered as children for the purpose of this regulation;
(b) in cases where the number of passenger seats available is less than 10, passenger mass may be established by use of a verbal statement by or on behalf of each passenger and adding to it a predetermined constant to account for hand baggage and clothing;
(c) the procedure specifying when to select actual or standard masses and the procedure to be followed when using verbal statements shall be included in the operations manual;
(11) On flights where no hand baggage is carried in the cabin or where hand baggage is accounted for separately, 6 kg may be deducted from the male and female masses in table 1; articles such as an overcoat, an umbrella, a small handbag or purse, reading material or a small camera are not considered as hand baggage for the purpose of this regulation;

**TABLE 2-COMPUTATION OF MASS OF PASSENGERS**
<table>
<thead>
<tr>
<th>Passenger seats</th>
<th>1-5</th>
<th>6-9</th>
<th>10-19</th>
<th>20 and more</th>
<th>30 and more</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>104</td>
<td>96</td>
<td>92</td>
<td>88</td>
<td>84</td>
</tr>
<tr>
<td>Female</td>
<td>86</td>
<td>78</td>
<td>74</td>
<td>70</td>
<td>84</td>
</tr>
<tr>
<td>Children</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>35</td>
</tr>
</tbody>
</table>

(12) Where the total number of passenger seats available on the aircraft is 20 or more the standard mass values given in Table 3 are applicable for each piece of checked baggage and for aircraft with less than 20 passenger seats the actual mass of checked baggage, determined by weighing, shall be used.

**TABLE 3- COMPUTATION OF MASS OF BAGGAGE**

<table>
<thead>
<tr>
<th>Type of flight</th>
<th>Baggage standard mass</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic</td>
<td>11kg</td>
</tr>
<tr>
<td>Regional</td>
<td>13kg</td>
</tr>
<tr>
<td>Intercontinental</td>
<td>15kg</td>
</tr>
<tr>
<td>All others</td>
<td>13kg</td>
</tr>
</tbody>
</table>

(13) Where sub-regulations (10), (11) and (12) are applied, the load sheet shall bear a notation to that effect.

(14) Where sub-regulations (10), (11) and (12) may apply, the pilot-in-command shall, if the standard masses described in sub-regulation (10) appear to be inapplicable or doing so is in the interests of safety of the aircraft, require any or all of the passengers, crew and cargo to actually be weighed for the purpose of the entry to be made in the load sheet.

**Aircraft loading, mass and balance**

106. A person shall not operate an aircraft unless:

(a) all loads carried are properly distributed and safely secured and comply with the aircraft limitations; and

(b) the calculations for the mass of the aeroplane and centre of gravity location indicate that the flight can be conducted safely, taking into account the flight conditions expected.

**Stowage of baggage and cargo**

107. (1) An operator shall establish procedures to ensure that only such hand or carry-on baggage is taken into the passenger cabin as can be adequately and securely stowed.

(2) An operator shall establish procedures to ensure that all baggage and cargo on board, which might cause injury or damage, or obstruct aisles and exits if displaced, is placed in storages designed to prevent its movement.
(3) The procedure referred to in sub-regulation (2) shall take account of the following:
(a) each item carried in cabin shall be stowed only in a location that is capable of restraining it;
(b) mass limitations placarded on or adjacent to stowages shall not be exceeded;
(c) underseat stowages shall not be used unless the seat is equipped with a restraint bar and the baggage is of such size that it may adequately be restrained by this equipment;
(d) items shall not be stowed in toilets or against bulkheads that are incapable of restraining articles against movement forwards, sideways or upwards and unless the bulkheads carry a placard specifying the greatest mass that may be placed there;
(e) baggage and cargo placed in lockers shall not be of such size that they prevent latched doors from being closed securely;
(f) baggage and cargo shall not be placed where it can impede access to emergency equipment; and
(g) checks shall be made before take-off, before landing and whenever the fasten seat belts signs are illuminated or it is otherwise so ordered to ensure that baggage is stowed where it cannot impede evacuation from the aircraft or cause injury by falling or other movement, as may be appropriate to the phase of flight.

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**Maximum allowable weights to be considered on all load manifests**

108. A pilot-in-command shall ensure that the maximum allowable mass for a flight does not exceed the maximum allowable take-off mass:
(a) for the specific runway and conditions existing at the take-off time; and
(b) considering anticipated fuel and oil consumption that allows compliance with applicable en route performance, landing mass, and landing distance limitations for destination and alternate aerodromes.

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**Flight release required: commercial air transport**

109. A person shall not commence a:
(a) flight under a flight following system without specific authority from the person authorized by the air operator certificate holder to exercise operational control over the flight; or
(b) passenger carrying flight in commercial air transport for which there is a published schedule, unless a qualified person authorized by the air operator certificate holder to perform operational control functions has issued a flight release for that specific operation or series of operations.

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**Operational flight plan: commercial air transport**

110. (1) A person shall not commence a flight unless the operational flight plan has been signed by the pilot-in-command.
(2) A pilot-in-command shall sign the operational flight plan only when he and the person authorized by the operator to exercise operational control have determined that the flight can be safely completed.
(3) The operational flight plan shall include the routing and fuel calculations, with respect to the meteorological and other factors expected, to complete the flight to the destination and all required alternates.
(4) A pilot-in-command signing the operational flight plan shall have access to the applicable flight planning information for fuel supply, alternate aerodromes,
weather reports and forecasts and NOTAMs for the routing and destination aerodrome.

(5) Operational instructions involving a change in the air traffic services flight plan shall, when practicable, be coordinated with the appropriate air traffic services unit before transmission to the aeroplane.

(6) A person shall not continue a flight from an intermediate aerodrome without a new operational flight plan if the aircraft has been on the ground more than six hours.

(7) Where applicable, the flight operations officer/flight dispatcher shall also sign the operational flight plan.

(8) A copy of the operational flight plan shall be filed with the operator or a designated agent, or, if these procedures are not possible, it shall be left with the aerodrome authority or on record in a suitable place at the point of departure.

PART VII - AIRCRAFT OPERATING AND PERFORMANCE LIMITATIONS

All Aircraft

111. A pilot-in-command shall not operate an aircraft until satisfied that:

(a) the aircraft is airworthy, duly registered and that appropriate certificates are aboard the aircraft;

(b) the instruments and equipment installed in the aircraft are appropriate, taking into account the expected flight conditions; and

(c) any necessary maintenance has been performed and a certificate of release to service, if applicable, has been issued with respect to the aircraft.

(2) A pilot-in-command carrying out commercial air transport operations shall certify by signing the aircraft technical log that they are satisfied that the requirements of sub-regulation (1) have been met for a particular flight.

112. A person shall not operate an aircraft that:

(a) exceeds its designed performance limitations for any operation, as established by the State of registry;

(b) exceeds operating limitations contained in the aeroplane flight manual, the rotorcraft flight manual, or its equivalent; and

(c) exceeds the terms of its certificate of airworthiness.

(2) A person shall not commence a flight unless the performance information provided in the flight manual indicates that the provisions of regulations 135(3) to 135(5) can be complied with for the flight to be undertaken.

(3) A person shall not operate an aircraft except if he complies with his general duty to ensure that the general level of safety contemplated by the Civil Aviation Regulations of Rwanda is maintained under all expected operating conditions, including those not covered specifically by the said Regulations.
In-flight simulation of abnormal situations

113. A person operating an aircraft shall not simulate an abnormal or emergency situation when passengers or cargo are being carried on the aircraft.

Test-flight areas

114. A person shall not operate an aircraft during a test-flight except over open water, or sparsely populated areas having light traffic.

Operations in RNP, MNPS or RVSM airspace

115. (1) A person shall not operate an aircraft in defined portions of airspace or on routes where a required navigation performance (RNP) type has been prescribed, unless:

(a) the aircraft is provided with navigation equipment, in addition to the requirements specified in the Civil Aviation (Instruments and Equipment) Regulations, which will enable it to operate in accordance with the prescribed RNP type(s); and

(b) he is authorized by the State of the operator for operations in such airspace and has the required approval in the airspace of another State than the State of the operator.

(2) A person shall not operate an aircraft in defined portions of airspace where, based on Regional Air Navigation Agreement, minimum navigation performance specifications (MNPS) are prescribed, unless the aircraft is equipped with navigation equipment which:

(a) continuously provides indications to the flight crew of adherence to or departure from track to the required degree of accuracy at any point along that track; and

(b) has been authorized by the State of the Operator for MNPS operations concerned.

(3) A person shall not operate an aircraft in defined portions of airspace where, based on Regional Air Navigation Agreement, a reduced vertical separation minimum (RVSM) of 300 m (1 000 ft) is applied between FL 290 and FL 410 inclusive, unless:

(a) authorized by the State of the operator in the airspace concerned and

(b) the aircraft is provided with equipment which is capable of:

(i) indicating to the flight crew the flight level being flown;

(ii) automatically maintaining a selected flight level;

(iii) providing an alert to the flight crew when a deviation occurs from the selected flight level; the threshold for the alert shall not exceed ± 90 m (300 ft); and

(iv) automatically reporting pressure-altitude;

(4) Prior to granting the reduced vertical separation minimum (RVSM) approval required in sub-regulation (4) the State of the operator shall be satisfied that:

(a) the vertical navigation performance capability of the aircraft satisfies the requirements of the altimetry system performance for operations in RVSM airspace as prescribed by the Authority in compliance with the provisions of Appendix 4 to the latest effective edition of Annex 6 – Operation of Aircraft to the Chicago Convention;

(b) the operator has instituted appropriate procedures in respect of continued airworthiness (maintenance and repair) practices and programmes; and

(c) the operator has instituted appropriate flight crew procedures for operations in RVSM airspace.
A person does not operate an aircraft in accordance with this regulation unless the aircraft is sufficiently provided with navigation equipment to ensure that, in the event of the failure of one item of equipment at any stage of the flight, the remaining equipment will enable the aircraft to navigate in accordance with this regulation.

Electronic navigation data management

An operator shall not employ electronic navigation data products that have been processed for application in the air and on the ground unless the State of the operator has approved the operator’s procedures or unless the process applied and the products delivered have met acceptable standards of integrity and such products are compatible with the intended function of the equipment that will use them.

The State of the operator shall ensure that the operator continues to monitor both process and products.

An operator shall implement procedures that ensure timely distribution and insertion of current and unaltered electronic navigation data to all aircraft that requires it.

Compliance with visual and electronic glide slopes

A pilot-in-command of an aircraft approaching to land on a runway served by a visual approach slope indicator or precision approach path indicator shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.

A pilot-in-command of a turbojet, turbofan, or large aircraft approaching to land on a runway served by an instrument landing system shall fly that aircraft at or above the glide slope from the point of interception of the glide slope to the decision height.

Restriction or suspension of operations:

Where a pilot-in-command or an air operator certificate holder knows of conditions, including aerodrome and runway conditions, that are a hazard to safe operations, that pilot-in-command or air operator certificate holder shall restrict or suspend all commercial air transport operations to such aerodromes and runways as necessary until those conditions are corrected or have improved.

Continuation of flight when destination aerodrome is temporarily restricted:

A pilot-in-command shall not allow a flight to continue toward any aerodrome of intended landing where commercial air transport operations have been restricted or suspended, unless:

(a) in the opinion of the pilot-in-command, the conditions that are a hazard to safe operations may reasonably be expected to be corrected or have improved by the estimated time of arrival; or

(b) there is no safer procedure.

Continuation of IFR flight toward a destination

A pilot shall not continue an instrument flight rules (IFR) flight toward an aerodrome or heliport of intended landing, unless the latest available meteorological information indicates that the conditions at that aerodrome or at least one destination alternate aerodrome shall, at the expected time of arrival, is at or above the specified instrument approach minima.
An operator shall ensure that a single-engine aeroplane other than turbine-powered, is operated only in conditions of weather and light, and over such routes and diversions therefrom, that permit a safe forced landing to be executed in the event of engine failure.

In complying with sub-regulation (1) of this regulation:-

(a) the aeroplane shall not be assumed to be flying, with the engine operating within the maximum continuous power condition specified, at an altitude exceeding that which the rate of climb equals 90 m (300 ft) per minute; and

(b) the assumed en-route gradient shall be the gross gradient of descent increased by gradient of 0.5%

An operator shall ensure that a performance Class 3 helicopter is operated only in conditions of weather and light, and over such routes and diversions therefrom, that permit a safe forced landing to be executed in the event of engine failure.

Sub-regulation (3) applies also to performance Class 2 helicopter prior to the defined point after take-off and after the defined point before landing.

A person shall ensure that:

(a) only Class 1 helicopter is operated from elevated heliports in congested areas; and

(b) no performance Class 3 helicopter is operated from elevated heliports or helidecks.

A person shall not operate a single-engine turbine-powered aircraft at night or in instrument meteorological conditions (IMC) unless he ensures that:

(a) the reliability of the turbine engine is to a level of safety intended by these Regulations and the Civil Aviation (Airworthiness) Regulations;

(b) the maintenance procedures, operating practices, flight dispatch procedures and crew training programmes are as intended by these Regulations and the Civil Aviation (Airworthiness) Regulations; and

(c) equipment and other requirements for instrument flight rules (IFR) operations are as stipulated in the Civil Aviation (Instruments and Equipment) Regulations.

All single-engine turbine-powered aircraft operated at night or in IMC shall have an engine trend monitoring system, and those aircraft for which the individual certificate of airworthiness is first issued on or after 1 January 2006 shall have an automatic trend monitoring system.

Unless otherwise authorized by the Authority, no pilot operating an aircraft in commercial air transport operations shall accept a clearance to take off from an aerodrome under instrument flight rules (IFR) unless weather conditions are at or above:

(a) for aircraft, other than helicopters, having two engines or less: one thousand five hundred metres;

(b) for aircraft having more than two engines: eight hundred metres;

(c) for helicopters: eight hundred metres.

Subject to sub-regulations (2) and (3), a person shall not make an instrument approach at an airport except in accordance with instrument flight rules (IFR) weather minima and instrument approach procedures set out in the air operator certificate holder's operations specifications.
(2) One or more instrument approach procedures designed in accordance with the classification of instrument approach and landing operations shall be approved and promulgated by the appropriate authority of the State in which the aerodrome is located to serve each instrument runway or aerodrome utilized for instrument flight operations.

(3) All aircraft operated in accordance with instrument flight rules shall comply with the instrument flight procedures approved by the appropriate authority of the State in which the aerodrome is located, or, by the State which is responsible for the heliport when located outside the territory of any State.

Commencing an instrument approach 125.

(1) A pilot shall not continue an approach past the final approach fix, or where a final approach fix is not used, begin the final approach segment of an instrument approach procedure, at any aerodrome unless:
   
   (a) a source approved by the Authority issues a weather report for that aerodrome; and
   
   (b) the latest weather report for that aerodrome indicates the visibility to be equal to or more than the visibility minima prescribed for that procedure.

(2) Where a pilot begins the final approach segment of an instrument approach procedure and subsequently receives a weather report indicating below minimum conditions, the pilot may continue the approach to decision height or minimum descent altitude.

(3) For the purpose of this regulation, the final approach segment begins at the final approach fix or facility prescribed in the instrument approach procedure.

(4) When a final approach fix is not prescribed for a procedure that includes a procedure turn, the final approach segment begins at the point where the procedure turn is completed and the aircraft is established inbound toward the aerodrome on the final approach course within the distance prescribed in the procedure.

Instrument approaches to aerodromes 126.

(1) A person operating an aircraft shall use a standard instrument approach procedure prescribed for that aerodrome unless otherwise authorized by the Authority.

(2) For the purpose of this regulation, when the approach procedure being used provides for and requires the use of a decision height or minimum descent altitude, the authorized decision height (DH) or minimum descent altitude (MDA) shall be the highest of the following:
   
   (a) the DH or MDA prescribed by the approach procedure;
   
   (b) the DH or MDA prescribed for the pilot-in-command; or
   
   (c) the DH or MDA for which the aircraft is equipped.

Threshold crossing height for precision approaches 127.

An operator shall establish operational procedures designed to ensure that aircraft being used to conduct precision approaches crosses the threshold by a safe margin with the aircraft in the landing configuration and attitude.

Operation below DH or MDA 128.

(1) Where a decision height or minimum descent altitude is applicable, a pilot shall not operate an aircraft at any aerodrome or heliport below the authorized minimum descent altitude, or continue an approach below the authorized decision height unless:
the aircraft is continuously in a position from which a descent to a landing on the intended runway can be made at a normal rate of descent using normal manoeuvres;

(b) for commercial air transport operations, a descent rate shall allow touchdown to occur within the touchdown zone of the runway of intended landing;

(c) the flight visibility is not less than the visibility prescribed in the standard instrument approach being used; and

(d) at least one of the following visual references for the intended runway is distinctly visible and identifiable to the pilot:

(i) the approach light system, except that the pilot shall not descend below 30 m (100 ft) above the touchdown zone elevation using the approach lights as a reference unless the red terminating bars or the red side row bars are also distinctly visible and identifiable;

(ii) the threshold or the threshold markings;

(iii) threshold lights;

(iv) the runway end identifier lights;

(v) the visual approach slope indicator system; or precision approach path indicator;

(vi) the touchdown zone or touchdown zone markings;

(vii) the touchdown zone lights;

(viii) the runway or runway markings; or

(ix) the runway lights.

(2) The visual references set out in sub-regulation (1) (d) shall not apply to Category II and III operations.

(3) The required visual references under Category II and III operations shall be provided in the air operator certificate holder’s operations specifications or a special authorization prescribed by the Authority.

(4) For instrument approach and landing operations, aerodrome operating minimum below 800 m visibility shall not be authorized unless the required visual references information is provided.

**Landing during instrument meteorological conditions**

A pilot operating an aircraft shall not land that aircraft when the flight visibility is less than the visibility prescribed by the Authority in the standard instrument approach procedure being used.

**Execution of a missed approach procedure**

A pilot operating an aircraft shall immediately execute an appropriate missed approach procedure when either of the following conditions exist:

(a) whenever the required visual reference criteria is not met in the following situations:

(i) when the aircraft is being operated below minimum descent altitude (MDA); or

(ii) upon arrival at the missed approach point, including a decision height (DH) where a DH is specified and its use is required, and at any time after that until touchdown;

(b) whenever an identifiable part of the aerodrome is not distinctly visible to the pilot during a circling manoeuvre at or above MDA, unless the
inability to see an identifiable part of the aerodrome results only from a normal bank of the aircraft during the circling approach.

Minimum flight altitudes

131. (1) An air operator certificate holder may establish minimum flight altitudes for those routes flown for which minimum flight altitudes:
   (a) have been established by the State flown over or the responsible State, provided they shall not be less than those established by that State; or .
   (b) have not been established, provided the air operator certificate holder shall then specify the method by which it is intended to determine minimum flight altitudes for operations conducted over the routes to which this sub-paragraph applies, and shall include this method in the operations manual, provided the minimum flight altitudes determined:
      (i) shall not be lower than the minimum flight altitudes determined in accordance with Annex 2 – Rules of the Air to the Annex 6 to the Chicago Convention; and
      (ii) subject to the approval of the Authority.

(2) The Authority may approve the method referred to in sub-paragraph (1)(b) only after careful consideration of the probable effects of the following factors on the safety of the operation in question:
   (a) the accuracy and reliability with which the position of the aeroplane can be determined;
   (b) the inaccuracies in the indications of the altimeters used;
   (c) the characteristics of the terrain (e.g. sudden changes in the elevation);
   (d) the probability of encountering unfavourable meteorological conditions (e.g. severe turbulence and descending air currents);
   (e) possible inaccuracies in aeronautical charts; and
   (f) airspace restrictions.

Minimum altitudes for use of an autopilot

132. (1) Except as provided in sub-regulations (2),(3) and (4), a person shall not use an autopilot en route, including climb and descent, at an altitude above the terrain that is less than twice the maximum altitude loss specified in the aircraft flight manual for malfunction of the autopilot under cruise conditions, or less than 150 m (500 ft), whichever is higher.

(2) When using an instrument approach facility, a person shall not use an autopilot at an altitude above the terrain that is less than twice the maximum altitude loss specified in the aircraft flight manual for a malfunction of the autopilot under approach conditions, or less than 15 m (50 ft) below the approved minimum descent altitude or decision height for the facility, whichever is higher, except:
   (a) when reported weather conditions are less than the basic visual flight rules (VFR) weather conditions as specified in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, a person shall not use an autopilot with an approach coupler for instrument landing system approaches at an altitude above the terrain that is less than 15 m (50 ft) higher than the maximum altitude loss specified in the aircraft flight manual for the malfunction of the autopilot with approach coupler under approach conditions; and
   (a) when reported weather conditions are equal to or better than the basic VFR minima as specified in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, a person shall not use an autopilot with an approach coupler for instrument landing system approaches at an altitude
above the terrain that is less than the maximum altitude loss specified in
the aircraft flight manual for the malfunction of the autopilot with
approach coupler under approach conditions, or 15 m (50 ft), whichever
is higher..

| Receiver failure | 133. | (1) Where an aircraft radio station is unable to establish communication due to
receiver failure, that aircraft shall transmit:
(a) reports at the scheduled times, or positions, on the frequency in use,
preceded by the phrase “TRANSMITTING BLIND DUE TO
RECEIVER FAILURE”; and
(b) the intended message, following this by a complete repetition, during this
procedure, the aircraft shall also advise the time of its next intended
transmission.
(2) An aircraft which is provided with air traffic control service or advisory service
shall, in addition to complying with sub-regulation (1), transmit information
regarding the intention of the pilot-in-command with respect to the continuation of
the flight of the aircraft.
(3) Where a pilot-in-command is unable to establish communication due to airborne
equipment failure he shall, when the aircraft is so equipped, select the appropriate
SSR code 7600 to indicate radio failure.

| Aircraft performance calculations for all aircraft | 134. | (1) An operator shall ensure that the performance data contained in the aeroplane
flight manual, rotorcraft flight manual, or other authorized source is used to
determine compliance with the appropriate requirements of these Regulations.
(2) When applying performance data, a person performing calculations shall account
for the aircraft configuration, environmental conditions, and the operation of any
system or systems which may have an adverse effect on performance.

| General weight and obstruction clearance limitations | 135. | (1) A person shall not commence a flight without ensuring that the maximum take-
off mass for the flight does not exceed the maximum take-off mass or maximum
landing mass, or any applicable en route performance or landing distance
limitations considering the:
(a) mass;
(b) operating procedures;
(c) condition of the take-off and landing areas to be used;
(d) the gradient and conditions of runway to be used for landplanes, or water
surface for seaplanes;
(e) pressure-altitude appropriate to the elevation of the aerodrome, or
operating site;
(f) ambient temperature;
(g) current and forecast winds; and
(h) any known conditions, such as atmospheric and aircraft configuration,
which may adversely affect performance.
(2) The factors referred to in sub-regulation (1) shall be taken into account directly as
operational parameters or indirectly by means of allowance or margins, which
may be provided in the scheduling of performance data or in the comprehensive
and detailed code of performance in accordance with which the aircraft is being
operated.
(3) A person shall not commence a flight at a mass that, assuming normal engine
operation, cannot safely clear all obstacles during all phases of flight, including all points along the intended en-route path or any planned diversions.

(4) The mass of the aircraft at the start of take-off shall not exceed the mass at which sub-regulation (5)(a) is complied with, nor the mass at which in sub-regulations (5)(b), (c) and (d) are complied with, allowing for expected reductions in mass as the flight proceeds, and for such fuel jettisoning as is envisaged in applying sub-regulations (5)(b) and (c) and, in respect of alternate aerodromes, sub-regulations (4)(b) and (5)(d).

(5) In case of an aircraft, in no case shall:
   (a) the mass at the start of take-off exceed the maximum take-off mass specified in the flight manual for the pressure-altitude appropriate to the elevation of the aerodrome, and, if used as a parameter to determine the maximum take-off mass, any other local atmospheric condition.
   (b) the estimated mass for the expected time of landing at the aerodrome of intended landing and at any destination alternate aerodrome, exceed the maximum landing mass specified in the flight manual for the pressure-altitude appropriate to the elevation of those aerodromes, and if used as a parameter to determine the maximum landing mass, any other local atmospheric condition; and
   (c) the mass at the start of take-off, or at the expected time of landing at the aerodrome of intended landing and at any destination alternate aerodrome, exceed the relevant maximum masses at which compliance has been demonstrated with the applicable noise certification standards, unless otherwise authorized in exceptional circumstances for a certain aerodrome or a runway where there is no noise disturbance problem, by the competent authority of the State in which the aerodrome is located.

(6) The mass referred to in sub-regulation (3) is calculated in the following cases of operating limitations as follows:
   (a) Take-off, as specified in regulation 142;
   (b) En route-one power-unit inoperative. as specified in regulations 143 to 145;
   (c) En route-two power-units inoperative. as specified in regulations 143 to 145; and
   (d) Landing. as specified in regulation 146.

Category II and III operations: general operating rules

A person shall not operate an aircraft in a Category II or III operations unless:-
   (a) the pilot-in-command and co-pilot of the aircraft hold the appropriate authorizations and ratings prescribed in the Civil Aviation (Personnel Licensing) Regulations;
   (b) each flight crew member has adequate knowledge of, and familiarity with, the aircraft and the procedures to be used; and
   (c) the instrument panel in front of the pilot who is controlling the aircraft has appropriate instrumentation for the type of flight control guidance system that is being used.

Unless otherwise authorized by the Authority, a person shall not operate an aircraft in a Category II or Category III operations unless each ground component required for that operation and the related airborne equipment is installed and operating.

Where the approach procedure being used provides for and requires the use of a decision height or decision altitude, the authorized decision height or decision
altitude is the highest of the following:

(a) the decision height or decision altitude prescribed by the approach procedure;
(b) the decision height or decision altitude prescribed for the pilot in command; or
(c) the decision height or decision altitude for which the aircraft is equipped.

(4) Unless otherwise authorized by the Authority, a pilot operating an aircraft in a Category II or Category III approach that provides and requires use of a decision height or decision altitude shall not continue the approach below the authorized decision height unless:

(a) the aircraft is in a position from which a descent to a landing on the intended runway can be made at a normal rate of descent using normal manoeuvres, and where that descent rate shall allow touchdown to occur within the touchdown zone of the runway of intended landing;
(b) at least one of the following visual references for the intended runway is distinctly visible and identifiable to the pilot:-
   (i) the approach light system, except that the pilot shall not descend below 30 m (100 ft) above the touchdown zone elevation using the approach lights as a reference unless the red terminating bars or the red side row bars are also distinctly visible and identifiable;
   (ii) the threshold or the threshold markings;
   (iii) the threshold lights;
   (iv) the touchdown zone or touchdown zone markings;
   (v) the touchdown zone lights.

(5) Unless otherwise authorized by the Authority, a pilot operating an aircraft shall immediately execute an appropriate missed approach procedure whenever, prior to touchdown, the requirements of sub-regulation (4) are not met.

(6) A person operating an aircraft using a Category III approach without decision height shall not land that aircraft except in accordance with the provisions of the letter of authorization issued by the Authority.

(7) Sub-regulations (1) to (6) do not apply to operations conducted by air operator certificate holders issued with a certificate under the Civil Aviation (Air Operator Certification and Administration) Regulations.

(8) A person shall not operate an aircraft in a Category II or Category III operations conducted by an air operator certificate holder unless the operation is conducted in accordance with that air operator certificate holder’s operation specifications.

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Category II and Category III: operations manual.

137. Except as provided in sub-regulation (3), a person shall not operate an aircraft in a Category II or a Category III operation unless:-

(a) there is available in the aircraft a current and approved Category II or Category III manual, as appropriate, for that aircraft;
(b) the operation is conducted in accordance with the procedures, instructions, and limitations in the appropriate manual; and
(c) the instruments and equipment listed in the manual that are required for a particular Category II or Category III operation have been inspected and maintained in accordance with the maintenance programme contained in the manual.

(2) An operator shall keep a current copy of each approved manual at its principal base of operations and shall make each manual available for inspection upon
request by the Authority.

(3) Sub-regulations (1) and (2) do not apply to operations conducted by an air operator certificate holder issued a certificate under the Civil Aviation (Air Operator Certification and Administration) Regulations.

(4) An applicant for approval of a Category II or III operations manual or an amendment to an approved Category II operations manual shall submit the proposed manual or amendment to the Authority.

(5) Where the application made under these Regulations is a request for an evaluation programme, the application shall include the following:

(a) the location of the aircraft and the place where the demonstrations are to be conducted; and
(b) the date the demonstrations are to commence (at least 10 days after filing the application).

(6) A Category II or III operations manual shall contain:

(a) the registration number, make, and model of the aircraft to which it applies;
(b) a maintenance programme; and
(c) the procedures and instructions related to:
   (i) recognition of decision height or decision altitude;
   (ii) use of runway visual range information;
   (iii) approach monitoring;
   (iv) the decision region, which is the region between the middle marker and the decision height or decision altitude;
   (v) the maximum permissible deviations of the basic instrument landing system indicator within the decision region;
   (vi) a missed approach procedure;
   (vii) use of airborne low approach equipment;
   (viii) minimum altitude for the use of the autopilot;
   (ix) instrument and equipment failure warning systems;
   (x) instrument failure; and
   (xi) other procedures, instructions, and limitations that may be found necessary by the Authority.

Authorization for deviation from certain Category II operations 138. (1) The Authority may authorise deviations from the requirements of regulations 136 and 137 for the operation of small aircraft in Category II operations if the Authority finds that the proposed operation can safely be conducted.

(2) The authorization specified in sub-regulation (1) of this regulation does not permit operation of the aircraft carrying persons or property for compensation or hire.

Aircraft used in Commercial Air Transport

General 139. (1) Where full compliance with the requirements of these Regulations cannot be shown due to specific design characteristics, for example, seaplanes, airships, or supersonic aircraft, the operator shall apply approved performance standards that ensure a level of safety not less restrictive than those of relevant requirements of this regulation.
(2) A person shall not operate a multi-engined aircraft used for commercial air transport that is unable to comply with any of the performance limitations of regulations 142 up to 146, inclusive, unless that aircraft is continually operated:
(a) in daylight;
(b) in visual flight rules (VFR); and
(c) at a weight that shall allow it to climb, with the critical engine inoperative, at least 15 m (50 ft) a minute when operating at the minimum en-route altitude of the intended route or any planned diversion, or at 1,500 m (5,000 ft) above mean sea level, whichever is higher.

(3) A multi-engined aircraft that is unable to comply with sub-regulation (2)(c) shall, for the purpose of this regulation, be considered as a single engined aircraft.

Rules of the air and air traffic control 140. Every person and every aircraft shall comply with the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations.

Aircraft performance calculations for commercial air transport 141. (1) A person shall not commence a flight in an aircraft used in commercial air transport without ensuring that the applicable operating and performance limitations required by this regulation can be accurately computed based on the aeroplane flight manual, rotorcraft flight manual, or other data source approved by the Authority.

(2) A person calculating performance and operating limitations for an aircraft used in commercial air transport shall ensure that performance data used to determine compliance with this regulation can, during any phase of flight, accurately account for:
(a) any reasonably expected adverse operating conditions that may affect aircraft performance;
(b) one engine failure for aircraft having two engines, where applicable; and
(c) two engine failure for aircraft having three or more engines, if applicable.

(3) When calculating the performance and limitation requirements of sub-regulation (2) a person shall take into account, as a minimum level of performance, the provisions of Attachment C – Aeroplane Performance Operating Limitations to Part I and Attachment A – Helicopter Performance Operating Limitations to Part III of the latest effective edition of Annex 6 – Operation of Aircraft, to the Chicago Convention.

(4) Where conditions are different from those on which the performance is based, compliance may be determined by interpolation or by computing the effects of changes in the specific variables, if the results of the interpolation or computations are substantially as accurate as the results of direct tests.

(5) To allow for wind effect, take-off data based on still air may be corrected by taking into account not more than fifty percent of any reported headwind component and not less than one hundred and fifty per cent of any reported tailwind component.

Take-off and initial climb phase limitations 142. (1) In compliance with Attachment C - Aeroplane Performance Operating Limitations- to Part I of Annex 6 – Operation of Aircraft to the Chicago Convention, a person shall not commence a flight in an aeroplane used in commercial air transport unless the following requirements are met when determining the maximum permitted take-off mass:
(a) the take-off run shall not be greater than the length of the runway;
(b) for turbine engine powered aeroplanes:
   (i) the take-off distance shall not exceed the length of the runway plus the length of any clearway, except that the length of any clearway included in the calculation shall not be greater than ½ the length of the runway; and
   (ii) the accelerate-stop distance shall not exceed the length of the runway, plus the length of any stopway, at any time during take-off until reaching \( V_1 \);
(c) for reciprocating engine powered aeroplanes the accelerate-stop distance shall not exceed the length of the runway at any time during take-off until reaching \( V_1 \); and
(d) where the critical engine fails at any time after the aeroplane reaches \( V_1 \), to continue the take-off and clear all obstacles either:
   (i) by a height of at least 9.1 m (35 ft) vertically for turbine engine powered aeroplanes or 15.2 m (50 ft) for reciprocating engine powered aeroplanes; and
   (ii) by at least 60 m (200 ft) horizontally within the aerodrome boundaries and by at least 90 meters (300 ft) horizontally after passing the boundaries, without banking more than fifteen degrees at any point on the take-off flight path.

(2) A person shall not take-off a helicopter used in commercial air transport that cannot:
(a) for performance class 1 helicopters:
   (i) in the event of a critical power-unit failing, at or before the take-off decision point, discontinue the take-off and stop within the rejected take-off area available; or
   (ii) in the event of a critical power-unit failing, past the take-off decision point, continue the take-off and then climb, clearing all obstacles along the flight path by an adequate margin, until a suitable landing site is found without flying below the appropriate minimum flight altitude at any point; or
(b) for performance class 2 helicopters:
   (i) with all engines operating, clear all obstacles along its flight path by an adequate margin until a suitable landing site is found without flying below the appropriate minimum flight altitude at any point; or
   (ii) in the event of the critical power-unit becoming inoperative, before reaching a defined point after take-off, safely execute a forced landing within the rejected take-off area available, in application of regulation 122(4); or
   (iii) in the event of a critical power-unit failing, at any point after reaching a defined point after take-off, continue the take-off and initial climb, and clear all obstacles along its flight path by an adequate margin, until a suitable landing site is found without flying below the appropriate minimum flight altitude at any point.
(c) for performance class 3 helicopters:
   (i) with all engines operating, clear the obstacles along its flight path by an adequate margin until a suitable landing site is found without flying below the appropriate minimum flight altitude at
A person shall not commence a flight in a reciprocating engine powered aeroplane used in commercial air transport at a weight that does not allow a rate of climb of at least 6.9 Vso with all engines operating, at an altitude of at least 300 m (1,000 ft) above all terrain and obstructions within ten miles of each side of the intended track.

In this regulation the term “6.9 Vso” means the number of feet per minute obtained by multiplying the aircraft’s minimum steady flight speed by 6.9.

A person shall not commence a flight in commercial air transport performance class 3 helicopter unless that helicopter is able, with all power-units operating, to continue at any point below the appropriate minimum flight altitude.

An operator shall ensure that the one engine inoperative en-route net flight path data shown in the aeroplane flight manual, appropriate to the meteorological conditions expected for the flight, complies with either sub-regulation (2) or (3) at all points along the route.

The net flight path shall have a positive gradient at 455 m (1,500 ft) above the aerodrome where the landing is assumed to be made after engine failure, in meteorological conditions requiring the operation of ice protection systems, the effect of their use on the net flight path must be taken into account.

The gradient of the net flight path shall be positive at least 300 m (1,000 ft) above all terrain and obstructions along the route within 9.3 km (5 nm) on either side of the intended track.

The net flight path shall permit the aeroplane to continue flight from the cruise altitude to an aerodrome where a landing can be made in accordance with regulation 146 as appropriate, the net flight path clearing vertically, by at least 600 m (2,000 ft), all terrain and obstructions along the route within 9.3 km (5 nm) on either side of the intended track in accordance with the following:

(a) the engine is assumed to fail at the most critical point along the route;
(b) account is taken of the effects of winds on the flight path;
(c) fuel jettisoning is permitted to an extent consistent with reaching the aerodrome with the required fuel reserves, if a safe procedure is used; and
(d) the aerodrome where the aeroplane is assumed to land after engine failure shall meet the following criteria:
   (i) the performance requirements at the expected landing mass are met; and
   (ii) weather reports or forecasts or any combination thereof, and field condition reports indicate that a safe landing can be accomplished at the estimated time of landing.

An operator shall increase the width margins of sub-regulation (4) to 18.5 km (10 nm) if the navigational accuracy does not meet the 95% containment level.

A person shall not commence a flight in commercial air transport performance class 1 and class 2 helicopters having one or two power-units unless that helicopter can, in the event of the critical power-unit failing and any point in the
en-route phase, continue the flight to the destination or alternate landing site without flying below the minimum flight altitude at any point and clearing all obstacles in the approach path by a safe margin.

En-route limitations: performance class 1 and class 2 with three or more engines.

1. A person may not take-off an aeroplane used in commercial air transport having three or more engines at such a weight where there is no suitable landing aerodrome within 90 minutes at any point along the intended route, with all engines operating at cruising power, unless that aircraft can, in the event of simultaneous power failure of two critical engines at the most critical point along that route, continue to a suitable landing aerodrome while complying with the requirements of sub-regulations (2) to (6).

2. The two engines inoperative en-route net flight path data shall permit the aeroplane to continue the flight, in the expected meteorological conditions, from the point where two engines are assumed to fail simultaneously, to an aerodrome at which it is possible to land and come to a complete stop when using the prescribed procedure for a landing with two engines inoperative.

3. The net flight path referred to in sub-regulation (2) shall clear vertically, by at least 600 m (2,000 ft) all terrain and obstacles along the route within 9.3 km (5 nm), on either side of the intended track.

4. At altitudes and in meteorological conditions requiring ice protection systems to be operable, the effect of their use on the net flight path data shall be taken into account, and if the navigational accuracy does not meet the 95% containment level, an operator must increase the width margin given above to 18.5 km (10 nm).

5. The two engines are assumed to fail at the most critical point of that portion of the route where the aeroplane is more than ninety minutes, at the all engines long range cruising speed at standard temperature in still air, away from an aerodrome at which the performance requirements applicable at the expected landing mass are met.

6. The net flight path shall have a positive gradient at 455 m (1,500 ft) above the aerodrome where the landing is assumed to be made after the failure of two engines.

7. Fuel jettisoning in an aeroplane referred to in this regulation is permitted to an extent consistent with reaching the aerodrome with the required fuel reserves, if a safe procedure is used.

8. The expected mass of the aeroplane at the point where the two engines are assumed to fail shall not be less than that which would include sufficient fuel to proceed to an aerodrome where the landing is assumed to be made, and to arrive there at least 455 m (1500 ft) directly over the landing area and thereafter to fly level for fifteen minutes.

9. A person shall not commence a flight in a performance class 1 or performance class 2 helicopter used in commercial air transport having three or more engines unless that helicopter can, in the event of two critical engines failing simultaneously at any point in the en-route phase, continue the flight to a suitable landing site.

Approach and landing limitations

1. A person shall not commence a flight in an aeroplane used in commercial air operations unless the aeroplane mass on arrival at either the intended destination aerodrome or any planned alternate aerodrome would allow a full stop landing
from a point 15 m (50 ft) above the intersection of the obstruction clearance plane and the runway, and within:
(a) for turbine engine powered aeroplanes, sixty percent of the effective length of each runway; and
(b) for reciprocating engine powered aeroplanes, seventy percent of the effective length of each runway.

(2) A person determining the landing limit shall ensure that for the purpose of determining the allowable landing weight at the destination aerodrome:
(a) the aeroplane is landed on the most favourable runway and in the most favourable direction, in still air; or
(b) the aeroplane is landed on the most suitable runway considering the probable wind velocity and direction, runway conditions, the ground handling characteristics of the aeroplane, and considering other conditions such as landing aids and terrain.

(3) Where the runway at the landing destination is reported or forecast to be wet or slippery, the landing distance available shall be at least one hundred and fifteen percent of the required landing distance unless, based on a showing of actual operating landing techniques on wet or slippery runways:
(a) a shorter landing distance not less than that required by sub-regulation (1) has been approved for a specific type and model of aeroplane; and
(b) this information is included in the aircraft flight manual.

(4) A turbine powered transport category aeroplane that would be prohibited from taking off because it could not meet the requirements of sub-regulation (1)(a), may take off if an alternate aerodrome is specified that meets all the requirements of sub-regulation (1).

(5) A person shall not commence a flight in a helicopter used in commercial air transport unless, with all engines operating on arrival at the intended destination landing site or any planned alternate landing, it can clear all obstacles on the approach path and can land and stop within the landing distance available.

(6) A person shall not commence a flight in a helicopter used in commercial air transport unless, in the event of any engine becoming inoperative in the approach and landing phase on arrival at the intended destination landing site or any planned alternate landing, the helicopter can:
(a) for performance class 1 helicopters:
   (i) before the landing decision point, after clearing all obstacles on the approach path by a safe margin, land and stop within the landing distance available or perform a balked landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in regulation 142(2)(a); or
   (ii) after the landing decision point, land and stop within the landing distance available;
(b) for performance class 2 helicopters:
   (i) before the landing decision point, after clearing all obstacles on the approach path by a safe margin, land and stop within the landing distance available or perform a balked landing and clear all obstacles in the flight path by an adequate margin equivalent to that specified in regulation 142(2)(b); or
   (ii) after the landing decision point, safely execute a forced landing within the landing distance available;
(c) performance class 3 helicopters: at any point of the flight path, safely execute a forced landing within the landing distance available.
(7) For purposes of sub-regulation (1), an “obstruction clearance plane” is a plane:
(a) sloping upward from the runway at a slope of 1:20 to the horizontal, and tangent to or clearing all obstructions within a specified area surrounding the runway as shown in a profile view of that area;
(b) in the plane view, the centreline of the specified area coincides with the centreline of the runway, beginning at the point where the obstruction clearance plane intersects the centreline of the runway and proceeding to a point at least 455 m (1,500 ft) from the beginning point;
(c) the centreline coincides with the takeoff path over the ground for the runway (in the case of takeoffs) or with the instrument approach counterpart (for landings), or where the applicable one of these paths has not been established, it proceeds consistent with turns of at least 1,200 m (4,000 ft) radius until a point is reached beyond which the obstruction clearance plane clears all obstructions; and
(d) this area extends laterally 60 m (200 ft) on each side of the centreline at the point where the obstruction clearance plane intersects the runway and continues at this width to the end of the runway; then it increases uniformly to 150 m (500 ft) on each side of the centreline at a point 455 m (1,500 ft) from the intersection of the obstruction clearance plane with the runway; thereafter, it extends laterally 150 m (500 ft) on each side of the centreline.

PART VII - PASSENGER AND PASSENGER HANDLING

All Passenger-Carrying Operations

Unacceptable conduct 147. A person on board an aircraft shall not:
(a) interfere with a crew member in the performance of that crew members’ duties;
(b) refuse to fasten his seat belt and keep it fastened while the seat belt sign is lighted;
(c) wilfully, recklessly or negligently act or omit to act:
   (i) so as to endanger an aircraft or persons and property therein;
   (ii) so as to cause or permit an aeroplane to endanger any person or property;
(d) secrete himself nor secrete cargo on board an aircraft;
(e) smoke while the no-smoking sign is lighted;
(f) smoke in any aircraft lavatory;
(g) tamper with, disable or destroy any smoke detector installed in any aircraft lavatory; or
(h) wilfully, recklessly or negligently imperil the safety of an aircraft or any person on board, whether by interference with any crew member, or by tampering with the aircraft or its equipment, or by disorderly conduct by any other means.
### Refuelling or defuelling with passengers on board

148. (1) A pilot-in-command shall not allow an aeroplane to be refuelled or defuelled when passengers are embarking, on board or disembarking unless:
   
   (a) the aeroplane is properly attended by qualified personnel ready to initiate and direct an evacuation of the aeroplane by the most practical and expeditious means available; and
   
   (b) two-way communication is maintained by the aeroplane’s intercommunication system or other suitable means between the qualified personnel on board the aeroplane and the ground crew supervising the refuelling.

(2) Unless specifically authorized by the Authority, in which case sub-regulation (1) will be applicable, a person shall not allow a helicopter to be refuelled or defuelled when:
   
   (a) passengers are embarking, on board, or disembarking; or
   
   (b) the rotors are turning.

### Passenger seats, safety belts and shoulder harnesses

149. (1) A pilot-in-command shall ensure that each person onboard the aircraft from the age of 2 years occupies an approved seat or berth with their own individual safety belt and shoulder harness, if installed, properly secured during take-off and landing.

(2) A passenger shall have his seatbelt securely fastened at any other time the pilot-in-command determines it is necessary for safety.

(3) The operator shall ensure that during take-off and landing and whenever, by reason of turbulence or any emergency occurring during flight the precaution is considered necessary, all passengers on board an aeroplane shall be secured in their seats by means of seat belts or harnesses provided.

(4) When cabin crew members are required in a commercial air transport operation, the pilot-in-command may delegate the responsibility specified in sub-regulation (1) to the cabin crew member, but shall ascertain that the proper briefing has been conducted prior to take-off.

### Passenger briefing

150. (1) A pilot-in-command of a non air operator certificate holder aircraft shall ensure that crew members and passengers are made familiar, by means of an oral briefing or by other means, with the location and use of the following items:

   (a) seat belts;
   
   (b) emergency exits;
   
   (c) life jackets, if the carriage of life jackets is prescribed;
   
   (d) oxygen dispensing equipment, if the provision of oxygen for the use of passengers is prescribed; and
   
   (e) other emergency equipment provided for individual use, including passenger emergency briefing cards.

(2) An operator shall ensure that all persons on board are aware of the location and general manner of use of the principal emergency equipment carried for collective use.

(3) An operator may delegate the responsibility of briefing passengers under this regulation to any crew member on board the aircraft, and the pilot-in-command shall ascertain that the briefing has been conducted prior to take-off.

### In-flight emergency

151. (1) In an emergency during flight, the pilot-in-command shall ensure that all persons on board are instructed in such emergency action as may be appropriate to the
(2) A pilot-in-command may delegate the responsibility of briefing passengers under this regulation to any other crew member on board the aircraft.

An operator of an aircraft, or in case of general aviation operations, a pilot-in-command, shall:

(a) ensure that breathing oxygen and masks are available to passengers in sufficient quantities for all flights at such altitudes where a lack of oxygen might harmfully affect passengers;

(b) ensure that the minimum supply of oxygen prescribed by the Authority is on board the aircraft; and

(c) require all passengers to use oxygen continuously at cabin pressure altitudes above 4,550 m (15,000 ft).

Commercial Air Transport Passenger Carrying Operations

A passenger on a commercial air transport flight shall comply with instructions given by a crew member in compliance with these Regulations.

An air operator certificate holder may deny transportation to a passenger who:

(a) refuses to comply with the instructions regarding exit seating restrictions prescribed by the Authority; or

(b) has a handicap that can be physically accommodated only through causing an obstruction to the safe evacuation of other passengers from the aircraft as provided for in regulation 157.

A pilot-in-command or an operator shall not allow a person to be carried without compliance to the passenger carrying requirements unless there is an approved seat with an approved seat belt for that person, and:

(a) the seat is so located that the occupant is not in any position to interfere with the flight crew members performing their duties;

(b) there is unobstructed access from the approved seat to the flight deck or a regular or emergency exit;

(c) there is a means for notifying that person when smoking is prohibited and when seat belts shall be fastened; and

(d) that person has been orally briefed by a crew member on the use of emergency equipment and exits.

During taxi, of an aircraft a cabin crew member shall remain at his duty station with safety belt and shoulder harness fastened except to perform duties related to the safety of the aircraft and its occupants.

During taxi of an aircraft cabin crew members shall be located as near as practicable to required floor level exits and shall be uniformly distributed
throughout the aircraft to provide the most effective egress of passengers in event of an emergency evacuation.

(3) When passengers are on board a parked aircraft, cabin crew members or another person qualified in emergency evacuation procedures for the aircraft shall be placed in the following manner:

(a) if only one cabin crew member is required, that cabin crew member shall be located in accordance with the air operator certificate holder’s operations manual procedures; or

(b) if more than one cabin crew member is required, those crew members shall be spaced throughout the cabin to provide the most effective assistance for the evacuation in case of an emergency.

Evacuation capability 157. A pilot-in-command or other person assigned by the air operator certificate holder shall ensure that, when passengers are on board the aircraft prior to movement on the surface, at least one floor-level exit provides for egress of passengers through normal or emergency means.

Arming of automatic emergency exits 158. A person shall not cause an aircraft carrying passengers to be moved on the surface, take-off or land unless each automatically deployable emergency evacuation assisting means installed on the aircraft is ready for evacuation.

Accessibility of emergency exits and equipment. 159. A person shall not allow carry-on baggage or other items to block access to the emergency exits when the aircraft is moving on the surface, during take-off or landing, or while passengers remain on board.

Stops where passengers remain on board. 160. (1) At stops where passengers remain on board the aircraft, the pilot-in-command shall ensure that:

(a) all engines are shut down;
(b) at least one floor level exit remains open to provide for the evacuation of passengers if necessary; and
(c) there is at least one person immediately available who is qualified in the emergency evacuation of the aircraft and who has been identified to the passengers on board as responsible for the passenger safety.

(2) Where refuelling with passengers on board, the pilot-in-command or a designated air operator certificate holder’s representative shall ensure that the air operator certificate holder’s operations manual procedures are followed.

Carriage of persons with reduced mobility 161. A person shall not allow a person of reduced mobility to occupy seats where his presence could:

(a) impede the crew in their duties;
(b) obstruct access to emergency equipment; or
(c) impede the emergency evacuation of the aircraft.

Exit row seating 162. (1) A pilot-in-command shall ensure that no passenger sits in an emergency exit row if the pilot-in-command determines that it is likely that the passenger would be unable to understand and perform the functions necessary to open an exit and
(2) A pilot-in-command shall ensure that a person is not seated in a passenger exit seat if it is likely that the person would be unable to perform one or more of the applicable functions listed below:

(a) lacks sufficient mobility, strength, or dexterity in both arms and hands, and both legs to:
   (i) reach upward, sideways, and downward to the location of emergency exit and exit-slide operating mechanisms;
   (ii) grasp and push, pull, turn, or otherwise manipulate those mechanisms;
   (iii) push, shove, pull, or otherwise open emergency exits;
   (iv) lift out, hold, deposit on nearby seats, or manoeuvre over the seatbacks to the next row objects the size and weight of over-wing window exit doors;
   (v) remove obstructions of size and weight similar over-wing exit doors;
   (vi) reach the emergency exit expeditiously;
   (vii) maintain balance while removing obstructions;
   (viii) exit expeditiously;
   (ix) stabilise an escape slide after deployment; or
   (x) assist others in getting off an escape slide;

(b) is less than fifteen years of age or lacks the capacity to perform one or more of the applicable functions listed in this regulation without assistance;

(c) lacks the ability to read and understand instructions required by this regulation and related to emergency evacuation provided by the air operator certificate holder in printed or graphic form or the ability to understand oral crew commands;

(d) lacks sufficient visual capacity to perform one or more of the functions specified in sub-paragraphs (a) up to (c) without the assistance of visual aids beyond contact lenses or eyeglasses;

(e) lacks sufficient aural capacity to hear and understand instructions given by cabin crew members, without assistance beyond a hearing aid;

(f) lacks the ability to adequately impart information orally to other passengers; or

(g) has a condition or responsibilities, such as caring for small children, that might prevent the person from performing one or more of the functions listed above or a condition that might cause the person harm if he performs one or more of the functions listed above.

(3) Determination by a crew member as to the suitability of each person permitted to occupy an exit seat shall be made by the cabin crew members.

(4) Where a cabin crew member determines that a passenger assigned to an exit seat would be unable to perform the emergency exit functions, or if a passenger requests a non-exit seat, the cabin crew member shall expeditiously relocate the passenger to a non-exit seat.

(5) In the event of full booking in the non-exit seats, and if necessary to accommodate a passenger being relocated from an exit seat, the cabin crew member shall move a passenger who is willing and able to assume the evacuation functions, to an exit seat.

(6) An air operator certificate holder shall ensure that a ticket agent shall, prior to boarding, assign seats consistent with the passenger selection criteria and the
emergency exit functions, to the maximum extent feasible.

(7) An air operator certificate holder shall ensure that a ticket agent shall make available for inspection by the public at all passenger loading gates and ticket counters at each aerodrome where it conducts passenger operations, written procedures established for making determinations in regard to exit row seating.

(8) A cabin crew member shall include in their passenger briefings a request that a passenger identify himself to allow reseating if that passenger:
(a) cannot meet the selection criteria;
(b) has a nondiscernible condition that shall prevent them from performing the evacuation functions;
(c) may suffer bodily harm as the result of performing one or more of those functions; or
(d) does not wish to perform emergency exit functions.

(9) A cabin crew member shall include in their passenger briefings a reference to the passenger information cards and the functions to be performed in an emergency.

(10) A passenger shall comply with instructions given by a crew member or other authorized employee of the air operator certificate holder implementing exit seating restrictions.

(11) A pilot-in-command shall not allow taxi or pushback of an aircraft unless at least one required crew member has verified that all exit rows and escape paths are unobstructed and that no exit seat is occupied by a person the crew member determines is likely to be unable to perform the applicable evacuation functions.

(12) In order to comply with this regulation an air operator certificate holder shall:
(a) establish procedures that address the requirements of this regulation; and
(b) submit their procedures for preliminary review and approval to the Authority.

(13) The procedures required by this regulation shall not become effective until final approval is granted by the Authority, and approval shall be based solely upon the safety aspects of the air operator certificate holder’s procedures.

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Carriage of munitions of war and sporting weapons

163. (1) Subject to sub-regulation (4), and to the Civil Aviation (Security) Regulations, an aircraft shall not carry any munitions of war unless:
(a) such munition of war is carried with the permission of the Commissioner General of Rwanda National Police or any other officer acting in his capacity, and with the permission of the Authority; and
(b) the pilot-in-command of the aircraft is informed in writing by the operator before the flight commences of the type, weight or quantity and location of any such munition of war on board or suspended beneath the aircraft and any conditions of the permission of the Commissioner General of Rwanda National Police or any other officer acting in his capacity, and of the Authority.

(2) It shall be unlawful for an aircraft to carry any sporting weapon or munition of war in any compartment or apparatus to which passengers have access.

(3) It shall be unlawful for a person to carry or have in his possession or take or cause to be taken on board an aircraft, to suspend or cause to be suspended beneath an aircraft or to deliver or cause to be delivered for carriage thereon any sporting weapon or munition of war unless—
(a) the sporting weapon or munition of war—
   (i) is either part of the baggage of a passenger on the aircraft or consigned as cargo to be carried thereby;
(ii) is carried in a part of the aircraft, or in any apparatus attached to the aircraft inaccessible to passengers; and
(iii) in the case of a firearm, is unloaded;

(b) particulars of the sporting weapon or munition of war have been furnished by that passenger or by the consignor to the operator before the flight commences; and
(c) without prejudice to subregulation (1), the operator consents to the carriage of such sporting weapon or munition of war by the aircraft.

(4) Nothing in this regulation shall apply to any sporting weapons or munition of war taken or carried on board an aircraft registered in a country other than Rwanda if the sporting weapons or munition of war, as the case may be, may under the law of the country in which the aircraft is registered be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board.

(5) For the purposes of this regulation—
(a) "munition of war" means—
(i) any weapon or ammunition;
(ii) any article containing an explosive, noxious liquid or gas; or
(iii) any other thing which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article;

(b) "sporting weapon" means—
(i) any weapon or ammunition;
(ii) any article containing an explosive, noxious liquid or gas; or
(iii) any other thing, including parts, whether components or accessories, for such weapon, ammunition or article; which is not a munition of war.

Additional requirements 164. In addition to the requirements of regulation 163, a person shall comply with the provisions contained in the Civil Aviation (Security) Regulations and any other act and regulations in force in Rwanda concerning security, munitions of war and sporting weapons.

Oxygen for medical use by passengers 165. (1) An air operator certificate holder shall allow a passenger to carry and operate equipment for the storage, generation or dispensing of medical oxygen only as prescribed by the Authority.

(2) A person shall not smoke, and no crew member shall allow any person to smoke within 3 m (10 ft) of oxygen storage and dispensing equipment carried for the medical use of a passenger.

(3) A crew member shall not allow any person to connect or disconnect oxygen dispensing equipment to or from an oxygen cylinder while any other passenger is aboard the aircraft.

Carry-on baggage 166. (1) A person shall not allow:
(a) the boarding of carry-on baggage unless it can be adequately and securely stowed in accordance with the air operator certificate holder’s operations manual procedures.
(b) aircraft passenger entry doors to be closed in preparation for taxiing or pushback unless at least one required crew member has verified that each
article of baggage is properly stowed in overhead racks with approved restraining devices or doors, or in approved locations aft of the bulkhead; and

(c) carry-on baggage to be stowed in a location that would cause that location to be loaded beyond its maximum placard weight limitation.

(2) The stowage locations referred to in sub-regulation (1) (c) shall be capable of restraining the articles in crash impacts severe enough to induce the ultimate inertia forces specified in the emergency landing conditions under which the aircraft was type-certificated.

Carriage of cargo in passenger compartments.

167. (1) A person shall not allow the carriage of cargo in the passenger compartment of an aircraft except as prescribed by the Authority.

(2) Cargo may be carried anywhere in the passenger compartment if it is carried in an approved cargo bin that meets the following requirements:

(a) the bin shall withstand the load factors and emergency landing conditions applicable to the passenger seats of the aeroplane in which the bin is installed, multiplied by a factor of 1.15, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;

(b) the maximum weight of cargo that the bin is approved to carry and any instructions necessary to ensure proper weight distribution within the bin shall be conspicuously marked on the bin;

(c) the bin may not impose any load on the floor or other structure of the aircraft that exceeds the load limitations of that structure;

(d) the bin shall be attached to the seat tracks or to the floor structure of the aircraft, and its attachment shall withstand the load factors and emergency landing conditions applicable to the passenger seats of the aircraft in which the bin is installed, multiplied by either the factor 1.15 or the seat attachment factor specified for the aircraft, whichever is greater, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;

(e) the bin may not be installed in a position that restricts access to or use of any required emergency exit, or of the aisle in the passenger compartment;

(f) the bin shall be fully enclosed and made of material that is at least flame resistant;

(g) suitable safeguards shall be provided within the bin to prevent the cargo from shifting under emergency landing conditions; and

(h) the bin may not be installed in a position that obscures any passenger's view of the "seat belt" sign, "no smoking" sign, or any required exit sign, unless an auxiliary sign or other approved means for proper notification of the passenger is provided.

(3) Cargo, including carry-on baggage, may be carried anywhere in the passenger compartment of a small aircraft if it is carried in an approved cargo rack, bin, or compartment installed in or on the aircraft, if it is secured by an approved means, or if it is carried in accordance with each of the following:

(a) for cargo, it is properly secured by a safety belt or other tie-down having enough strength to eliminate the possibility of shifting under all normally anticipated flight and ground conditions, or for carry-on baggage, it is restrained so as to prevent its movement during air turbulence;
(b) it is packaged or covered to avoid possible injury to occupants;
(c) it does not impose any load on seats or in the floor structure that exceeds
the load limitation for those components;
(d) it is not located in a position that obstructs the access to, or use of, any
required emergency or regular exit, or the use of the aisle between the
crew and the passenger compartment, or is located in a position that
obscures any passenger's view of the "seat belt" sign, "no smoking" sign
or placard, or any required exit sign, unless an auxiliary sign or other
approved means for proper notification of the passengers is provided;
(e) it is not carried directly above seated occupants;
(f) it is stowed in compliance with these restrictions during take-off and
landing; and
(g) for cargo-only operations, if the cargo is loaded so that at least one
emergency or regular exit is available to provide all occupants of the
aircraft a means of unobstructed exit from the aircraft if an emergency
occurs.

Passenger
information
signs

A pilot-in-command of an aircraft shall turn on required passenger information signs
during any movement on the surface, for each take-off and each landing, and when
otherwise considered to be necessary.

Required
passenger
briefings: air
operator
certificate
holder

(1) A person shall not commence a take-off unless the passengers are briefed prior to
take-off in accordance with the air operator certificate holder’s operations
manual procedures on:
(a) smoking limitations and prohibitions;
(b) emergency exit location and use;
(c) use of safety belts;
(d) emergency floatation means location and use;
(e) location and the general manner of use of the principal emergency
equipment for collective use;
(f) fire extinguisher location and operation;
(g) placement of seat backs;
(h) if flight is above 3,650 m (12,000 ft) above mean sea level, the normal
and emergency use of oxygen; and
(i) the passenger briefing card.

(2) Immediately before or after turning the seat belt sign off, a pilot-in-command
shall ensure that the passengers are briefed to keep their seat belts fastened while
seated, even when the seat belt sign is off.

(3) Before take-off, the pilot-in-command shall ensure that persons of reduced
mobility are personally briefed on the:
(a) route to the most appropriate exit; and
(b) time to begin moving to the exit in event of an emergency.

(4) The pilot-in-command operating commercial air transport operations shall ensure
that the briefing specified in this regulation contains all the objects approved for
the specific operations conducted as included in the relevant operations manual.

Passenger
briefing:
extended
overwater

A pilot-in-command shall not commence extended overwater operations unless all
passengers have been orally briefed on the location and operations of life preservers, life
rafts and other flotation means, including a demonstration of the method of donning and
operations. inflating a life preserver.

Passenger seat belts 171. (1) A passenger occupying a seat or berth shall fasten his safety belt and keep it fastened while the sign is lighted or, in aircraft not equipped with such a sign, whenever instructed by a pilot-in-command.

(2) A passenger safety belt shall not be used by more than one occupant during take-off and landing.

(3) At each unoccupied seat, the safety belt and shoulder harness, if installed, shall be secured so as not to interfere with crew members in the performance of their duties or with the rapid egress of occupants in an emergency.

(4) A person who is not two years of age may be held by an adult who is occupying a seat or berth.

(5) A berth, such as a multiple lounge or divan seat, may be occupied by two persons provided it is equipped with an approved safety belt for each person and is used during en route flight only.

Passenger seat backs 172. (1) A pilot-in-command shall not allow the take-off or landing of an aircraft unless each passenger seat back is in the upright position.

(2) Exceptions to this requirement shall only be made in accordance with procedures in the air operator certificate holder’s operations manual provided the seat back does not obstruct any passenger’s access to the aisle or to any emergency exit.

Stowage of food, beverage and passenger service 173. A pilot-in-command shall not allow the movement of an aircraft on the surface, take-off or landing:

(a) when any food, beverage or tableware furnished by the air operator certificate holder is located at any passenger seat; and

(b) unless each food and beverage tray and seat back tray table is in the stowed position.

Securing of items of mass in passenger compartment. 174. A person shall not allow:

(a) the take-off or landing of an aircraft unless each item of mass in the passenger cabin is properly secured to prevent it from becoming a hazard during taxi, take-off and landing and during turbulent weather conditions; or

(b) an aircraft to move on the surface, take-off or land unless each passenger serving cart is secured in its stowed position.

Crew member and Flight Operations Officer Qualifications: Commercial Air Transport

Age restriction 175. A person shall not serve nor shall any air operator certificate holder use a person as a required pilot on an aircraft engaged in international commercial air transport operations if that person has attained the age of sixty five years.

Pilot-in-command licence requirements: turbojet, 176. A pilot shall not act as pilot-in-command of a turbojet, turbofan or large aircraft in commercial air transport operations unless that pilot holds an Airline Transport Pilot Licence or a Multi-crew Pilot Licence and a type rating for that aircraft.
turbofan or large aircraft

Pilot-in-command licence requirements: non turbojet or turbofan small aircraft

177. A pilot shall not act as pilot-in-command of a non-turbojet or turbofan small aircraft in commercial air transport operations during:
   (a) IFR operations unless that pilot holds a Commercial Pilot Licence with appropriate category class ratings for the aircraft operated, and an instrument rating and meets the experience requirements for operation; or
   (b) day VFR operations unless that pilot holds a Commercial Pilot Licence with appropriate category and class ratings for the aircraft operated.

Pilot-in-command aeronautical experience: Small aircraft

178. An operator shall ensure that:
   (a) A Commercial Pilot Licence holder does not operate as a pilot-in-command certificated in the aircraft flight manual for single pilot operations unless:
      (i) when conducting passenger carrying operations under VFR outside a radius of 50 nm from an aerodrome of departure, the pilot has a minimum of 500 hours total flight time on aeroplanes or holds a valid instrument rating; or
      (ii) when operating on a multi-engine type under IFR, the pilot has a minimum of 700 hours total flight time on aeroplanes which includes 400 hours as pilot-in-command of which 100 hours have been under IFR including 40 hours multi-engine operation;
      (iii) the 400 hours referred to sub-paragraph (ii) may be substituted by hours operating as co-pilot on the basis that two hours co-pilot is equivalent to one hour as pilot-in-command provided that those hours were gained within an established multi-pilot crew system prescribed in the operations manual specified in the Civil Aviation (Air Operator Certification and Administration) Regulations;
   (b) in addition to sub-paragraph (a)(ii), when operating under IFR as a single pilot, requirements prescribed in regulation 42 are satisfied; and
   (c) in multi-pilot crew operations, in addition to sub-paragraph (a), and prior the pilot operating as pilot-in-command, the command course prescribed in the operations manual specified in the Civil Aviation (Air Operator Certification and Administration) Regulations is completed.

Co-pilot licence requirements

179. A pilot shall not act as co-pilot of an aircraft in commercial air transport operations unless that pilot holds:
   (a) a Commercial Pilot Licence, an Airline Transport Pilot Licence or a Multi-crew Pilot Licence with appropriate category class and type ratings for the aircraft operated; and
   (b) an instrument rating.

Flight engineer licence requirements

180. A person shall not act as the flight engineer of an aircraft unless that person holds a flight engineer licence with the appropriate type rating.

One pilot qualified to perform flight engineer

181. An air operator certificate holder shall ensure that, on all flights requiring a flight engineer there is assigned at least one other flight crew member qualified to perform the flight engineer duties in the event the flight engineer becomes incapacitated.
A person shall not act as a flight operations officer unless that person holds a flight operations officer licence or an Airline Transport Pilot Licence, and is currently qualified by the air operator certificate holder for the operation and type of aircraft used.

(2) A flight operations officer shall not be assigned to duty unless that person has:
   (a) satisfactorily completed an operator-specific training course that addresses all the specific components of its approved method of control and supervision of flight operations specified in the Civil Aviation (Air Operator Certification and Administration) Regulations;
   (b) made, within the preceding 12 months, at least a one-way qualification flight in the flight crew compartment of an aeroplane over any area for which that individual is authorized to exercise flight supervision and the flight should include landings at as many aerodromes as practicable;
   (c) demonstrated to the operator a knowledge of:
       (i) the contents of the operations manual required under these Regulations;
       (ii) the radio equipment in the aeroplanes used; and
       (iii) the navigation equipment in the aeroplanes used;
   (d) demonstrated to the operator a knowledge of the following details concerning operations for which the officer is responsible and areas in which that individual is authorized to exercise flight supervision:
       (i) the seasonal meteorological conditions and the sources of meteorological information;
       (ii) the effects of meteorological conditions on radio reception in the aeroplanes used;
       (iii) the peculiarities and limitations of each navigation system which is used by the operation; and
       (iv) the aeroplane loading instructions;
   (e) demonstrated to the operator knowledge and skills related to human performance relevant to dispatch duties; and
   (f) demonstrated to the operator the ability to perform the duties specified in sub-regulations (5) and (6).

(3) A flight operations officer assigned to duty shall maintain complete familiarization with all features of the operations which are pertinent to such duties, including knowledge and skills related to human performance.

(4) A flight operations officer shall not be assigned to duty after 12 consecutive months of absence for such duty, unless the provisions of the Civil Aviation (Personnel Licensing) Regulations are met.

(5) A flight operations officer in conjunction with a method of control and supervision of flight shall:
   (a) assist the pilot-in-command in flight preparation, and provide the relevant information;
   (b) assist the pilot-in-command in preparing the operational and air traffic services flight plans, sign when applicable and file the air traffic services flight plan with the appropriate air traffic services unit; and
   (c) furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight.

(6) In the event of an emergency, a flight operations officer shall:
(a) initiate such procedures as outlined in the operations manual while avoiding taking any action that would conflict with air traffic control (ATC) procedures; and

(b) convey safety-related information to the pilot-in-command that may be necessary for the safe conduct of the flight, including information related to any amendments to the flight plan that become necessary in the course of the flight.

183. Company procedures indoctrination

A person shall not serve nor shall an air operator certificate holder use a person as a crew member or flight operations officer unless that person has completed the company procedures indoctrination curriculum approved by the Authority, which shall include a complete review of operations manual procedures pertinent to the crew member or flight operation officer’s duties.

(2) An air operator certificate holder shall ensure that all operations personnel are provided with company indoctrination training that covers the following areas:

(a) air operator certificate holder's organization, scope of operation, and administrative practices as applicable to crew member assignments and duties;
(b) appropriate provisions of Civil Aviation Regulations of Rwanda and other applicable regulations and guidance materials;
(c) air operator certificate holder policies and procedures;
(d) applicable crew member manuals; and
(e) appropriate portions of the air operator certificate holder's operations manual.

(3) An air operator certificate holder shall provide a minimum of forty programmed hours of instruction for basic indoctrination training unless a reduction of the hours of instruction is approved by the Authority.

184. Initial dangerous goods training

An operator or owner of an aircraft shall establish and maintain approved staff training programmes as required by the Technical Instructions in conformity with the Civil Aviation (Air Operator Certification and Administration) Regulations with the necessary changes – *mutatis mutandis* - to apply to the said person even in the case he is a non air operator certificate holder.

185. Security training programmes

An operator shall establish and maintain an approved security training programme in conformity with the Civil Aviation (Air Operator Certification and Administration) Regulations.

186. Initial crew resource management training

(1) A person shall not serve nor shall any air operator certificate holder use a person as a crew member or flight operations officer unless that person has completed the initial crew resource management curriculum approved by the Authority.

(2) An air operator certificate holder shall ensure that all crew members have crew resource management training as part of their initial and recurrent training requirements.

(3) A crew resource management training program shall include:

(a) an initial indoctrination or awareness segment;
(b) a method to provide recurrent practice and feedback; and
(c) a method of providing continuing reinforcement.

(4) Curriculum topics to be contained in an initial crew resource management training course include:
(a) communications processes and decision behaviour;
(b) internal and external influences on interpersonal communications;
(c) barriers to communication;
(d) listening skills;
(e) decision making skills;
(f) effective briefings;
(g) developing open communications;
(h) inquiry, advocacy, and assertion training;
(i) crew self-critique;
(j) conflict resolution;
(k) team building and maintenance;
(l) leadership and followship training;
(m) interpersonal relationships;
(n) workload management;
(o) situational awareness;
(p) how to prepare, plan and monitor task completions;
(q) workload distribution;
(r) distraction avoidance;
(s) individual factors; and
(t) stress reduction.

187. (1) A person shall not serve nor shall any air operator certificate holder use a person as a crew member unless that person has completed the appropriate initial emergency equipment curriculum and drills for the crew member position approved by the Authority for the emergency equipment available on the aircraft to be operated.

(2) A crew member shall accomplish emergency training during the specified training periods, using the items of installed emergency equipment for each type of aeroplane in which that crew member is to serve.

(3) During initial training, a crew member shall perform the following one-time emergency drills:

(a) protective breathing equipment or fire-fighting drill:
   (i) locate the source of fire or smoke for an actual or simulated fire;
   (ii) implement procedures for effective crew co-ordination and communication, including notification of flight crew members about the fire situation;
   (iii) don and activate installed protective breathing equipment or approved protective breathing equipment simulation device;
   (iv) manoeuvre in limited space with reduced visibility;
   (v) effectively use the aircraft’s communication system;
   (vi) identify the class of fire;
   (vii) select the appropriate extinguisher;
   (viii) properly remove the extinguisher from the securing device;
   (ix) prepare, operate and discharge the extinguisher properly; and
   (x) utilise the correct fire-fighting techniques for type of fire.

(b) emergency evacuation drill:
   (i) recognise and evaluate an emergency;
   (ii) assume the appropriate protective position;
   (iii) command passengers to assume protective position;
   (iv) implement crew co-ordination procedures;
   (v) ensure activation of emergency lights;
(vi) assess aircraft condition;
(vii) initiate evacuation, dependent on signal or decision;
(viii) command passengers to release their seatbelts and evacuate;
(ix) assess exit and redirect passengers, if necessary, to open exits, including deploying slides and commanding helpers to assist;
(x) command the passengers to evacuate at exit and run away from the aircraft;
(xi) assist special need passengers, such as handicapped, elderly, and persons in a state of panic; and
(xii) actually exit the aircraft or training device using at least one of the installed emergency evacuation slides.

(4) In the case of an emergency evacuation drill, the crew member may either observe the aircraft exits being opened in the emergency mode and the associated exit slider or aft pack being deployed and inflated, or perform the tasks resulting in the accomplishment of these actions.

(5) An aircraft crew member shall accomplish additional emergency drills during initial and recurrent training, including performing the following emergency drills:

(a) emergency exit drill:
   (i) correctly pre-flight each type of emergency exit and evacuation slide or slide raft, if part of cabin crew member's assigned duties;
   (ii) disarm and open each type of door exit in normal mode;
   (iii) close each type of door exit in normal mode;
   (iv) arm each type of door exit in emergency mode;
   (v) open each type of door exit in emergency mode;
   (vi) use the manual slide inflation system to accomplish or ensure slide or slide raft inflation;
   (vii) open each type of window exit; and
   (viii) remove the escape rope and position it for use.

(b) hand fire extinguisher drill fighting an actual or a simulated fire is not necessary during this drill:
   (i) pre-flight each type of hand fire extinguisher;
   (ii) locate the source of fire or smoke and identify class of fire;
   (iii) select the appropriate extinguisher and remove from securing device;
   (iv) prepare the extinguisher for use;
   (v) actually operate and discharge each type of installed hand fire extinguisher;
   (vi) utilise correct fire-fighting techniques for the type of fire; and
   (vii) implement procedures for effective crew coordination and communication, including notification of crew members about the type of fire situation;

(c) emergency oxygen system drill:
   (i) actually operate portable oxygen bottles, including masks and tubing;
   (ii) verbally demonstrate operation of chemical oxygen generators;
   (iii) prepare for use and properly operate an oxygen device, including donning and activation;
   (iv) administer oxygen to self, passengers, and to those persons with special oxygen needs;
(v) utilise proper procedures for effective crew coordination and communication;
(vi) activate protective breathing equipment;
(vii) manually open each type of oxygen mask compartment and deploy oxygen masks;
(viii) identify compartments with extra oxygen masks;
(ix) implement immediate action decompression procedures; and
(x) reset the oxygen system, if applicable.

(d) flotation device drill:
(i) don and inflate life vests;
(ii) remove and use flotation seat cushions; and
(iii) demonstrate swimming techniques using a seat cushion;

(e) ditching drill, if applicable, during which ditching drill trainees shall perform the "prior to impact" and "after impact" procedures for a ditching, as appropriate to the specific operator's type of operation:
(i) implement crew coordination procedures, including a briefing with the captain to obtain pertinent ditching information and briefing cabin crew members;
(ii) coordinate time-frame for cabin and passenger preparation;
(iii) adequately brief passengers on ditching procedures;
(iv) ensure the cabin is prepared, including the securing of carry-on baggage, lavatories, and galleys;
(v) demonstrate how to properly deploy and inflate slide rafts;
(vi) remove, position and attach slide rafts to aircraft;
(vii) inflate the rafts;
(viii) use escape ropes at overwing exits;
(ix) command any helpers to assist;
(x) use slides and seat cushions as flotation devices;
(xi) remove appropriate emergency equipment from the aircraft;
(xii) board rafts properly;
(xiii) initiate raft management procedures, such as disconnecting rafts from aircraft, applying immediate first aid, rescuing persons in water, salvaging floating rations and equipment, deploying sea anchor, tying rafts together, and activating or ensuring operation of emergency locator transmitter;
(xiv) initiate basic survival procedures, such as removing and utilising survival kit items, repairing and maintaining raft, ensuring protection from exposure, erecting canopy, communicating location, providing continued first aid, and providing sustenance;
(xv) use heaving line to rescue persons in the water;
(xvi) tie slide rafts or rafts together;
(xvii) use life line on edge of slide raft or raft as a handhold; and
(xviii) secure survival kit items.

(6) An aircraft crew member shall accomplish additional emergency drill requirements during initial and recurrent training including observing the following emergency drills:
(a) life raft removal and inflation drill, if applicable:
   (i) removal of a life raft from the aircraft or training device;
   (ii) inflation of a life raft;
(b) slide raft transfer drill:
(i) transfer each type of slide raft pack from an unusable door to a usable door;
(ii) disconnect the slide raft at an unusable door;
(iii) redirect passengers to the usable slide raft; and
(iv) install and deploy the slide raft at a usable door.

(c) slide and slide raft deployment, inflation, and detachment drill:
   (i) engage slide girt bar in floor brackets;
   (ii) inflate slides with and without quick-release handle, manually and automatically;
   (iii) disconnect slide from aircraft for use as a flotation device;
   (iv) arm slide rafts for automatic inflation; and
   (v) disconnect slide raft from the aircraft.

(d) emergency evacuation slide drill:
   (i) open armed exit with slide or slide raft deployment and inflation; and
   (ii) egress from aircraft via the evacuation slide and run away to a safe distance.

Initial aircraft ground training: flight crew

1. A person shall not serve nor shall an air operator certificate holder use a person as a flight crew member unless that person has completed the initial ground training approved by the Authority for the aircraft type.

2. Initial aircraft ground training for flight crew members shall include the pertinent portions of the operations manuals relating to aircraft-specific performance, mass and balance, operational policies, systems, limitations, normal, abnormal and emergency procedures on the aircraft type to be used.

3. An air operator certificate holder shall have an initial aircraft ground training curriculum for the flight crew applicable to the type of operations conducted and aircraft flown.

4. Instructions shall include at least the following general subjects:
   (a) air operator certificate holder’s dispatch, flight release, or operational control or flight following procedures;
   (b) principles and methods for determining mass and balance, and runway limitations for take-off;
   (c) adverse weather recognition and avoidance, and flight procedures which shall be followed when operating in the following conditions:
      (i) icing;
      (ii) fog;
      (iii) turbulence;
      (iv) heavy precipitation;
      (v) thunderstorms;
      (vi) low-level wind shear and microburst; and
      (vii) low visibility.
   (d) normal and emergency communications procedures and navigation equipment including the air operator certificate holder’s communications procedures and air traffic control clearance requirements;
   (e) navigation procedures used in area departure, en route, area arrival, approach and landing phases;
   (f) approved crew resource management training;
   (g) air traffic control systems, procedures, and phraseology;
   (h) aircraft performance characteristics during all flight regimes, including:
(i) the use of charts, tables, tabulated data and other related manual information;
(ii) normal, abnormal, and emergency performance problems;
(iii) meteorological and weight limiting performance factors, such as temperature, pressure, contaminated runways, precipitation, climb and runway limits;
(iv) inoperative equipment performance limiting factors, such as minimum equipment list or configuration deviation list, inoperative antiskid; and
(v) special operational conditions, such as unpaved runways, high altitude aerodromes and drift down requirements.

(5) An air operator certificate holder shall have an initial aircraft ground training curriculum for the flight crew applicable to the type of operations conducted and aircraft flown, including at least the following aircraft systems:

(a) aircraft:
   (i) aircraft dimensions, turning radius, panel layouts, cockpit and cabin configurations; and
   (ii) other major systems and components or appliances of the aircraft;

(b) powerplants:
   (i) basic engine description;
   (ii) engine thrust ratings; and
   (iii) engine components such as accessory drives, ignition, oil, fuel control, hydraulic, and bleed air features;

(c) electrical:
   (i) sources of aircraft electrical power, such as engine driven generators, APU generator, and external power;
   (ii) electrical buses;
   (iii) circuit breakers;
   (iv) aircraft battery; and
   (v) standby power systems.

(d) hydraulic:
   (i) hydraulic reservoirs, pumps, accumulators, filters, check valves, interconnects and actuators; and
   (ii) other hydraulically operated components.

(e) fuel:
   (i) fuel tanks, including location and quantities;
   (ii) engine driven pumps;
   (iii) boost pumps;
   (iv) system valves and crossfeeds;
   (v) quantity indicators; and
   (vi) provisions for fuel jettisoning.

(f) pneumatic:
   (i) bleed air sources, auxiliary power unit or external ground air; and
   (ii) means of routing, venting and controlling bleed air via valves, ducts, chambers, and temperature and pressure limiting devices.

(g) air conditioning and pressurisation:
   (i) heaters, air conditioning packs, fans, and other environmental control devices;
   (ii) pressurisation system components such as outflow and negative
pressure relief valves; and
(iii) automatic, standby, and manual pressurisation controls and
annunciations;

(h) flight controls:
(i) primary controls, including yaw, pitch, and roll devices;
(ii) secondary controls, including leading or trailing edge devices,
flaps, trim, and damping mechanisms;
(iii) means of actuation, whether direct or indirect or fly by wire;
and
(iv) redundancy devices.

(i) landing gear:
(i) landing gear extension and retraction mechanism including the
operating sequence of struts, doors, and locking devices, and
brake and antiskid systems, if applicable;
(ii) steering, including nose or body steering gear;
(iii) bogie arrangements;
(iv) air or ground sensor relays; and
(v) visual downlock indicators.

(j) ice and rain protection:
(i) rain removal systems; and
(ii) anti-icing or de-icing systems affecting flight controls, engines,
pitot static probes, fluid outlets, cockpit windows, and aircraft
structures.

(k) equipment and furnishings:
(i) exits;
(ii) galleys;
(iii) water and waste systems;
(iv) lavatories;
(v) cargo areas;
(vi) crew member and passenger seats;
(vii) bulkheads;
(viii) seating and cargo configurations; and
(ix) non-emergency equipment and furnishings.

(l) navigation equipment:
(i) flight directors;
(ii) horizontal situation indicator;
(iii) radio magnetic indicator;
(iv) navigation receivers such as global positioning system,
automatic direction finder (ADF), very high frequency omni-
directional radio range (VOR), OMEGA, long range navigation
(LORAN-C), area navigation (RNAV), marker beacon, distance
measuring equipment (DME);
(v) inertial systems such as inertia navigation system (INS) and
inertia reference (IRS);
(vi) functional displays;
(vii) fault indications and comparator systems;
(viii) aircraft transponders;
(ix) radio altimeters;
(x) weather radar; and
(xi) cathode ray tube or computer generated displays of aircraft
position and navigation information.
(m) auto flight system:
  (i) autopilot;
  (ii) autothrottles;
  (iii) flight director and navigation systems;
  (iv) automatic approach tracking;
  (v) autoland; and
  (vi) automatic fuel and performance management systems.

(n) flight instruments:
  (i) panel arrangement;
  (ii) flight instruments, including attitude indicator, directional gyro,
       magnetic compass, airspeed indicator, vertical speed indicator,
       altimeters, standby instruments; and
  (iii) instrument power sources, and instrument sensory sources, such
       as Pitot static pressure;

(o) display systems:
  (i) weather radar; and
  (ii) other CRT displays, such as checklist, vertical navigation or
       longitudinal navigation displays.

(p) communication equipment:
  (i) VHF or HF radios;
  (ii) audio panels;
  (iii) inflight interphone and passenger address systems;
  (iv) voice recorder; and
  (v) aircraft communication addressing and reporting system
      (ACARS);

(q) warning systems:
  (i) aural, visual, and tactile warning systems, including the
      character and degree of urgency related to each signal; and
  (ii) warning and caution annunciator systems, including ground
      proximity and take-off warning systems.

(r) fire protection:
  (i) fire and overheat sensors, loops, modules, or other means of
      providing visual or aural indications of fire or overheat
      detection;
  (ii) procedures for the use of fire handles, automatic extinguishing
      systems and extinguishing agents; and
  (iii) power sources necessary to provide protection for fire and
      overheat conditions in engines, auxiliary power unit, cargo bay
      or wheel well, cockpit, cabin and lavatories;

(s) oxygen:
  (i) passenger, crew, and portable oxygen supply systems;
  (ii) sources of oxygen such as gaseous or solid;
  (iii) flow and distribution networks;
  (iv) automatic deployment systems;
  (v) regulators, pressure levels and gauges; and
  (vi) servicing requirements.

(t) lighting:
  (i) cockpit, cabin, and external lighting systems;
  (ii) power sources;
  (iii) switch positions; and
  (iv) spare light bulb locations.
(u) emergency equipment:
   (i) fire and oxygen bottles;
   (ii) first aid kits;
   (iii) life rafts and life preservers;
   (iv) crash axes;
   (v) emergency exits and lights;
   (vi) slides and slide rafts;
   (vii) escape straps or handles; and
   (viii) hatches, ladders and movable stairs.

(v) Auxiliary Power Unit:
   (i) electric and bleed air capabilities;
   (ii) interfaces with electrical and pneumatic systems;
   (iii) inlet doors and exhaust ducts; and
   (iv) fuel supply.

(6) An air operator certificate holder shall have an initial aircraft ground training curriculum for the flight crew applicable to the type of operations conducted and aircraft flown, including at least the following aircraft systems integration items:
   (a) use of checklist:
       safety chocks;
       cockpit preparation (switch position and checklist flows);
       checklist callouts and responses; and
       checklist sequence.

   (b) flight planning:
       (i) performance limitations, including meteorological, weight, minimum equipment list and configuration deviation list items;
       (ii) required fuel loads;
       (iii) weather planning, lower than standard take-off minimums or alternate requirements;

   (c) navigation systems:
       (i) pre-flight and operation of applicable receivers;
       (ii) onboard navigation systems; and
       (iii) flight plan information input and retrieval.

   (d) autoflight: autopilot, autothrust, and flight director systems, including the appropriate procedures, normal and abnormal indications, and annunciators.

   (e) cockpit familiarisation:
       (i) activation of aircraft system controls and switches to include normal, abnormal and emergency switches; and
       (ii) control positions and relevant annunciators, lights, or other caution and warning systems.

(7) An air operator certificate holder may have separate initial aircraft ground training curricula of varying lengths and subject emphasis which recognise the experience levels of flight crew members approved by the Authority.
A person shall not serve nor shall an air operator certificate holder use a person as a cabin crew member unless that person has completed the initial ground training approved by the Authority for aircraft type.

Initial aircraft ground training for cabin crew members shall include the pertinent portions of the operations manuals relating to aircraft specific configuration, equipment, normal and emergency procedures for the aircraft types within the fleet.

An air operator certificate holder shall have an initial ground training curriculum for cabin crew members applicable to the type of operations conducted and aircraft flown, including at least the following general subjects:

(a) aircraft familiarisation:
   (i) aircraft characteristics and description;
   (ii) cockpit configuration;
   (iii) cabin configuration;
   (iv) galleys;
   (v) lavatories; and
   (vi) stowage areas;

(b) aircraft equipment and furnishings:
   (i) cabin crew member stations;
   (ii) cabin crew member panels;
   (iii) passenger seats;
   (iv) passenger service units and convenience panels;
   (v) passenger information signs;
   (vi) aircraft markings; and
   (vii) aircraft placards.

(c) aircraft systems:
   (i) air conditioning and pressurisation system;
   (ii) aircraft communication systems (call, interphone and passenger address);
   (iii) lighting and electrical systems;
   (iv) oxygen systems (flight crew, observer and passenger); and
   (v) water system;

(d) aircraft exits:
   (i) general information;
   (ii) exits with slides or slide rafts for pre-flight and normal operation;
   (iii) exits without slides pre-flight and normal operations; and
   (iv) window exits.

(e) crew member communication and coordination:
   (i) authority of pilot-in-command;
   (ii) routine communication signals and procedures; and
   (iii) crew member briefing;

(f) routine crew member duties and procedures:
   (i) crew member general responsibilities;
   (ii) reporting duties and procedures for specific aircraft;
   (iii) pre-departure duties and procedures prior to passenger boarding;
   (iv) passenger boarding duties and procedures;
   (v) prior-to-movement-on-the-surface duties and procedures;
   (vi) prior-to-take-off duties and procedures applicable to specific aircraft;
(vii) in-flight duties and procedures;
(viii) prior-to-landing duties and procedures;
(ix) movement on the surface and arrival duties and procedures;
(x) after-arrival duties and procedures; and
(xi) intermediate stops;

(g) passenger handling responsibilities:
(i) crew member general responsibilities;
(ii) infants, children, and unaccompanied minors;
(iii) passengers needing special assistance;
(iv) passengers needing special accommodation;
(v) carry-on stowage requirements;
(vi) passenger seating requirements;
(vii) smoking and no-smoking requirements and;
(viii) approved CRM training.

4 An air operator certificate holder shall have an initial ground training curriculum for cabin crew members applicable to the type of operations conducted and aircraft flown, including at least the following aircraft specific emergency subjects:

(a) emergency equipment:
(i) emergency communication and notification systems;
(ii) aircraft exits;
(iii) exits with slides or slide rafts, emergency operation;
(iv) slides and slide rafts in a ditching;
(v) exits without slides emergency operation;
(vi) window exits emergency operation;
(vii) exits with tailcones (emergency operation);
(viii) cockpit exits emergency operation;
(ix) ground evacuation and ditching equipment;
(x) first-aid equipment;
(xi) portable oxygen systems, oxygen bottles, chemical oxygen generators, protective breathing equipment;
(xii) fire-fighting equipment;
(xiii) emergency lighting systems; and
(xiv) additional emergency equipment.

(b) emergency assignments and procedures:
(i) general types of emergencies specific to aircraft;
(ii) emergency communication signals and procedures;
(iii) rapid decompression;
(iv) insidious decompression and cracked window and pressure seal leaks;
(v) fires;
(vi) ditching;
(vii) ground evacuation;
(viii) unwarranted evacuation for example, passenger initiated;
(ix) illness or injury;
(x) abnormal situations involving passengers or crew members;
(xi) unlawful interference;
(xii) bomb threat;
(xiii) turbulence;
(xiv) other unusual situations; and
(xv) previous aircraft accidents and incidents.
(c) aircraft specific emergency drills:
   (i) emergency exit drill;
   (ii) hand fire extinguisher drill;
   (iii) emergency oxygen system drill;
   (iv) flotation device drill;
   (v) ditching drill, if applicable;
   (vi) life raft removal and inflation drill, if applicable;
   (vii) slide raft pack transfer drill, if applicable;
   (viii) slide or slide raft deployment, inflation, and detachment drill, if applicable; and
   (ix) emergency evacuation slide drill, if applicable.

(5) An air operator certificate holder shall ensure that initial ground training for cabin crew members includes a competence check to determine his ability to perform assigned duties and responsibilities.

(6) An air operator certificate holder shall ensure that initial ground training for cabin crew members consists of at least the following programmed hours of instruction:
   (a) multi-engine turbine: thirty two hours; and
   (b) multi-engine reciprocating: sixteen hours.

### Competence checks: cabin crew members

190. (1) A person shall not serve nor shall any air operator certificate holder use a person as a cabin crew member unless, within the preceding twelve months before that service, that person has passed the competency check approved by the Authority performing the emergency duties appropriate to that person’s assignment.

(2) Evaluators shall conduct competency checks for cabin crew members to demonstrate that the candidate's proficiency level is sufficient to successfully perform assigned duties and responsibilities.

(3) A qualified supervisor or inspector approved by the Authority shall observe and evaluate competency checks for cabin crew members.

(4) Evaluators shall include during each cabin crew member competency check a demonstrated knowledge of:
   (a) emergency equipment: emergency communication and notification systems;
      (i) aircraft exits;
      (ii) exits with slides or slide rafts (emergency operation);
      (iii) slides and slide rafts in a ditching;
      (iv) exits without slides (emergency operation);
      (v) window exits (emergency operation);
      (vi) exits with tail cones (emergency operation);
      (vii) cockpit exits (emergency operation);
      (viii) ground evacuation and ditching equipment;
      (ix) first-aid equipment;
      (x) portable oxygen systems (oxygen bottles, chemical oxygen generators, protective breathing equipment (PBE));
      (xi) fire-fighting equipment;
      (xii) emergency lighting systems; and
      (xiii) additional emergency equipment.

   (b) emergency procedures:
      (i) general types of emergencies specific to aircraft;
      (ii) emergency communication signals and procedures;
      (iii) rapid decompression;
(iv) insidious decompression and cracked window and pressure seal leaks;
(v) fires;
(vi) ditching;
(vii) ground evacuation;
(viii) unwarranted evacuation, for example that is passenger initiated;
(ix) illness or injury;
(x) abnormal situations involving passengers or crew members;
(xi) turbulence; and
(xii) other unusual situations.

(c) emergency drills:
(i) location and use of all emergency and safety equipment carried on the aircraft;
(ii) the location and use of all types of exits;
(iii) actual donning of a lifejacket where fitted;
(iv) actual donning of protective breathing equipment; and
(v) actual handling of fire extinguishers.

(d) crew resource management:
(i) decision making skills;
(ii) briefings and developing open communication;
(iii) inquiry, advocacy, and assertion training; and
(iv) workload management;

(e) dangerous goods:
(i) recognition of and transportation of dangerous goods;
(ii) proper packaging, marking, and documentation; and
(iii) instructions regarding compatibility, loading, storage and handling characteristics;

(f) security:
(i) unlawful interference; and
(ii) disruptive passengers.

Initial training: 191. (1) A person shall not serve nor shall any air operator certificate holder use a person as a flight operations officer unless that person has completed the initial training approved by the Authority.

(2) Aircraft initial flight operations officer training shall include the pertinent portions of the operations manual relating to aircraft specific flight preparation procedures, performance, mass and balance, systems, limitations for the aircraft types within the fleet.

(3) An air operator certificate holder shall provide initial aircraft training for flight operations officers that include instruction in at least the following general dispatch subjects:
(a) normal and emergency communications procedures;
(b) available sources of weather information;
(c) actual and prognostic weather charts;
(d) interpretation of weather information;
(e) adverse weather phenomena, such as clear air turbulence, wind shear, and thunderstorms;
(f) Notice to Airmen (NOTAM) system;
(g) navigational charts and publications;
(h) air traffic control and IFR procedures;
(i) familiarisation with operational area;
(j) characteristics of special aerodromes and other operationally significant aerodromes which the operator uses, such as terrain, approach aids, or prevailing weather phenomena;
(k) joint flight operations officer and group responsibilities; and
(l) approved CRM training for flight operations officers.

(4) An air operator certificate holder shall provide initial aircraft training for flight operations officers that include instruction in at least the following aircraft characteristics:

(a) general operating characteristics of the air operator certificate holder’s aircraft;
(b) aircraft specific training with emphasis on the following topics:
   (i) aircraft operating and performance characteristics;
   (ii) navigation equipment;
   (iii) instrument approach and communications equipment; and
   (iv) emergency equipment.
(c) flight manual training; and
(d) equipment training.

(5) An air operator certificate holder shall provide initial aircraft training for flight operations officers that include instruction in at least the following emergency procedures:

(a) assisting the flight crew in an emergency; and
(b) alerting of appropriate governmental, company and private agencies.

(6) An air operator certificate holder shall ensure that initial ground training for flight operations officers includes a competence check given by an appropriate supervisor or ground instructor that demonstrates the required knowledge and abilities.

**Initial flight training: flight crew member**

192. (1) A person shall not serve nor shall an air operator certificate holder use a person as a flight crew member unless that person has completed the initial flight training approved by the Authority for the aircraft type.
(2) Initial flight training of a flight crew member shall focus on the manoeuvring and safe operation of the aircraft in accordance with air operator certificate holder’s normal, abnormal and emergency procedures.
(3) An air operator certificate holder may have separate initial flight training curriculum which recognise the experience levels of flight crew members approved by the Authority.
(4) Flight training may be conducted in an appropriate aircraft or adequate flight simulation training device:

(a) having landing capability; and
(b) qualified for training or checking on circling manoeuvres.
(5) An air operator certificate holder shall ensure that pilot initial flight training includes at least the following:

(a) preparation:
   (i) visual inspection, and use authorized of pictorial display for aircraft with a flight engineer;
   (ii) pre-taxi procedures; and
   (iii) performance limitations;
(b) surface operation:
   (i) pushback;
   (ii) powerback taxi, if applicable to type of operation to be
conducted;
(iii) starting;
(iv) taxi; and
(v) pre-take-off checks;

(c) take-off:
(i) normal;
(ii) crosswind;
(iii) rejected;
(iv) power failure after \( v_1 \); and
(v) lower than standard minimum, if applicable to type of operation to be conducted;

(d) climb:
(i) normal; and
(ii) one-engine inoperative during climb to en route altitude;

(e) en-route:
(i) steep turns;
(ii) approaches to stalls (take-off, en route, and landing configurations);
(iii) in-flight powerplant shutdown;
(iv) in-flight powerplant restart; and
(v) high speed handling characteristics;

(f) descent:
(i) normal; and
(ii) maximum rate;

(g) approaches:
(i) VFR procedures;
(ii) visual approach with 50% loss of power on one-engine (2 engines inoperative on 3-engine aircraft for pilot-in-command only);
(iii) visual approach with slat or flap malfunction;
(iv) IFR precision approaches such as instrument landing system normal and instrument landing system with one-engine inoperative;
(v) IFR non-precision approaches non-directional radio beacon (NDB) normal and VHF omnidirectional radio range beacon (VOR) normal;
(vi) non-precision approach with one engine inoperative (localizer backcourse procedures, SDF or localizer type directional aid, a global positioning system, TACAN and circling approach procedures);
(vii) missed approach from precision approach;
(viii) missed approach from non-precision approach; and
(ix) missed approach with engine failure;

(h) landings:
(i) normal with a pitch mistrim (small aircraft only);
(ii) normal from precision instrument approach;
(iii) normal from precision instrument approach with most critical engine inoperative;
(iv) normal with 50% loss of power on one side (2 engines inoperative on 3-engine aircraft);
(v) normal with flap or slat malfunction;
(vi) rejected landings;
(vii) crosswind;
(viii) manual reversion or degraded control augmentation;
(ix) short or soft field small aircraft, land amphibian aircraft only; and
(x) glassy or rough water, seaplanes only;

(i) after landing:
   (i) parking;
   (ii) emergency evacuation; and
   (iii) docking, mooring, and ramping, seaplanes only;

(j) other flight procedures during any airborne phase:
   (i) holding;
   (ii) ice accumulation on airframe;
   (iii) air hazard avoidance; and
   (iv) wind shear or microburst;

(k) normal, abnormal and alternate systems procedures during any phase:
   (i) pneumatic or pressurisation;
   (ii) air conditioning;
   (iii) fuel and oil;
   (iv) electrical;
   (v) hydraulic;
   (vi) flight controls;
   (vii) anti-icing and de-icing systems;
   (viii) autopilot;
   (ix) flight management guidance systems and automatic or other approach and landing aids;
   (x) stall warning devices, stall avoidance devices, and stability augmentation systems;
   (xi) airborne weather radar;
   (xii) flight instrument system malfunction;
   (xiii) communications equipment; and
   (xiv) navigation systems;

(l) emergency systems procedures during any phase:
   (i) aircraft fires;
   (ii) smoke control;
   (iii) powerplant malfunctions;
   (iv) fuel jettison;
   (v) electrical, hydraulic, pneumatic systems;
   (vi) flight control system malfunction; and
   (vii) landing gear and flap system malfunction.

(6) An air operator certificate holder shall ensure that flight engineer flight training includes at least the following:

(a) training and practice in procedures related to the carrying out of flight engineer duties and functions, where this training and practice may be accomplished either in flight or, in a flight simulation training device; and

(b) a proficiency check as specified in regulation 200.

193. (1) A person shall not serve nor shall any air operator certificate holder use a person as a flight crew member unless that person has completed the appropriate initial
specialised operations training curriculum approved by the Authority.

(2) Specialized operations for which initial training curricula shall be developed include:
(a) low minima operations, including low visibility take-offs and Category II and III operations;
(b) extended range operations;
(c) specialized navigation; and
(d) pilot-in-command right seat qualification.

(3) An air operator certificate holder shall provide initial specialized operations training to ensure that each pilot and flight operations officer is qualified in the type of operation in which that person serves and in any specialised or new equipment, procedures, and techniques, such as:
(a) Class II navigation:
   (i) knowledge of specialised navigation procedures, such as RNP, MNPS and RVSM; and
   (ii) knowledge of specialised equipment, such as INS, LORAN, OMEGA;
(b) CAT II and CAT III operations approaches:
   (i) special equipment, procedures and practice; and
   (ii) a demonstration of competency;
(c) lower than standard minimum take-offs:
   (i) runway and lighting requirements;
   (ii) rejected take-offs at or near $V_1$ with a failure of the most critical engine;
   (iii) taxi operations; and
   (iv) procedures to prevent runway incursions under low visibility conditions;
(d) extended range operations with two turbine engine aeroplanes;
(e) airborne radar approaches; and
(f) autopilot instead of co-pilot.

Aircraft differences training

194. (1) A person shall not serve nor shall an air operator certificate holder use a person as a crew member on an aircraft of a type for which a differences curriculum is included in the air operator certificate holder’s approved training programme, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that aircraft.

(2) An operator shall ensure that a crew member completes:
(a) differences training which requires additional knowledge and training on an appropriate training device or the aircraft:
   (i) when operating another variant of an aircraft of the same type or another type of the same class currently operated; or
   (ii) when changing equipment procedures on types or variants currently operated;
(b) familiarisation training which requires the acquisition of additional knowledge:
   (i) when operating another aircraft of the same type; or
   (ii) when changing equipment procedures on types of variants currently operated; and
(c) the operator referred to in sub-regulation (1) shall specify in the operations manual when such differences training or familiarisation training is required.
An air operator certificate holder shall provide aircraft differences training for flight operations officers when the operator has aircraft variances within the same type of aircraft, which includes at least the following:

(a) operations procedures;
   (i) operations under adverse weather phenomena conditions, including clear air turbulence, wind shear, and thunderstorms;
   (ii) mass and balance computations and load control procedures;
   (iii) aircraft performance computations, to include take-off mass limitations based on departure runway, arrival runway, and en-route limitations, and engine-out limitations;
   (iv) flight planning procedures, to include route selection, flight time, and fuel requirements analysis;
   (v) dispatch release preparation;
   (vi) crew briefings;
   (vii) flight monitoring procedures;
   (viii) flight crew response to various emergency situations, including the assistance the aircraft flight operations officer can provide in each situation;
   (ix) minimum equipment list and configuration deviation list procedures;
   (x) manual performance of required procedures in case of the loss of automated capabilities;
   (xi) training in appropriate geographic areas;
   (xii) air traffic control and IFR procedures, to include ground hold and central flow control procedures; and
   (xiii) radiotelephony procedures;

(b) emergency procedures:
   (i) actions taken to aid the flight crew; and
   (ii) air operator certificate holder and Authority notification.

A flight simulation training device that is used for flight crew member qualification shall:

(a) be specifically approved by the Authority for the:
   (i) air operator certificate holder;
   (ii) type aircraft, including type variations, for which the training or check is being conducted; and
   (iii) particular manoeuvre, procedure, or flight crew member function involved;

(b) maintain the performance, functional, and other characteristics that are required for approval;

(c) be modified to conform with any modification to the aircraft being simulated that results in changes to performance, functional, or other characteristics required for approval;

(d) be given a daily functional pre-flight check before use;

(e) have a daily discrepancy logbook kept by the appropriate instructor or check pilot at the end of each training or check flight; and

(f) for initial aircraft type training, be qualified for training and checking on the circling manoeuvre.

A person shall not serve nor shall any air operator certificate holder use a person as a pilot flight crew member unless, since the beginning of the sixth calendar
month before that service, that person has passed the proficiency check prescribed by the Authority in the make and model of aircraft on which their services are required.

(2) A person shall not serve nor shall any air operator certificate holder use a person as a pilot in IFR operations unless, since the beginning of the sixth calendar month before that service, that pilot has passed the instrument competency check prescribed by the Authority.

(3) A pilot may complete the requirements of sub-regulations (1) and (2) of this regulation simultaneously in a make and model of the aircraft.

(4) The completion of an approved operator training programme for the particular aircraft type and the satisfactory completion of a pilot-in-command proficiency check, shall satisfy the requirement for an aircraft type rating practical test provided that the proficiency check:
   (a) includes all manoeuvres and procedures required for a type rating practical test; and
   (b) is conducted by an examiner.

(5) Aircraft and instrument proficiency checks for pilot-in-command and co-pilot shall include the following operations and procedures listed in Table 6.

**TABLE 6 – INSTRUMENT PROFICIENCY CHECK**

<table>
<thead>
<tr>
<th>TYPE OF OPERATION OR PROCEDURE</th>
<th>Pilot-in-command (PIC) or Co-Pilot</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Operations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preflight inspection</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Taxiing</td>
<td>PIC/Co-Pilot</td>
<td>Both pilots may take simultaneous credit.</td>
</tr>
<tr>
<td>Powerplant checks</td>
<td>PIC/Co-Pilot</td>
<td>Both pilots may take simultaneous credit.</td>
</tr>
<tr>
<td>Take-offs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Normal</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Instrument</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Crosswind</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>With powerplant failure</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Rejected take-off</td>
<td>PIC/Co-Pilot</td>
<td>Both pilots may take simultaneous credit. May be waived.</td>
</tr>
<tr>
<td>Instrument Procedures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area departure</td>
<td>PIC/Co-Pilot</td>
<td>May be waived.</td>
</tr>
<tr>
<td>Area arrival</td>
<td>PIC/Co-Pilot</td>
<td>May be waived.</td>
</tr>
<tr>
<td>Holding</td>
<td>PIC/Co-Pilot</td>
<td>May be waived.</td>
</tr>
<tr>
<td>Normal ILS approach</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Engine-out ILS</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Coupled ILS approach</td>
<td>PIC/Co-Pilot</td>
<td>Both pilots may take simultaneous credit</td>
</tr>
<tr>
<td>Nonprecision approach</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Second nonprecision approach</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Missed approach from an ILS</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
</tbody>
</table>
### Second missed approach
- **PIC** only

### Circling approach
- **PIC/Co-Pilot**
  - Only when authorized in the air operator certificate holder’s Operations Manual. May be waived.

### Inflight Maneuvers

<table>
<thead>
<tr>
<th>Maneuver</th>
<th>PIC/Co-Pilot</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steep turns</td>
<td>PIC only</td>
<td>May be waived.</td>
</tr>
<tr>
<td>Specific flight characteristics</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Approaches to stalls</td>
<td>PIC/Co-Pilot</td>
<td>May be waived.</td>
</tr>
<tr>
<td>Powerplant failure</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>2 engine inoperative approach (3 and 4 engine aircraft)</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Normal landing</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Landing from an ILS</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Crosswind landing</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Landing with engine-out</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Landing from circling approach</td>
<td>PIC/Co-Pilot</td>
<td>Only if authorized in Operations Manual. May be waived.</td>
</tr>
<tr>
<td>Normal And Non-Normal Procedures</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>Rejected landing</td>
<td>PIC/Co-Pilot</td>
<td></td>
</tr>
<tr>
<td>2 engine inoperative landing (3 and 4 engine aircraft)</td>
<td>PIC only</td>
<td></td>
</tr>
</tbody>
</table>

### Other Events
- **PIC or Co-Pilot**
  - Examiner’s discretion.

(6) Examiners or check pilots may waive certain events on the proficiency check based on an assessment of the pilot’s demonstrated level of performance.

(7) The oral and flight phases of a proficiency check should not be conducted simultaneously.

(8) When the examiner or check pilot determines that an pilot’s performance is unsatisfactory, the examiner or check pilot may terminate the immediately.

(9) If the proficiency check shall be terminated for mechanical or other reasons, and there are events which still need to be repeated, the examiner or check pilot shall issue a letter of discontinuance, valid for sixty days, listing the specific areas of operation that have been successfully completed.

(10) At least one of the two annual proficiency checks shall be conducted by an examiner. The other proficiency check may be conducted by a check pilot or the Authority.

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**Introduction of new equipment or procedures**

197. A person shall not serve nor shall an air operator certificate holder use a person as a flight crew member when that service would require expertise in the use of new equipment or procedures for which a curriculum is included in the air operator certificate holder’s approved training programme, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that aircraft.

**Pilot qualification:**

198. (1) In addition to meeting all applicable training and checking requirements of these Regulations, a required flight crew member who has not met the
requirements of regulation 44 shall re-establish recency of experience as follows:

(a) under the supervision of a check pilot, make at least three take-offs and landings in the type of aircraft in which that person is to serve or if an advanced flight simulation training device is used, the requirements of sub-regulation (2) shall be met;

(b) the take-offs and landings required in this paragraph shall include:
   (i) at least one take-off with a simulated failure of the most critical engine;
   (ii) at least one landing from an instrument landing system approach to the lowest instrument landing system minimum authorized for the certificate holder; and
   (iii) at least one landing to a full stop.

(2) A required pilot who performs the manoeuvres prescribed in sub-regulation (1) in a visual flight simulation training device shall:

(a) have previously logged one hundred hours of flight time in the same aircraft type in which the pilot is to serve;

(b) be observed on the first two landings made in operations under this Part by an approved check pilot who acts as pilot-in-command and occupies a pilot seat and the landings shall be made in weather minima that are not less than those contained in the air operator certificate holder’s operation specifications for Category I operations, and shall be made within forty five days following completion of flight simulation training device training.

(3) When using a flight simulation training device to accomplish any of the requirements of regulation 44 or sub-regulation (1), a required flight crew member position shall be operated as if in a normal in-flight environment without use of the repositioning features of the flight simulation training device.

(4) A check pilot who observes the take-offs and landings prescribed in sub-regulations (1)(a) and (2) shall certify that the person being observed is proficient and qualified to perform flight duty in operations under this Part and may require any additional manoeuvres that are determined necessary to make this certifying statement.

Pilot operating limitations and pairing requirements

(1) Where a co-pilot has fewer than one hundred hours of flight time as co-pilot in operations in the aircraft type being flown, and the pilot-in-command is not an appropriately qualified check pilot, the pilot-in-command shall make all take-offs and landings in the following situations:

(a) special airports designated by the Authority or special airports designated by the air operator certificate holder; and

(b) in any of the following conditions:
   (i) the prevailing visibility value in the latest weather report for the airport is at or below 1,200 m;
   (ii) the runway visual range for the runway to be used is at or below 1,200 m;
   (iii) the runway to be used has water, snow, slush or similar conditions that may adversely affect aircraft performance;
   (iv) the braking action on the runway to be used is reported to be less than “good”;
   (v) the crosswind component for the runway to be used is in excess of 15 knots;
(vi) wind shear is reported in the vicinity of the airport; or.
(vii) any other condition in which the pilot-in-command determines it to be prudent to exercise the pilot-in-command’s prerogative.

(2) A person shall not conduct operations under the Civil Aviation (Air Operator Certification and Administration) Regulations unless, for that type aircraft, either the pilot-in-command or the co-pilot has at least seventy five hours of line operating flight time, either as pilot-in-command or co-pilot.

(3) The Authority may, upon application by the air operator certificate holder, authorize exemptions from the requirements of this regulation by an appropriate amendment to the operations specifications in any of the following circumstances:
(a) a newly certificated air operator certificate holder does not employ any pilots who meet the minimum requirements of this regulation;
(b) an existing air operator certificate holder adds to its fleet an aircraft type not before proven for use in its operations; or
(c) an existing certificate holder establishes a new domicile to which it assigns pilots who will be required to become qualified on the aircraft operated from that domicile.

Flight engineer proficiency checks

(1) A person shall not serve nor shall any air operator certificate holder use a person as a flight engineer on an aircraft unless within the preceding twelve calendar months he has:
(a) had a proficiency check in accordance with the requirements prescribed by the Authority; or
(b) 50 hours flight time for the air operator certificate holder as flight engineer in the type aircraft.

(2) Examiners shall include during proficiency checks for flight engineers an oral or written examination of the normal, abnormal, and emergency procedures listed below:
(a) normal procedures:
   (i) interior pre-flight;
   (ii) panel set-up;
   (iii) fuel load;
   (iv) engine start procedures;
   (v) taxi and before take-off procedures;
   (vi) take-off and climb pressurization;
   (vii) cruise and fuel management;
   (viii) descent and approach;
   (ix) after landing and securing;
   (x) crew coordination;
   (xi) situational awareness;
   (xii) performance computations; and
   (xiii) anti-ice and de-ice measures
(b) abnormal and emergency procedures:
   (i) troubleshooting;
   (ii) knowledge of checklist;
   (iii) ability to perform procedures;
   (iv) crew coordination;
   (v) minimum equipment list (MEL);
   (vi) configuration deviation list (CDL); and
   (vii) emergency or alternate operation of aircraft flight systems
Competence checks: flight operations officer 201. (1) A person shall not serve nor shall any air operator certificate holder use a person as a flight operations officer unless, within the preceding twelve months before that service, that person has passed the competency check, approved by the Authority, performing the flight preparation and subsequent duties appropriate to that person's assignment.

(2) Evaluators of the flight operations officer referred to under sub-regulation (1) shall conduct competency checks for flight operations officers to demonstrate that the candidate's proficiency level is sufficient to ensure the successful outcome of all dispatch operations.

(3) An authorized person shall observe and evaluate competency checks for flight operations officers.

(4) Each competency check for flight operations officers shall include:
(a) an evaluation of all aspects of the dispatch function;
(b) a demonstration of the knowledge and abilities in normal and abnormal situations; and
(c) an observation of actual flights being dispatched.

(5) An evaluator of newly hired flight operations officer shall include during initial competency checks, an evaluation of all of geographic areas and types of aircraft the flight operations officer shall be qualified to dispatch.

(6) The authorized person may approve a competency check of representative aircraft types when, in his judgement, a check including all types is impractical or unnecessary.

(7) Evaluators may limit initial equipment and transition competency checks solely to the dispatch of the types of aircraft on which the flight operations officer is qualifying, unless the check is to simultaneously count as a recurrent check.

(8) An evaluator of flight operations officers shall include, during recurrent and requalification competency checks, a representative sample of aircraft and routes for which the flight operations officers maintains current qualification.

(9) A flight operations officer shall not qualify in ETOPS or other special operations authorized by the Authority unless that flight operations officer submits special operations competency checks to the Authority.

Supervised line flying: pilots 202. (1) A pilot initially qualifying as pilot-in-command shall complete a minimum of ten flights performing the duties of a pilot-in-command under the supervision of an check pilot.

(2) A pilot-in-command transitioning to a new aircraft type shall complete a minimum of five flights performing the duties of a pilot-in-command under the supervision of an check pilot.

(3) A pilot qualifying for duties other than pilot-in-command shall complete a minimum of five flights performing those duties under the supervision of an check pilot.

(4) During the time that a qualifying pilot-in-command is acquiring operating experience, an authorized instructor who is also serving as the pilot-in-command shall occupy a co-pilot station.

(5) In the case of a transitioning pilot-in-command, the check pilot serving as pilot-in-command may occupy the observer's seat if the transitioning pilot has made at least two take-offs and landings in the type aircraft used, and has satisfactorily demonstrated to the authorized instructor that he is qualified to perform the duties of a pilot-in-command for that type of aircraft.
A flight engineer who has qualified on a new type rating on an aircraft shall perform the functions of a flight engineer for a minimum of five flights under the supervision of a flight instructor or qualified flight engineer approved by the air operator certificate holder and accepted by the Authority.

A person training as a cabin crew member shall:
(a) perform the functions of a cabin crew member for a minimum of two flights under the supervision of a cabin crew instructor; and
(b) not serve as a required crew member.

A person shall not serve nor shall any air operator certificate holder use a person as a flight operations officer unless within the preceding twelve months before that service, that person has observed, in the cockpit, the conduct of two complete flights over routes representative of those for which that person is assigned duties.

A person shall not serve nor shall any air operator certificate holder use a person as a pilot unless, within the preceding twelve months, that person has passed a route check in which the person satisfactorily performed his assigned duties in one of the types of aircraft he is to fly.

A person shall not perform pilot-in-command duties over a designated special operational area that requires a special navigation system or procedures or in ETOPS operations unless his competency with the system and procedures has been demonstrated to the air operator certificate holder within the past twelve months.

A pilot-in-command of an aircraft shall demonstrate special operational competency by navigation over the route or area as pilot-in-command under the supervision of a check pilot on an annual basis by demonstrating a knowledge of:
(a) the terrain and minimum safe altitudes;
(b) the seasonal meteorological conditions;
(c) the search and rescue procedures;
(d) the navigational facilities and procedures, including any long-range navigation procedures, associated with the route along which the flight is to take place; and
(e) procedures applicable to flight paths over heavily populated areas of high air traffic density, obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach procedures, and applicable operating minima.

Where a pilot-in-command has not completed:
(a) fifteen flights performing pilot-in-command duties in an aircraft type, including five approaches to landing using Category I or II operations procedures, that pilot-in-command shall not plan for or initiate an instrument approach when the ceiling is less than 90 m (300 ft) and the visibility is less than 2,000 m; and
(b) twenty flights performing pilot-in-command duties in an aircraft including five approaches and landing using Category III operations procedures, that pilot-in-command shall not plan for or initiate an approach when the ceiling is less than 30 m (100 ft) or the visibility is less than 400 m runway visual range.
### Designated special aerodromes and heliports: pilot-in-command qualification

The Authority may determine that certain aerodromes, due to items such as surrounding terrain obstructions, or complex approach or departure procedures are special airport qualifications and that certain areas or routes, or both require a special type of navigation qualification.

A person shall not serve nor shall any air operator certificate holder use a person as pilot-in-command for operations at special airport qualifications aerodromes unless within the preceding twelve months the pilot-in-command:

- has been qualified by the air operator certificate holder through a pictorial means acceptable to the Authority for that aerodrome or heliport; or
- the assigned co-pilot has made a take-off and landing at that aerodrome or heliport while serving as a flight crew member for the air operator certificate holder.

Designated special airport qualifications aerodrome limitations are not applicable if the operation occurs:

- during daylight hours;
- when the visibility is at least 5 km; and
- when the ceiling at that aerodrome is at least 300 m (1,000 ft) above the lowest initial approach altitude prescribed for an instrument approach procedure.

### Recurrent training and checking: flight crew members

An operator shall ensure that:

- a flight crew member undergoes recurrent training listed in sub-regulation (2) and checking in sub-regulation (3) and that all such training and checking is relevant to the type or variant of aircraft on which the flight crew member operates; and
- a recurrent training and checking programme is established in the operations manual and approved by the Authority.

Recurrent training referred to in sub-regulation (1) shall be conducted by the following personnel:

- ground and refresher training – by suitably qualified personnel;
- aeroplane flight simulation training device training – by a authorized instructor or in the case of the flight simulation training device content schedule, a flight simulation training device authorized instructor provided that the authorized instructor or flight simulation training device authorized instructor satisfied the operator’s experience and knowledge requirements sufficient to instruct on the items specified in the operations manual;
- emergency and safety equipment training – by suitably qualified personnel; and
- crew resource management training – by suitably qualified personnel to integrate elements of crew resource management into all phases of recurrent training;
- modular crew resource management training – by at least one CRM trainer acceptable to the Authority who may be assisted by experts in order to address specific areas.

The recurrent checking referred to in sub-regulation (1) shall be conducted by the following personnel:

- operator proficiency check – by a check pilot or flight engineer authorized by the air operator certificate holder and accepted by the Authority, as appropriate, or, if the check is conducted in a flight
simulation training device, a check pilot or authorized flight engineer as appropriate;

(b) line checks – by check pilot by the operator and acceptable to the Authority and;

(c) emergency and safety equipment checking – by suitably qualified personnel.

(4) The period of validity of an operator proficiency check shall be:

(a) six months in addition to the remainder of the month of issue; or

(b) if issued within the final three months of validity of a previous operator proficiency check, extended from the date of issue until six months from the expiry date of that previous operator proficiency check.

(5) An operator shall ensure that each flight crew member undergoes a line check on the aircraft to demonstrate his competence in carrying out normal line operations described in the operations manual.

(6) The period of validity of a line check referred to in sub-regulation (5) shall be:

(a) twelve months, in addition to the remainder of the month of issue; or

(b) if issued within the final three months of validity of a previous line check, extended from the date of issue until twelve months from the expiry date of that previous check.

(7) An operator shall ensure that each flight crew member undergoes training and checking on the location and use of emergency and safety equipment carried.

(8) The period of validity of an emergency and safety equipment check referred to in sub-regulation (7) shall be:

(a) twelve months in addition to the remainder of the month of issue; or

(b) if issued within the final three months of validity of a previous emergency and safety check, extended from the date of issue until twelve months from the expiry date of the previous emergency and safety equipment check.

(9) An operator shall ensure that:

(a) elements of CRM are integrated into all appropriate phases of the recurrent training; and

(b) a flight crew member undergoes specific modular CRM training and all major topics of CRM training shall be covered over a period not exceeding three years.

(10) An operator shall ensure that each flight crew member undergoes ground and refresher training at least every twelve months, if the training is conducted within three months prior to the expiry of the twelve months period, the next ground and refresher training shall be completed within twelve months of the original expiry date of the previous ground and refresher training.

(11) An operator shall ensure that each flight crew member undergoes aircraft training or flight simulation training device training at least every six months, if the training is conducted within three months prior to the expiry of the twelve months period, the next aircraft or flight simulation training device training shall be completed within six months of the original expiry date of the previous aircraft or flight simulation training device training.

Recurrent training: cabin crew members

210. (1) An operator shall ensure that a cabin crew member undergoes recurrent training, covering the actions assigned to each cabin crew member in normal and emergency procedures and drills relevant to the type or variant of aircraft on which they operate as specified in this regulation.

(2) An operator shall ensure that the recurrent training and checking programme,
approved by the Authority includes theoretical and practical instruction together
with individual practice as provided in this regulation.

(3) The period of validity of recurrent training and the associated checking required
by this regulation shall be twelve months in addition to the remainder of three-
month of issue.

(4) If issued within the final three calendar months of validity of a previous check,
the period of validity shall extend from the date of issue until twelve months
from the expiry date of that previous check.

(5) An operator shall ensure that recurrent training required under this regulation is
conducted by suitably qualified persons.

(6) The training programmes are not in compliance with this regulation unless they
ensure that each person is:
(a) competent to execute those safety duties and functions which the cabin
crew member is assigned to perform in the event of an emergency or in
a situation requiring emergency evacuation;
(b) drilled and capable in the use of emergency and life-saving equipment
required to be carried, such as life-jackets, life rafts, evacuation slides,
emergency exits, portable fire extinguishers, oxygen equipment and
first-aid kits;
(c) when serving on aeroplanes above 3,000 m, knowledgeable as regards
the effect of lack of oxygen and, in the case of pressurized aeroplanes,
as regards physiological phenomena accompanying a loss of
pressurization;
(d) aware of other crew members’ assignments and functions in the event
of an emergency so far as is necessary for the fulfillment of the cabin
crew member’s own duties;
(e) aware of the type of dangerous goods which may, and may not, be
carried in a passenger cabin and has completed the dangerous goods
training programme required by Annex 18 – Air Carriage of Dangerous
Goods to the Chicago Convention; and
(f) knowledgeable about human performance as related to passenger cabin
safety duties including flight crew-cabin coordination.

(7) An operator shall ensure that all appropriate requirements in these regulations
are included in the training of cabin crew members.

Recru/ent
training: flight
operations
officers

211. (1) A person shall not serve nor shall an air operator certificate holder use a person
as a flight operations officer unless within the preceding twelve months that
person has completed the recurrent ground curricula referred to in regulation
210.

(2) An air operator certificate holder shall establish and maintain a recurrent
training programme, approved by the Authority and established in the air
operator certificate holder’s operations manual, to be completed annually by
each flight operations officer.

(3) A flight operations officer shall undergo recurrent training relevant to the type
or variant of aircraft and operations conducted by the air operator certificate
holder.

(4) An air operator certificate holder shall conduct all recurrent training, of flight
operations officers, by suitably qualified personnel.

(5) An air operator certificate holder shall ensure that, every twelve months, each
flight operations officer receive recurrent training in at least the following:
(a) aircraft-specific flight preparation;
(b) emergency assistance to flight crews;
(c) crew resource management; and
(d) recognition and transportation of dangerous goods.

(6) An air operator certificate holder may administer each of the recurrent ground and flight training curricula concurrently or intermixed, but shall record completion of each of these curricula separately.

Check pilot training 212. (1) A person shall not serve nor shall any air operator certificate holder use a person as a check pilot in an aircraft or check pilot in a flight simulation training device in a training programme unless, with respect to the aircraft type involved, that person has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as pilot-in-command.

(2) An air operator certificate holder shall ensure that initial ground training for check pilots includes:
(a) check pilot duties, functions, and responsibilities;
(b) applicable regulations and the air operator certificate holder's policies and procedures;
(c) appropriate methods, procedures, and techniques for conducting the required checks;
(d) proper evaluation of student performance including the detection of:
   (i) improper and insufficient training, and
   (ii) personal characteristics of an applicant that could adversely affect safety;
(e) appropriate corrective action in the case of unsatisfactory checks; and
(f) approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aircraft.

(3) Transition ground training for all check pilots shall include the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aircraft to which the check pilot is in transition.

(4) An air operator certificate holder shall ensure that the initial and transition flight training for check pilots in an aircraft includes:
(a) training and practice in conducting flight evaluations, from the left and right pilot seats for pilot check pilots in the required normal, abnormal, and emergency procedures to ensure competence to conduct the flight checks;
(b) the potential results of improper, untimely, or non-execution of safety measures during an evaluation; and
(c) the safety measures, to be taken from either pilot seat for pilot check pilots, for emergency situations that are likely to develop during an evaluation.

(5) An air operator certificate holder shall ensure that the initial and transition flight training for check pilots in a flight simulation training device includes:
(a) training and practice in conducting flight checks in the required normal, abnormal, and emergency procedures to ensure competence to conduct the evaluations checks required by this regulation; and
(b) training in the operation of flight simulation training devices to ensure competence to conduct the evaluations required by this regulation.

(6) An air operator certificate holder shall accomplish flight training for check pilot in full or in part in an aircraft, in flight in a flight simulation training device, as
A person shall not serve nor shall any air operator certificate holder use a person as an authorized instructor or a flight simulation training device authorized instructor in a training programme unless:

(a) that person has satisfactorily completed initial or transition authorized instructor or a flight simulation training device authorized instructor training, as appropriate; and

(b) within the preceding twenty four months, that person satisfactorily conducts instruction under the observation of an authorized person, an air operator certificate holder’s check pilot, an authorized flight engineer, as appropriate, or an examiner employed by the air operator certificate holder.

(2) An air operator certificate holder shall accomplish the observation check for a authorized instructor or a flight simulation training device authorized instructor, in part or in full, in an aircraft, or a flight simulation training device; as appropriate.

(3) An air operator certificate holder shall ensure that initial ground training for an authorized instructor and flight simulation training device authorized instructor includes the following:

(a) the duties, functions, and responsibilities;
(b) applicable regulations and the air operator certificate holder’s policies and procedures;
(c) appropriate methods, procedures, and techniques for conducting the required checks;
(d) proper evaluation of trainee performance including the detection of:
   (i) improper and insufficient training, and
   (ii) personal characteristics of an applicant that could adversely affect safety;
(e) appropriate corrective action in the case of unsatisfactory checks;
(f) approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures in the aircraft;
(g) except for holders of a flight instructor licence:
   (i) the fundamental principles of the teaching-learning process;
   (ii) teaching methods and procedures; and
   (iii) the instructor-trainee relationship.

(4) An air operator certificate holder shall ensure that the transition ground training for an authorized instructor and flight simulation training device authorized instructor includes the approved methods, procedures, and limitations for performing the required normal, abnormal, and emergency procedures applicable to the aircraft to which the authorized instructor is in transition.

(5) An air operator certificate holder shall ensure that the initial and transition flight training for an authorized instructor and flight simulation training device authorized instructor includes the following:

(a) the safety measures for emergency situations that are likely to develop during instruction;
(b) the potential results of improper, untimely, or non-execution of safety measures during instruction;
(c) for pilot authorized instructor:
   (i) inflight training and practice in conducting flight instruction from

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the left and right pilot seats in the required normal, abnormal, and emergency procedures to ensure competence as an instructor; and

(ii) the safety measures to be taken from either pilot seat for emergency situations that are likely to develop during instruction; and

(d) for authorized flight engineer instructor, in-flight training to ensure competence to perform assigned duties.

(6) An air operator certificate holder shall accomplish the flight training requirements for an authorized instructor in full or in part in an aircraft, in flight or in a flight simulation training device.

(7) An air operator certificate holder shall ensure that the initial and transition flight training for flight simulation training device authorized instructor includes the following:

(a) training and practice in the required normal, abnormal, and emergency procedures to ensure competence to conduct the flight instruction required by this regulation, where the training and practice are accomplished in full or in part in a flight simulation training device; and

(b) training in the operation of flight simulation training devices, to ensure competence to conduct the flight instruction required by this regulation.

**Authorized instructor qualifications**

214. An air operator certificate holder shall not use a person nor shall any person serve as an instructor in an established training programme unless, with respect to the aircraft type involved, that person:

(a) holds licences and ratings required to serve as a pilot-in-command or a flight engineer, as applicable;

(b) has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as a pilot-in-command or a flight engineer, as applicable;

(c) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a pilot-in-command or a flight engineer, as applicable;

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check; and

(e) holds a Class 1 Medical Certificate.

**Check pilot and authorized flight engineer qualifications**

215. An air operator certificate holder shall not use a person, nor shall any person serve as a check pilot or an flight engineer authorized by the air operator certificate holder and accepted by the Authority in an established training programme unless, with respect to the aircraft type involved, that person:

(a) holds the pilot licences and ratings required to serve as a pilot-in-command or a flight engineer as applicable;

(b) has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as a pilot-in-command or a flight engineer as applicable;

(c) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a pilot-in-command or a flight engineer as applicable;

(d) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check; and

(e) holds Class I or II medical certificate as may be applicable; and
Check pilot designation

216.  A person shall not serve nor shall any air operator certificate holder use a person as a check pilot for any flight check unless that person has been designated by name for specified function by the Authority within the preceding twelve months.

Check pilot authorizations and limitations

217.  (1)  A person shall not serve nor shall any air operator certificate holder use a person as a check pilot for any check:

(a)  in an aircraft as a required pilot flight crew member unless that person holds the required pilot licence and ratings and has completed for the air operator certificate holder all applicable training, qualification and currency requirements under these Regulations applicable to the crew position and the flight operations being checked;

(b)  in an aircraft as an observer check pilot unless that person holds the pilot licences and ratings and has completed all applicable training, qualification and line observation requirements under these Regulations applicable to the position and the flight operations being checked; or

(c)  in a flight simulation training device unless that person has completed or observed with the air operator certificate holder all training, qualification and line observation requirements under these Regulations applicable to the position and flight operations being checked.

(2)  For purposes of sub-regulation (1), a check pilot is authorized to:

(a)  conduct proficiency or competency checks, line checks, and special qualification checks;

(b)  supervise the re-establishment of landing currency; and

(c)  supervise any initial operating experience requirements prescribed by the Regulations or the Authority.

flight simulation training device approval

218.  An air operator certificate holder shall not use a flight simulation training device for:

(a)  training or checking unless that flight simulation training device has been specifically approved for the air operator certificate holder in writing by the Authority;

(b)  any purpose other than that specified in the Authority’s approval.

Line qualification: check pilot and instructor

219.  A person shall not serve nor shall any air operator certificate holder use a person as a check pilot or flight simulation training device instructor unless, within the preceding twelve months before that service, that person has:

(a)  flown at least five flights as a required crew member for the type of aircraft involved; or

(b)  observed, in the cockpit, the conduct of two complete flights in the aircraft type to which the person is assigned.

Termination of a proficiency, competence or line check

220.  An air operator certificate holder shall not use a crew member or flight operations officer in whose check was terminated in commercial air transport operations until the completion of a satisfactory recheck of that crew member or flight operations officer has been carried out.

Recording of crew member qualifications

221.  (1)  The air operator certificate holder shall record and maintain for each crew member and flight operations officer, a record of each test and check as required by these Regulations.
A pilot may complete the curricula required by these Regulations concurrently or intermixed with other required curricula, but completion of each of these curricula shall be recorded separately.

Monitoring of training and checking activities 222. (1) To enable adequate supervision of its training and checking activities, an air operator certificate holder shall forward to the Authority at least five working days prior to the scheduled activity, the dates, location, reporting times and report of all:

(a) training for which a curriculum is approved in the air operator certificate holder’s training programme; and
(b) proficiency, competence and line checks.

(2) Failure to provide the information required by sub-regulation (1) may invalidate the training or check and the Authority may require that it be repeated for observation purposes.

Eligibility period 223. (1) A crew member who is required to take a proficiency check, a test or competency check, or recurrent training to maintain qualification for commercial air transport operations shall complete those requirements at any time during the eligibility period.

(2) The eligibility period is defined as the three month period including the month prior, the month due, and the month after any due date specified by these Regulations.

(3) Completion of the requirement at any time during the period shall be considered as completed in the month due for calculation of the next due date.

PART IX - FATIGUE OF CREW AND PROTECTION OF FLIGHT CREW FROM COSMIC RADIATION

Fatigue of Crew

Application, interpretation and modification 224. (1) This Part shall apply to an aircraft registered in Rwanda which is:

(a) engaged on a flight for the purpose of commercial air transport; or
(b) operated by an air transport undertaking.

(2) This Part shall not apply in relation to a flight made only for the purpose of instruction in flying given by or on behalf of a flying club or a flying school or a person, who is not an air transport undertaking.

(3) In this Part, unless the context otherwise requires:

“flight time,” in relation to any person, means all the time spent by that person in an aircraft, whether or not registered in Rwanda, other than an aircraft of which the maximum total weight authorized does not exceed 1,600 kg, which is not flying for the purpose of commercial air transport or aerial work, while it is in flight and the person is carried therein as a crew member crew; and in respect of this Sub-Part, only in the calculation of flight, flying at night shall be counted at the rate of one and one quarter times the actual flight time;

“duty period,” in relation to any person who flies in an aircraft as a member of the flight crew, means any continuous period throughout which he is, under the provisions of sub-regulation (4) or (5), to be treated as being on duty;

Provided that where two or more periods which are separated by an interval of
less than 10 hours, the period starting when the first of those duty periods began and finishing when the last of them ended shall be treated as constituting a single continuous duty period; and
“rest period,” in relation to any person, means any continuous period no part of which forms part of a duty period of that person.

(4) For the purpose of this Part, a person who is employed under a contract of service to fly in an aircraft as a crew member of the flight crew shall be treated as being on duty at any time when in the course of that employment he flies in any aircraft whether as a crew member of its crew or as a passenger and whether or not the aircraft is such an aircraft as is referred to in sub-regulation (1) or he is otherwise acting in the course of that employment:
Provided that when he is not flying in an aircraft:
(a) subject to sub-paragraph (c), he shall not be treated as being on duty during any period which he is allowed to rest;
(b) subject to sub-paragraph (c), he shall not be treated as being on duty at any time by reason only of his being required at that time to be available at a particular place to report for duty if required to do so;
(c) he shall be treated as being on duty at any time when he is required to be available at a particular place to report for duty if required to do so if:
   (i) that place is at an aerodrome; or
   (ii) that place, not being at an aerodrome, is a place at which his employer requires persons, similarly employed to be available and adequate facilities for rest are not available for his use while he is required to be so available.

(5) For the purposes of this sub-Part, a person who flies in an aircraft as a crew member, otherwise than in the course of his employment under a contract of service to fly, shall be treated as being on duty at any time when, in connection with any business of operating an aircraft, he flies in any aircraft whether as a crew member or as a passenger and whether, or not the aircraft is such an aircraft as is referred to in sub-regulation (1) or does any work.

(6) For the purposes of this sub-Part, references to a person flying in an aircraft as a crew member include references to the operator of the aircraft who himself flies in the aircraft in any such, capacity, and references to the work and other duties which a person is required or permitted by an operator to carry out shall in any such case be construed as references to any work carried out by that operator in connection with the management of aircraft or with any business which includes the flying of aircraft.

(7) Notwithstanding this sub-Part, the Authority may, in respect of scheduled services, approve schedules and crew roster programmes where the Authority considers that special circumstances justify an extension of the duty period but in any event the flight time involved shall not exceed 50 percent of the maximum duty period.

Establishment of limits on flight times, flight duty periods and rest periods 225. (1) Notwithstanding regulation 226, and for the purposes of ensuring that the requirements of those provisions are complied with, every operator of an aircraft to which this regulation applies shall establish for every person flying in that aircraft as a crew member:
(a) limits on the aggregate of all that persons flight times during every period of twenty-eight consecutive days;
(b) limits on that person flight duty period flight duty period flight duty
period flight duty period flight duty period flight duty period flight duty period; and
(c) minimum rest periods which that person is to have immediately before any duty period in the course of which he makes any flight.

(2) The limits and minimum rest periods referred to in sub-regulation (1) shall be limits and minimum rest periods which the operator is satisfied, after taking into account the matters mentioned in sub-regulation (3), are such that, if every crew member observes those limits and has those minimum rest periods, the safety of the aircraft on any flight is not likely to be endangered by reason of any fatigue which may be caused by the work or other duties which the crew members are required or permitted by that operator to carry out; and different limits and different minimum rest periods may be established either for different persons or for different classes of persons and for different circumstances.

(3) The matters which an operator shall take into account in establishing the limits and minimum rest periods referred to in sub-regulation (1) are, the nature of the work and other duties which those persons will carry out, and all the circumstances arising out of the carrying out of that work and those duties, which may affect the degree of fatigue from which those persons may suffer while they are making a flight in an aircraft to which this regulation applies in any such capacity as is mentioned in sub-regulation (1) including:
(a) the type of the aircraft in which the flight will be made;
(b) the area in which the flight will be made;
(c) the number of landings which will be made during the course of each flight duty period flight duty period flight duty period flight duty period flight duty period flight duty period; and
(d) the amount of night flying during each flight duty period flight duty period flight duty period flight duty period flight duty period flight duty period; and
(e) the number of consecutive occasions on which each crew member will be required to fly for the maximum period permitted under this sub-Part.

(4) No limits or minimum rest periods may be established under sub-regulation (1) which would require or permit any person to fly in any aircraft at a time when such flying would constitute a contravention of any of the provisions of regulations 220, 221 and 223, or would require or permit any person to fly in any aircraft as a crew member thereof within the period of one hour immediately preceding the end of the specified time referred to in sub-regulation (2) of regulation 220 or, when the specified time is twenty-four hours, within the period of two hours immediately preceding the end of the specified time.

(5) An operator of an aircraft holder to which this regulation applies shall not permit that aircraft to make a flight unless limits and minimum rest periods have been established in accordance with the provisions of this regulation so as to apply to every crew member.

(6) An operator of an aircraft to which this regulation applies shall take all such steps as are reasonably practicable to ensure that all limits for the time being established by that operator in accordance with the provisions of this regulation are observed, and that no person for whom minimum rest periods are for the time being so established makes any flight in an aircraft to which this regulation applies, unless immediately before the duty period in the course of which that person makes the flight, the person has had the appropriate rest period so
established.

(7) Notwithstanding anything contained in this regulation, an operator of an aircraft to which this regulation applies may confer upon the pilot-in-command a discretion to make, or authorize any person to make, a flight in that aircraft in such circumstances that the pilot-in-command or that other person will not observe the limits or will not have had the minimum rest periods established by that operator under this regulation and applicable to the pilot-in-command or that other person.

(8) The discretion set out in sub-regulation (7) shall not be exercisable unless:
(a) it appears to the pilot-in-command:
   (i) that arrangements had been made for the flight to be made with such a crew and so as to begin and end at such times that if the flight had been made in accordance with those arrangements each member of the crew would have observed the limits and have had the minimum rest periods established by the operator and applicable to them, and that since those arrangements were made the flight has been or will be prevented from being made in accordance with those arrangements by reason of circumstances which were not foreseen, as likely to prevent that flight from being so made; or
   (ii) that the flight is one which ought to be carried out in the interests of the safety or health of any person; and
(b) the pilot-in-command is satisfied that the safety of the aircraft on that flight will not be endangered if the pilot-in-command or that other person makes that flight.

(9) An operator of an aircraft to which this regulation applies shall include in every operations manual to be provided under the Civil Aviation (Air Operator Certificate and Administration) Regulations for the use and guidance of the crew members of that aircraft, or in any case where no such manual is required, in a document to be provided for the use and guidance of those members, full particulars of all limits and minimum rest periods for the time being established under this regulations which may affect any of those members, and of any discretion conferred upon the pilot-in-command of that aircraft under sub-regulation (7) and (8).

(10) Subject to sub-regulation (9) and without prejudice to any other provisions of the Civil Aviation (Air Operator Certification and Administration) Regulations, an operator shall, whenever requested to do so by a person authorized, in that behalf by the Authority, furnish that person with a copy of all particulars from time to time included in any such operations manual or document in accordance with the requirements referred to in sub-regulation (9).

Maximum flight duty periods for crew member 226.  (1) A person shall not fly in an aircraft to which this regulation applies as a crew member in the course of any duty period of that person after more than the specified time has elapsed since the beginning of that duty period.

(2) In sub-regulation (1), the expression “specified time” means:
(a) in relation to a pilot, whenever paragraph (b) does not apply, eleven hours; except that, if during the duty period there has been a period of not less than five continuous hours throughout which that person has not flown in any aircraft to which this regulation applies, or performed
any duties, this paragraph shall have effect as if twelve hours were substituted for eleven hours;

(b) in relation to a person who, at all times when that person flies as a pilot in the course of his duty period, is one of two or more persons carried as pilots of an aircraft undertaking:

(i) an international flight or service - fifteen hours;
(ii) a flight within Rwanda - twelve hours;

except that if during the duty period there has been a period of not less than five continuous hours throughout which that person has not flown in any aircraft to which this regulation applies or performed any duties, this paragraph shall have effect as if fifteen hours were substituted for twelve hours and twenty hours were substituted for fifteen hours if that person is one of three or more persons carried as pilots of the aircraft and the following conditions are fulfilled:

(aa) at least two of the pilots are qualified to act as pilot-in-command in the circumstances both by their respective licences and in accordance with the requirements of regulation 46 (except in respect of their knowledge of the aerodromes of take-off and landing and any alternate aerodromes);

(bb) at least one of the pilots is carried in addition to those flight crew members who are required to be carried in the circumstances by or under these Regulations;

(cc) one suitable bunk is always available for the use only of pilots; and

(dd) each of the pilots has, during the duty period, been afforded opportunities of resting for a reasonable time;

(c) in relation to a flight engineer - fifteen hours; except that this paragraph shall have effect as if twenty four hours were substituted for fifteen hours in relation to a person who, at all times when that person flies as a flight engineer in the course of his duty period, is one of two or more persons carried as flight engineers of the aircraft, if the following conditions are fulfilled:-

(i) at least one of the flight engineers is carried in addition to the crew members who are required to be carried in the circumstances by or under these Regulations;

(ii) one suitable bunk is always available for the use only of flight engineers; and

(iii) each of the flight engineers has, during the duty period, been afforded opportunities of resting for a reasonable time; and

(d) in relation to a cabin crew—fifteen hours;

which shall apply to cabin crew member as it applies to flight engineers.

(3) The maximum total hours associated with the duty periods undertaken by any crew member shall not exceed one hundred and sixty hours during any period of twenty-eight days; except that whenever a crew member exceeds one hundred and twenty hours “non-flying time” that member shall not, because of this, be disqualified from further flying duties providing all other requirements are met.

(1) Notwithstanding regulation 225 a person shall not fly in an aircraft to which this
regulation applies as a crew member unless immediately before the duty period in the course of which that person makes that flight the person has had a sufficient rest period, as set out in Table 4.

TABLE 4 – MINIMUM REST PERIODS FOR FLIGHT CREW

<table>
<thead>
<tr>
<th>Length of immediately preceding duty period</th>
<th>Minimum length of sufficient rest period</th>
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<tbody>
<tr>
<td>Not exceeding 10 hours</td>
<td>11 hours</td>
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(2) Where a rest period is taken by a person at a place which is not within 50 miles of that person ordinary place of residence, it shall be deemed to be a sufficient rest period if it includes a period of eight hours falling between 2200 and 0800 hours local time as set out in Table 5

Table 5 – Minimum rest period: distance not within 50 miles of place of residence
### Duty and rest periods for flight operations officers

#### 228.

1. An air operator certificate holder shall not schedule a flight operations officer for more than 10 consecutive hours of duty within a 24 consecutive hour period, unless that person is given an intervening rest period of at least 8 hours at or before the end of the 10 hours duty.

2. Each air operator certificate holder shall establish the daily duty period for a flight operations officer so that it includes a time that allows him or her to become thoroughly familiar with existing and anticipated weather conditions along the route before he or she dispatches any aircraft.

### Records of flight times and duty periods

#### 229.

1. An operator of an aircraft to which this regulation applies shall not cause or permit any person to fly as a crew member unless the operator has in his possession an accurate and up-to-date record maintained by him or by another operator of aircraft in respect of that person and in respect of the twenty-eight days immediately preceding the flight showing:
   - (a) the times of the beginning and end of each flight in any aircraft made by that person as a crew member in the course of any of his duty periods;
   - (b) the times of the beginning and end of each duty period of that person in the course of which he made a flight as a crew member;
   - (c) the times of the beginning and end of each duty period of that person ending within a period of seventy-two hours immediately preceding the beginning of any duty period of that person in the course of which he made a flight in any aircraft as a crew member; and
   - (d) brief particulars of the nature of the work or other duties carried out by that person during each of the crew member’s duty periods of which a

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(3) The length of the duty periods established in this regulation are adjusted to allow for duty time before and after a flight or series of flights which make up one duty period.
record is required to be kept under this sub-regulation. (2) The Authority may notify the form and manner in which any records required to be kept under sub-regulation (1) shall be kept and, where the Authority has so notified, the records shall be kept accordingly.

(3) Subject to regulation 12, an operator of an aircraft shall preserve the records referred to in this regulation for a period of at least six months after the end of the flight duty period or rest period to which they relate.

Maximum flight times for crew member

230. (1) A person shall not fly in any aircraft registered in Rwanda as a crew member at any time on any day after the aggregate of all his flight times, whether arising from flight in an aircraft to which this regulation applies or in any other aircraft, during the period of twenty-eight consecutive days expiring at the end of that day amounts to one hundred and fifty hours or more.

(2) The prohibition referred to in sub-regulation (1) shall not apply:
   (a) to a flight made in an aircraft of which the maximum total weight authorized does not exceed 1,600 kg. and which is not flying for the purpose of commercial air transport or aerial work; or
   (b) to a flight made in an aircraft not flying for the purpose of commercial air transport but excluding aerial work if at the time of the flight the aggregate of all the flight times of the person making the flight since the person was last medically examined under these Regulations and found fit does not exceed one hundred and fifty hours.

Provision for particular cases

231. (1) Notwithstanding anything contained in regulations 220, 221 and 223., a person shall be deemed not to have contravened any of the provisions of these Regulations by reason of a flight made at any time by that person or by another person if the first mentioned person proves that:
   (a) it was due to an unavoidable delay in the completion of the flight that the person so flying was flying at that time; and
   (b) the first mentioned person could not reasonably be expected to have foreseen before the flight began that the delay was likely to occur.

(2) Notwithstanding anything contained in regulation 220, 221 and 223, the pilot-in-command of an aircraft may make, or authorize any other person to make, and that other person if so authorized may make, a flight in that aircraft which he would, but for this sub-regulation, be prohibited from making by virtue of any provision contained in the regulations 220, 221 and 223, if:
   (a) it appears to the pilot-in-command:
      (i) that arrangements had been made for the flight to be made with such a crew member and so as to begin and end at such times that no crew member would have been prohibited from making the flight in accordance with those arrangements by any provision contained in the regulations 220, 221 and 223., and that since those arrangements were made the flight has been or will be prevented from being in accordance with those arrangements by reason of circumstances which were not foreseen as likely to prevent that flight from being so made; or
      (ii) that the flight is one which ought to be carried out in the interest of the safety or health of any person; and
   (b) the pilot-in-command is satisfied that the safety of the aircraft on that flight will not be endangered if the pilot-in-command or that other
person makes that flight.

(3) Where the pilot-in-command or any other person makes a flight in an aircraft which he or that other person is permitted to make under sub-regulation (2), a report in writing that he or that other person has made that flight, giving full particulars of the circumstances in which it was made and the reasons why the pilot-in-command made that flight or authorized that other person to do so, shall be made as soon as is reasonably practicable by the pilot-in-command to the operator of the aircraft and in any event by the operator to the Authority; and the operator and the pilot-in-command shall furnish any authority with such further information in his possession relating to the flight and to the circumstances in which it was made as the Authority may require.

(4) Notwithstanding regulations 220, 221, 222, 223 and this regulation, where a scheduled service has an unavoidable and prolonged delay en route, subject to the discretion of the pilot-in-command, a reduced period of rest may be taken, and such period shall include at least six hours between 2000 and 0600 hours local time and shall be of a duration of not less than that appropriately extracted from the following graph.
Duties of operators to prevent excessive fatigue of crew members

232. An operator of an aircraft to which this regulation applies shall ensure, in respect of each person flying as a crew member of that aircraft, that:

(a) the period during which that person is required or permitted by that operator to carry out any work or other duties are so limited in length and frequency; and

(b) that person is afforded such period for rest, that his work and duties are not likely to cause him such fatigue while the person is flying in the aircraft, in respect of flight crew, as may endanger the safety thereof,
and in respect of other crew members, as may impair their efficiency to adequately perform their duties in relation to the possible evacuation or control of passengers or the provision of assistance in the event of an emergency situation.

Protection Of Crew Member From Cosmic Radiation

233. (1) An operator shall take appropriate measures to –
(a) assess the exposure to cosmic radiation when in flight of those crew members who may be exposed to cosmic radiation in excess of 1 milliSievert per year;
(b) take into account the assessed exposure when organising work schedules with a view to reducing the doses of highly exposed crew members; and
(c) inform the workers concerned of the health risks their work involves.

(2) An operator shall ensure that in relation to a pregnant crew member when notified in writing that she is pregnant, the conditions of exposure to cosmic radiation when that crew member is in flight are such that the equivalent dose to the foetus will be as low as reasonably achievable and is unlikely to exceed 1 milliSievert during the remainder of the pregnancy.

(3) An operator who is not informed of a pregnancy referred to in sub-regulation (2) shall not be held liable for any cosmic radiation exposure to the foetus exceeding 1 milliSiervert.

(4) In this regulation –
(a) “highly exposed crew member” means flight crew members operating in high performance aircraft capable of flying above an altitude of 15,000 m (49,000 ft);
(b) “Sievert” means a unit of equivalent or effective dose of one joule per kilogramme; and
(c) “year” means any period of twelve months.

Cosmic radiation: records to be kept

234. (1) The operator of an aircraft registered in Rwanda shall, in respect of any flight at an altitude of more than 15,000 m (49,000 ft), keep a record of a total dose of cosmic radiation to which the aircraft and the crew members are exposed during the flight together with the names of the crew members.

(2) The operator of an aircraft shall, within a reasonable period after being requested to do so by a person authorized by the Authority, cause to be produced to that person the record required to be kept under sub-regulation (1).

(3) The operator of an aircraft shall, within a reasonable period after being requested to do so by a person in respect of whom a record is required to be kept under subregulation (1), supply a copy of that record to that person.

(4) A record kept under this regulation shall contain details of the assessment of the exposure to cosmic radiation for a period of at least twelve months, but not details of exposure before the coming into force of these Regulations.

(5) A record kept under this regulation shall be available for production as a paper record for a period of two years from the date each assessment was made, except that where the assessment shows that an individual is liable to cosmic radiation exposure in excess of 6 milliSieverts per year the record shall be available as a paper record until whichever is the later of either -
(a) the 75th anniversary of his birth, whether or not he has survived to that date; or
(b) the 30th anniversary of the termination of his work which involved
exposure to cosmic radiation.

(6) When an operator or an undertaking authorized by the Authority separately assesses the exposure to cosmic radiation of the individual members of the air crew, the operator or the undertaking shall keep a record of the exposure to cosmic radiation for each member of air crew assessed under regulation 233, which record shall include -
(a) the name of the member of the air crew;
(b) the detail of each assessment of exposure expressed in milliSieverts per year; and
(c) the date of the assessment.

(7) When an operator or an undertaking authorized by the Authority does not separately assess the exposure to cosmic radiation of the individual members of the air crew, but instead assesses the exposure to cosmic radiation of groups of air crew members the undertaking shall keep a single record for all the air crew assessed under regulation 233, which record shall state -
(a) the names of all air crew covered by the assessment;
(b) the maximum dose of cosmic radiation expressed in milliSieverts per year to which those air crew are liable to be exposed;
(c) how the dose in subparagraph (b) is calculated; and
(d) the period for which the assessment is valid.

PART X - FLIGHT RELEASE: COMMERCIAL AIR TRANSPORT

Qualified persons required for operational control functions

235. (1) An air operator certificate holder shall designate a qualified person to exercise the functions and responsibilities for operational control of each flight in commercial air transport.
(2) For passenger-carrying flights conducted on a published schedule, a Licenced and qualified flight operations officer or equivalently qualified person shall be on duty at an operations base to perform the air operator certificate holders operational control functions.
(3) For all other flights, the qualified person exercising operational control responsibilities shall be available for consultation prior to, during and immediately following the flight operation.
(4) For all flights, the pilot-in-command shares in the responsibility for operational control of the aircraft and has the situational authority to make decisions regarding operational control issues in-flight.
(5) Where a decision of the pilot-in-command differs from that recommended, the person making the recommendation shall make a record of the associated facts.

Functions associated with operational control

236. The person exercising responsibility for operational control for an air operator certificate holder shall:
(a) authorise the specific flight operation;
(b) ensure that an airworthy aircraft properly equipped for the flight is available;
(c) ensure that qualified personnel and adequate facilities are available to support and conduct the flight;
(d) ensure that proper flight planning and preparation is made;
(e) ensure that flight locating and flight following procedures are followed; and
for scheduled passenger-carrying flights, ensure the monitoring of the progress of the flight and the provision of information that may be necessary to safety.

Operational control duties

237. (1) For passenger-carrying flights conducted on a published schedule, the qualified person performing the duties of a flight operations officer shall:
   (a) assist the pilot-in-command in flight preparation and provide the relevant information required;
   (b) assist the pilot-in-command in preparing the operational and air traffic control flight plans;
   (c) sign the dispatch copy of the flight release;
   (d) furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and
   (e) in the event of an emergency, initiate the applicable procedures contained in the air operator certificate holder’s operations manual.

(2) A qualified person performing the operational control duties shall avoid taking any action that would conflict with the procedures established by:
   (a) air traffic control;
   (b) the meteorological service;
   (c) the communications service; or
   (d) air operator certificate holder.

Contents of a flight release

238. The flight release shall contain at least the following information concerning each flight:
   (a) company or organization name;
   (b) make, model, and nationality and registration marks of the aircraft being used;
   (c) flight or trip number, and date of flight;
   (d) name of each crew member and the pilot-in-command;
   (e) departure aerodrome, destination aerodromes, alternate aerodromes and route;
   (f) minimum fuel supply;
   (g) a statement of the type of operation, for example IFR, VFR;
   (h) the latest available weather reports, and forecasts for the destination aerodrome and alternate aerodromes; and
   (i) any additional available weather information that the pilot-in-command considers necessary.

Flight release: aircraft requirements

239. A person shall not issue a flight release for a commercial air transport operation:
   (a) unless the aircraft is airworthy and properly equipped for the intended flight operation; and
   (b) using an aircraft with inoperative instruments and equipment installed, except as specified in the minimum equipment list approved by the Authority.

Flight release: facilities and NOTAMs

240. (1) A person shall not release an aircraft over any route or route segment unless there are adequate communications and navigational facilities in satisfactory operating condition as is necessary to conduct the flight safely.

(2) A flight operation officer shall ensure that the pilot-in-command is provided
with all available current reports or information on aerodrome conditions and irregularities of navigation facilities that may affect the safety of the flight.

(3) For the pilot-in-command’s review of the operational flight plan, he shall be provided with all available NOTAMs with respect to the routing, facilities and aerodromes.

Flight release: weather reports and forecasts

241. A person shall not release a flight unless that person:

(a) is thoroughly familiar with reported and forecast weather conditions on the route to be flown; and

(b) has communicated all information and reservations he may have regarding weather reports and forecasts to the pilot-in-command.

Flight release in icing conditions

242. A person shall not release an aircraft:

(a) when in his opinion or that of the pilot-in-command, the icing conditions that may be expected or are met exceed that for which the aircraft is certified and unless the aircraft has sufficient operational de-icing or anti-icing equipment; or

(b) any time conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless there is available to the pilot-in-command at the aerodrome of departure adequate facilities and equipment to accomplish the procedures approved for the air operator certificate holder by the Authority for ground de-icing and anti-icing.

Flight release under VFR or IFR

243. A person shall not release a flight under VFR or IFR unless the weather reports and forecasts indicate that the flight can reasonably be expected to be completed as specified in the flight release.

Flight release: minimum fuel supply

244. A person shall not issue a flight release for a commercial air transport operation unless the fuel supply specified in that flight release is equivalent to or greater than the minimum flight planning requirements of these Regulations, including anticipated contingencies.

Flight release: aircraft loading and performance

245. A person shall not issue a flight release unless that person is familiar with the anticipated loading of the aircraft and is reasonably certain that the proposed operation shall not exceed the:

(a) centre of gravity limits;

(b) aircraft operating limitations; and

(c) minimum performance requirements.

Flight release: amendment or re-release en-route

246. (1) A person who amends a flight release while the flight is en route shall record that amendment.

(2) A person shall not amend the original flight release to change the destination or alternate aerodrome while the aircraft is en route unless the flight preparation requirements for routing, aerodrome selection and minimum fuel supply are met at the time of amendment or re-release.

(3) A person shall not allow a flight to continue to an aerodrome to which it has been released if the weather reports and forecasts indicate changes which would render that aerodrome unsuitable for the original flight release.
Flight release: requirement for airborne weather radar equipment

247. A person shall not release a large aircraft carrying passengers under IFR when current weather reports indicate that thunderstorms, or other potentially hazardous weather conditions that can be detected with airborne weather radar, may reasonably be expected along the route to be flown, unless the airborne weather radar equipment is in satisfactory operating condition.

PART X – OFFENCES AND PENALTIES

Penalties

248. (1) If any provision of these Regulations, orders, notices or proclamations made thereunder is contravened in relation to an aircraft, the operator of that aircraft and the pilot in command, if the operator or, the pilot-in-command if not the person who contravened that provision shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.

(2) Any person who contravenes any provision specified as an “A” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding six hundred thousand (600,000) francs for each offence or each flight or to imprisonment for a term not exceeding six months or to both.

(3) Any person who contravenes any provision specified as a “B” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence or each flight to a fine not exceeding one million (1,000,000) francs or to imprisonment for a term not exceeding two (2) years.

(4) Any person who contravenes any provision specified as a “C” provision in the Second Schedule to these Regulations shall be guilty of an offence and shall on conviction be liable for each offence or each flight to a fine not exceeding three million (3,000,000) francs or to imprisonment for a term not exceeding five (5) years.

FIRST SCHEDULE
(PART- XII)

Mandatory Reporting - Specified Reportable Inadequacies, Incidents, Accidents and Occurrences, Time and Manner of Reporting and Information to be Reported

(1) For the purposes of regulations 76 to 78, but subject to paragraph (2) and the following provisions on reporting of birdstrikes, it is prescribed that a report containing the information referred to in paragraph (3) shall be made to the Authority by post, telex, electronic, facsimile transmission or other similar means which produces a document containing a text of the communication (written in English) within 96 hours of the reportable occurrence coming to the knowledge of the person making the report.

(2) If at the expiry of the time allowed by paragraph (1) for making the report any of the information referred to in that paragraph is not in the possession of the person making the report, he shall dispatch the report to the Authority by post, telex, electronic, facsimile transmission or other similar means which produces a document containing a text of the communication (written in English) within 96 hours of its coming into his possession.
(3) A report shall, as far as possible, contain the following information—
(a) the type, series and registration marks of the aircraft concerned;
(b) the name of the operator of the aircraft;
(c) the date of the reportable inadequacy, incident, accident or occurrence;
(d) if the person making the report has instituted an investigation into the reportable inadequacy, incident, accident or occurrence, whether or not this has been completed;
(e) a description of the reportable inadequacy, incident, accident or occurrence, including its effects and any other relevant information;
(f) in the case of a reportable inadequacy, incident, accident or occurrence which occurs during flight—
(i) the Co-ordinated Universal Time of the inadequacy, incident, accident or occurrence;
(ii) the last point of departure and the next point of intended landing of the aircraft at that time;
(iii) the geographical position of the aircraft at that time;
(g) in the case of a defect in or malfunctioning of an aircraft or any part or equipment of an aircraft, the name of the manufacturer of the aircraft, part or equipment, as the case may be, and, where appropriate, the part number and modification standard of the part or equipment and its location on the aircraft;
(h) the signature and name in block capitals of the person making the report, the name of his employer and the capacity in which he acts for that employer; and
(i) the address or telephone number at which communications should be made to him, if different from that of his place of employment.

Mandatory reporting of birdstrikes – time and manner of reporting and information to be reported
(1) Subject to paragraph (2), a report containing the information referred to in paragraph (3) shall be made to the Authority by post, telex, electronic, facsimile transmission or other similar means which produce a document containing a text of the communication (written in English) within 96 hours of the birdstrike occurrence coming to the knowledge of the person making the report.
(2) If at the expiry of the time allowed by paragraph (1) for making the report any of the information referred to in that paragraph is not in the possession of the person making the report, he shall dispatch the report to the Authority by post, telex, electronic, facsimile transmission or other similar means which produce a document containing a text of the communication (written in English) within 96 hours of the information coming into his possession.
(3) A report shall, as far as possible, contain the following information—
(a) the type, series and registration marks of the aircraft concerned;
(b) the name of the operator of the aircraft;
(c) the date and the Co-ordinated Universal Time of the birdstrike occurrence;
(d) the last point of departure and the next point of intended landing of the aircraft at that time;
(e) a description of the birdstrike occurrence, including the part(s) of the aircraft affected, the effect on flight and any other relevant information;
(f) the bird species/description;
(g) the weather at the time of the occurrence;
(h) the runway in use (where relevant);
(i) the height and speed of the aircraft;
(j) the phase of flight;
(k) the position (if en route) of the aircraft at the time of the birdstrike;
(l) any other reporting action taken;
(m) the signature and name in block capitals of the person making the report;
(n) the name of his employer and the capacity in which he acts for that employer; and
(o) the address or telephone number at which communications should be made to him.

SECOND SCHEDULE
REGULATION 248

PENALTIES

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The President of the Republic

KAGAME Paul

(¼)

The Prime Minister

MAKUZA Bernard

(¼)

The Minister of Infrastructure

BIHIRE Linda

(¼)

The Minister of Finance and Economic Planning

MUSONI James

(¼)

Minister of Defence

General GATSINZI Marcel

(¼)

The Minister of Internal Security

Sheikh HARERIMANA MUSSA Fazil

(¼)
The Minister of Public Service and Labour
MUREKEZI Anastase
(sé)

Seen and sealed with the Seal of the Republic:

Minister of Justice/
Attorney General
KARUGARAMA Tharcisse
(sé)

Seen to be annexed to the Presidential Order n°………Of……… Relating to Rwanda Civil Aviation Regulations

The President of the Republic
KAGAME Paul
The Prime Minister
MAKUZA Bernard

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BIHIRE Linda

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