

Civil Aviation (Air Operator Certification and Administration)
(Amendment)

GOVERNMENT NOTICE NO. 119 published on 24/05/2013

THE CIVIL AVIATION ACT
(CAP. 80)

REGULATIONS

(Made under section 4)

THE CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION)
(AMENDMENT) REGULATIONS, 2013

Citation
GN. No.
32 of 2012

1. These Regulations may be cited as the Civil Aviation (Air Operator Certification and Administration) (Amendment) Regulations, 2013, and shall be read as one with the Civil Aviation (Operation of Aircraft) Regulations, 2012 hereinafter referred to as the “principal Regulations”.

Amendment
of regulation
4

2. The principal Regulation are amended in regulation 4(3) by inserting the words “and continued validity” immediately after the word “issue”.

Amendment
of regulation
6

3. The principal Regulations are amended in regulation 6(1)(e) by inserting the words “an approved aircraft operator security programme in accordance with the Civil Aviation (Security) Regulations, and” immediately after the word “has”.

Amendment
of regulation
7

4. The principal Regulations are amended in regulation 7(2) by-

- (a) deleting paragraph (d); and
- (b) deleting paragraph (e) and substituting therefore with the following new paragraph-

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“(e) the location, in a controlled document carried on board, where the contact details of operational management can be found.”

Amendment
of regulation
20

5. The principal Regulations are amended in regulation 20 of by deleting sub-regulation (2) and substituting for it with the following new sub-regulation:

“(2) The owner of the aeroplane, or in the case where it is leased, the lessee, shall ensure, to the extent possible, in the event the aeroplane 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 within a period specified by the Authority.”

Amendment
of regulation
30

6. The principal Regulations are amended in regulation 30 by adding the following new sub-regulation immediately after sub-regulation (10):

“(11) An operator shall establish and maintain a safety management system that is appropriate to the size and complexity of the operation.”

Amendment
of regulation
33

7. The principal Regulations are amended in regulation 33 by deleting sub-regulation (4) and substituting for it with the following new sub-regulation-

“(4) The pilot-in-command shall be responsible for the journey log book or the general declaration containing the information listed in this regulation.”

Amendment
of regulation
56

8. Regulation 56 of the principal Regulations is amended by deleting the opening words of sub-regulation (1) and substituting for it with the following new words-

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“(1) An air operator certificate (AOC) holder shall ensure the airworthiness of its aircraft or helicopter and the serviceability of both operational and emergency equipment necessary for the intended flight is serviceable by-”

Amendment
of regulation
58

9. The principal Regulations are amended in regulation 58(2) by-

- (a) adding the words “and helicopters over 3175 kg maximum certificated take off mass” at the end of the sentence of paragraph (h).
- (b) deleting the word “and” appearing at the end of the sentence of in paragraph (n).

Amendment
of regulation
63

10. The principal Regulations are amended in regulation 63 by-

- (a) inserting the words “or helicopter” immediately after the word “aircraft” of sub-regulation (1)(c);
- (b) adding a new paragraph immediately after paragraph (f) in sub-regulation (2)-

“(g) the lessee of a helicopter shall comply with the requirements of this regulation as applicable, while the helicopter is leased.”

Amendment
of regulation
64

11. The principal Regulations are amended in regulation 64(1) by inserting the words “or helicopter” immediately after the word “aircraft”.

Amendment
of regulation
74

12. The principal Regulations are amended in regulation 74 by adding the following new sub-regulations immediately after sub-regulation (4)-

“(5) Where specifically provided for in the Technical Instructions, the Authority may grant an approval provided that in such

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instances an overall level of safety in transport which is equivalent to the level of safety provided for in the technical instructions are achieved.”

- (6) In instances-
 - (a) of extreme urgency; or
 - (b) when other forms of transport are inappropriate; or
 - (c) when full compliance with the prescribed requirements is contrary to the public interest.

the Authority may grant an exemption from the provisions of the technical instructions provided that in such instances every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided for in the technical instructions.

(7) In case of over flight, if none of the criteria for granting an exemption are relevant, an exemption may be granted based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

(8) The Authority shall take the necessary measures to achieve compliance with the detailed provisions contained in the technical instructions and shall also take the necessary measures to achieve compliance with any amendment to the technical instructions which may be published during the specified period of applicability of an edition of the Technical Instructions.”

Amendment
of regulation
75

13. The principal Regulations are amended in regulation 75 by adding the following new sub-regulation immediately after sub-regulation (3)-

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“(4) The dangerous goods described hereunder shall be forbidden on aircraft unless exempted by the Authority under the provisions of these regulations or unless the provisions of the Technical Instructions indicate they may be transported under an approval granted by the State of Origin-

- (a) dangerous goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances; and
- (b) infected live animals.”

Amendment
of regulation
83

14. The principal Regulations are amended in regulation 83 by deleting paragraph (c) and substituting for it with the following new paragraph-

“(c) Packages of dangerous goods bearing the “Cargo aircraft only” label are loaded in accordance with the provisions in the technical instructions.”

Amendment
of the
Schedule

15. The principal Regulations are amended in the Seventh Schedule by deleting paragraph 1.2(h) and substituting for it with the following-

“(h) Copies of all amendments to the operator’s maintenance control manual shall be furnished promptly to all organizations or persons to whom the manual has been issued.”

Dar es Salaam,
10th May, 2013

HARRISON G. MWAKYEMBE,
Minister for Transport