

**UMUGEREKA WA XIII W'ITEKA RYA
MINISITIRI N° 01/CAB.M/019 RYO KU
WA 06/02/2019 RIHINDURA ITEKA RYA
MINISITIRI N° 04/CAB.M/08 RYO KUWA
24/07/2018 RISHYIRAHU AMABWIRIZA
AJYANYE N'IBY'INDEGE ZA GISIVIRI**

**ANNEX XIII TO MINISTERIAL ORDER
N°01/CAB.M/019 OF 06/02/2019
AMENDING MINISTERIAL ORDER
N°04/CAB.M/08 OF 24/07/2018
ESTABLISHING CIVIL AVIATION
REGULATIONS**

**ANNEXE XIII A L'ARRÊTÉ
MINISTÉRIEL N° 01/CAB.M/019 OF
06/02/2019 PORTANT MODIFICATION
DE L'ARRÊTÉ MINISTÉRIEL
N°04/CAB.M/08 DU 24/07/2018
ÉTABLISSANT LES RÈGLEMENTS DE
L'AVIATION CIVILE**

Part 13

Additional Passenger Carrying Requirements

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SUBPART A: GENERAL**13.001 CITATION & APPLICABILITY**

- (a) These Regulations may be cited as Civil Aviation (Additional Passenger Carrying Requirements) Regulations.
- (b) This Part prescribes the passenger-carrying requirements, in addition to the requirements of Part 10, for—
 - (1) AOC holders,
 - (2) Corporate aviation operations
 - (3) Other operators of aeroplanes—
 - (i) That are turbojet-powered; or
 - (ii) With a maximum take-off gross weight of more than 5700 kg; and/or
 - (iii) Have a maximum passenger configuration of more than 9 passengers.
 - (4) Persons and entities that operate these aircraft and the persons performing duties on their behalf.
- (c) Civil Aviation Technical Standards published by the Authority shall also be applicable to the passenger carrying requirements

13.005 DEFINITIONS

- (a) The definitions applicable to this Part are consolidated in Part 1, Appendix 1 to 1.015.

13.010 ACRONYMS & ABBREVIATIONS

- (a) The following acronyms are used in this Part—
 - AOC** = Air Operator Certificate
 - CCM** = Cabin Crew Member
 - PBE** = Protective Breathing Equipment
 - PIC** = Pilot In Command
 - SIC** = Second In Command
 - SCCM** Senior Cabin Crew Member

13.015 WHEN PASSENGER-CARRYING REQUIREMENTS NOT APPLICABLE

- (a) The passenger-carrying requirements of this Part do not apply when carrying—
 - (1) A crew member not required for the flight;
 - (2) A representative of the Authority on official duty;
 - (3) A person necessary to the safety or security of cargo or animals; or
 - (4) Any person authorised by the operator's Operation Manual.
- (b) No person may be carried without compliance to the passenger carrying requirements unless—
 - (1) There is an approved seat with an approved seat belt for that person;
 - (2) That seat is located so that the occupant is not in any position to interfere with the flight crew members performing their duties;
 - (3) There is unobstructed access from their seat to the flight deck or a regular or emergency exit;
 - (4) There is a means for notifying that person when smoking is prohibited and when seat belts shall be fastened; and
 - (5) That person has been orally briefed by a crew member on the use of emergency equipment and exits.

13.020 REPORTING OF POSSIBLE COMMUNICABLE DISEASE

- (a) The CCM shall promptly report any indication of a person having a suspected communicable disease to the PIC and provide the following information:

- (1) Number of suspected case(s) on board; and
- (2) Nature of the public health risk, if known.

A communicable disease could be suspected if a person has a fever (temperature 38C (100F) or greater that is associated with signs or symptoms, such as appearing obviously unwell, persistent coughing, impaired breathing, persistent diarrhoea; persistent vomiting; skin rash, bruising or bleeding without previous injury, confusion of recent onset.

- (b) The CCM shall comply with the operator's procedures for handling of persons with a suspected communicable disease.

SUBPART B: CABIN CREW MEMBERS

13.025 REQUIRED CABIN CREW MEMBERS

- (a) The operator shall schedule, and the PIC shall ensure that the minimum number of required cabin crew members are on board passenger-carrying flights.
- (b) The number of cabin crew members may not be less than minimum prescribed by the Authority in the AOC holder's operations specifications or the following, whichever is greater—
 - (1) For a seating capacity of 20 to 50 passengers, one cabin crew member; and
 - (2) One additional cabin crew member for each unit, or part of a unit, of 50 passenger seat capacity
 - (3) But, in no case, will the number of cabin crew members be less than the number of life rafts carried.
- (c) When passengers are on board a parked aircraft, the minimum number of flight attendants shall be one-half that required for the flight operation, but never less than one cabin crew member (or another person qualified in the emergency evacuation procedures for the aircraft).
- (d) Where one-half would result in a fractional number, it is permissible to round down to the next whole number.

13.030 CABIN CREW MEMBER PRIVILEGES

- (a) A cabin crew member licenced under Part 7 may perform cabin safety services for hire on passenger carrying aircraft when cabin crew members are required by this Part—
 - (1) For commercial air transport operations, when also qualified under the requirements of Parts 8 and 14; or
 - (2) For general aviation operations, after completion of an initial and recurrent training program, including emergency training and drills for the specific aircraft and human factors training.
- (b) A cabin crew member shall have in their personal possession during flight operations a current Class 2 medical certificate issued in the last 24 calendar months.

13.035 CABIN CREW MEMBERS AT DUTY STATIONS

- (a) During taxi, cabin crew members shall remain at their duty stations with safety belts and shoulder harness fastened except to perform duties related to the safety of the aircraft and its occupants.
- (b) During take-off and landing, cabin crew members shall remain at their duty stations with safety belts and shoulder harness fastened.
- (c) During en-route phases of flight, the cabin crew member shall be seated at their duty station with safety belts and shoulder harness fastened whenever the PIC so directs.
- (d) During take-off and landing, cabin crew members shall be assigned to duty stations 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.

- (e) When passengers are on board a parked aircraft, cabin crew members (or another person qualified in emergency evacuation procedures for the aircraft) will be placed in the following manner—
- (1) If only one qualified person is required, that person shall be located in accordance with the operator's Operations Manual procedures.
 - (2) If more than one qualified person is required, those persons shall be spaced throughout the cabin to provide the most effective assistance for the evacuation in case of an emergency.

SUBPART C: PASSENGERS

13.040 DENIAL OF TRANSPORTATION

- (a) An operator may deny transportation because a passenger—
- (1) Refuses to comply with the instructions regarding exit seating restrictions prescribed by the Authority; or
 - (2) Has a handicap that can be physically accommodated only by an exit row seat.
- (b) The following requirements also apply to the right to refuse the carriage of passenger who has got an air ticket and reserved a seat on the flight or in the course of the passenger's journey—
- (1) From condition of the passenger's health the operator obviously realizes that the transport of the passenger or continuing transport of the passenger shall be dangerous or harmful to the passenger, other persons on the aircraft or the flight;
 - (2) For the prevention of infectious disease spread;
 - (3) The passenger does not observe regulations on aviation safety and security and air transportation;
 - (4) The passenger has an act affecting public order, jeopardizing the flight's safety or affecting others' life and health or properties;
 - (5) The passenger is under the influence of alcohol, beer and other stimulants that he/she does not control his/her behaviour;
 - (6) For the security reasons;
 - (7) At the request of competent governmental authority.

13.045 PROHIBITION AGAINST CARRIAGE OF WEAPONS

- (a) No person may, while on board an aircraft being operated in commercial air transport, carry on or about their person a deadly or dangerous weapon, either concealed or unconcealed.
- (b) Paragraph (a) does not apply to persons specifically authorised in writing by the operator to carry arms on board the flight, provided this authorisation is in accordance with the operator's operations manual procedures and applicable international security requirements.

13.050 CARRIAGE OF SPECIAL SITUATION PASSENGERS

- (a) No operator may allow the transportation of special situation passengers except—
- (1) As provided in the operator's Operations Manual procedures; and
 - (2) With the knowledge and concurrence of the PIC.
- (b) The special situations passengers shall include—
- (1) Blind persons;
 - (2) Paraplegic persons (non-ambulatory);
 - (3) Persons with reduced mobility;
 - (4) Persons requiring medical oxygen;

- (5) Person unable to use seat belts; and
- (6) Prisoners under escort.

13.055 OXYGEN FOR MEDICAL USE BY PASSENGERS

- (a) An operator may allow a passenger to carry and operate equipment for the storage, generation or dispensing of medical oxygen only as prescribed by the Authority.
- (b) No person may smoke, and no crew member may allow any person to smoke within 10 feet of oxygen storage and dispensing equipment carried for the medical use of a passenger.
- (c) No crew member may allow any person to connect or disconnect oxygen dispensing equipment to or from an oxygen cylinder while any other passenger is aboard the aircraft.

13.060 CARRIAGE OF PERSONS WITH REDUCED MOBILITY

- (a) No person may allow a person of reduced mobility to occupy seats where their presence could—
 - (1) Impede the crew in their duties;
 - (2) Obstruct access to emergency equipment; or
 - (3) Impede the emergency evacuation of the aircraft.

13.065 PASSENGER SEAT BELTS

- (a) Each passenger occupying a seat or berth shall fasten his or her safety belt and keep it fastened while the "Fasten Seat Belt" sign is lighted or, in aircraft not equipped with such a sign, whenever instructed by the PIC.
- (b) No passenger safety belt may be used by more than one occupant during take-off and landing.
- (c) 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.
- (d) A person who has not reached his or her second birthday may be held by an adult who is occupying a seat or berth.
- (e) 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.

13.070 EXIT ROW SEATING

- (a) No PIC or SCCM may allow a passenger to sit in an emergency exit row if the PIC or SCCM determine that it is likely that the passenger would be unable to understand and perform the functions necessary to open an exit and to exit rapidly.
- (b) Before each take-off, the PIC or SCCM shall ensure that all persons seated in an exit row are individually briefed regarding the responsibilities, acceptance of those responsibilities and instructions for operation of the specific exit.

13.075 PASSENGER INFORMATION SIGNS

- (a) The PIC 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.

13.080 PASSENGER COMPLIANCE WITH INSTRUCTIONS

- (a) Each passenger on a commercial air transport flight shall comply with instructions given by a crew member in compliance with this Section.

13.085 REQUIRED PASSENGER BRIEFINGS

- (a) No person may commence a take-off unless the passengers are briefed prior to take-off in accordance with the operator's Operation Manual procedures on—
 - (1) Smoking limitations and prohibitions;
 - (2) Emergency exit location and use;
 - (3) Use of safety belts;
 - (4) Emergency flotation means location and use;
 - (5) Placement of seat backs;
 - (6) If flight is above 12,000 feet MSL, the normal and emergency use of oxygen;
 - (7) Stowage of carry-on baggage; and
 - (8) The passenger briefing card.
- (b) Immediately before or immediately after turning the seat belt sign off, the PIC or SCCM shall ensure that the passengers are briefed to keep their seat belts fastened while seated, even when the seat belt sign is off.
- (c) Before each take-off, the PIC or SCCM shall ensure that any persons of reduced mobility are personally briefed on—
 - (1) The route to the most appropriate exit; and
 - (2) The time to begin moving to the exit in event of an emergency.

13.090 PASSENGER BRIEFING: EXTENDED OVERWATER OPERATIONS

- (a) No person may 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 inflating a life preserver.

13.095 PASSENGER BRIEFING CARDS

- (a) No person may commence a flight unless a passenger briefing card is available to each passenger prior to the take-off.
- (b) The passenger briefing card will contain instructions and graphics for all briefing subjects listed in Sections—
 - (1) 13.060;
 - (2) 13.075; and
 - (3) 13.080.

SUBPART D: SECURING ITEMS OF MASS**13.100 SECURING OF ITEMS OF MASS IN PASSENGER COMPARTMENT**

- (a) No person may allow 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.
- (b) No person may allow an aircraft to move on the surface, take-off or land unless each passenger serving cart is secured in its stowed position.
- (c) Expanded requirements for carriage of cargo in passenger compartments are prescribed in Appendix 1 to 13.060.

13.105 CARRY-ON BAGGAGE

- (a) No person may allow the boarding of carry-on baggage unless it can be adequately and securely stowed in accordance with the operator's Operations Manual procedures.
- (b) No person may allow aircraft passenger entry doors to be closed in preparation for taxi or push back unless at least one required crew member has verified that each article of baggage has been properly stowed in overhead racks with approved restraining devices or doors, or in

- approved locations aft of the bulkhead
- (c) No person may allow carry-on baggage to be stowed in a location that would cause that location to be loaded beyond its maximum placard weight limitation.
 - (d) The stowage locations 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- certified.

13.110 CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS

- (a) No person may allow the carriage of cargo in the passenger compartment of an aeroplane except as prescribed by the Authority.
- (b) Expanded requirements for carriage of cargo in passenger compartments are prescribed in Appendix 1 to 13.095.

SUBPART E: EMERGENCY PREPAREDNESS

13.115 ACCESSIBILITY OF EMERGENCY EXITS & EQUIPMENT

- (a) No person may 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.

13.120 EVACUATION CAPABILITY

- (a) The PIC, SCCM and other person assigned by the operator 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.

13.125 ARMING OF AUTOMATIC EMERGENCY EXITS

- (a) No person may cause an aeroplane 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.

13.130 STOPS WHERE PASSENGERS REMAIN ON BOARD

- (a) At stops where passengers remain on board the aircraft, the PIC, the SCCM, or both shall ensure that—
 - (1) All engines are shut down;
 - (2) At least one floor level exit remains open to provide for the deplaning of passengers; and
 - (3) 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.
- (b) If refuelling with passengers on board, the PIC or a designated company representative shall ensure that the operator's Operations Manual procedures are followed.

13.135 PASSENGER SEAT BACKS

- (a) No PIC or SCCM may allow the take-off or landing of an aircraft unless each passenger seat back is in the upright position.
- (b) Exceptions to the requirement of paragraph (a) may only be made in accordance with procedures in the operator's Operations Manual provided the seat back does not obstruct any passenger's access to the aisle or to any emergency exit.

13.140 STOWAGE OF FOOD, BEVERAGE AND PASSENGER SERVICE

- (a) No PIC or SCCM may allow the movement of an aircraft on the surface, take-off or land—
- (1) When any food, beverage or tableware furnished by the operator is located at any passenger seat; and
 - (2) Unless each food and beverage tray and seat back tray table is in the stowed position.

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APPENDICES**APPENDIX 1 TO 13.070: EXIT ROW SEATING**

- (a) No cabin crew member may seat a person 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—
- (1) The person lacks sufficient mobility, strength, or dexterity in both arms and hands, and both legs—
 - (i) To reach upward, sideways, and downward to the location of emergency exit and exit-slide operating mechanisms;
 - (ii) To grasp and push, pull, turn, or otherwise manipulate those mechanisms;
 - (iii) To push, shove, pull, or otherwise open emergency exits;
 - (iv) To 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) To remove obstructions of size and weight similar over-wing exit doors;
 - (vi) To reach the emergency exit expeditiously;
 - (vii) To maintain balance while removing obstructions;
 - (viii) To exit expeditiously;
 - (ix) To stabilise an escape slide after deployment; or
 - (x) To assist others in getting off an escape slide;
 - (2) The person is less than 15 years of age or lacks the capacity to perform one or more of the applicable functions listed above without the assistance of an adult companion, parent, or other relative;
 - (3) The person lacks the ability to read and understand instructions required by this section and related to emergency evacuation provided by the operator in printed or graphic form or the ability to understand oral crew commands,
 - (4) The person lacks sufficient visual capacity to perform one or more of the above functions without the assistance of visual aids beyond contact lenses or eyeglasses;
 - (5) The person lacks sufficient aural capacity to hear and understand instructions shouted by flight attendants, without assistance beyond a hearing aid;
 - (6) The person lacks the ability adequately to impart information orally to other passengers; or
 - (7) The person 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 or she performs one or more of the functions listed above.
- (b) Determinations as to the suitability of each person permitted to occupy an exit seat shall be made by the cabin crew members or other persons designated in the operator's operations manual.
- (c) In the event 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.
- (d) 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.
- (e) Each AOC ticket agent shall, prior to boarding, assign seats consistent with the passenger selection criteria and the emergency exit functions, to the maximum extent feasible.
- (f) Each AOC 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,
- (n) Each cabin crew member shall include in their passenger briefings a request that a passenger identify himself or herself to allow reseating if he or she—

- (1) Cannot meet the selection criteria;
 - (2) Has a non-discernible condition that will prevent him or her from performing the evacuation functions;
 - (3) May suffer bodily harm as the result of performing one or more of those functions; or
 - (4) Does not wish to perform emergency exit functions.
- (g) Each 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 exit.
- (h) Each passenger shall comply with instructions given by a crew member or other authorised employee of the operator implementing exit seating restrictions
- (i) No PIC may allow taxi or pushback 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.

APPENDIX 1 TO 13.110: CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS

- (a) Cargo may be carried anywhere in the passenger compartment if it is carried in an approved cargo bin that meets the following requirements—
- (1) The bin must 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;
 - (2) The maximum weight of cargo that the bin is approved to carry and any instructions necessary to insure proper weight distribution within the bin must be conspicuously marked on the bin;
 - (3) The bin may not impose any load on the floor or other structure of the aeroplane that exceeds the load limitations of that structure;
 - (4) The bin must be attached to the seat tracks or to the floor structure of the aeroplane, and its attachment must withstand the load factors and emergency landing conditions applicable to the passenger seats of the aeroplane in which the bin is installed, multiplied by either the factor 1.15 or the seat attachment factor specified for the aeroplane, whichever is greater, using the combined weight of the bin and the maximum weight of cargo that may be carried in the bin;
 - (5) 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;
 - (6) The bin must be fully enclosed and made of material that is at least flame resistant;
 - (7) Suitable safeguards must be provided within the bin to prevent the cargo from shifting under emergency landing conditions; and
 - (8) 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.
- (b) Cargo, including carry-on baggage, may be carried anywhere in the passenger compartment of a small (Group B) aeroplane if it is carried in an approved cargo rack, bin, or compartment installed in or on the aeroplane, if it is secured by an approved means, or if it is carried in accordance with each of the following—
- (1) 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 airturbulence;
 - (2) It is packaged or covered to avoid possible injury to occupants;

- (3) It does not impose any load on seats or in the floor structure that exceeds the load limitation for those components;
- (4) 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;
- (5) It is not carried directly above seated occupants.
- (6) It is stowed in compliance with these restrictions during take-off and landing.
- (7) 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 aeroplane a means of unobstructed exit from the aeroplane if an emergency occurs.

END OF RCAR PART 13

Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri n°01/CAB.M/019 ryo ku wa 06/02/2019 rihindura Iteka rya Minisitiri n° 04/CAB.M/08 ryo kuwa 24/07/2018 rishyiraho amabwiriza ajyanye n'iby'indege za gisivili

Kigali, ku wa **06/02/2019**

(sé)
GATETE Claver
Minisitiri w'Ibikorwa Remezo

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)
BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to Ministerial Order n°01/CAB.M/019 of 06/02/2019 amending Ministerial Order n°04/CAB.M/08 of 24/07/2018 establishing civil aviation regulations

Kigali, on **06/02/2019**

(sé)
GATETE Claver
Minister of Infrastructure

Seen and sealed with the Seal of the Republic:

(sé)
BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel n°01/CAB.M/019 du 06/02/2019 portant modification de l'Arrêté Ministériel n°04/CAB.M/08 du 24/07/2018 établissant les règlements de l'aviation civile

Kigali, le **06/02/2019**

(sé)
GATETE Claver
Ministre des Infrastructures

Vu et scellé du Sceau de la République:

(sé)
BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux