



Saint Lucia **GOVERNMENT GAZETTE**

EXTRAORDINARY

Vol. 189 • Issue 6 • Friday February 28, 2020

Published under Authority by the National Printing Corporation
Cnr. of Jeremie and Laborie Streets
Castries, Saint Lucia, West Indies

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Website Address : <http://www.slugovprintery.com>

GOVERNMENT NOTICE

The following document is published with and forms part of this
Extraordinary Gazette:

Statutory Instrument

No. 21A of 2020 — Civil Aviation (Flight Safety) Regulations

Civil Aviation (Flight Safety) Regulations

SAINT LUCIA

STATUTORY INSTRUMENT, 2020, No. 21A

ARRANGEMENT OF REGULATIONS

Regulation

PRELIMINARY

1. Citation
2. Interpretation
3. Application of Convention
4. Extra-territorial effect
5. Application to aircraft not registered in Saint Lucia
6. Non-application

**PART I
ADMINISTRATION**

7. Prohibition of flying by the Authority
8. Waiver
9. Deviation
10. Establishment and functions of Flight Safety Division
11. Director of the Flight Safety Division
12. Issuance of circulars and notices
13. Authorizing credential
14. Powers and duties of aviation safety inspector
15. Access and inspection
16. Power to inspect and copy
17. Production of document and record
18. Power to prevent aircraft flying

**PART II
PERSONNEL LICENSING**

19. Application of Part 2 of the Schedule
20. Requirement for licence, rating or authorization
21. Approval for personnel licensing
22. Grant of licence, rating or authorization
23. Requirement for signature of holder
24. Duration of licence, rating or authorization
25. Requirement for currency
26. Medical examination and certificate

Civil Aviation (Flight Safety) Regulations

27. Certificate of validation
28. Logbook

**PART III
AVIATION TRAINING ORGANISATION**

29. Application of Part 3 of the Schedule
30. Requirement for aviation training organization certificate
31. Application for aviation training organization certificate
32. Grant of aviation training organization certificate
33. Form of aviation training organization certificate
34. Training and checking manual

**PART IV
REGISTRATION AND MARKING OF AIRCRAFT**

35. Application of Part 4 of the Schedule
36. Aircraft to be registered
37. Application for registration
38. Registration of aircraft
39. Refusal or discontinuance of registration
40. Certificate of registration
41. Cancellation of registration
42. Register of Aircraft
43. Amendment of register
44. Change in particulars of registration
45. Nationality and registration marks

**PART V
AIRWORTHINESS**

46. Application of Part 5 of the Schedule
47. Type certificate
48. Certificate of airworthiness
49. Prohibition on performing maintenance
50. Airworthiness directives, modification and repairs
51. Continued airworthiness
52. Other releases to service
53. Aircraft logbook or technical log
54. Aircraft, engine and propeller logbooks
55. Aircraft weight schedule

Civil Aviation (Flight Safety) Regulations

PART VI

APPROVED MAINTENANCE ORGANISATION

- 56. Application of Part 6 of the Schedule
- 57. Requirement for approved maintenance organization certificate
- 58. Application for approved maintenance organization certificate
- 59. Grant of approved maintenance organization certificate
- 60. Form of approved maintenance organization certificate
- 61. Duration of approved maintenance organization certificate

PART VII

AIRCRAFT INSTRUMENTS AND EQUIPMENT

- 62. Application of Part 7 of the Schedule
- 63. Requirement for instruments and equipment
- 64. Radio equipment requirements
- 65. Minimum equipment requirements

PART VIII

OPERATIONS

- 66. Application of Part 8 of the Schedule
- 67. Prohibition on operations

PART IX

AIR OPERATOR CERTIFICATION AND OPERATION

- 68. Application of Part 9 of Schedule
- 69. Commercial air transport
- 70. Requirement for air operator certificate
- 71. Application for air operator certificate
- 72. Grant of air operator certificate
- 73. Duration of air operator certificate
- 74. Review of air operator certificate
- 75. Maintenance of standards of operations
- 76. Shipping and acceptance of dangerous goods
- 77. Munitions of war

Civil Aviation (Flight Safety) Regulations

PART X

**COMMERCIAL AIR TRANSPORT BY FOREIGN AIR
OPERATORS WITHIN SAINT LUCIA**

- 78. Application of Part 10 of the Schedule
- 79. Foreign air operator commercial air transport requirements

PART XI

AERIAL WORK

- 80. Application of Part 11 of Schedule
- 81. Prohibition on dropping of articles
- 82. Requirement for certificate
- 83. Application for certificate for aerial work
- 84. Grant of certificate for aerial work
- 85. Duration of certificate for aerial work
- 86. Review of certificate for aerial work
- 87. Aerial application manual
- 88. Towing, picking up and raising of persons and articles
- 89. Dropping of animals and articles
- 90. Dropping of persons
- 91. Aerial photography and survey from aircraft
- 92. Exhibitions of flying aircraft, races or contests
- 93. Restriction on pilot participating in an organized event
- 94. Display authorization

PART XII

**AIRCRAFT ACCIDENT REPORTING AND INVESTIGATION
REQUIREMENTS**

- 95. Application of Part 12 of the Schedule
- 96. Requirement for accident reporting and investigation

PART XIII

REPORTS, DOCUMENTS AND RECORDS

- 97. Mandatory reporting
- 98. Documents to be carried
- 99. Preservation of documents
- 100. Offences relating to documents and records

Civil Aviation (Flight Safety) Regulations

**PART XIV
ENFORCEMENT OF REGULATIONS**

- 101. Provisional action by Authority
- 102. Variation, suspension and revocation of documents
- 103. Breaches, offences and penalties
- 104. Appeal

**PART XV
MISCELLANEOUS**

- 105. Fees
- 106. Validation of documents
- 107. Revocation

SCHEDULE

*Civil Aviation (Flight Safety) Regulations***SAINT LUCIA**

STATUTORY INSTRUMENT, 2020, No. 21A

[28th February, 2020]

In exercise of the power conferred under section 49 of the Civil Aviation Act, Cap. 8.07, the Minister responsible for civil aviation, makes these Regulations:

PRELIMINARY**Citation**

1. These Regulations may be cited as the Civil Aviation (Flight Safety) Regulations, 2020.

Interpretation

2.—(1) In these Regulations —

“Act” means the Civil Aviation Act, Cap. 8.07;

“approved maintenance organization certificate” means an approved maintenance organization certificate issued under Part V;

“aviation training organization” means an organization which holds a valid aviation training organization certificate;

“aviation training organization certificate” means an aviation training organization certificate issued under Part III;

“cargo” includes mail and animals;

“Director” means a person appointed as Director of the Flight Safety Division under regulation 11;

“dropping” includes projecting and lowering;

“exhibition organizer” means a person who organizes an organized event;

“in flight” means from the moment after the embarkation of an aircraft’s crew for the purpose of taking off,

Civil Aviation (Flight Safety) Regulations

the aircraft first moves under its own power, until the moment when it next comes to rest after landing.

“organized event” means an exhibition of flying, an aircraft race or contest which is likely to be attended by more than two hundred persons and which consists wholly or partly of an exhibition of flying, aircraft race or contest;

“instrument” means a document issued by the Government and includes Regulations, a direction, an instruction, a rule or other requirement, a notice and a certificate, a licence, an approval, a permission, an exemption, an authorization, a logbook record or other document;

“instruments”, in relation to flight and navigation, means aircraft components used by the flight crew;

“pilot”, in relation to an aircraft, means a person who for the time being is in charge of the piloting of the aircraft without being under the direction of another pilot in the aircraft;

“registered owner” means a person in whose name an aircraft is registered.

(2) Part 1 of the Schedule applies in definitions for the purposes of these Regulations.

Application of Convention

3. For the purposes of these Regulations, the Chicago Convention and the Standards and Recommended Practices established by the ICAO and other internationally recognised standards and practices applies, as appropriate, in Saint Lucia.

Extra-territorial effect of Regulations

4. These Regulations must be applied in accordance with section 3 of the Act.

Application to aircraft not registered in Saint Lucia

5. The Director General may, by directions in writing, addressed to the owner or operator of an aircraft, being an aircraft not registered

Civil Aviation (Flight Safety) Regulations

in Saint Lucia, but for the time being under the management of a person who, or of persons each of whom, is qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in Saint Lucia, indicate that these Regulations apply to the aircraft.

Non-application

6. These Regulations do not apply to or in relation to —
- (a) a balloon which at any stage of its flight is not more than two meters in any linear dimension including a basket or other equipment attached to the balloon;
 - (b) a kite weighing not more than two kilogrammes;
 - (c) an aircraft weighing not more than seven kilogrammes without its fuel; or
 - (d) a parascending parachute.

PART I
ADMINISTRATION

Prohibition of flying by the Authority

7.—(1) Where the Authority considers it necessary in the public interest to prohibit flying by reason of —

- (a) the intended gathering or movement of a large number of persons;
- (b) the intended holding of an approved event; or
- (c) national defense or in the public interest;

the Authority may, issue a direction in writing published in the *Gazette* prohibiting, restricting or imposing conditions on flight by an aircraft, whether or not registered in Saint Lucia, in the airspace over Saint Lucia, or by aircraft registered in Saint Lucia, in any other airspace, being airspace in respect of which the Government has in pursuance of an international arrangement undertaken to provide navigation services for aircraft.

(2) A direction issued under this regulation may apply generally or in relation to a class of aircraft.

Civil Aviation (Flight Safety) Regulations

Waiver

8. For the purposes of section 10(6) of the Act, the Director General may issue a waiver from the requirements of these Regulations.

Deviation

9. For the purposes of section 10(6) of the Act, the Director General may issue a deviation from the requirements of these Regulations.

Establishment and functions of Flight Safety Division

10. The Authority shall establish a Flight Safety Division comprised of technically qualified aviation safety inspectors to conduct the necessary technical evaluations, inspections and investigations required to meet Saint Lucia's ICAO responsibilities for safety oversight for —

- (a) registration of an aircraft;
- (b) airworthiness of an aircraft;
- (c) personnel licensing;
- (d) operations of an aircraft;
- (e) aerial work;
- (f) commercial air transport;
- (g) carriage of dangerous goods; and
- (h) accident investigation.

Director of the Flight Safety Division

11.—(1) The Authority shall appoint a person to be the Director of the Flight Safety Division.

(2) The Director may issue a licence, authorization, rating, certificate, approval or other written document in support of the functions assigned to it and to perform acts and to conduct investigations on behalf of the Director General under these Regulations.

*Civil Aviation (Flight Safety) Regulations***Issuance of circulars and notices**

12. The Flight Safety Division may by means of aviation information circulars, advisory circulars, aeronautical information publications, notices to airmen, notices of non compliance, and other documents develop, issue and revise instructions, directions, rules and procedures or specify requirements to give effect to —

- (a) the Chicago Convention;
- (b) the Standards and Recommended Practices of ICAO;
- (c) the Act; and
- (d) these Regulations,

relating to the operation, use, possession, maintenance or operations of an aircraft flying in or over Saint Lucia or of an aircraft registered in Saint Lucia or of an aircraft operated by the holder of an air operator certificate issued under these Regulations.

Authorizing credential

13.—(1) An aviation safety inspector assigned to the Flight Safety Division shall be issued a unique credential for the performance of his or her functions.

(2) A person shall not possess or use the credentials of an aviation safety inspector unless —

- (a) that person is employed by the Authority to perform the functions of the Flight Safety Division; and
- (b) the person is using the credential in the performance of a specific function of the Flight Safety Division.

(3) For the purpose of exercising his or her responsibilities under these Regulations an aviation safety inspector shall be issued with and carry at all times a means of identification specifying the unique credential.

Powers and duties of aviation safety inspector

14.—(1) An aviation safety inspector, may carry out audits or surveillance or require a person to produce a document or other article for the purpose of investigating or enforcing these Regulations.

Civil Aviation (Flight Safety) Regulations

(2) A person who is required to produce a document or other article under subregulation (1) —

- (a) shall not make a statement that is false in any material particular;
- (b) shall produce the document or other article which is in his or her possession or control or to which he or she has access.

(3) An aviation safety inspector may—

- (a) enter and inspect —
 - (i) an aerodrome, a hangar or other place at which an aircraft is located or stored,
 - (ii) an aircraft, or
 - (iii) an organization performing tasks and services related to aviation safety; and
- (b) inspect an aircraft equipment, components, materials, facilities, personnel or crew members;

for the purpose of ensuring that the Act and these Regulations have been, or are being complied with.

(4) Where it appears to an aviation safety inspector that an aircraft is intended or likely to be flown in circumstances that the flight would —

- (a) involve an offence against these Regulations; or
- (b) be a cause of danger to persons in the aircraft or to persons or property on the ground,

the aviation safety inspector may detain the aircraft or take other action necessary for the purpose of inspecting the aircraft or causing the circumstances of the flight to be investigated.

(5) Where an aircraft is detained under subregulation (4) the aircraft must not be operated until the Authority, on being satisfied that these Regulations are complied with, approves or until such modifications or repairs have been effected as the Authority considers necessary to make the aircraft fit for flight.

Civil Aviation (Flight Safety) Regulations

(6) A person shall not intentionally obstruct or impede an aviation safety inspector acting in the exercise of his or her powers or the performance of his or her duties under these Regulations.

Access and inspection

15.—(1) The Authority may cause an evaluation, an inspection, an investigation, a test, an experiment, or a flight trial to be made as it considers necessary for the purposes of these Regulations.

(2) The Authority may authorize a person in writing to conduct an evaluation, an inspection, an investigation, a test, an experiment, or a flight trial.

(3) A person authorized under subregulation (2) may, at any reasonable time, with free and uninterrupted access, inspect an aircraft, personnel, facilities, and records in operations subject to these Regulations.

(4) The Director General or a person authorized by the Director General in writing shall have the right of access at all reasonable times to —

- (a) an aerodrome for the purpose of inspecting the aerodrome or an aircraft on the aerodrome or a document which the Director General may, under these Regulations, demand, or for the purpose of detaining the aircraft under these Regulations;
- (b) a place, whether public or private, where an aircraft is located for the purpose of inspecting the aircraft or a document which the Director General or person has power, under these Regulations, to demand or for the purpose of detaining the aircraft under these Regulations;
- (c) an aircraft, for the purpose of checking, whilst in flight, the performance of the aircraft or of its equipment and the efficiency of flight crew in the performance of his or her duties,

if the safety of commercial operations of the aircraft is not unduly prejudiced by the exercise of the right of access under this regulation.

*Civil Aviation (Flight Safety) Regulations***Power to inspect and copy**

16.—(1) An aviation safety inspector may inspect and copy a document issued under these Regulations.

(2) A person shall not obstruct, impede or otherwise interfere with the copying of the documents by an aviation safety inspector under subregulation (1).

Production of document and record

17.—(1) A person involved or participating in an aviation activity shall, within a reasonable time after being requested to do so by an authorized person, cause to be produced to that person the documents which he or she is required to have, carry, complete or preserve during the course of his or her activities, including, an airman licence, a medical certificate, an operational and maintenance manual and a record as required under these Regulations and the Parts of the Schedule applicable to that activity.

(2) The holder of a document under these Regulations shall, within a reasonable time after being requested to do so by an aviation safety inspector, cause the document to be produced to the aviation safety inspector.

(3) The holder of a document is deemed to have been complied with subregulation (2), except in relation to documents required by these Regulations to be carried in an aircraft or kept at an aerodrome, if the document requested is produced to the Flight Safety Division within five days after the request has been made.

Power to prevent aircraft flying

18.—(1) If it appears to the Authority or an aviation safety inspector that an aircraft is intended or likely to be flown —

- (a) in circumstances where the flight would be a cause of danger to a person or property whether or not in the aircraft and in contravention of these Regulations or a direction issued under these Regulations; or
- (b) while in a condition unfit for the flight; or
- (c) in circumstances where a provision under these Regulations or relating to the licensing of an air

Civil Aviation (Flight Safety) Regulations

transport in Saint Lucia would be contravened in relation to the flight,

the Authority or the aviation safety inspector may direct the operator or the pilot in command of the aircraft that he or she is not to permit the aircraft to make the particular flight or any other flight of the description specified in the direction, until the direction has been revoked by the Authority or by an aviation safety inspector, and the Authority or the aviation safety inspector may take such steps as are necessary to detain the aircraft.

(2) For the purposes of subregulation (1), the Authority or an aviation safety inspector may enter an aerodrome and inspect an aircraft.

PART II**PERSONNEL LICENSING****Application of Part 2 of the Schedule**

19. Subject to this Part, Part 2 of the Schedule apply in relation to the following —

- (a) the requirements for issuing licences, ratings and authorizations;
- (b) the conditions under which a licence, rating, and authorization are necessary; and
- (c) the privileges and limitations of holders of a licence, rating and authorization.

Requirement for licence, rating or authorization

20. A person shall not act as a pilot, a flight engineer, an aviation maintenance technician or an air traffic controller of a civil aircraft unless that person is the holder of a valid licence, rating or authorization for that purpose issued or validated by —

- (a) the Authority under these Regulations; or
- (b) the State in which the aircraft is registered,

Civil Aviation (Flight Safety) Regulations

and the conditions subject to which the licence, rating or authorization was issued or made valid are complied with.

Approval for personnel licensing

21.—(1) Without prejudice to these Regulations, the Authority may, for the purpose of personnel licensing as provided in this Part and in Part 2 of the Schedule, and subject to the conditions as the Authority thinks fit —

- (a) approve a course of training or instruction;
- (b) authorize a person to conduct examinations or tests as the Authority specifies;
- (c) approve a person to provide or conduct a course of training or instruction;
- (d) approve a person as qualified to furnish reports to the Authority and to accept the reports; and
- (e) certify an aviation training organization.

(2) Where these Regulations permits a test to be conducted in a flight simulator approved by the Authority, that approval may be granted subject to such conditions as the Authority thinks fit.

Grant of licence, rating or authorization

22.—(1) The Authority shall grant a licence, rating or authorization under this Part and Part 2 of the Schedule, subject to the conditions the Authority thinks fit, if satisfied that an applicant —

- (a) is a fit person to hold the licence, rating or authorization; and
- (b) is qualified by reason of his or her knowledge, experience, competence, skill, physical and mental fitness to act in the capacity to which the licence, rating or authorization relates.

(2) For the purpose of subregulation (1), an applicant shall furnish evidence and undergo examinations and tests, including medical examinations, and undertake courses of training as the Authority requires of that person.

*Civil Aviation (Flight Safety) Regulations***Requirement for signature of holder**

23.—(1) On receiving a licence, rating or authorization under this Part and Part 2 of the Schedule, the holder shall immediately sign his or her name on the licence, rating or authorization in ink with his or her ordinary signature.

(2) A licence, rating or authorization granted under this Part and Part 2 of the Schedule is not valid unless it bears on it the ordinary signature of the holder in ink.

Duration of licence, rating or authorization

24. A licence, rating or authorization remains in force for the period specified in the licence, rating or authorization but may be reviewed by the Authority to determine that the holder is fit and qualified under these Regulations.

Requirement for currency

25.—(1) The holder of a licence, rating or authorization granted under these Regulations shall not exercise the privileges of that licence, rating or authorization on a flight unless the holder is qualified and the licence, rating or authorization is current for the functions the holder is to perform on that flight under these Regulations.

(2) A person who, on the last occasion when he or she took a test for the purposes of qualification, competency or currency of the licence, rating or authorization, failed the test shall not fly in the capacity for which the test would have qualified him or her had he or she passed it.

Medical examination and certificate

26.—(1) The holder of a licence, rating or authorization granted under these Regulations for which a current medical certificate is a prerequisite to perform a function authorized, shall have a current medical certificate when engaging in the functions.

(2) An applicant for or holder of a licence, rating or authorization shall on the occasions the Authority requires, submit himself or herself to a medical examination by a person approved by the Authority who shall make a report to the Authority in such form as the Authority requires.

Civil Aviation (Flight Safety) Regulations

(3) On the basis of a medical examination under subregulation (2), the Authority or a person approved by the Authority as competent to do so, may issue to the holder of the licence, rating or authorization, a medical certificate subject to the requirements of Part 2 of the Schedule and such conditions as the Authority thinks fit, as being medically fit to perform the functions to which the licence, rating or authorization relates.

(4) A medical certificate issued under subregulation (3) is valid for the period specified in the medical certificate and is deemed to form part of the licence, rating or authorization.

(5) A person shall not act as a member of the flight crew of an aircraft registered in Saint Lucia if he or she knows or suspects that his or her physical or mental condition makes him or her temporarily or permanently unfit to perform the functions or to act in such capacity.

(6) A holder of a medical certificate issued under this regulation who —

- (a) suffers personal injury involving incapacity to undertake his or her functions as a member of the flight crew; or
- (b) suffers an illness involving incapacity to undertake functions as a member of the flight crew throughout a period of twenty days or more,

shall inform the Authority in writing of the injury or illness, as soon as possible in the case of injury and as soon as the period of twenty days has elapsed in the case of illness and the medical certificate is deemed to be suspended on the occurrence of the injury or the illness.

(7) A suspension under subregulation (6) ceases on the holder being medically examined under arrangements made by the Authority and pronounced fit to resume his or her functions as a member of the flight crew or on the Authority exempting, subject to such conditions as the Authority thinks fit, the holder from the requirement of a medical examination.

(8) The Authority may issue a certificate of validation making valid for the purposes of these Regulations a licence as a member of the flight crew of an aircraft registered under the law of a State other than Saint Lucia.

*Civil Aviation (Flight Safety) Regulations***Certificate of validation**

27. A certificate of validation may be issued under Part 2 of the Schedule subject to the conditions and for the periods as the Authority determines.

Logbook

28. A member of the flight crew of an aircraft registered in Saint Lucia and a person who engages in flying for the purpose of qualifying for the grant of a licence, rating or authorization or of establishing currency under these Regulations shall keep a personal flying logbook in which the information specified in Part 2 of the Schedule must be recorded.

PART III**AVIATION TRAINING ORGANISATION****Application of Part 3 of the Schedule**

29. Subject to this Part, Part 3 of the Schedule apply to the certification and administration of an aviation training organization.

Requirement for aviation training organization certificate

30. A person shall not engage in a programme of aviation training on behalf of a holder of an air operator certificate issued under these Regulations unless that person is the holder of a valid aviation training organization certificate issued under these Regulations and the conditions subject to which the aviation training organization certificate was issued are complied with.

Application for aviation training organization certificate

31. A person who intends to engage, in a programme of aviation training on behalf of a holder of an air operator certificate issued under these Regulations may make an application to the Authority for an aviation training organization certificate.

Civil Aviation (Flight Safety) Regulations

Grant of aviation training organization certificate

32.—(1) In granting an aviation training organization certificate to an organization situated in a Contracting State other than Saint Lucia, the Authority may take into account, in relation to the organization, the possession of a certificate of approval issued by the licensing authority of the Contracting State in which the organization is located.

(2) The Authority may grant an aviation training organization certificate to an organization which complies with the requirements of Part 3 of the Schedule in respect of the activities applied for.

(3) The Authority may grant an aviation training organization subject to the conditions and limitations and particulars contained in the certificate as determined by the Authority.

Form of aviation training organization certificate

33. An aviation training organization certificate is in such form as determined by the Authority.

Training and checking manual

34. An aviation training organization shall use a training and checking manual approved by the Authority that lays out the processes, procedures and quality systems applicable to its activities.

PART IV

REGISTRATION AND MARKING OF AIRCRAFT

Application of Part 4 of the Schedule

35. Subject to this Part, Part 4 of the Schedule applies to the requirement for registration and marking of an aircraft.

Aircraft to be registered

36.—(1) A person shall not fly or operate an aircraft in or over Saint Lucia unless it is registered in —

- (a) Saint Lucia under these Regulations;
- (b) a Contracting State;

Civil Aviation (Flight Safety) Regulations

- (c) another State in relation to which there is in force an agreement between the Government and the Government of that State which makes provision for the flight over Saint Lucia of an aircraft registered in that State,

and there is a valid certificate of registration in force for that aircraft and any conditions of that registration are complied with.

- (2) Subregulation (1) does not apply to a kite or captive balloon.

Application for registration

37. A person may make an application to the Authority for the registration of an aircraft, in the form and in the manner specified in Part 4 of the Schedule.

Registration of aircraft

38.—(1) On receiving an application for the registration of an aircraft in Saint Lucia the Authority shall, subject to these Regulations including Part 4 of the Schedule, register an aircraft on being satisfied that —

- (a) a person is qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in Saint Lucia or a share in the aircraft under this regulation; and
- (b) the aircraft may be registered.

(2) For the purposes of subregulation (1)(a) and subject to subregulation (3), the following persons are qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in Saint Lucia or a share in the aircraft —

- (a) the Government;
- (b) a citizen or permanent resident of Saint Lucia or other person as the Authority approves;
- (c) a company incorporated in Saint Lucia under the Companies Act, Cap. 13.01 and having its principal place of business in Saint Lucia.

Civil Aviation (Flight Safety) Regulations

(3) If a person, other than a person referred to in subregulation (2), holds a legal or beneficial interest by way of ownership in an aircraft, or a share in an aircraft, the Authority, on being satisfied that the aircraft may otherwise be registered, may register the aircraft in Saint Lucia and the person shall not cause or permit the aircraft, while it is registered under this regulation to be used for the purpose of commercial air transport or aerial work.

(4) If an aircraft is sold under a contract of hire-purchase, let on hire or chartered by demise to a person qualified under subregulation (2), the Authority may, whether or not that person is entitled as owner to a legal or beneficial interest in the aircraft, register the aircraft in Saint Lucia in the name of the hirer, purchaser, lessee or charterer on being satisfied that the aircraft may otherwise be registered, and subject to this regulation, the aircraft may remain registered during the continuation of the contract, lease or charter.

(5) If at any time after an aircraft has been registered in Saint Lucia a person under subregulation (3) becomes entitled to a legal or beneficial interest by way of ownership in the aircraft or a share in the aircraft, the registration of the aircraft becomes void and the certificate of registration shall immediately be returned by the registered owner to the Authority.

(6) In this regulation —

- (a) a reference to an interest in an aircraft does not include a reference to an interest in an aircraft to which a person is entitled only by virtue of his or her membership of a flying club; and
- (b) the reference in subregulation (5) to the registered owner of an aircraft includes in the case of a deceased person, his or legal personal representative, and in the case of a body corporate which has been dissolved, its successor.

Refusal or discontinuance of registration

39.—(1) Subject to this regulation, an aircraft shall not be registered or continue to be registered in Saint Lucia if it appears to the Authority that —

Civil Aviation (Flight Safety) Regulations

- (a) the aircraft is registered outside Saint Lucia and that the registration does not cease by operation of law on the aircraft being registered in Saint Lucia;
- (b) an unqualified person holds a legal or beneficial interest by way of ownership in the aircraft or a share in the aircraft;
- (c) it would be inexpedient in the public interest for the aircraft to be or to continue to be registered in Saint Lucia; or
- (d) the aircraft does not qualify for the issue of a certificate of airworthiness under regulation 38.

Certificate of registration

40. The Authority shall furnish to the person in whose name the aircraft is registered a certificate of registration.

Cancellation of registration

41.—(1) Subject to this regulation, the Authority may cancel the registration of an aircraft.

(2) Nothing in this Part requires the Authority to cancel the registration of an aircraft unless in its opinion it would be in the public interest to do so.

(3) The Authority shall cancel the registration of an aircraft within two months of being satisfied that there has been a change in the ownership of the aircraft.

Register of Aircraft

42.—(1) The Authority shall keep and maintain a register of the aircrafts registered in Saint Lucia to be known as the Register of Aircraft.

(2) The Register of Aircraft under subregulation (1) must include the following particulars in relation to an aircraft —

- (a) the number of the certificate;
- (b) the nationality mark of the aircraft, and the registration mark assigned to it by the Authority;

Civil Aviation (Flight Safety) Regulations

- (c) the name of the constructor of the aircraft and its designation;
- (d) the serial number of the aircraft; and
- (e) the name and address of each person who is entitled as owner to a legal interest or a share in the aircraft, or, in the case of an aircraft which is the subject of a charter by demise, the name and address of the charterer by demise; and
- (f) in the case of an aircraft registered under regulation 26 (3) and (4), an indication that it is so registered.

Amendment of Register

43. The Authority may, whenever it appears to be necessary or appropriate to do so for giving effect to these Regulations for bringing up to date or otherwise correcting the particulars entered on the Register of Aircraft, amend the Register of Aircraft or, if the Authority thinks fit,

Change of particulars of registration

44.—(1) The registered owner of an aircraft registered in Saint Lucia shall immediately inform the Authority in writing of —

- (a) a change in the particulars which were furnished to the Authority on the date of the application for the registration of the aircraft;
- (b) the destruction of the aircraft, or its permanent withdrawal from use; or
- (c) in the case of an aircraft registered under regulation 40(4), the termination of the demise charter.

(2) A person who becomes the owner of an aircraft registered in Saint Lucia shall within twenty-eight days inform the Authority in writing to that effect.

*Civil Aviation (Flight Safety) Regulations***Nationality and registration marks**

45.—(1) An aircraft, other than an aircraft permitted under these Regulations to fly without being registered, shall not fly in or over Saint Lucia unless it bears painted on or affixed to the aircraft, in the manner required by the law of the State in which it is registered, the nationality and registration marks required by that law.

(2) The marks to be borne by an aircraft registered in Saint Lucia must comply with Part 4 of the Schedule.

- (3) An aircraft shall not bear any marks which purport to indicate —
- (a) that the aircraft is registered in a State in which it is not in fact registered; or
 - (b) that the aircraft is a State aircraft of a particular State if it is not in fact such an aircraft, unless the appropriate authority of that State has sanctioned the bearing of the marks.

PART V**AIRWORTHINESS****Application of Part 5 of the Schedule**

- 46.** Subject to this Part, Part 5 of the Schedule applies to the —
- (a) certification of an aircraft and aeronautical components;
 - (b) issuance of airworthiness certificates and other certifications for aeronautical components;
 - (c) continued airworthiness of aircraft and aeronautical components;
 - (d) rebuilding and modifications of aircraft and aeronautical components;
 - (e) maintenance and preventative maintenance of aircraft;
 - (f) aircraft inspection requirements;
 - (g) air operator aircraft maintenance and inspection requirements; and
 - (h) other matters provided for in Part 5 of the Schedule.

*Civil Aviation (Flight Safety) Regulations***Type certificate**

47.—(1) A person shall not operate an aircraft registered in Saint Lucia for commercial air transport or aerial work unless —

- (a) the Authority has issued, accepted or validated, a type certificate for that aircraft as provided for in Part 5 of the Schedule and under this regulation; and
- (b) the person maintains or operates the aircraft in accordance with the type certificate that was used in the issuance of the certificate of airworthiness for that aircraft.

(2) A person who intends to operate an aircraft to be registered in Saint Lucia for commercial air transport or aerial work shall apply to the Authority for the issue, acceptance or validation of a type certificate under Part 5 of the Schedule, this regulation and the requirements of the Authority.

(3) An applicant for a type certificate or for the acceptance or validation of a type certificate, shall submit, with the application, detailed data identifying the airworthiness standards to which the aircraft was designed and data which describes the design, construction and performance of the aircraft.

(4) The Authority shall accept or validate a type certificate of an aircraft, engine or propeller that is imported into Saint Lucia, subject to the conditions or limitations as the Authority considers appropriate and in accordance with Part 5 of the Schedule, if —

- (a) the airworthiness authority of the State of manufacture has issued a type certificate on the basis of the Federal Aviation Regulations, the Joint Aviation Authorities Air Regulations or the Canadian Aviation Regulations; and
- (b) the type certificate approval basis meets the airworthiness requirements laid down by the Authority.

(5) In any other case, other than that mentioned under subregulation (4), the Authority may accept or validate a type certificate that is issued by the airworthiness authority of the State of manufacture and the type certificate approval basis meets the airworthiness requirements laid down by the Authority.

*Civil Aviation (Flight Safety) Regulations***Certificate of airworthiness**

48.—(1) Subject to subregulation (2), a person shall not fly or operate an aircraft in or over Saint Lucia unless there is in force in respect of the aircraft a certificate of airworthiness duly issued or made valid under the law of the State in which the aircraft is registered, and any conditions subject to which the certificate was issued or made valid are complied with.

(2) Subregulation (1) does not apply to flights beginning and ending in Saint Lucia without passing over any other State of the following aircraft —

- (a) an aircraft flying in accordance with a special airworthiness certificate issued under Part 5 of the Schedule; or
- (b) an aircraft flying in accordance with the conditions of a permit to fly issued by the Authority in respect of that aircraft.

(3) In the case of an aircraft registered in Saint Lucia, the certificate of airworthiness under subregulation (1) must be a certificate of airworthiness issued under these Regulations including Part 5 of the Schedule.

(4) The Authority shall issue in respect of an aircraft a certificate of airworthiness if the Authority is satisfied that the aircraft is fit to fly having regard to —

- (a) the design, construction, workmanship and materials of the aircraft, including in particular an engine fitted in the aircraft, and of equipment carried in the aircraft which the Authority considers necessary for the airworthiness of the aircraft; and
- (b) subject to subregulation (5) the results of flying trials, and other tests of the aircraft as the Authority requires.

(5) If the Authority has issued a certificate of airworthiness in respect of an aircraft which, in the Authority's opinion, is a prototype aircraft or a modification of a prototype aircraft, the Authority may dispense with flying trials in the case of any other aircraft if the Authority is satisfied that it conforms to the prototype or modification.

Civil Aviation (Flight Safety) Regulations

(6) A certificate of airworthiness must specify the conditions as are, in the opinion of the Authority, appropriate to the aircraft under Part 5 of the Schedule and the certificate must be issued subject to the condition that the aircraft is flown only for the purposes indicated on that certificate or associated certificate.

(7) The Authority may issue a certificate of airworthiness subject to other conditions relating to the airworthiness of the aircraft as the Authority thinks fit.

(8) A certificate of airworthiness may designate the performance group of the aircraft.

(9) The Authority may, subject to the conditions the Authority thinks fit, issue a certificate of validation making valid for the purposes of these Regulations a certificate of airworthiness issued in respect of an aircraft under the law of a State other than Saint Lucia.

(10) Subject to these Regulations, a certificate of airworthiness or validation issued under this regulation remains in force for the period specified on the certificate, and may be reviewed by the Authority to determine that the aircraft conforms to the applicable airworthiness requirements.

(11) A certificate of airworthiness or a certificate of validation issued in respect of an aircraft ceases to be in force —

- (a) if the aircraft, or its equipment as is necessary for the airworthiness of the aircraft, is overhauled, repaired or modified, or if any part of the aircraft or of the equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the Authority generally, in relation to a class of aircraft or to the particular aircraft;
- (b) until the completion of an inspection of the aircraft or of the equipment under paragraph (a), being an inspection made for the purpose of ascertaining whether the aircraft remains airworthy and —
 - (i) classified as mandatory by the Authority, or
 - (ii) required by a maintenance programme approved by the Authority in relation to the aircraft; or

Civil Aviation (Flight Safety) Regulations

- (c) until the completion to the satisfaction of the Authority of any modification of the aircraft or of the equipment under paragraph (a), being a modification required by the Authority for the purpose of ensuring that the aircraft remains airworthy.

(12) Nothing in these Regulations makes the Authority obligated to accept an application for the issue of a certificate of airworthiness or validation or for the variation or renewal of a certificate when the application is not supported by reports from an approved person as specified, generally or in a particular case or class of cases, by the Authority.

Prohibition on performing maintenance

49. A person shall not perform maintenance, preventative maintenance, or modifications on an aircraft except in accordance with Part 5 of the Schedule.

Airworthiness directive, modification and repair

50.—(1) An airworthiness directive, or equivalent, issued by the State of manufacture and mandatory service bulletins issued by an aircraft manufacturer must be complied with.

(2) The Authority may, in the interest of safety, request that an aircraft registered in Saint Lucia or operated by a holder of an air operator certificate issued under these Regulations, aircraft engine, propeller or component must be modified or undergo special inspections.

(3) A request under subregulation (2), is deemed to be an airworthiness directive and compliance is mandatory.

(4) An owner or operator of an aircraft registered in Saint Lucia and the holder of an air operator certificate issued under these Regulations shall ensure that the owner or operator receives all airworthiness directives and mandatory service bulletins that affect his or her aircraft and that are issued by the Authority, the licensing authority in the State of manufacture or the State of design.

(5) On the issue of an airworthiness directive or mandatory service bulletin the owner or operator of a Saint Lucia registered aircraft and each holder of an air operator certificate issued under

Civil Aviation (Flight Safety) Regulations

these Regulations shall —

- (a) take the action specified in the airworthiness directive and mandatory service bulletin; and
- (b) record the details of all actions taken under paragraph (a) in the logbook and other technical records of the aircraft.

(6) Mandatory or optional repairs or modifications must be embodied only in accordance with approved data specified and in accordance with the instructions issued by the Authority or the State of manufacture, the State of design, the type certificate holder or the manufacturer.

(7) A modification or repair is subject to approval by the Authority in accordance with detailed drawings and other technical data adequate to define completely the proposed modification and using approved materials, parts and processes conforming to the manufacturer's specifications and in accordance with a technical assessment showing compliance with an approved design standard.

Continued airworthiness

51.—(1) A person shall not fly an aircraft registered in Saint Lucia in respect of which a certificate of airworthiness is in force unless —

- (a) the aircraft, including in particular its engine and propeller and its equipment and radio station, is maintained in accordance with a maintenance programme developed in accordance with the regulations applicable to the type of operation;
- (b) the required inspections of the aircraft have been completed under the regulations applicable to the type of operation; and
- (c) there is a flight manual or other approved document carried on, and available in, the aircraft, in the form approved by the Authority, for the use of the flight crew containing —
 - (i) the limitations within which the aircraft is considered airworthy, and

Civil Aviation (Flight Safety) Regulations

- (ii) additional instructions and information as may be necessary to show compliance with the regulations relating to performance and for the safe operation of the aircraft.
- (2) The holder of an air operator certificate issued under these Regulations, or other operator of an aircraft, shall ensure that —
 - (a) an aircraft registered in Saint Lucia is maintained and periodically inspected in accordance with the requirements of the approved data and manuals issued by the manufacturer and in accordance with the maintenance programme issued by the manufacturer and approved by the Authority, and that all airworthiness directives and mandatory service bulletins are complied with; and
 - (b) an approved maintenance organization maintains its aircraft in an airworthy condition and in accordance with the approved maintenance programme.
- (3) The approved maintenance programme under subregulation (1) must specify the occasions on which an inspection must be carried out for the purpose of issuing a release to service under this regulation and the applicable Parts of the Schedule.
- (4) A release to service may be issued for the purposes of these Regulations only by —
 - (a) the holder of an aviation maintenance technician licence —
 - (i) granted under these Regulations and the applicable Parts and entitling the holder to issue that release to service, or
 - (ii) granted under the law of a State other than Saint Lucia and made valid under these Regulations in accordance with the rating, privilege and limitation of the licence;
 - (b) a person whom the Authority has authorized to issue a release to service in a particular case, and in accordance with that authority;
 - (c) an approved maintenance organization; or

Civil Aviation (Flight Safety) Regulations

- (d) subject to subregulation (5), a person approved by the Authority as being competent to issue a release to service, and in accordance with that approval.

(5) In approving a maintenance programme, the Authority may direct that a release to service relating to that programme, or to any part specified in its direction, may be issued only by the holder of a licence as is so specified.

(6) A person under subregulation (4) shall not issue a release to service unless the person has first verified that —

- (a) maintenance has been carried out on the aircraft in accordance with the maintenance programme approved for that aircraft;
- (b) inspections and modifications required by the Authority and the applicable requirements have been completed as certified in the relevant release to service;
- (c) defects entered in the aircraft logbook or technical log of the aircraft under these Regulations have been rectified or the rectification has been deferred in accordance with procedures approved by the Authority; and
- (d) other releases to service have been issued under these Regulations,

and for this purpose the operator of the aircraft shall make available to that person such information as is necessary.

(7) A release to service must be issued in duplicate and one copy of the most recently issued release to service must be carried in the aircraft when these Regulations so require, and the other must be kept by the operator elsewhere than in the aircraft.

(8) Subject to the provisions regarding retention of documents in these Regulations and its applicable Parts, each release to service shall be preserved by the operator of the aircraft for a period of two years after it has been issued.

*Civil Aviation (Flight Safety) Regulations***Other releases to service**

52.—(1) An aircraft registered in Saint Lucia, being an aircraft in respect of which a certificate of airworthiness issued or made valid under these Regulations is in force, shall not fly unless there is in force a release to service issued under this regulation if the aircraft or a part of the aircraft or its equipment as is necessary for the airworthiness of the aircraft has been overhauled, repaired, replaced, modified, maintained, or has been inspected as required by these Regulations.

(2) A person shall not install or place on board for use in an aircraft registered in Saint Lucia or operated by a holder of an air operator certificate issued under these Regulations —

- (a) equipment provided in compliance with Part 7 of the Schedule; and
- (b) radio apparatus provided for use in an aircraft or in a survival craft carried in an aircraft, whether or not the apparatus is provided in compliance with these Regulations,

after being overhauled, repaired, modified or inspected, unless there is in force at the time when it is installed or placed on board a release to service issued under this regulation.

(3) A release to service must —

- (a) certify that the aircraft or a part of the aircraft or its equipment has been overhauled, repaired, replaced, modified or maintained, in a manner and with material of a type accepted or approved by the Authority generally or in relation to a class of aircraft or the particular aircraft; and
- (b) identify the overhaul, repair, replacement, modification or maintenance to which the certificate relates; and
- (c) include particulars of the work done; or
- (d) certify in relation to an inspection required by the Authority that the aircraft or a part of the aircraft or its equipment, has been inspected in accordance with the requirements of the Authority and that any consequential repair, replacement or modification has been carried out as in accordance with the requirements of the Authority.

Civil Aviation (Flight Safety) Regulations

(4) A release to service shall be preserved by the operator of the aircraft to which it relates for the period of time for which he or she is required to preserve the logbook relating to the same part of the aircraft or to the same equipment or apparatus.

(5) In this regulation, "repair", in relation to a compass, includes the adjustment of and compensation for the compass.

Aircraft logbook or technical log

53.—(1) An aircraft logbook or technical log must be kept in respect of an aircraft registered in Saint Lucia or an aircraft operated by the holder of an air operator certificate issued under these Regulations.

(2) At the end of a flight by an aircraft operated by the holder of an air operator certificate issued under these Regulations, the pilot in command shall enter in the aircraft logbook or technical log, the information required under these Regulations applicable to the type of operation, and sign and date the entries.

(3) On the rectification of a defect which has been entered in a technical log under subregulation (2), a person issuing a release to service required by these Regulations in respect of that defect shall enter that information in the aircraft logbook or technical log in such a position as to be readily identifiable with the defect to which it relates.

(4) Subject to subregulation (5), the aircraft technical log must be carried in the aircraft as required by the applicable regulation and Parts, and copies of the entries referred to in this regulation must be kept on the ground.

(5) In the case of an aeroplane of which the maximum total weight authorized does not exceed two thousand seven hundred and thirty kilogrammes, or a helicopter, if it is not reasonably practicable for the copy of the technical log to be kept on the ground the copy may be carried in the aeroplane or helicopter, in a container approved by the Authority for that purpose.

Aircraft, engine and propeller logbooks

54.—(1) Without prejudice to regulation , the following logbooks must be kept in respect of an aircraft registered in Saint Lucia —

- (a) an aircraft logbook;

Civil Aviation (Flight Safety) Regulations

- (b) a separate logbook in respect of each engine fitted in the aircraft; and
- (c) a separate logbook in respect of each variable pitch propeller fitted to the aircraft.

(2) A logbook under subregulation (1) must include the particulars specified in Part 5 of the Schedule.

(3) An entry in the logbook —

- (a) other than an entry under Part 5 of the Schedule must be made as soon as practicable after the occurrence to which it relates;
- (b) under Part 5 of the Schedule must be made on each occasion that a maintenance, an overhaul, a repair, a replacement, a modification or an inspection is undertaken on the engine or propeller;
- (c) may refer to other documents, which must be clearly identified, and any other document referred to in the logbook is deemed, for the purposes of these Regulations, to be part of the logbook.

(4) An operator of an aircraft in respect of which a logbook is required to be kept under this regulation, shall keep the logbook or cause the logbook to be kept in accordance with this regulation.

(5) Subject to the provisions regarding retention of documents, a logbook shall be preserved by the operator of an aircraft until a date two years after the aircraft, the engine or the variable pitch propeller, has been destroyed or has been permanently withdrawn from use.

Aircraft weight schedule

55.—(1) An aircraft in respect of which a certificate of airworthiness issued or made valid under these Regulations is in force must be weighed, and the position of its centre of gravity determined, at the time and in the manner as the Authority requires or approves in the case of that aircraft.

(2) On the aircraft being weighed under subregulation (1), the operator of the aircraft shall prepare a weight schedule showing —

Civil Aviation (Flight Safety) Regulations

- (a) the basic weight of the aircraft, that is, the weight of the aircraft empty together with the weight of unusable fuel and unusable oil in the aircraft and of the items or equipment as are indicated in the weight schedule, or such other weight as may be approved by the Authority in the case of that aircraft; and
- (b) the position of the centre of gravity of the aircraft when the aircraft contains only the items included in the basic weight or other position of the centre of gravity as may be approved by the Authority in the case of that aircraft.

(3) Subject to the provisions for retention of documents, the weight schedule shall be preserved by the operator of the aircraft until the expiration of a period of six months following the next occasion on which the aircraft is weighed for the purposes of this Regulation.

PART VI

APPROVED MAINTENANCE ORGANISATION

Application of Part 6 of the Schedule

- 56.** Subject to this Part, Part 6 of the Schedule applies to the —
- (a) issuing of approvals to organizations for maintenance, preventative maintenance and modifications of an aircraft and an aeronautical product; and
 - (b) general operating rules for an approved maintenance organization.

Requirement for approved maintenance organization certificate

- 57.** An organization shall not carry on —
- (a) the design, manufacture, distribution, maintenance, modification or repair of an aircraft, an aircraft component or an aircraft material; or
 - (b) training activities associated the design, manufacture, distribution, maintenance, modification or repair of an aircraft, an aircraft component or an aircraft material,

unless that organization holds a valid approved maintenance organization certificate under these Regulations and Part 6 of

Civil Aviation (Flight Safety) Regulations

the Schedule and the conditions subject to which the approved maintenance organization certificate was issued are complied with.

Application for approved maintenance organization certificate

58. An organization may make an application in the form specified by the Authority, for an approved maintenance organization certificate to carry on —

- (a) the design, manufacture, distribution, maintenance, modification or repair of an aircraft, an aircraft component or an aircraft material; or
- (b) training associated the design, manufacture, distribution, maintenance, modification or repair of an aircraft, an aircraft component or an aircraft material.

Grant of approved maintenance organization certificate

59.—(1) The Authority may, in granting an approved maintenance organization certificate to an organization situated outside Saint Lucia take into account, in relation to the organization, the possession of a certificate of approval issued by the manufacturer of the aircraft, aircraft component or aircraft material and by the licensing authority of the State in which the organization is located.

(2) The Authority shall issue an approved maintenance organization certificate to an organization which complies with the requirements of Part 6 of the Schedule as to facilities, resources, tools and equipment, data and documentation, and systems of quality control, adequate for the activities applied for and shall have in place a maintenance manual approved by the Authority that lays out the processes, procedures and quality systems applicable to its activities.

(3) The Authority may grant an approved maintenance organization certificate subject to the conditions and limitations determined by the Authority.

Form of approved maintenance organization certificate

60. An approved maintenance organization certificate in the form must contain the particulars determined by the Authority.

Civil Aviation (Flight Safety) Regulations

Duration of approved maintenance organization certificate

61. An approved maintenance organization certificate remains in force for the period specified in the certificate, and may be reviewed by the Authority to determine that the holder remains fit and qualified in accordance with the requirements of Part 6 of the Schedule.

**PART VI
AIRCRAFT INSTRUMENTS AND EQUIPMENT**

Application of Part 7 of the Schedule

62. Subject to this Part, the provisions of Part 7 of the Schedule apply to the minimum instrument and equipment requirements for all aircraft in all operations.

Requirement for instruments and equipment

63.—(1) A person shall not fly or operate an aircraft in or over Saint Lucia unless it is so equipped as to comply with the law of the State in which it is registered.

(2) In the case of an aircraft registered in Saint Lucia or operated by the holder of an air operator certificate issued under these Regulations, the instruments and equipment required to be provided, in addition to any other equipment required by or under these Regulations, is the instrument and equipment specified in Part 7 of the Schedule as are applicable in the circumstances and shall comply with the provisions of that Part and the equipment, shall be of a type approved by the Authority generally or in relation to a class of an aircraft or in relation to that aircraft and must be installed in a manner so approved.

(3) In any particular case the Authority may direct that an aircraft registered in Saint Lucia or operated by the holder of an air operator certificate issued under these Regulations shall carry additional, special equipment or supplies as the Authority specifies for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations, or the survival of the persons carried in the aircraft.

(4) The equipment carried under this regulation must be so installed or stowed and kept stowed, and so maintained and adjusted, as to be readily accessible and capable of being used by the person for whose use it is intended.

Civil Aviation (Flight Safety) Regulations

(5) The position of equipment provided for emergency use must be indicated by clear markings in or on the aircraft and in particular in every aircraft operated by the holder of an air operator certificate issued under these Regulations.

(6) The holder of an air operator certificate shall provide for each passenger individually, or if the Authority so permits in writing, exhibited in a prominent position in every passenger compartment, a notice relevant to the aircraft in question containing the pictorial required by the provisions of Part 9 of the Schedule.

(7) All instruments and equipment installed or carried in an aircraft, whether or not in compliance with this Regulation, must be so installed or stowed and so maintained and adjusted as not to be a source of danger in itself or to impair the airworthiness of the aircraft or the proper functioning of equipment or services necessary for the safety of the aircraft.

(8) Without prejudice to subregulation (2), all navigational equipment when carried in an aircraft registered in Saint Lucia, whether or not in compliance with these Regulations, must be of a type approved by the Authority generally or in relation to a class of aircraft or in relation to that aircraft and must be installed in a manner so approved.

(9) An aircraft registered in Saint Lucia, or operated by the holder of an air operator certificate issued under these Regulations, engaged on a flight for the purpose of commercial air transport must carry navigational equipment in accordance with the requirements or air traffic services in the areas of operation as required by Part 7 of the Schedule, approved by the Authority under the requirements of the applicable Parts and used in accordance with any conditions subject to which that approval may have been given.

Radio equipment requirements

64.—(1) A person shall not fly or operate an aircraft in or over Saint Lucia unless it is so equipped with radio and radio navigation equipment as to comply with these Regulations or the law of the State in which the aircraft is registered and to enable communications to be made and the aircraft to be navigated, in accordance with these Regulations.

Civil Aviation (Flight Safety) Regulations

(2) An aircraft must be equipped with radio and radio navigation equipment in accordance with Part 7 of the Schedule.

(3) In any particular case, the Authority may direct that an aircraft registered in Saint Lucia or operated by the holder of an air operator certificate issued under these Regulations shall carry additional, special radio or radio navigation equipment as the Authority specifies for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations or the survival of the persons carried in the aircraft.

(4) Subject to such exceptions as may be prescribed, the radio and radio navigation equipment provided in compliance with this regulation in an aircraft registered in Saint Lucia or operated by the holder of an air operator certificate issued under these Regulations must be maintained in serviceable condition.

(5) All radio and radio navigation equipment installed in an aircraft registered in Saint Lucia or operated by the holder of an air operator certificate issued under these Regulations or carried on an aircraft for use in connection with the aircraft must be of a type approved by the Authority in relation to the purpose for which it is to be used, and must, be installed in a manner approved by the Authority and the equipment or the manner in which it is installed cannot be modified except with the approval of the Authority.

Minimum equipment requirements

65.—(1) A person shall not operate an aircraft under these Regulations unless —

- (a) the aircraft complies with the minimum instrument and equipment requirements of Part 7 of the Schedule; and
- (b) in the case of a holder of an air operator certificate, the approved minimum equipment list, for the route, altitude, and type of operations being conducted.

(2) The Authority may, subject to the conditions as the Authority thinks fit, grant in respect of an aircraft or class of aircraft registered in Saint Lucia an authorization to allow the aircraft to commence a flight in specified circumstances notwithstanding that a specified item of equipment, including radio apparatus, required under these Regulations to be carried in the circumstances of the intended flight is not carried or is not in a fit condition for use.

Civil Aviation (Flight Safety) Regulations

(3) An aircraft registered in Saint Lucia or operated by the holder of an air operator certificate issued under these Regulations shall not commence a flight if the equipment, including radio apparatus, required under these Regulations to be carried in the circumstances of the intended flight is not carried or is not in a fit condition for use —

- (a) otherwise than under and in accordance with the terms of a special authorization which has been granted to the operator;
- (b) unless in the case of an aircraft to which the flight and operations manuals required contain the particulars specified for the flight and operations; and
- (c) in accordance with a minimum equipment list approved by the Authority, identifying the minimum equipment and condition for an aircraft to maintain the certificate of airworthiness in force and defining operational procedures necessary to deal with inoperative equipment and prescribing maintenance procedures necessary to maintain the required level of safety and secure any inoperative equipment.

**PART VII
OPERATIONS**

Application of Part 8 of the Schedule

66. Subject to this Part, Part 8 of the Schedule applies to the requirements for —

- (a) operations conducted by an airman licenced in Saint Lucia while operating an aircraft registered in Saint Lucia;
- (b) operations of an aircraft registered in a State other than Saint Lucia, by a holder of an air operator certificate issued in Saint Lucia;
- (c) operations of an aircraft within Saint Lucia, by an airman or an air operator holding a certificate issued by a State other than Saint Lucia;
- (d) for operations outside of Saint Lucia, by an airman or operator registered in Saint Lucia unless compliance

Civil Aviation (Flight Safety) Regulations

would result in a violation of the laws of the State in which the operation is conducted; and

- (e) any other matter specified in that Part.

Prohibition on operations

67.—(1) A person shall not operate an aircraft —

- (a) registered in Saint Lucia;
- (b) in or over Saint Lucia;
- (c) outside of Saint Lucia, in the case of a person who is the holder of a valid air operator certificate issued under these Regulations,

unless the person complies with the requirements specified in subregulation (2).

(2) The requirements referred to in subregulation (1) are that —

- (a) the aircraft is in compliance with the aircraft requirements specified under these Regulations and Part 8 of the Schedule;
- (b) the flight crew comply with the flight crew requirements, duties and responsibilities specified under these Regulations including Part 8 and the Schedule;
- (c) the flight complies with the requirements specified under these Regulations including Part 8 of the Schedule for all passenger carrying operations;
- (d) the flight plans, flight planning and other preflight preparations comply with the requirements specified under these Regulations and Part 8 of the Schedule;
- (e) the flight is conducted in compliance with the flight rules specified under these Regulations including Part 8 of the Schedule unless, in the case of an aircraft being flown outside of Saint Lucia, such compliance would result in non-compliance with a law or Regulation of the State over which it being flown;
- (f) the flight is conducted in compliance with the requirements specified under these Regulations for operations in

Civil Aviation (Flight Safety) Regulations

controlled flight unless, in the case of an aircraft being flown outside of Saint Lucia, such compliance would result in non-compliance with a law or Regulation of the State over which the aircraft is being flown.

(3) A person shall not recklessly or negligently cause or permit an aircraft to endanger a person or property.

(4) A person in an aircraft registered in Saint Lucia or elsewhere, 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 a person or property carried in the aircraft, or the safety, efficiency or regularity of air navigation.

(5) A person shall not while in an aircraft —

- (a) use threatening, abusive or insulting words towards a member of the crew of the aircraft;
- (b) behave in a threatening, abusive, insulting or disorderly manner towards a member or the crew of the aircraft; or
- (c) intentionally interfere with the performance of the crew of an aircraft of his or her duties.

PART IX**AIR OPERATOR CERTIFICATION AND OPERATIONS****Application of Part 9 of the Schedule**

68. Subject to this Part, Part 9 of the Schedule applies to —

- (a) the carriage of passengers, cargo or mail for remuneration, hire or reward by a person whose principal place of business or permanent residence is located in Saint Lucia;
- (b) the requirements for the original certification and continued validity of air operator certificates issued in Saint Lucia; and
- (c) all commercial air transport operations by holders of air operator certificates for which Saint Lucia is the State of the operator pursuant to the definitions provided in Annex 6 of the Chicago Convention.

*Civil Aviation (Flight Safety) Regulations***Commercial air transport**

69. For the purposes of these Regulations a person is deemed to be engaged in providing commercial air transport to, from, in or over Saint Lucia if that person or agent of that person —

- (a) has undertaken any form of advertising to carry passengers or property by aircraft to, from, in or over Saint Lucia for remuneration or valuable consideration;
- (b) offers verbally or otherwise to carry passengers or property by aircraft to, from, in or over Saint Lucia for remuneration or valuable consideration;
- (c) provides or advertises an arrangement for meals, lodging or travel, or any other all-inclusive method of pricing, for compensation, in which the travel by an aircraft to, from, in or over Saint Lucia is included at gratis or is compensated;
- (d) carries passengers or property by an aircraft to, from, in or over Saint Lucia for remuneration or valuable consideration.

Requirement for air operator certificate

70.—(1) A person shall not engage in commercial air transport to, from, in or over Saint Lucia, unless that person is a foreign air carrier in which case Part X applies or holds a valid air operator certificate issued under these Regulations and Part 9 of the Schedule and —

- (a) the conditions subject to which the air operator certificate was issued are complied with;
- (b) the initial certification requirements for commercial air transport operations pursuant to Part 9 of the Schedule are complete;
- (c) the operations are in conformity with the authorizations and limitations of the air operator certificate issued under the requirements of Part 9 of the Schedule;

Civil Aviation (Flight Safety) Regulations

- (d) the aircraft is specifically authorized by serial and registration number for the operations of the holder of the air operator certificate in accordance with Part 9 of the Schedule;
- (e) the operations are in conformity with the applicable requirements of the security program specified in Part 9 of the Schedule;
- (f) the aircraft is maintained in accordance with the applicable maintenance requirements of Parts 5, 6 and 9 of the Schedule;
- (g) the passenger-carrying requirements are complied with pursuant to Part 9 of the Schedule;
- (h) the assigned aviation personnel are qualified and current in conformity with the minimum qualification, training and checking of Part 9 of the Schedule;
- (i) the assigned aviation personnel are in conformity with the duty and flight time and minimum rest periods specified in Part 9 of the Schedule;
- (j) the flight is released in conformity with the flight release requirements specified in Part 9 of the Schedule; and
- (k) the mass and balance and performance requirements specified in Part 9 of the Schedule are complied with.

Application for air operator certificate

71.—(1) A person may make an application to the Authority for an air operator certificate to engage in commercial air transport to, from, in or over Saint Lucia.

(2) An application under subregulation (1) must in the form specified by the Authority.

*Civil Aviation (Flight Safety) Regulations***Grant of air operator certificate**

72.—(1) The Authority may grant an air operator certificate if the Authority is satisfied that the person is competent and capable, having regard in particular to the person's previous conduct and experience, equipment, organization, staffing, maintenance and other arrangements, to secure the safe operation of an aircraft of the type specified in the certificate on flights of the description and for the purposes specified.

(2) Without limiting the generality of subregulation (1), the Authority shall have regard to the following as are applicable —

- (a) the nationality of the applicant and whether the grant or refusal of the application is in the public interest;
- (b) any uneconomic duplication or uneconomic overlapping of air services that might result from the grant of the application;
- (c) the ability of the applicant to meet its financial obligations, actual or potential;
- (d) the likelihood of the applicant being able to provide air services which are satisfactory from the point of view of safety, regularity, frequency of operation, level of charges and general standard and efficiency and, in the case of an application for renewal or variation of a certificate, whether the applicant's existing air services are satisfactory;
- (e) whether or not the aircraft proposed to be used and the air services proposed to be provided are suited to the airports and airport facilities to be used;
- (f) any obligations imposed on Saint Lucia by an international agreement or treaty;
- (g) any other matter which is, in the opinion of the Authority, relevant to the application.

(3) Without prejudice to subregulations (1) and (2) —

- (a) the applicant must possess a management organization capable of exercising operational control and supervision over any flight operated under the terms of the air operator certificate;

Civil Aviation (Flight Safety) Regulations

- (b) the applicant must have nominated an accountable manager, acceptable to the Authority, who has responsibility for ensuring that all maintenance relating to the operator's aircraft is carried out in accordance with the approved maintenance programme and to the standard required by the Authority; and
- (c) the applicant shall produce evidence that he or she has capacity to comply with the Parts of the Schedule specifically applicable to a holder of an air operator certificate prior to issuance of the air operator certificate, including Parts 7, 8, 9 & 10 of the Schedule.

(4) An air operator certificate may be granted subject to the conditions the Authority considers appropriate.

Duration of air operator certificate

73. An air operator certificate remains in force for the period specified in Part 9 of the Schedule.

Review of air operator certificate

74. An air operator certificate may be reviewed by the Authority to determine that the holder is fit and qualified in accordance with the requirements of Part 9 of the Schedule.

Maintenance of standards of operations

75.—(1) A holder of an air operator certificate shall maintain the required standards of operations established in these Regulations in the conduct of its commercial air transport operations.

(2) The Authority shall establish a system of continued surveillance to ensure that the holder of an air operator certificate maintains the required standards of operations established in these Regulations.

Shipping and acceptance of dangerous goods

76.—(1) A person shall not on an aircraft, ship, cause to be shipped, accept for shipment or allow to be carried, any dangerous goods unless so authorised by the Authority.

Civil Aviation (Flight Safety) Regulations

(2) A person shipping articles or substances that may be dangerous goods shall declare such goods in the shipping papers and cause such articles to be so marked.

(3) A person shall not operate or cause to be operated an aircraft carrying dangerous goods unless such carriage is approved by the Authority.

(4) An approval of the Authority under this regulation does not have the effect of dispensing with any permission required under any other law in force in Saint Lucia.

Munitions of war

77.—(1) An air operator shall not carry or cause or allow to be carried on an aircraft, any munitions of war unless —

- (a) the munitions of war are carried with the written permission of the Authority and in accordance with any conditions relating to the permission; and
- (b) the pilot in command of the aircraft is informed in writing by the air operator before the flight commences of the type, weight or quantity and location of the munitions of war on board or suspended beneath the aircraft and any conditions of the permission of the Authority.

(2) Notwithstanding subregulation (1) an air operator shall not carry or cause or allow to be carried any weapon or munitions of war in any compartment or apparatus to which passengers have access.

(3) A person shall not carry or have in his or her 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 on aircraft any weapon or munitions of war unless —

- (a) the weapon or munitions of war —
 - (i) is part of the baggage of a passenger on the aircraft or consigned as cargo to be carried on the aircraft,
 - (ii) is carried in a part of the aircraft, or in any apparatus attached to the aircraft inaccessible to passengers, or

Civil Aviation (Flight Safety) Regulations

(iii) in the case of a firearm, is unloaded; and

- (b) particulars of the weapon or munitions of war have been furnished by the passenger or by the consignor to the operator before the flight commences; and
- (c) the air operator consents to the carriage of the weapon or munitions of war by the aircraft.

(4) Nothing in this regulation applies to any weapon or munitions of war taken or carried on board an aircraft in Saint Lucia registered in a State other than Saint Lucia, if the weapon or munitions of war, may under the law of the State 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) An approval of the Authority under this regulation does not have the effect of dispensing with any permission required under any other law in force in Saint Lucia.

(6) In this regulation, “munitions of war” means a weapon, ammunition or article containing an explosive or a noxious liquid, gas or other thing which is designed or made for use in warfare or against persons, and includes parts, whether components or accessories, for the weapon, ammunition or article.

PART X

**COMMERCIAL AIR TRANSPORT BY FOREIGN AIR
OPERATORS WITHIN SAINT LUCIA**

Application of Part 10 of the Schedule

78.—(1) Subject to subregulation (2), the provisions of Part 10 of the Schedule apply to the operation of a civil aircraft for the purpose of commercial air transportation operations by a foreign air operator.

(2) The provisions of Part 10 of the Schedule do not apply to an aircraft when used by military, customs, and police services, which are not used for hire or reward.

Civil Aviation (Flight Safety) Regulations

Foreign air operator commercial air transport requirements

79. A foreign air operator shall not engage in commercial air transportation operations to, from, in or over Saint Lucia contrary to the requirements of —

- (a) Part 10 of the Schedule;
- (b) the applicable paragraphs of Parts 7 and 8 of the Schedule; and
- (c) the standards contained in ICAO Annex 6, Parts I and III.

PART XI

AERIAL WORK

Application of Part 11 of the Schedule

80. Subject to this Part, the provisions of Part 11 of the Schedule apply to aerial work within Saint Lucia.

Prohibition on dropping of articles

81. An aircraft shall not be used for the dropping of articles for the purposes of agriculture, horticulture or forestry or for training for the dropping of articles for any of such purposes, otherwise than in accordance with the terms of a certificate granted to the operator of the aircraft for the purposes of that aerial work under these Regulations.

Requirement for certificate

82. A person shall not operate an aircraft in aerial work within Saint Lucia, unless the person is the holder of a valid certificate for the purpose of that aerial work issued under these Regulations and Part 11 of the Schedule and the conditions subject to which the certificate was issued are complied with.

Application for certificate for aerial work

83.—(1) A person may make an application to the Authority for a certificate for aerial work.

(2) An application under subregulation (1) must in the form specified by the Authority.

*Civil Aviation (Flight Safety) Regulations***Grant of certificate for aerial work**

84.—(1) The Authority may grant a certificate for aerial work if the Authority is satisfied that the person is a fit person to hold the certificate and is competent, having regard in particular to that person's previous conduct and experience, the equipment, organization, staffing and other arrangements for that purpose, to secure the safe operation of the aircraft specified in the certificate on flights for the purposes specified in the certificate.

(2) A certificate for aerial work may be granted subject to the conditions the Authority thinks fit including, conditions for ensuring that the aircraft and any article dropped from it do not endanger persons or property in the aircraft or elsewhere.

Duration of certificate for aerial work

85. A certificate for aerial work remains in force for the period specified in the issued authorization.

Review of certificate for aerial work

86. The Authority may review a certificate for aerial work to determine whether the holder is fit and qualified in accordance with requirements of Part 11.

Aerial application manual

87.—(1) An applicant for and holder of a certificate for aerial work shall make available to the Authority on application and to every member of the operating staff on the certificate being granted, an aerial application manual containing the information and instructions as may be necessary to enable the operating staff to perform their duties.

(2) The holder of a certificate for aerial work shall make the amendments of or additions to the manual as the Authority requires.

Towing, picking up and raising of persons and articles

88.—(1) Subject to this regulation and the requirements of Part 11 of the Schedule, an aircraft in flight over Saint Lucia shall not, by means external to the aircraft, tow an article, or pick up or raise a person, an animal or an article, unless the certificate of airworthiness

Civil Aviation (Flight Safety) Regulations

issued or made valid in respect of that aircraft under the law of the State in which the aircraft is registered, includes an express provision that it may be used for that purpose.

(2) Nothing in this regulation —

- (a) prohibits the towing in a reasonable manner by an aircraft in flight of a radio aerial, an instrument which is being used for experimental purposes, or a signal apparatus required or permitted under these Regulations to be towed or displayed by an aircraft in flight;
- (b) prohibits the picking up or raising of a person, an animal or an article in an emergency or for the purpose of saving life.

Dropping of animals and articles

89.—(1) Subject to subregulation (3), an article and an animal, whether or not attached to a parachute, shall not be dropped, or permitted to drop, from an aircraft in flight so as to endanger persons or property.

(2) Subject to subregulation (3), except in accordance with the terms of a certificate for aerial work and the requirements of Part 11 of the Schedule, an article and an animal, whether or not attached to a parachute, shall not be dropped, or permitted to drop, to the surface from an aircraft flying over Saint Lucia.

(3) This regulation does not apply to the dropping of an article by, or with the authority of, the pilot in command of the aircraft in any of the following circumstances —

- (a) the dropping of articles for the purpose of saving life;
- (b) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
- (c) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with these Regulations;
- (d) the dropping at an aerodrome of tow ropes, banners, or similar articles towed by the aircraft;

Civil Aviation (Flight Safety) Regulations

- (e) the dropping of articles for the purposes of public health or as a measure against weather conditions, surface icing or oil pollution, or for training for the dropping of articles for any such purposes, if the articles are dropped with the permission of the Authority and in accordance with any conditions subject to which that permission may have been given;
- (f) the dropping of wind drift indicators for the purpose of enabling parachute descents to be made if the wind drift indicators are dropped with the permission of the Authority and in accordance with any conditions subject to which that permission may have been given.

(4) Nothing in this regulation prohibits the lowering of an article or an animal from a helicopter to the surface, if the certificate of airworthiness issued or made valid in respect of the helicopter under the law of the State in which it is registered includes an express provision that it may be used for that purpose.

Dropping of persons

90.—(1) A person shall not drop, be dropped or be permitted to drop to the surface or jump from an aircraft flying over Saint Lucia except under and in accordance with the terms of an authorization granted by the Authority for that purpose.

(2) Notwithstanding the grant of an authorization under subregulation (1), a person shall not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.

(3) An aircraft shall not be used for the purpose of dropping persons unless the certificate of airworthiness issued or made valid in respect of that aircraft under the law of the State in which the aircraft is registered includes an express provision that it may be used for that purpose and the aircraft is operated in accordance with the authorization granted by the Authority for that purpose.

(4) An applicant for and a holder of an authorization under subregulation (1) shall make available to the Authority if requested to do so a parachuting manual and shall make such amendments or additions to the manual as the Authority requires.

Civil Aviation (Flight Safety) Regulations

(5) The holder of an authorization shall make available to an employee or person who is or may engage in parachuting activities conducted by that holder, the manual which must contain the information and instructions as may be necessary to enable the employee or person to perform his or her duties.

(6) Without prejudice to these Regulations the Authority may, for the purpose of this regulation, accept a report furnished to the Authority by a person whom the Authority may approve, subject to the conditions the Authority thinks fit, as qualified to furnish the report.

(7) Nothing in this regulation applies to the descent of a person by parachute from an aircraft in an emergency.

(8) Nothing in this regulation prohibits the lowering of a person in an emergency or for the purpose of saving life.

(9) Nothing in this regulation prohibits the lowering of a person from a helicopter to the surface in Saint Lucia, if the certificate of airworthiness in respect of the helicopter under the law of the State in which it is registered includes an express provision that it may be used for that purpose.

Aerial photography and survey from aircraft

91.—(1) A person shall not operate an aircraft over Saint Lucia for the aerial photography, aerial survey or other form of aerial work except with an authorization from the Authority granted for that purpose to the operator or the charterer of the aircraft and in accordance with any conditions to which the authorization may be subject.

(2) A breach by a person to whom an authorization has been granted under this regulation or a condition to which that authorization is subject constitutes a contravention of this regulation.

Exhibitions of flying aircraft, races or contests

92.—(1) A person shall not act as an exhibition organizer unless at the time at which an organized event commences the exhibition organizer has obtained the permission in writing of the Authority for the organized event and complies with the conditions specified in the permission and the requirements of Part 8 of the Schedule.

Civil Aviation (Flight Safety) Regulations

(2) The pilot in command of an aircraft intending to participate in an organized event for which a permission is required under subregulation (1) shall take all reasonable steps to satisfy himself or herself before he or she participates that —

- (a) the exhibition organizer has been granted the permission;
- (b) the flight complies with any relevant conditions subject to which the permission is granted; and
- (c) the pilot has been granted an authorization appropriate to the intended flight.

(3) The Authority shall grant the permission required under subregulation (1) to a person applying therefor if the Authority is satisfied that the person is a fit and competent person, having regard in particular to that person's previous conduct and experience, the organization, staffing and other arrangements for the activity, to safely organise the proposed organized event.

(4) The permission pursuant to subregulation (1) may be granted subject to such conditions, which may include conditions in respect of military aircraft, as the Authority thinks fit and shall, if there is continued compliance, remain in force for the period specified in the permission.

Restriction on pilot participating in an organized event

93. A person shall not act as pilot of an aircraft participating in an organized event for which permission is required under subregulation (1) unless the person holds a display authorization appropriate to the intended flight granted to him or her by the Authority and he or she complies with the conditions of the authorization.

Display authorization

94.—(1) An exhibition organizer shall not permit a person to act as pilot of an aircraft which participates in an organized event for which permission is required under subregulation (1) unless the pilot of the aircraft holds a display authorization appropriate to the intended flight granted by the Authority.

Civil Aviation (Flight Safety) Regulations

(2) A pilot may make an application to the Authority for a display authorization.

(3) The Authority shall, for the purposes of this regulation, unconditionally or subject to such conditions as the Authority thinks fit —

- (a) grant a display authorization authorizing the holder to act as pilot of an aircraft taking part in an exhibition of flying in respect of which a permission is required pursuant to sub-regulation (1) on the Authority being satisfied that the applicant is a fit person to hold the authorization and is qualified by reason of his or her knowledge, experience, competence, skill, physical and mental fitness to fly in accordance therewith and for that purpose the applicant shall furnish such evidence and undergo such examinations and tests as the Authority may require of him or her; and
- (b) authorize a person to conduct such examinations or tests as the Authority may specify.

(4) The pilot in command of an aircraft participating in an organized event for which permission required under subregulation (1) has been granted shall comply with the conditions subject to which the permission is granted.

(5) A display authorization granted under this regulation must, if the Authority is satisfied that the person to whom it was granted remains in compliance with the authorization, remain in force for the period indicated in the display authorization.

(6) An exhibition organizer shall not permit any military aircraft to participate in an exhibition of flying for which permission is required pursuant to subregulation (1) unless the organiser complies with the conditions specified in respect of military aircraft subject to which such permission is granted.

*Civil Aviation (Flight Safety) Regulations***PART XII****AIRCRAFT ACCIDENT REPORTING AND INVESTIGATION
REQUIREMENTS****Application of Part 12 of the Schedule**

95. Subject to this Part, the provisions of Part 12 of the Schedule apply to the requirements for —

- (a) initial notification and later reporting of an aircraft incident, accident and other occurrence in the operation of an aircraft —
 - (i) in the case of a civil aircraft registered in Saint Lucia, wherever the accident or occurrence takes place,
 - (ii) in the case of a public aircraft, wherever the accident or occurrence takes place, and
 - (iii) in the case of a foreign civil aircraft, where the accident or occurrence takes place in Saint Lucia;
- (b) preservation of aircraft wreckage, mail, cargo, and records involving all civil and certain public aircraft accidents, as specified in Part 12 of the Schedule.

Requirement for accident reporting and investigation

96.—(1) The operator or pilot in command of —

- (a) an aircraft which is registered in Saint Lucia; or
- (b) a commercial air transport aircraft not registered in Saint Lucia but operated by the holder of an air operator certificate issued in Saint Lucia,

who is involved in, observes or knows of an aircraft accident shall make the report to the Authority as specified in Part 12 of the Schedule.

(2) A person shall not make a report under this regulation which is false in any material particular.

(3) A person shall comply with the necessary steps of accident investigation of Part 12 of the Schedule as requested by the Authority or an authorized person assigned to investigate the accident.

*Civil Aviation (Flight Safety) Regulations***PART XIII****REPORTS, DOCUMENTS AND RECORDS****Mandatory reporting**

97.—(1) An operator or pilot in command of an aircraft which is registered in Saint Lucia or a commercial air transport aircraft not registered in Saint Lucia but operated by the holder of an air operator certificate issued in Saint Lucia; or who carries on the business of inspecting, manufacturing, repairing or overhauling an aircraft, or equipment or part; or who signs a release to service, or release to service in respect of an aircraft, part or equipment shall make the reports to the Authority —

- (a) which are specified under these Regulations including the applicable Parts of the Schedule; or
- (b) on the Authority's request for the information as specified in a notice in writing served on the person, where the information is in the person's possession or control and relates to a reportable occurrence which has been reported by the person or by another person to the Authority under this regulation.

(2) The reports under subregulation (1) —

- (a) must be made within the time, by the means, and contain the information specified by the Authority; and
- (b) shall be presented in such form as the Authority requires.

(3) In this regulation, “reportable occurrence” means —

- (a) an incident relating to an aircraft or a defect in or malfunctioning of an aircraft or part or equipment of the aircraft, being an incident, malfunctioning or defect endangering, or which, if not corrected, would endanger, the aircraft, its occupants, or any other person;
- (b) a defect in or malfunctioning of a facility on the ground used or intended to be used for purposes of or in connection with the operation of an aircraft, being a defect or malfunctioning endangering, or which, if not corrected, would endanger, an aircraft or its occupants.

Civil Aviation (Flight Safety) Regulations

(4) Subject to subregulation (1)(a), nothing in this regulation requires a person to report an occurrence which the person has reason to believe has been or will be reported by another person to the Authority under this regulation.

(5) A person shall not make a report under this regulation which he or she knows or has reason to believe is false in any material particular.

Documents to be carried

98.—(1) An operator or pilot in command of an aircraft shall not fly in or over Saint Lucia unless the aircraft carries the documents which it is required to carry under these Regulations or the law of the State in which it is registered:

(2) Notwithstanding subregulation (1), in the case of an aircraft registered in Saint Lucia, if the flight is intended to begin and end at the same aerodrome and does not include passage over the territory of any State other than Saint Lucia, the documents may be kept at the aerodrome instead of being carried in the aircraft.

Preservation of documents

99.—(1) A person required under these Regulations and the applicable Parts of the Schedule to preserve a document or record shall continue to preserve that document or record, and in the event of his or her death the duty to preserve the document or record falls on his or her designated representative.

(2) A person assigned under these Regulations and the applicable Parts to preserve a document or record shall continue to preserve the document or record until such time as the responsibility may be transferred to another assigned person.

Offences relating to documents and records

100.—(1) A person shall not with intent to deceive —

- (a) use a certificate, licence, rating, authorization, approval, permission, exemption or other document issued or required under these Regulations which has been forged, altered, revoked or suspended, or to which he or she is not entitled;

Civil Aviation (Flight Safety) Regulations

- (b) lend a certificate, licence, rating, authorization, approval, permission, exemption or other document issued or having effect or required by or under these Regulations to, or allow it to be used by, any other person; or
 - (c) make a false representation for the purpose of procuring for himself or herself or any other person the grant, issue, renewal or variation of the certificate, licence, rating, authorization, approval, permission or exemption or other document.
- (2) A person shall not intentionally —
- (a) damage, alter or render illegible a record; or
 - (b) knowingly make, or procure or assist in the making of, a false entry in or material omission from a record; or
 - (c) destroy a record during the period for which it is required under these Regulations to be preserved.
- (3) All entries made in hand writing in a record shall be made in ink or indelible pencil.
- (4) A person shall not issue or purport to issue a certificate for the purposes of these Regulations or a direction made thereunder unless the person is authorized to do so under these Regulations and has satisfied himself or herself that all statements in the certificate are correct.

PART XIV
ENFORCEMENT

Provisional action by the Authority

101. Where these Regulations is contravened the Director General may, if the Director General thinks fit, provisionally and pending inquiry take action to enforce the regulation that have been contravened, including —

- (a) the re-examination of the original certification basis or competence;

Civil Aviation (Flight Safety) Regulations

- (b) the imposition of monetary penalties for the contravention of Regulations made under the Act;
- (c) the variation, suspension or revocation of a document; and
- (d) the prevention of flying.

Variation, suspension and revocation of documents

102.—(1) Subject to subregulation (5), the Director General may, on sufficient ground being shown to his or her satisfaction after due inquiry, vary, suspend or revoke a document.

(2) The Director General may exercise his or her powers under subregulation (1) only after notifying the holder of a document of the intention to do so and after due consideration of the case.

(3) The holder or a person having the possession or custody of a document, which has been varied, suspended or revoked under these Regulations shall surrender it to the Director General within the time specified by the Director General.

(4) The breach of a condition subject to which a document was issued, other than a licence issued in respect of an aerodrome, makes, in the absence of provision to the contrary in the document, the document invalid during the continuance of the breach.

(5) The Director General may vary a document if he or she is satisfied that it is in the interests of aviation safety to do so, whether or not there has been a contravention of these Regulations.

(6) Without prejudice to the generality of this regulation, the Authority may exercise its powers under subregulation (1) if it appears to the Authority that the person to whom the document was granted has committed a breach of a condition to which it is subject.

Breaches, offences and penalties

103.—(1) If a provision of these Regulations or a direction issued under these Regulations is contravened in relation to an aircraft, the operator of the aircraft and the pilot in command, is, without prejudice to the liability of any other person under these Regulations for that contravention, deemed for the purposes of this regulation to have contravened that provision unless he or she proves that the

Civil Aviation (Flight Safety) Regulations

contravention occurred without his or her consent or connivance and that he or she exercised all due diligence to prevent the contravention.

(2) If it is proved that an act or omission of a person which would otherwise have been a contravention of these Regulations was due to a cause not avoidable by the exercise of reasonable care by that person the act or omission is deemed not to be a contravention by the person of the provision.

(3) Where a person is charged with contravening a provision of these Regulations by reason of that person having been a member of the flight crew of an aircraft on a flight for the purpose of commercial air transport or aerial work the flight is treated, without prejudice to the liability of any other person under these Regulations, as not having been for that purpose if he or she proves that he or she did not know or suspect that the flight was for that purpose.

(4) A person who contravenes these Regulations commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or a term of imprisonment not exceeding six months or or both.

Appeal

104. A person affected by the determination of the Director General or a person appointed by the Minister to conduct a review has the right of appeal under section 39 of the Act.

PART XV**MISCELLANEOUS****Fees**

105.—(1) Where an application is made and a fee is chargeable under these Regulations, the applicant shall be required before the application is considered to pay the whole fee.

(2) If, after a fee has been paid, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused by the Authority, the Authority may, subject to this regulation, refund the amount of the fee or part of the fee.

Civil Aviation (Flight Safety) Regulations

(3) Subject to subregulation (4), where the fee paid is wholly or to an extent attributable to a fee chargeable in respect of an investigation which would have been carried out in connection with the application if it had not been withdrawn or ceased to have effect or been refused but which has not been carried out by reason only of the withdrawal, cesser or refusal, the Authority may refund the amount of the fee so attributable or, in a case where an investigation has been partially completed, so much of that amount as in the opinion of the Authority is reasonable having regard to the stage to which the investigation has progressed at the time of the withdrawal, cesser or refusal.

(4) If in any case the amount paid by the applicant is not sufficient to cover the fee, as ultimately assessed, chargeable in respect of an investigation in so far as the same has been carried out at the time when the application is withdrawn by the applicant or otherwise ceases to have effect or is refused by the Director General, the amount representing the balance of the fee is payable by the applicant.

Validation of documents

106. The Authority may make reasonable requirements regarding the validation of documents issued by another contracting State as provided for in Part 1 of the Schedule.

Revocation

107.—(1) The Civil Aviation (Air Navigation) Regulations, (YEAR), other than the provisions set out in subregulation (2), is revoked.

(2) The following are the provisions referred to in subregulation (1) —

- (a) Regulation 31: Aircraft not registered in the Territory—Aerodrome operating minima;
- (b) Regulation 53: Stowaways;
- (c) Regulation 66: Rules of the air and air traffic control;
- (d) Regulation 67: Licensing of air traffic controllers, student air traffic controllers and aerodrome flight information service officers;

Civil Aviation (Flight Safety) Regulations

- (e) Regulation 68: Prohibition of unlicensed air traffic controllers, student air traffic controllers and aerodrome flight information service officers;
- (f) Regulation 69: Flight information service manual;
- (g) Regulation 70: Incapacity of air traffic controllers;
- (h) Regulation 72: Balloons, kites, airships, gliders and parascending parachutes;
- (i) Regulation 73: Aerodromes, public transport of passengers and instruction in flying;
- (j) Regulation 74: Use of Government aerodromes;
- (k) Regulation 75: Licensing of aerodromes:
- (l) Regulation 76: Radio equipment at aerodromes:
- (m) Regulation 77: Records at aerodromes:
- (n) Regulation 78: Charges at aerodromes licensed for public use;
- (o) Regulation 79: Use of aerodromes by aircraft of Contracting States and of the Commonwealth;
- (p) Regulation 80: Noise and vibration caused by aircraft on aerodromes;
- (q) Regulation 81: Aeronautical lights;
- (r) Regulation 82: Dangerous lights;
- (s) Regulation 83: Customs airports;
- (t) Regulation 84: Aviation fuel at aerodromes;
- (u) Regulation 85: Restriction with respect to carriage for hire or reward in aircraft registered outside the Territory;
- (v) Regulation 86: Restriction with respect to aerial photography and survey from aircraft registered outside the Territory;
- (w) Regulation 87: Flights over any foreign country;
- (x) Schedule 9: Air Traffic Controllers: Ratings;
- (y) Schedule 13: Rules of the Air and Air Traffic Control.

*Civil Aviation (Flight Safety) Regulations***SCHEDULE**

(Regulations)

CONTENTS**PART 1 - GENERAL POLICIES, PROCEDURES, AND DEFINITIONS**

- 1.1 RULES OF CONSTRUCTION
 - 1.1.1.1 Applicability
 - 1.1.1.2 Organisation of Regulations
 - 1.1.1.3 Definitions
- 1.2 GENERAL ADMINISTRATIVE RULES GOVERNING TESTING, Licences AND CERTIFICATES
 - 1.2.1.1 Display and Inspection of Licences and Certificates
 - 1.2.1.2 Change of Name
 - 1.2.1.3 Change of Address
 - 1.2.1.4 Replacement of a Lost or Destroyed Airman or Medical Certificate or Knowledge Test Report
 - 1.2.1.5 Falsification, Reproduction, or Alteration of Applications, Certificates, Logbooks, Reports, or Records
 - 1.2.1.6 Surrender, Suspension, or Revocation of Licence or Certificate
 - 1.2.1.7 Reapplication After Revocation
 - 1.2.1.8 Reapplication After Suspension
 - 1.2.1.9 Voluntary Surrender or Exchange of Licence
 - 1.2.1.10 Prohibition on Performance During Medical Deficiency
 - 1.2.1.11 Drug and Alcohol Testing and Reporting
- 1.3 EXEMPTIONS AND EQUIVALENT SAFETY CASE
 - 1.3.1.1 Exemptions and Equivalent Safety Case
- 1.4 SAFETY MANAGEMENT

1.1 RULES OF CONSTRUCTION**1.1.1.1 APPLICABILITY**

- (a) These Regulations shall apply to all persons operating or maintaining the following —
 - (1) an aircraft registered in Saint Lucia;
 - (2) an aircraft registered in another Contracting State that is operated by a person licenced by Saint Lucia, and must be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed;

Civil Aviation (Flight Safety) Regulations

- (3) an aircraft of other Contracting States operating in Saint Lucia.
- (b) These Regulations addressing persons certificated under any Part of these Regulations apply also to any person who engages in an operation governed by any Part of these Regulations without the appropriate certificate, operations specification, or similar document required as part of the certification.
- (c) The regulations addressing general matters establish minimum standards for all aircraft operated in Saint Lucia. Specific standards applicable to the holder of a certificate shall apply if they conflict with a more general regulation.
- (d) All foreign air operators who conduct commercial air transport into, from or within Saint Lucia, shall be governed by the provisions of the Operations Specification issued by the Authority, and by those provisions in Parts 7, 8, and 10 that specifically address commercial air transport. Regulations that address AOC holders apply only to operators certificated by Saint Lucia.

1.1.1.2 ORGANISATION OF REGULATIONS

- (a) This Schedule is subdivided into five hierarchical categories —
 - (1) Part refers to the primary subject area.
 - (2) Subpart refers to any subdivision of a Part.
 - (3) Section refers to any subdivision of a Subpart.
 - (4) Subsection refers to the title of a regulation and can be a subdivision of a Subpart or Section,
 - (5) Paragraph refers to the text describing the regulations. All paragraphs are outlined alphanumerically in the following hierarchical order: (a), (1), (i), (A).
- (b) Definitions used throughout these Regulations are organised as follows —
 - (1) all Definitions appear in Part 1, Subsection 1.1.13; and
 - (2) definitions contained in the Civil Aviation Act of Saint Lucia are presented therein, and not in these Regulations
- (c) Acronyms used within each Part are defined at the beginning of those Parts and if a definition is supplied, a note will indicate the Part where the definition is located.

Civil Aviation (Flight Safety) Regulations

- (d) Notes appear in Subsections to provide exceptions, explanations and examples to individual requirements.
- (e) Subsections may refer to Implementing Standards, which provide additional detailed requirements that support the purpose of the subsection, and where specifically referenced by the subsection, gain the legal force and effect of the referring subsection. The rules of construction, Subsection 1.1.1.1, apply to Implementing Standards.

1.1.1.3 DEFINITIONS

- (a) For the purpose of these Regulations, the following definitions shall apply —
 - (1) “Acceptable means of compliance” means a method of accomplishing a specific task where the method has been approved by the Authority;
 - (2) “Acceptance checklist” as it relates to dangerous goods means a document used to assist in carrying out a check on the external appearance of packages of dangerous goods and their associated documents to determine that all appropriate requirements have been met;
 - (3) “Acclimatised” means when a crewmember has spent 3 consecutive local nights on the ground within a time zone, which is 2 hours wide and is able to take uninterrupted nights sleep. The crewmember will remain acclimatised thereafter until a duty period finishes at a place where local time differs by more than 2 hours from that at the point of departure;
 - (4) “Accountable manager” means:
 - (a) the person who has corporate authority for ensuring that all prescribed actions are performed to the standard required by the Authority; and
 - (b) any other person within the organisation who the accountable manager, on approval by the Authority, may delegate in writing all or part of his responsibility;
 - (5) “Accountable manager (Maintenance)” means the manager who has corporate authority for ensuring that all maintenance, preventive maintenance, and modification required by the aircraft owner/operator can be financed

Civil Aviation (Flight Safety) Regulations

and carried out to the standard required by the Authority. The accountable manager may delegate to another person in the organisation, in writing, to become the accountable manager, when authorised by the Authority;

- (6) “Accountable manager (training)” means the manager who has corporate authority for ensuring that all training can be financed and carried out to the standard required by the Authority. The accountable manager may delegate, in writing, to another person in the organisation to become the accountable manager when authorised by the Authority;
- (7) “Accredited medical conclusion” means the conclusion reached by one or more medical experts acceptable to the Authority for the purposes of the case concerned, in consultation with other experts as necessary;
- (8) “Accredited representative” As it relates to an aircraft accident, means a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another party;
- (9) “ADS agreement” means an ADS reporting plan that establishes the conditions of ADS data reporting (i.e. data required by the air traffic services or control unit and frequency of ADS reports that have to be agreed to prior to the provision of the ADS services);
- (10) “ADS contract” means by which the terms of an ADS agreement will be exchanged between the ground system and the aircraft, specifying under what conditions ADS reports would be initiated, and what data would be contained in the reports.
Note.— The term “ADS contract” is a generic term meaning variously, ADS event contract, ADS demand contract, ADS periodic contract or an emergency mode. Ground forwarding of ADS reports may be implemented between ground systems;
- (11) “Advanced flight training device” means a flight training device that has a cockpit that accurately replicates a specific make, model, and type of aircraft cockpit, and handling characteristics that accurately model the aircraft handling characteristics;

Civil Aviation (Flight Safety) Regulations

- (12) “Advisor” As it relates to an aircraft accident, means a person appointed by a State on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation;
- (13) “Advisory airspace” means an airspace of defined dimensions, or designated route, within which air traffic advisory service is available;
- (14) “Advisory route” means a designated route along which air traffic advisory service is available;
- (15) “Aerial work” means an aircraft operation in which an aircraft is used for specialised services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc;
- (16) “Aerobatic/acrobatic flight” means manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed not necessary for normal flight;
- (17) “Aerodrome” means a defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part, for the arrival, departure and surface movement of aircraft;
- (18) “Aerodrome control service” means air traffic control service for aerodrome traffic;
- (19) “Aerodrome control tower” means a unit established to provide air traffic control service to aerodrome traffic;
- (20) “Aerodrome operating minima” means the limits of usability of an aerodrome for —
- a) take-off, expressed in terms of runway visual range or visibility and, if necessary, cloud conditions;
 - b) landing in precision approach and landing operations, expressed in terms of visibility or runway visual range and decision altitude/height (DA/H) as appropriate to the category of the operation;
 - c) landing in approach and landing operations with vertical guidance, expressed in terms of visibility or runway visual range and decision altitude/height (DA/H); and

Civil Aviation (Flight Safety) Regulations

- d) landing in non-precision approach and landing operations, expressed in terms of visibility or runway visual range, minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions;
- (21) “Aerodrome traffic zone” means an airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic;
 - (22) “Aeronautical experience” means pilot time obtained in an aircraft, approved flight simulator, or approved flight-training device for meeting the training and flight time requirements of these Regulations;
 - (23) “Aeronautical Information Publication (AIP)” is a publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation;
 - (24) “Aeronautical product” means any aircraft, aircraft engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon;
 - (25) “Aeronautical Station” is a land station in the aeronautical mobile service. In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea;
 - (26) “Aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;
 - (27) “Aeroplane flight manual” means a manual, associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and instructions and information necessary to the flight crew members on the safe operation of the aeroplane;
 - (28) “Agricultural aircraft operation” means the operation of an aircraft for the purpose of —
 - (i) Dispensing any substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control, or
 - (ii) Engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects;

Civil Aviation (Flight Safety) Regulations

- (29) “Air-ground control radio station” means an aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area;
- (30) “Air navigation facility” means any facility used in, available for use in, or designed for use in aid of air navigation, including aerodromes, landing areas, lights, any apparatus or equipment for disseminating weather information, for signalling, for radio directional finding, or for radio or other electrical communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and take-off of aircraft;
- (31) “Air Operator” means any organisation which undertakes to engage in commercial air transport, whether directly or indirectly or by a lease or any other arrangement;
- (32) “Air operator certificate (AOC)” means a certificate authorizing an operator to carry out specified commercial air transport operations;
- (33) Air-taxiing” means movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37km/h (20kt);
- Note – the actual height may vary, and some helicopters may require air-taxiing above 8m (25ft) AGL to reduce ground effect turbulence or provide clearance for cargo slingloads;
- (34) “Air traffic” means all aircraft in flight or operating on the manoeuvring area of an aerodrome
- (35) “Air traffic advisory service” means a service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans;
- (36) “Air Traffic Control” means a service that promotes the safe, orderly, and expeditious flow of air traffic at aerodromes and during the approach, departure, and en route environments;
- (37) “Air traffic control clearance” means authorization for an aircraft to proceed under conditions specified by an air traffic control unit;

Civil Aviation (Flight Safety) Regulations

- (38) “Air Traffic Control (ATC) facility” means a building holding the persons and equipment responsible for providing ATC services (e.g., airport tower, approach control, centre). May also be called air traffic control unit;
- (39) “Air traffic control service” means a service provided for the purpose of:
- (a) preventing collisions between —
 - 1. between aircraft;
 - 2. on the manoeuvring area, between aircraft and obstructions; and
 - (b) expediting and maintaining an orderly flow of air traffic;
- (40) “Air traffic control unit” is a generic term meaning variously, area control centre, approach control unit or aerodrome control tower;
- (41) “Air traffic services airspaces” means airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified;
- (42) “Air traffic services reporting office” means a unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure;
- (43) “Air traffic services unit” is a generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office;
- (44) “Airborne collision avoidance system (ACAS)” is an aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders;
- (45) “Aircraft” means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface;
- (46) “Aircraft accident” means an occurrence associated with the operation of an aircraft which takes place between the

Civil Aviation (Flight Safety) Regulations

time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which —

- A person is fatally or seriously injured as a result of—
 - Being in the aircraft;
 - Direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or
 - Direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew.
 - The aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or the aircraft is missing or is completely inaccessible;
- (47) “Aircraft avionics” means a term designating any electronic device – including its electrical part – for use in an aircraft, including radio, automatic flight control and instrument systems;
- (48) “Aircraft category” means the classification of aircraft according to specified basic characteristics (e.g., aeroplane, helicopter, glider, free balloon);
- (49) “Aircraft certificated for single-pilot operation” means a type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of one pilot;
- (50) “Aircraft certificated for multi-pilot operation” means a type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of two pilots;

Civil Aviation (Flight Safety) Regulations

- (51) “Aircraft component” means any component part of an aircraft up to and including a complete powerplant or any operational/emergency equipment;
- (52) “Aircraft engine” means any engine used, or intended to be used, for propulsion of aircraft and includes all parts, appurtenances, and accessories thereof other than propellers;
- (53) “Aircraft operating manual” means a manual, acceptable to the State of the Operator, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems and other material relevant to the operation of the aircraft;
- (54) “Aircraft piracy” means any actual or attempted seizure or exercise of control, by force or violence, or by any other form of intimidation, with wrongful intent, of an aircraft within the jurisdiction of Saint Lucia;
- (55) “Aircraft required to be operated with a co-pilot” means a type of aircraft that is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate;
- (56) “Aircraft type” means all aircraft of the same basic design;
- (57) “Aircraft Technical Log” means a document carried on an aircraft for recording defects and malfunctions discovered during operation and for recording details of all maintenance carried out whilst the aircraft is operating between scheduled visits to the base maintenance facility. It also contains operating information relevant to flight safety and maintenance data that the operating crew need to know. A technical log contains two independent sections: a journey record section and an aircraft maintenance record section;
- (58) “Airframe” means the fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces (including rotors but excluding propellers and rotating airfoils of a powerplant), and landing gear of an aircraft and their accessories and controls;
- (59) Airman” This term refers to —
- Any individual who engages, as the person in command or as pilot, mechanic, or member of the crew, or who navigates an aircraft while the aircraft is underway;

Civil Aviation (Flight Safety) Regulations

- Any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, and any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances; or
 - Any individual who serves in the capacity of flight operations officer;
- (60) “Airmanship” means the consistent use of good judgement and well-developed knowledge, skills and attitudes to accomplish flight objectives;
- (61) “Airship” means a power driven lighter-than-air aircraft;
- (62) “Airway” means a control area or portion thereof established in the form of a corridor;
- (63) “Airworthiness data” means any information necessary to ensure that an aircraft or aircraft component can be maintained in a condition such that airworthiness of the aircraft, or serviceability of operational and emergency equipment, as appropriate, is assured;
- (64) “Airworthiness directive” is continuing airworthiness information that applies to the following products: aircraft, aircraft engines, propellers, and appliances. An airworthiness directive is mandatory if issued by the State of Design;
- (65) “Airworthiness release” is a certification signed by a licenced mechanic indicating that work was performed in accordance with the maintenance manual, was inspected by a licenced mechanic, and the aircraft was found satisfactory for safe operation;
- (66) “Alerting service” means a service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations as required;
- (67) “Alteration” The alteration of an aircraft/aeronautical product in conformity with an approved standard;
- (68) “Alternate Aerodrome” means an aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome of intended landing. Alternate aerodromes include the following —

Civil Aviation (Flight Safety) Regulations

Take-off alternate. An alternate aerodrome at which an aircraft can land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure.

En-route alternate. An aerodrome at which an aircraft would be able to land after experiencing an abnormal or emergency condition while en route;

ETOPS en-route alternate. A suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shutdown or other abnormal or emergency condition while en route in an ETOPS operation;

Destination alternate. An alternate aerodrome to which an aircraft may proceed should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Note.— The aerodrome from which a flight departs may also be an en-route or a destination alternate aerodrome for that flight;

- (69) “Alternate Heliport” means a heliport to which a helicopter may proceed when it becomes either impossible or inadvisable to proceed to or to land at the heliport of intended landing. Alternate heliports include the following:

Take-off alternate. An alternate heliport at which a helicopter can land should this become necessary shortly after takeoff and it is not possible to use the heliport of departure.

En-route alternate. A heliport at which a helicopter would be able to land after experiencing an abnormal or emergency condition while en route.

Destination alternate. An alternate heliport to which a helicopter may proceed should it become either impossible or inadvisable to land at the heliport of intended landing.

Note.— The heliport from which a flight departs may be an en-route or a destination alternate heliport for that flight;

- (70) “Altimetry system error (ASE)” means the difference between the altitude indicated by the altimeter display, assuming a correct altimeter barometric setting, and the pressure altitude corresponding to the undisturbed ambient pressure;

Civil Aviation (Flight Safety) Regulations

- (71) “Altitude” means the vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL);
- (72) “AMT Course” means a training course for AMT maintenance ratings (airframe/powerplant);
- (73) “Annexes to the Chicago Convention” means the documents issued by the International Civil Aviation Organisation (ICAO) containing the Standards and Recommended Practices applicable to civil aviation;
- (74) “Anticipated operating conditions” means the conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft, taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include —
- a) those extremes which can be effectively avoided by means of operating procedures; and
 - b) those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical;
- (75) “Anti-collision light” means:
- a) in relation to a rotorcraft, a flashing red light;
 - b) in relation to any other aircraft, a flashing red or flashing white light;
- Note — in both cases, the light shall be showing in all directions for the purpose of enabling the aircraft to be more readily detected by pilots of distant aircraft;
- (76) “Appliances” means Instruments, equipment, apparatus, parts, appurtenances, or accessories, of whatever description, which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight (including parachutes and including communication equipment and any other mechanism or

Civil Aviation (Flight Safety) Regulations

mechanisms installed in or attached to aircraft during flight), and which are not part or parts of aircraft, aircraft engines, or propellers;

(77) “Approach and landing phase — helicopters” means that part of the flight from 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or from the commencement of the descent in the other cases, to landing or to the bailed landing point;

(78) “Appropriate authority”;

Regarding flight over the high seas, means the relevant authority of the State of Registry;

Regarding flight other than over the high seas, means the relevant authority of the State having sovereignty over the territory being overflown;

(79) “Approach and landing operations using instrument approach procedures”. Instrument approach and landing operations are classified as follows:

Non-precision approach and landing operations, means an instrument approach and landing which utilizes lateral guidance but does not utilize vertical guidance;

Approach and landing operations with vertical guidance, means an instrument approach and landing which utilizes lateral and vertical guidance but does not meet the requirements established for precision approach and landing operations;

Precision approach and landing operations, means an instrument approach and landing using precision lateral and vertical guidance with minima as determined by the category of operation.

Note — Lateral and vertical guidance refers to the guidance provided either by —

- a) a ground-based navigation aid; or
- b) computer generated navigation data.

Categories of precision approach and landing operations:
 Category I (CAT I) operation. means a precision instrument approach and landing with a decision height not lower than 60 m (200 ft) and with either a visibility not less than 800m or a runway visual range not less than 550 m;

Civil Aviation (Flight Safety) Regulations

Category II (CAT II) operation. means a precision instrument approach and landing with a decision height lower than 60 m (200 ft), but not lower than 30 m (100 ft), and a runway visual range not less than 350 m;

Category IIIA (CAT IIIA) operation. means a precision instrument approach and landing with —

a) a decision height lower than 30 m (100 ft) or no decision height; and

b) a runway visual range not less than 200 m;

Category IIIB (CAT IIIB) operation. means a precision instrument approach and landing with —

a) a decision height lower than 15 m (50 ft) or no decision height; and

b) a runway visual range less than 200 m but not less than 50 m;

Category IIIC (CAT IIIC) operation. means a precision instrument approach and landing with no decision height and no runway visual range limitations;

Note.— Where decision height (DH) and runway visual range (RVR) fall into different categories of operation, the instrument approach and landing operation would be conducted in accordance with the requirements of the most demanding category (e.g. an operation with a DH in the range of CAT IIIA but with an RVR in the range of CAT IIIB would be considered a CAT IIIB operation or an operation with a DH in the range of CAT II but with an RVR in the range of CAT I would be considered a CAT II operation);

- (80) “Approach control service” means air traffic control service for arriving or departing controlled flights;
- (81) “Approach control unit” means a unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes;
- (82) “Appropriate airworthiness requirements” means the comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft, engine or propeller under consideration;

Civil Aviation (Flight Safety) Regulations

- (83) “Appropriate ATS or ATC authority” means the relevant authority designated by Saint Lucia responsible for providing air traffic services in the airspace concerned;
- (84) “Approval for return to service” means a certification by an appropriately approved person that the maintenance, preventive maintenance, or modification performed on an aircraft, airframe, aircraft engine, propeller, appliance, or component part thereof was accomplished using the methods, techniques, and practices, prescribed in the current manufacturer’s maintenance manual or instructions for continued airworthiness prepared by its manufacturer, or by using other methods, techniques, and practices approved by the Authority;
- (85) “Approved” means the Authority has reviewed the method, procedure, or policy in question and issued a formal written approval;
- (86) “Approved by the Authority” means approved by the Authority directly or in accordance with a procedure approved by the Authority;
- (87) “Approved data” means technical information approved by the Authority;
- (88) “Approved continuous maintenance program” means a maintenance program approved by the State of Registry;
- (89) “Approved Maintenance Organisation (AMO)” means an organisation approved to perform specific aircraft maintenance activities by the Authority. These activities may include the inspection, overhaul, maintenance, repair or modification and release to service of aircraft or aeronautical products;
- (90) “Approved standard” means a manufacturing, design, maintenance, or quality standard approved by the Authority;
- (91) “Approved Training Organisation (ATO)” means an organisation approved by the Authority, to perform flight crew training and other training approved by the Authority;
- (92) “Approved training” means training carried out under special curricula and supervision approved by the Authority;

Civil Aviation (Flight Safety) Regulations

- (93) “Apron” means a defined area, on a land aerodrome, intended to accommodate aircraft for purposes of fuelling, parking, maintenance, loading or unloading passengers, mail or cargo;
- (94) “Area control centre” means a unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction;
- (95) “Area control service” means air traffic control service for controlled flights in control areas.
- (96) “Area Navigation (RNAV)” means a method of navigation that permits aircraft operations on any desired flight path within the coverage of station-referenced navigation aids or within the limits of the capability of self-contained aids, or a combination of these;
- (97) “Article” means any item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part;
- (98) “ATS or ATC route” means a specified route designed for channeling the flow of air traffic as necessary for the provision of air traffic services, defined by route specifications that include an ATS or ATC route designator, the track to or from significant points (way points), distance between significant points, reporting requirements, and as determined by the appropriate ATS or ATC authority, the lowest safe altitude;
- (99) “Authorised instructor” means a person who —
- (i) holds a valid ground instructor certificate issued under Part 2 when conducting ground training;
 - (ii) holds a current flight instructor certificate issued under Part 2 when conducting ground training or flight training; or
 - (iii) is authorised by the Authority to provide ground training or flight training under Part 2 and Part 3;
- (100) “Authorized person” means any person authorized by the Minister either generally or in relation to a particular case or class of cases, and references to a person authorized by the Minister include reference to the holder, for the time being, of any office designated by the Minister;

Civil Aviation (Flight Safety) Regulations

- (101) “Authority” means the civil aviation authority responsible for the oversight of civil aviation in Saint Lucia;
- (102) “Automatic dependent surveillance (ADS)” means a surveillance technique in which aircraft automatically provide, via a data link, data derived from on-board navigation and position-fixing systems, including aircraft identification, four-dimensional position and additional data as appropriate;
- (103) “Automatic dependent surveillance – broadcast (ADS-B)” is a means by which aircraft, aerodrome vehicles and other objects can automatically transmit or receive data such as identification, position and additional data, as appropriate, in broadcast mode via a data link;
- (104) “Automatic dependent surveillance – contract (ADS-C)” is a means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports;
- (105) “Aviation Maintenance Technician” means a person approved by the Authority to perform defined maintenance on aeronautical products; the term “aviation maintenance technician” as used herein can include persons similarly qualified and referred to as “licenced mechanic,” “certificated (certified) mechanic,” “aviation maintenance engineer,” “licenced engineer,” or by other terms, all of which mean an aviation maintenance licence holder;
- (106) “Balloon” means a non-power-driven lighter-than-air aircraft;
- (107) “Banner” means an advertising medium supported by a temporary framework attached externally to the aircraft and towed behind the aircraft;
- (108) “Cabin Crew” means a person employed to facilitate the safety of passengers, whose duties are detailed by the AOC holder or the aircraft commander;
- (109) “Cabin crew member” means a crew member who performs, in the interest of safety of passengers, duties assigned by the operator or the pilot-in-command of the aircraft, but who shall not act as a flight crew member;

Civil Aviation (Flight Safety) Regulations

- (110) “Calendar day” means the period of elapsed time, using Co-ordinated Universal Time or local time, that begins at midnight and ends 24 hours later in the next midnight;
- (111) “Calendar month” means a period of a month beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered month (as January 1 through January 31 in the Gregorian calendar);
- (112) “Calendar year” means a period of a year beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered year (as January 1 through December 31 in the Gregorian calendar);
- (113) “Calibration” means a set of operations, performed in accordance with a definite documented procedure that compares the measurement performed by a measurement device or working standard with a recognised bureau of standards for the purpose of detecting and reporting or eliminating adjustment errors in the measurement device, working standard, or aeronautical product tested;
- (114) “Cargo” includes mail and animals;
- (115) “Cargo aircraft” means any aircraft carrying goods or property but not passengers. In this context the following are not considered to be passengers —
- (i) a crewmember;
 - (ii) an operator’s employee permitted by, and carried in accordance with, the instructions contained in the Operations Manual;
 - (iii) an authorised representative of an Authority;
 - (iv) a person with duties in respect of a particular shipment on board;
- (116) “Causes” As it relates to an aircraft accident or incident means actions, omissions, events, conditions, or a combination which led to the accident or incident. (ICAO Annex 13);
- (117) “Ceiling” means the height above the ground or water of the base of the lowest layer of cloud below 6,000 metres (20,000 feet) covering more than half the sky;

Civil Aviation (Flight Safety) Regulations

- (118) “Certificated Approved Maintenance Organisation” means approved by the Authority;
- (119) “Certificate of airworthiness” includes any validation thereof and any flight manual, performance schedule or other document, whatever its title, incorporated by reference in that certificate relating to the certificate of airworthiness;
- (120) “Certify as airworthy” means the required maintenance record entry completed by a properly authorised person after the modification, overhaul, repair, or the inspection of an aircraft, or aeronautical product required by the Authority;
- (121) “Certifying staff” means those personnel who are appropriately authorised by a procedure approved by the Authority to certify aircraft or aircraft components for release to service;
- (122) “CFIT (Controlled flight into terrain)” Occurs when an airworthy aircraft is flown, under the control of a qualified pilot, into terrain (water or obstacles) with inadequate awareness on the part of the pilot of the impending collision;
- (123) “Change-over- point” means the point at which an aircraft navigating on an ATC route segment defined by reference to very high frequency omni-directional radio ranges is expected to transfer its primary navigational references from the facility behind the aircraft to the next facility ahead of the aircraft;
- (124) “Chicago Convention” (“Convention”) means the Convention on International Civil Aviation concluded in Chicago, U.S.A. in 1944, in effect, 1947. The Articles of the Chicago Convention govern the actions of the contracting States in matters of international civil aviation directly and through the Annexes to the Convention, which set forth ICAO Standards and Recommended Practices;
- (125) “Check airman (aeroplane)” means a person who is qualified and permitted, to conduct flight checks or instruction in an aeroplane and evaluations only in a flight simulator, or in a flight training device for a particular type aeroplane, for a particular AOC holder;

Civil Aviation (Flight Safety) Regulations

- (126) “Check airman (helicopter)” means a person who is qualified and permitted, to conduct flight checks or instruction in a helicopter and evaluations only in a flight simulator, or in a flight training device for a particular type helicopter, for a particular AOC holder;
- (127) “Check airman (simulator)” means a person who is qualified to conduct flight checks or instruction only in a flight simulator or a flight training device for a particular type aircraft, for a particular AOC holder;
- (128) “Civil aircraft” means any aircraft other than a public aircraft;
- (129) “Civil aviation” means the operation of any civil aircraft for the purpose of general aviation operations, aerial work or commercial air transport operations;
- (130) “Class A airspace”, “Class B airspace”, “Class C airspace”, “Class D airspace” and “Class E airspace” means airspace respectively notified as such, in accordance with the appropriate International Civil Aviation Organization definition;
- (131) “Clearance limit” means the point to which an aircraft is granted an air traffic control clearance;
- (132) “Commercial air transport” means an aircraft operation involving the transport of passengers, cargo, or mail for remuneration or hire that is not considered aerial work;
- (133) “Competency” means a combination of skills, knowledge and attitudes required to perform a task to the prescribed standard;
- (134) “Competency element” is an action that constitutes a task that has a triggering event and a terminating event that clearly defines its limits, and an observable outcome;
- (135) “Competency unit” is a discrete function consisting of a number of competency elements;
- (136) “Complex aeroplane” means any aeroplane that has retractable landing gear, flaps, and a controllable pitch propeller; or a turbo-jet powered aircraft; or in the case of a seaplane, flaps and a controllable pitch propeller;

Civil Aviation (Flight Safety) Regulations

- (137)“Competent authority” means, in relation to any State, the authority responsible under the law of that State for promoting the safety of civil aviation;
- (138)“Composite” means structural materials made of substances, including, but not limited to, wood, metal, ceramic, plastic, fiber-reinforced materials, graphite, boron, or epoxy, with built-in strengthening agents that may be in the form of filaments, foils, powders, or flakes, of a different material;
- (139)“Computer system” means any electronic or automated system capable of receiving, storing, and processing external data, and transmitting and presenting such data in a usable form for the accomplishment of a specific function;
- (140)“Configuration” (as applied to the aeroplane) means a particular combination of the positions of the moveable elements, such as wing flaps and landing gear, etc., that affect the aerodynamic characteristics of the aeroplane;
- (141)“Configuration deviation list (CDL)” is a list established by the organization responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitations and performance correction;
- (142)“Congested area” as it relates to a city, town or settlement, is any area which is substantially used for residential, commercial or recreational purposes;
- (143)“Congested hostile environment” means a hostile environment within a congested area;
- (144)“Consignment” means one or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address;
- (145)“Contactable” (for the purpose of Flight Duty Times) means a short period of time during the day, other than a day-off, during which a crewmember is required to be contactable for the purpose of giving notification of a duty period which will commence not less than 10 hours

Civil Aviation (Flight Safety) Regulations

ahead. The contactable period shall not cover more than 2.5 hours;

- (146) “Contracting State” means any State, including Saint Lucia, which is party to the Chicago Convention;
- (147) “Control area” means a controlled airspace extending upwards from a specified limit above the earth;
- (148) “Control zone” means a controlled airspace extending upwards from the surface of the earth to a specified upper limit;
- (149) “Controlled aerodrome” means an aerodrome at which air traffic control service is provided to aerodrome traffic;
- (150) “Controlled airspace” means an airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification;
- (151) “Controller-pilot data link communications (CPDLC)” is a means of communication between controller and pilot, using data link for ATC communications;
- (152) “Contracting States” means all States that are signatories to the Convention on International Civil Aviation (Chicago Convention);
- (153) “Controlled flight” means a flight which is subject to an air traffic control clearance;
- (154) “Control System” means a system by which the flight path, attitude, or propulsive force of an aircraft is changed, including the flight, engine and propeller controls, the related system controls and the associated operating mechanisms;
- (155) “Conversion” is the action taken by Saint Lucia in issuing its own licence on the basis of a licence issued by another Contracting State for use on aircraft registered in Saint Lucia;
- (156) “Core curriculum” means a set of courses approved by the Authority, for use by an ATO and its satellite ATOs. The core curriculum consists of training that is required for licensing or aircraft ratings. It does not include training for tasks and circumstances unique to a particular user;

Civil Aviation (Flight Safety) Regulations

- (157)“Course” means a program of instruction to obtain an airman licence, rating, qualification, authorization, or currency;
- (158)“Courseware” means instructional material developed for each course or curriculum, including lesson plans, flight event descriptions, computer software programs, audio-visual programs, workbooks, and handouts;
- (159)“Co-pilot” means a licenced pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction;
- Note. Co-pilot as here defined, is synonymous with the term “second-in-command” or “SIC”;
- (160)“Credit” means recognition of alternative means or prior qualifications;
- (161)“Crew Member” means a member of the flight crew or a Cabin Crew member or any person required to perform duties on an aircraft in flight;
- (162)“Crew Resource Management” means a program designed to improve the safety of flight operations by optimising the safe, efficient, and effective use of human resources, hardware, and information through improved crew communication and co-ordination;
- (163)“Cross country” means a flight between a point of departure and a point of arrival following a pre-planned route using standard navigation procedures;
- (164)“Cross-country time” means that time a pilot spends in flight in an aircraft which includes a landing at a point other than the point of departure and, for the purpose of meeting the cross-country time requirements for a private pilot licence (except with a rotorcraft rating), commercial pilot licence, or an instrument rating, includes a landing at an aerodrome which must be a straight-line distance of more than 50 nautical miles from the original point of departure.;
- (165)“Cruise climb” means an aircraft cruising technique resulting in a net increase in altitude as the aircraft mass decreases’

Civil Aviation (Flight Safety) Regulations

- (166)“Cruise relief pilot” means a flight crew member who is assigned to perform pilot tasks during cruise flight, to allow the pilot in- command or a co-pilot to obtain planned rest;
- (167)“Cruising level” means a level maintained during a significant portion of a flight;
- (168)“Critical engine” means the engine whose failure would most adversely affect the performance or handling qualities of an aircraft;
- (169)“Critical phases of flight” means those portions of operations of an aircraft which involve taxiing, takeoff, landing and all flight operations below 10,000 feet, except cruise flight;
- (170)“Current flight plan” means the flight plan, including changes, if any, brought about by subsequent clearances;
- (171)“Danger area” is an airspace of defined dimensions within which activities dangerous to the flight of the aircraft may exist at specified times;
- (172)“Dangerous goods” means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the Technical Instructions or which are classified according to those Instructions;
- (173)“Dangerous goods accident” means an occurrence associated with and related to the transport of dangerous goods which results in fatal or serious injury to a person or major property damage;
- (174)“Dangerous goods incident” means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardises an aircraft or its occupants is deemed to constitute a dangerous goods incident;
- (175)“Dangerous goods transport document” means a document

Civil Aviation (Flight Safety) Regulations

specified by the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air. It is completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods. The document bears a signed declaration indicating that the dangerous goods are fully and accurately described by their proper shipping names and UN numbers (if assigned) and that they are correctly classified, packed, marked, labelled and in a proper condition for transport.

Note.— See definition below for Technical Instructions;

- (176) “Data link communications” means a form of communication intended for the exchange of messages via a data link;
- (177) “Days Off” means periods available for leisure and relaxation free from all duties. A single day off will include two local nights. Consecutive days off shall include a further local night for each additional consecutive day off. A rest period may be included as part of a day off;
- (178) “Deadhead Transportation” means time spent in transportation on aircraft to or from a crew member’s home station;
- (179) “Decision altitude (DA) or decision height (DH)” means a specified altitude or height in the precision approach or approach with vertical guidance at which a missed approach must be initiated if the required visual reference to continue the approach has not been established.

Note 1 — Decision altitude (DA) is referenced to mean sea level and decision height (DH) is referenced to the threshold elevation;

Note 2 — The required visual reference means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In Category III operations with a decision height the required visual reference is that specified for the particular procedure and operation;

Civil Aviation (Flight Safety) Regulations

Note 3 — For convenience where both expressions are used they may be written in the form “decision altitude/height” and abbreviated “DA/H”

(180) “Defined point after take-off (DPATO)” means the point, within the take-off and initial climb phase, before which the helicopter’s ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

Note — Defined points apply to helicopters operating in performance Class 2 only)

(181) “Defined point before landing (DPBL)” means the point, within the approach and landing phase, after which the helicopter’s ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

Note — Defined points apply to helicopters operating in performance Class 2 only;

(182) “Design landing mass” means the maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land;

(183) “Design take-off mass” means the maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run;

(184) “Design taxiing mass” means the maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off;

(185) “Directly in Charge” as it relates to an Approved Maintenance Organisation in Part 6 - means an appropriately licenced person having the responsibility for the work of an approved maintenance organisation that performs maintenance, preventive maintenance, alterations, or other functions affecting aircraft airworthiness. A person directly in charge does not need to physically observe and direct each worker constantly but must be available for consultation on matters requiring instruction or decision from higher authority.;

Civil Aviation (Flight Safety) Regulations

- (186) “Dispatch Crew” means a fully qualified and current flight crew/Cabin Crew authorised to carry out pre-flight duties as defined by the AOC holder;
- (187) “Document” means a civil aviation document referred to in, or issued or validated under these Regulations or the Regulations of any other State and includes, a licence, rating, authorization, permit and certificate and a copy of the document;
- (188) “Dry lease” means the lease of an aircraft without the crew;
- (189) “Dual instruction time” means flight time during which a person is receiving flight instruction from a properly authorised pilot on board the aircraft;
- (190) “Duplicate Inspection” means an inspection first made and certified by one qualified person and subsequently made and certified by a second qualified person; (Described in IS: 5.6.1.5);
- (191) “Duty” means any continuous period during which a crewmember is required to carry out any task associated with the business of the operator;
- (192) “Duty period” as it relates to an air operator, means a period which starts when flight or cabin crew personnel are required by an operator to report for or to commence a duty and ends when that person is free from all duties;
- (193) “Duty time” means the total time from the moment a person identified in these Regulations begins, immediately after a rest period, any work on behalf of the certificate holder until that person is free from all restraint associated with that work;
- (194) “ECCAA” means the Eastern Caribbean Civil Aviation Authority whose headquarters is in Antigua & Barbuda;
- (195) “Economic poison” means any substance or mixture of substances intended for —
- Preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living human beings or other animals, which the Saint Lucia may declare to be a pest, and

Civil Aviation (Flight Safety) Regulations

- Use as a plant regulator, defoliant or desiccant;
- (196)“Effective length of the runway” means the distance for landing of an aircraft from the point at which the obstruction clearance plane associated with the approach end of the runway intersects the centreline of the runway to the far end;
- (197)“Elevated heliport” means a heliport located on a raised structure on land;
- (198)“Emergency Locator Transmitter (ELT)” means a generic term describing equipment which broadcast distinctive signals on designated frequencies and, depending on application, may be automatically activated by impact or be manually activated. An ELT may be any of the following:
- Automatic fixed ELT, means an automatically activated ELT which is permanently attached to an aircraft;
 - Automatic portable ELT, means an automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft;
 - Automatically deployable ELT, means an ELT which is rigidly attached to an aircraft and which is automatically deployed and activated by impact, and in some cases, also be hydrostatic sensors. Manual deployment is also provided;
 - Survival ELT, means an ELT which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and manually activated by survivors;
 - ELT battery useful life, means the length of time after its date of manufacture or recharge that the battery or battery pack may be stored under normal environmental conditions without losing its ability to allow the ELT to meet the applicable performance standards;
 - ELT battery expiration date, means the date of battery manufacture or recharge plus one half of its useful life;
- (199)“Enhanced Ground Proximity Warning (EGPWS)” means a forward looking warning system that uses the terrain data base for terrain avoidance;

Civil Aviation (Flight Safety) Regulations

(200) “En-route phase” means that part of the flight from the end of the take-off and initial climb phase to the commencement of the approach and landing phase.

Note — Where adequate obstacle clearance cannot be guaranteed visually, flights must be planned to ensure that obstacles can be cleared by an appropriate margin. In the event of failure of the critical power-unit, operators may need to adopt alternative procedures

(201) “Error” As it relates to the flight crew, means an action or inaction by the flight crew that leads to deviations from organisational or flight crew intentions or expectations;

(202) “Error management” means the process of detecting and responding to errors with countermeasures that reduce or eliminate the consequences of errors, and mitigate the probability of errors or undesired aircraft state;

(203) “Estimated off-block time” means the estimated time at which the aircraft will commence movement associated with departure;

(204) “Estimated time of arrival” For IFR flights, means the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that approach procedure will be commenced, or if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome.

Note — The actual time of leaving the holding point will depend on the approach clearance

(205) “Evaluator” means a person employed by a certified Aviation Training Organisation who performs tests for licensing, added ratings, authorizations, and proficiency checks that are authorised by the certificate holder’s training specification, and who is authorised by the Authority to administer such checks and tests;

(206) “Examiner” means any person authorised by the Authority to conduct a pilot proficiency test, a practical test for a licence or rating, or a knowledge test under these Regulations.

Civil Aviation (Flight Safety) Regulations

- (207) “Exception” as it relates to dangerous goods in Part 9 - is a provision in ICAO Annex 18 which excludes a specific item of dangerous goods from the requirements normally applicable to that item;
- (208) “Expected approach time” means the time at which ATC expects that an arriving aircraft, following a delay, will leave the holding point to complete its approach for a landing;
- (209) “Extended overwater operation (Part 7)” as it relates to single-engine land planes, means an operation over water at a distance of more than 185 km (100 nm) from land suitable for making an emergency landing. In the case of multi-engine land planes, more than 370 km (200 nm) from land suitable for making an emergency landing, with the capability of continuing flight with one engine inoperative;
- (210) “Extended overwater operation (Part 8)” as it relates to aircraft other than helicopters, means an operation over water at a horizontal distance of more than 50 nm from the nearest shoreline; and to helicopters, an operation over water at a horizontal distance of more than 50 nm from the nearest shoreline and more than 50 nm from an offshore heliport structure;
- (211) “Facility” as used in Part 6, Approved Maintenance Organisations - means a physical plant, including land, buildings, and equipment, which provides the means for the performance of maintenance, preventive maintenance, or modifications of any article;
- (212) “Factor of safety” means a design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and fabrication;
- (213) “Fatal injury” as it relates to an aircraft accident, is any injury which results in death within 30 days of the accident;’
- (214) “Filed flight plan” means the flight plan as filed with an air traffic service unit by the pilot or a designated representative, without any subsequent changes;
- (215) “Final approach and take-off area (FATO)” means a defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-

Civil Aviation (Flight Safety) Regulations

off manoeuvre is commenced. Where the FATO is to be used by helicopters operating in performance Class 1, the defined area includes the rejected take-off area available;

- (216) “Fireproof material” means a material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose;
- (217) “Flight(s)” means the period from takeoff to landing;
- (218) “Flight crew” means those members of the crew of an aircraft who act as pilot or flight engineer;
- (219) “Flight crewmember” means a licenced crewmember charged with duties essential to the operation of an aircraft during flight time;
- (220) “Flight data analysis” is a process of analysing recorded flight data in order to improve the safety of flight operations;
- (221) “Flight duty period” means the total time from the moment a flight crew member commences duty, immediately subsequent to a rest period and prior to making a flight or a series of flights, to the moment the flight crew member is relieved of all duties having completed such flight or series of flights;
- (222) “Flight information centre” means a unit established to provide flight information service and alerting service;
- (223) “Flight information region” means an airspace of defined dimensions within which flight information service and alerting service are provided;
- (224) “Flight information service” means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;
- (225) “Flight level” means a surface of constant atmospheric pressure which is related to a specific pressure datum, 1,013.2 hectopascals (hPa), and is separated from other surfaces by specific pressure intervals;
- (226) “Flight manual” means a manual, associated with the certificate of airworthiness, containing limitations within which the aircraft is to be considered airworthy, and

Civil Aviation (Flight Safety) Regulations

instructions and information necessary to the flight crew members for the safe operation of the aircraft;

(227)“Flight operations officer/flight dispatcher” means a person designated by the operator to engage in the control and supervision of flight operations, suitably qualified in accordance with Annex 1, who supports, briefs or assists the pilot-in-command in the safe conduct of the flight;

(228)“Flight plan” means —

- (1) specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft;
- (2) full information on all items comprised in the flight plan description, covering the whole route of a flight; or
- (3) limited information required when the purpose is to obtain a clearance for a minor portion of a flight such as to cross an airway, to take off from, or to land at a controlled aerodrome;

(229)“Flight Recorder” means any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation.

Note — This could include the Cockpit Voice Recorder (CVR) or Flight Data Recorder (FDR).

(230)“Flight safety documents system” means a set of interrelated documentation established by the operator, compiling and organizing information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator’s maintenance control manual;

(231)“Flight simulation training device” means any one of the following three types of apparatus in which flight conditions are simulated on the ground —

A flight simulator, which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated;

Civil Aviation (Flight Safety) Regulations

A flight procedures trainer, which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic, etc. aircraft systems, and the performance and flight characteristics of aircraft of a particular class;

A basic instrument flight trainer, which is equipped with appropriate instruments, and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions;

(232)“Flight status” means an indication of whether a given aircraft requires special handling by air traffic services units or not;

(233)“Flight time” means the period of time that the aircraft moves under its own power for the purpose of flight and ends when the aircraft comes to rest after it is parked, with engine(s) shut down if applicable.;

Note — Flight time as here defined is synonymous with the term “block-to-block” time or “chock-to-chock” time in general usage, which is measured from the time an aircraft moves from the loading point until it stops at the unloading point.

(234)“Flight time — aeroplane” means the total time from the moment an aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight.;

(235)“Flight time — helicopter” means the total time from the moment a helicopter’s rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped;

(236)“Flight time — glider” means the total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight;

(237)“Flight training” means training, other than ground training, received from an authorised instructor in flight in an aircraft;

Civil Aviation (Flight Safety) Regulations

- (238) “Flight training device” means a device that —
- (i) is a full size replica of the instruments, equipment, panels, and controls of an aircraft, or set of aircraft, open or in an enclosed cockpit, including the hardware and software for the systems installed, that is necessary to simulate the aircraft in ground and flight operations;
 - (ii) need not have a force (motion) cueing or visual system; and
 - (iii) has been evaluated, qualified, and approved by the Authority;
- Note — A set of aircraft are those that share similar performance characteristics, such as similar airspeed and altitude operating envelopes, similar handling characteristics, and the same number and type of propulsion systems.
- (239) “Flight Training Equipment” means flight simulators, flight training devices, and aircraft;
- (240) “Flight visibility” the visibility forward from the cockpit of an aircraft in flight;
- (241) “Flying Duty Period (FDP)” means any time during which a person operates an aircraft as a member of its crew. It starts when the crewmember is required to report for a flight and finishes at on-chocks or engine off at the end of the final sector;
- (242) “Foreign air operator” means any operator, not being a Saint Lucia air operator, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within the borders or airspace of Saint Lucia, whether on a scheduled or charter basis;
- (243) “Foreign Authority” means the civil aviation authority that issues and oversees the Air Operator Certificate of a foreign air operator;
- (244) “Freight container” means any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo;

Civil Aviation (Flight Safety) Regulations

- (245) “Freight container in the case of radioactive material transport” means an article of transport equipment designed to facilitate the transport of packaged goods, by one or more modes of transport without intermediate reloading. It must be of a permanent enclosed character, rigid and strong enough for repeated use, and must be fitted with devices facilitating its handling, particularly in transfer between aircraft and from one mode of transport to another;
- (246) “General aviation operation” means an aircraft operation other than a commercial air transport operation or an aerial work operation;
- (247) “Glider” means a non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces, which remain, fixed under given conditions of flight;
- (248) “Ground handling” means services necessary for an aircraft’s arrival at, and departure from, an airport, other than air traffic services;
- (249) “Ground Proximity Warning System (GPWS)” is a warning system that uses radar altimeters to alert the pilots of hazardous flight conditions relating to the aircraft’s proximity to the ground;
- (250) “Ground visibility” means the visibility at an aerodrome, as reported by an accredited observer;
- (251) “Gyroplane”, means a heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes;
- (252) “Handling agent” means an agency which performs on behalf of the operator some or all of the latter’s functions including receiving, loading, unloading, transferring or other processing of passengers or cargo;
- (253) “Heading” means the direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid);
- (254) “Heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;

Civil Aviation (Flight Safety) Regulations

- (255) “Height” means the vertical distance of a level, a point or an object considered a point, measured from a specified datum;
- (256) “Helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axis;
- (257) “Helicopter Class 1” means a helicopter with performance such that, in case of critical engine failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area, depending on when the failure occurs;
- (258) “Helicopter Class 2” means a helicopter with performance such that, in case of critical engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which case a forced landing may be required;
- (259) “Helicopter Class 3” means a helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed;
- (260) “Helideck” means a heliport located on a floating or fixed offshore structure;
- (261) “Heliport” means an aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters.
- Note 1 — Throughout this Part, when the term “heliport” is used, it is intended that the term also applies to aerodromes primarily meant for the use of aeroplanes;
- Note 2 — Helicopters may be operated to and from areas other than heliports;
- (262) “Heliport operating minima” means the limits of usability of a heliport for —
- a) take-off, expressed in terms of runway visual range or visibility and, if necessary, cloud conditions;
 - b) landing in precision approach and landing operations, expressed in terms of visibility or runway visual range and decision altitude/height (DA/H) as appropriate to the category of the operation;

Civil Aviation (Flight Safety) Regulations

- c) landing in approach and landing operations with vertical guidance, expressed in terms of visibility or runway visual range and decision altitude/height (DA/H); and
 - d) landing in non-precision approach and landing operations, expressed in terms of visibility or runway visual range, minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions;
- (263) “High-performance aeroplane” means an aeroplane with an engine of more than 200 horsepower;
- (264) “High Speed Aural Warning” means a speed warning that is required for turbine-engined airplanes and airplanes with a VMO/MMO greater than 0.80 VDF/MDF or VD/MD;
- (265) “Holdover time” means the estimated time de-icing/anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on the protected surfaces of an aircraft. Holdover time begins when the final application of de-icing or anti-icing fluid commences and expires when the de-icing or anti-icing fluid applied to the aircraft loses its effectiveness;
- (266) “Hostile environment” means an environment in which —
- a) a safe forced landing cannot be accomplished because the surface and surrounding environment are inadequate; or
 - b) the helicopter occupants cannot be adequately protected from the elements; or
 - c) search and rescue response/capability is not provided consistent with anticipated exposure; or
 - d) there is an unacceptable risk of endangering persons or property on the ground;
- (267) “Housing” as it relates to Approved Maintenance Organisations - means buildings, hangars, and other structures to accommodate the necessary equipment and materials of a maintenance organisation that —
- Provide working space for the performance of maintenance, preventive maintenance, or modifications

Civil Aviation (Flight Safety) Regulations

for which the maintenance organisation is approved and rated; and

- Provide structures for the proper protection of aircraft, airframes, aircraft engines, propellers, appliances, components, parts, and subassemblies thereof during disassembly, cleaning, inspection, repair, modification, assembly, and testing; and
- Provide for the proper storage, segregation, and protection of materials, parts, and supplies.

(268)“Human Factors principles” means principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance;

(269)“Human performance” means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;

(270)“ICAO” is an abbreviation for the International Civil Aviation Organisation;

(271)“IFR” is an abbreviation for instrument flight rules;

(272)“IFR flight” means a flight conducted in accordance with the instrument flight rules;

(273)“Implementing Standards (IS)” the Implementing Standards provide detailed requirements that support the intent of a regulation presented in a Part and, by reference, have the force and effect of the governing Regulations;

(274)“Incident” means an occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations;

(275)“Includes” is a rule of construction that means “includes but is not limited to”;

(276)“Incompatible” as it relates to dangerous goods, are goods which if mixed, would be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance;

(277)“Inspection” means the examination of an aircraft or aeronautical product to establish conformity with a standard approved by the Authority;

Civil Aviation (Flight Safety) Regulations

- (278) “Instrument approach procedure” means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply;
- (279) “Instrument meteorological conditions (IMC)” means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions;
- (280) “Instrument flight time” means time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points.;
- (281) “Instrument ground time” means time during which a pilot is practising, on the ground, simulated instrument flight in a flight simulation training device approved by the Authority;
- (282) “Instrument time” means time in which cockpit instruments are used as the sole means for navigation and control, which may be instrument flight time or instrument ground time;
- (283) “Instrument training” means training which is received from an authorised instructor under actual or simulated instrument meteorological conditions;
- (284) “Integrated survival suit” means a survival suit which meets the combined requirements of the survival suit and life jacket;
- (285) “Interchange agreement” means a leasing agreement which permits an air carrier to dry lease and take or relinquish operational control of an aircraft at an airport;
- (286) “International commercial air transport” means the carriage by aircraft of persons or property for remuneration or hire or the carriage of mail between any two or more countries;
- (287) “International operating agency” means an agency of the kind contemplated in Article 77 of the Convention on International Civil Aviation;

Civil Aviation (Flight Safety) Regulations

- (288)“Investigation” as relates to an aircraft accident or incident, means a process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and, when appropriate, the making of safety recommendations;
- (289)“Investigator-in-charge” as relates to an aircraft accident or incident, means a person charged, on the basis of his or her qualifications, with the responsibility for the organisation, conduct and control of an investigation;
- (290)“Journey log” means a form signed by the PIC of each flight that records the registration of the aircraft, the name of each crew member and their duty assignments, the type of flight, the date, place and time of arrival and departure;
- (291)“Knowledge test” means a test on the aeronautical knowledge areas required for an airman licence or rating that can be administered in written form or by a computer;
- (292)“Land” when used as a verb in relation to an aircraft, includes alighting on water;
- (293)“Landing area” means that part of a movement area intended for the landing or takeoff of an aircraft;
- (294)“Landing decision point (LDP)” means the point used in determining landing performance from which, a power-unit failure occurring at this point, the landing may be safely continued or a balked landing initiated;
- Note — LDP applies only to helicopters operating in performance Class 1
- (295)“Landing surface” means that part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction;
- (296)“Large aeroplane” means an aeroplane having a maximum certified take-off mass of 5,700 kg. (12,500 lbs.), or more;
- (297)“Late Finish / Early Start” means any duty that is carried out within any part of the period 01:00 to 06:59 hours local time, to which a crewmember is acclimatised;

Civil Aviation (Flight Safety) Regulations

- (298)“Level” means a generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level;
- (299)“Level 1 Aviation Training Organisation (ATO)” means a flight training facility which conducts all or substantially all of each flight training course using aircraft;
- (300)“Level 2 Aviation Training Organisation (ATO)” means a flight training facility which conducts all or substantially all of each flight training course using simulation media which are qualified and approved by the Authority;
- (301)“Licence” includes any certificate of competency or certificate of validity issued with the licence or required to be held in connection with the licence by the law of the State in which the licence is granted;
- (302)“Life-limited part” means any part for which a mandatory replacement limit is specified in the type design, the Instructions for Continued Airworthiness, or the maintenance manual;
- (303)“Lighter-than-air aircraft” means any aircraft supported chiefly by its buoyancy in the air;
- (304)“Limit loads” means the maximum loads assumed to occur in the anticipated operating conditions;
- (305)“Line maintenance” means any unscheduled maintenance resulting from unforeseen events, or scheduled checks that contain servicing or inspections that do not require specialised training, equipment or facilities;
- (306)“Line operating flight time” means the flight time recorded by the PIC or Co-Pilot while in commercial air transport service for an AOC holder;
- (307)“Line Operational Simulation” means simulation conducted using operational-oriented flight scenarios that accurately replicate interaction among flightcrew members and between flightcrew members and dispatch facilities, other crewmembers, air traffic control, and ground operations;
- (308)“Line Operational Flight Training (LOFT)” means training in a simulator with a complete crew using representative flight segments which contain normal, abnormal, and emergency procedures that may be expected in line operations;

Civil Aviation (Flight Safety) Regulations

- (309) “Load factor” means the ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions;
- (310) “Local Night” means a period of 8 hours falling between 21:00 and 07:00 hours local time;
- (311) “Logbook” in the case of an aircraft logbook, engine logbook or variable pitch propeller logbook, or personal flying logbook, includes a record kept either in a book, or by any other means approved by the Minister in the particular case;
- (312) “Long Range Overwater Flights” means routes on which an aeroplane may be over water and at more than a distance corresponding to 120 minutes at cruising speed or 740 km (400 NM), whichever is the lesser, away from land suitable for making an emergency landing;
- (313) “Low Altitude Wind Shear Warning and Guidance System” means a system that will issue a warning of low altitude wind shear and in some cases provide the pilot with guidance information of the escape manoeuvre;
- (314) “Mach Number Indicator” is an indicator that shows airspeed as a function of the Mach number;
- (315) “Maintenance” means the performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair;
- (316) “Maintenance Control Manual” is a document that describes the operator’s procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator’s aircraft on time and in a controlled and satisfactory manner;
- (317) “Maintenance Procedures Manual” is a document endorsed by the head of the maintenance organization which details the maintenance organisation’s structure and management responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems;

Civil Aviation (Flight Safety) Regulations

- (318)“Maintenance programme” is a document which describes the specific scheduled maintenance tasks and their frequency of completion and related procedures, such as a reliability programme, necessary for the safe operation of those aircraft to which it applies;
- (319)“Maintenance release” is a certification by an appropriately certified person confirming that the maintenance work to which it relates has been completed in a satisfactory manner, in accordance with the approved data and the approved procedures manual or under an approved equivalent system;
- (320)“Major alteration” means an alteration not listed in the aircraft, aircraft engine, or propeller specifications – (1) that might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness; or (2) that cannot be done by elementary operations;
- (321)“Major modification” has the meaning described in IS: 5.1.1.2(a)(3);
- (322)“Major repair” has the meaning described in IS: 5.1.1.2(a)(4);
- (323)“Manoeuvring area” means that part of an aerodrome to be used for the takeoff, landing and taxiing of aircraft, excluding aprons;
- (324)“Master minimum equipment list (MMEL)” means a list established —
- (i) for a particular aircraft type by the manufacturer with the approval of the State of Manufacture containing items, one or more of which is permitted to be unserviceable at the commencement of a flight and may be associated with special operating conditions, limitations or procedures; and
 - (ii) to provide the basis for development, review and approval by the Authority of an individual operator’s MEL;
- (325)“Maximum mass” means maximum certificated take-off mass;

Civil Aviation (Flight Safety) Regulations

- (326) “Maximum total weight authorized” in relation to an aircraft means the maximum total weight of the aircraft and its contents at which the aircraft may take off anywhere in the world, in the most favorable circumstances, in accordance with the certificate of airworthiness in force in respect of the aircraft;
- (327) “May” is a rule of construction that indicates that discretion can be used when performing an act described in a regulation;
- (328) “Measurement Device” means a calibrated calibrator, standard, equipment and test equipment that is intended to be used to test, measure, or calibrate other measurement devices. It is not to be used to test, measure, or calibrate an aeronautical product;
- (329) “Meteorological information” means a meteorological report, analysis, forecast, and any other statement relating to existing or expected meteorological conditions;
- (330) “Military aircraft” means a naval, military or air force aircraft of any State and any aircraft in respect of which there is in force a certificate issued by the Minister that the aircraft is to be treated, for the purposes of these Regulations, as a military aircraft;
- (331) “Minimum descent altitude (MDA) or minimum descent height (MDH)” means a specified altitude or height in a non-precision approach or circling approach below which descent must not be made without the required visual reference;

Note 1 — Minimum descent altitude (MDA) is referenced to mean sea level and minimum descent height (MDH) is referenced to the aerodrome elevation or to the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. A minimum descent height for a circling approach is referenced to the aerodrome elevation.

Note 2 — The required visual reference means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path.

Civil Aviation (Flight Safety) Regulations

In the case of a circling approach the required visual reference is the runway environment.

Note 3 — For convenience when both expressions are used they may be written in the form “minimum descent altitude/ height” and abbreviated “MDA/H”

- (332) “Minimum equipment list (MEL)” is a list which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the MMEL established for the aircraft type;
- (333) “Minister” means the Minister responsible for civil aviation;
- (334) “Modification” means the alteration of an aircraft/ aeronautical product in conformity with an approved standard;
- (335) “Movement area” is that part of an aerodrome to be used for takeoff, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s);
- (336) “Navigable airspace” means the airspace above the minimum altitudes of flight prescribed in these Regulations (Part 8) and includes airspace needed to ensure safety in the takeoff and landing of aircraft;
- (337) “Navigation of aircraft” means a function which includes the piloting of aircraft;
- (338) “Night” means the hours between the end of evening civil twilight and the beginning of morning civil twilight or such other period between sunset and sunrise. Civil twilight ends in the evening when the centre of the sun’s disc is 6 degrees below the horizon and begins in the morning when the centre of the sun’s disc is 6 degrees below the horizon;
- (339) “Non-congested hostile environment” means a hostile environment outside a congested area;
- (340) “Non-hostile environment” means an environment in which —
- a) a safe forced landing can be accomplished because the surface and surrounding environment are adequate;

Civil Aviation (Flight Safety) Regulations

- b) the helicopter occupants can be adequately protected from the elements;
- c) search and rescue response/capability is provided consistent with anticipated exposure; and
- d) the assessed risk of endangering persons or property on the ground is acceptable.

Note — Those parts of a congested area satisfying the above requirements are considered non-hostile

- (341) “Obstacle clearance altitude (OCA) or obstacle clearance height (OCH)” means the lowest altitude or the lowest height above the elevation of the relevant runway threshold or the aerodrome elevation as applicable, used in establishing compliance with appropriate obstacle clearance criteria.

Note 1 — Obstacle clearance altitude is referenced to mean sea level and obstacle clearance height is referenced to the threshold elevation or in the case of non-precision approaches to the aerodrome elevation or the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. An obstacle clearance height for a circling approach is referenced to the aerodrome elevation.

Note — For convenience when both expressions are used they may be written in the form “obstacle clearance altitude/ height” and abbreviated “OCA/H”.

- (342) “Obstruction clearance plane” means a plane 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. 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 1,500 feet from the beginning point. Thereafter, 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 4,000 foot radius until a point is

Civil Aviation (Flight Safety) Regulations

reached beyond which the obstruction clearance plane clears all obstructions. This area extends laterally 200 feet 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 500 feet on each side of the centreline at a point 1,500 feet from the intersection of the obstruction clearance plane with the runway; thereafter, it extends laterally 500 feet on each side of the centreline;

(343) “Offshore operations” means operations which routinely have a substantial proportion of the flight conducted over sea areas to or from offshore locations. Such operations include, but are not limited to, support of offshore oil, gas and mineral exploitation and sea-pilot transfer;

(344) “Operation” an activity or group of activities which are subject to the same or similar hazards and which require a set of equipment to be specified, or the achievement and maintenance of a set of pilot competencies, to eliminate or mitigate the risk of such hazards;

Note — Such activities could include, but would not be limited to, offshore operations, heli-hoist operations or emergency medical service.

(345) “Operating position” means an air traffic control function performed within or directly associated with a control facility;

(346) “Operational control” means the exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight;

(347) “Operational flight plan” means the operator’s plan for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations, and relevant expected conditions on the route to be followed and at the aerodromes or heliports concerned;

(348) “Operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;

(349) “Operations specifications” are part of an operator’s certificate (air operator certificate, approved training

Civil Aviation (Flight Safety) Regulations

organization certificate, approved maintenance organization certificate, etc.) that is used to administer safety standards and define the provisions and limitations within which the operator may conduct business operations. Operations specifications are issued by the Authority and considered a legal, contractual agreement between the Authority and the operator;

- (350)“Operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;
- (351)“Overhaul” means the restoration of an aircraft/ aeronautical product using methods, techniques, and practices acceptable to the Authority, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorization (PMA) or Technical Standard Order (TSO);
- (352)“Overpack” means an enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage;
- (353)“Package” means the complete product of the packing operation consisting of the packaging and its contents prepared for transport;
- (354)“Packaging” means receptacles and any other components or materials necessary for the receptacle to perform its containment function and to ensure compliance with the packing requirements;
- (355)“Parascending parachute” means a parachute which is towed by cable in such a manner as to cause it to ascend;
- (356)“Passenger” means a person other than a member of the crew;
- (357)“Passenger aircraft” means an aircraft that carries any person other than a crew member, an operator’s employee in an official capacity, an authorized representative of an appropriate national authority or a person accompanying a consignment or other cargo;

Civil Aviation (Flight Safety) Regulations

- (358)“Passenger exit seats” means those seats having direct access to an exit, and those seats in a row of seats through which passengers would have to pass to gain access to an exit, from the first seat inboard of the exit to the first aisle inboard of the exit. A passenger seat having “direct access” means a seat from which a passenger can proceed directly to the exit without entering an aisle or passing around an obstruction;
- (359)“Person” includes a body corporate or an unincorporated body;
- (360)“Performance criteria” means a simple, evaluative statement on the required outcome of the competency element and a description of the criteria used to judge if the required level of performance has been achieved;
- (361)“Pilot in command” means the pilot responsible for the operation and safety of the aircraft during flight time;
- (362)“Pilot time” means that time a person —
- (i) serves as a required pilot;
 - (ii) receives training from an authorised instructor in an aircraft, approved flight simulator, or approved flight training device; or
 - (iii) gives training as an authorised instructor in an aircraft, approved flight simulator, or approved flight-training device;
- (363)“Powered-lift” means a heavier-than-air aircraft capable of vertical takeoff, vertical landing, and low speed flight that depends principally on engine-driven lift devices or engine thrust for lift during these flight regimes and on nonrotating airfoil(s) for lift during horizontal flight;
- (364)“Powerplant” means an engine that is used or intended to be used for propelling aircraft. It includes turbo superchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers;
- (365)“Power-unit” means a system of one or more engines and ancillary parts which are together necessary to provide thrust, independently of the continued operation of any other power unit(s), but not including short period thrust producing devices;

Civil Aviation (Flight Safety) Regulations

- (366) “Practical test” means a competency test on the areas of operations for a licence, certificate, rating, or authorization that is conducted by having the applicant respond to questions and demonstrate manoeuvres in flight, in an approved flight simulator, or in an approved flight training device, or in a combination of these;
- (367) “Pre-flight inspection” means the inspection carried out before flight to insure that the aircraft is fit for the intended flight;
- (368) “Preliminary report” is the communication used for the prompt dissemination of data obtained during the early stages of the investigation;
- (369) “Prescribed” means a rule of construction that means the Authority has issued written policy or methodology which imposes either a mandatory requirement, if the written policy or methodology states “shall,” or a discretionary requirement if the written policy or methodology states “may;”
- (370) “Pressure-altitude” is an atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere;
- (371) “Pressurised aircraft” means for airman-licensing purposes, an aircraft that has a service ceiling or maximum operating altitude, whichever is lower, above 25,000 feet MSL and which is provided with means of maintaining in any compartment a pressure greater than that of the surrounding atmosphere;
- (372) “Preventative maintenance” has the meaning described in IS: 5.1.1.2(a)(5);
- (373) “Primary Standard” means a standard defined and maintained by a State Authority and used to calibrate secondary standards;
- (374) “Problematic use of substances” means the use of one or more psychoactive substances by aviation personnel in a way that —
- Constitutes a direct hazard to the user or endangers the lives, health or welfare of others; or
 - Causes or worsens an occupational, social, mental or physical problem or disorder;

Civil Aviation (Flight Safety) Regulations

- (375) “Prohibited area” as it relates to flight, is an airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited;
- (376) “Proper shipping name” means the name to be used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packaging;
- (377) “Propeller” means a device for propelling an aircraft that has blades on a powerplant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation. It includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants;
- (378) “Psychoactive substances” means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded;
- (379) “Psychosis” means a mental disorder in which the individual has manifested delusions, hallucinations, grossly bizarre or disorganised behaviour, or other commonly accepted symptoms of this condition; or the individual may reasonably be expected to manifest delusions, hallucinations, grossly bizarre or disorganised behaviour, or other commonly accepted symptoms of this condition;
- (380) “Public aircraft” means an aircraft used exclusively in the service of any government or of any political jurisdiction thereof, including the Government of Saint Lucia, but not including any government owned aircraft engaged in operations which meet the definition of commercial air transport operations;
- (381) “Quality assurance” quality assurance, as distinguished from quality control, involves activities in the business, systems, and technical audit areas. A set of predetermined, systematic actions which are required to provide adequate confidence that a product or service satisfies quality requirements;

Civil Aviation (Flight Safety) Regulations

- (382) "Quality control" means the regulatory inspection process through which actual performance is compared with standards, such as the maintenance of standards of manufactured aeronautical products, and any difference is acted on;
- (383) "Quality system" means documented organisational procedures and policies; internal audit of those policies procedures; management review and recommendation for quality improvements;
- (384) "Radiotelephony" is a form of radio communication primarily intended for the exchange of information in the form of speech;
- (385) "Rated air traffic controller" means an air traffic controller holding a licence and valid ratings appropriate to the privileges to be exercised;
- (386) "Rating" means an authorization entered on or associated with a licence or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence or certificate;
- (387) "Rebuild" means the restoration of an aircraft/aeronautical product by using methods, techniques, and practices acceptable to the Authority, when it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits. This work will be performed by only the manufacturer or an organisation approved by the manufacturer, and authorised by the State of Registry;
- (388) "Record" means anything in which information of any description is recorded;
- (389) "Reference Standard" means a standard that is used to maintain working standards;
- (390) "Rendering (a Certificate of Airworthiness) valid" means the action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness;

Civil Aviation (Flight Safety) Regulations

(391)“Repair” means —

- The restoration of an aeronautical product to an airworthy condition as defined by the appropriate airworthiness requirements;
- The restoration of an aeronautical product to an airworthy condition to ensure that the aircraft continues to comply with the design aspects of the appropriate airworthiness requirements used for the issuance of the type certificate for the respective aircraft type, after it has been damaged or subjected to wear;

(392)“Repetitive flight plan (RPL)” means a flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by ATC units;

(393)“Replacement” in relation to any part of an aircraft or its equipment includes the removal and replacement of that part whether or not by the same part, and whether or not any work is done on it; but does not include the removal and replacement of a part which is designed to be removable solely for the purpose of enabling another part to be inspected, repaired, removed or replaced or cargo to be loaded;

(394) “Reporting point” means a specified geographical location in relation to which the position of the aircraft can be reported.

(395)“Reporting Time” means the time at which a crew member is required by the AOC holder to report for any duty;

(396)“Required communication performance (RCP)” is a statement of the performance requirements for operational communication in support of specific ATM functions;

(397)“Required communication performance type (RCP type)” is a label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity;

(398)“Required navigation performance (RNP)” is a statement of the navigation performance necessary for operation within a defined airspace;

Civil Aviation (Flight Safety) Regulations

Note — Navigation performance and requirements are defined for a particular RNP type or application.

- (399) “Rest period” means a period free of all restraint, duty or responsibility for persons identified in these Regulations conducting commercial air transport operations or work under a certificate or approval from the Authority;
- (400) “Restricted area” as it relates to airspace, is an airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions;
- (401) “RNP type” means a containment value expressed as a distance in nautical miles from the intended position within which flights would be for at least 95 per cent of the total flying time. Example — RNP 4 represents a navigation accuracy of plus or minus 7.4 km (4 NM) on a 95 per cent containment basis;
- (402) “Rotorcraft” means a power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors;
- (403) “Rotorcraft flight manual” is a manual, associated with the certificate of airworthiness, containing limitations within which the rotorcraft is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the rotorcraft;
- (404) “Rotorcraft load combinations” means configurations for external loads carried by rotorcraft —
- (i) Class A — external load fixed to the rotorcraft, which cannot be jettisoned, does not extend below the landing gear and is used to transport cargo;
 - (ii) Class B — external load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations;
 - (iii) Class C — external load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation;
 - (iv) Class D — external load suspended from the rotorcraft for the carriage of persons;

Civil Aviation (Flight Safety) Regulations

- (405) “Rostered/Planned Duty” means a duty period, or series of duty periods, with stipulated start and finish times, notified to crews in advance;
- (406) “Rostering Period” means a number of consecutive weeks (2 to 6 weeks normally 4 weeks);
- (407) “Runway” is a defined rectangular area on a land aerodrome prepared for the landing and takeoff of aircraft;
- (408) “Runway-holding position” means a designated position intended to protect a runway, an obstacle limitation surface, or an ILS/MLS critical/sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorised by the aerodrome control tower;
- (409) “Runway visual range (RVR)” means the range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line;
- (410) “Safe forced landing” means unavoidable landing or ditching with a reasonable expectancy of no injuries to persons in the aircraft or on the surface;
- (411) “Safety management system” means a systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures;
- (412) “Safety programme” means an integrated set of regulations and activities aimed at improving safety;
- (413) “Safety recommendation” as it relates to accident investigation is a proposal of the accident investigation authority of the State conducting the investigation, based on information derived from the investigation made with the intention of preventing accidents or incidents;
- (414) “Safety-sensitive personnel” means persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers;
- (415) “Satellite” means an ATO at a location other than primary location of the ATO;

Civil Aviation (Flight Safety) Regulations

- (416) “Scheduled Duty” means the allocation of a specific flight or flights or other duties to a crew member within the pre-notified rostered series of duty periods;
- (417) “Secondary Standards” means a standard maintained by comparison with a primary standard;
- (418) “Sector” means the time between the aircraft first moves under its own power, takes off, lands and comes to rest on the designated parking position;
- (419) “Serious incident” means an incident involving circumstances indicating that an accident nearly occurred;
- (420) “Serious injury” means an injury which is sustained by a person in an accident and which —
- (i) requires hospitalisation for more than 48 hours, commencing within seven days from the date the injury was received;
 - (ii) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
 - (iii) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
 - (iv) involves injury to any internal organ; or
 - (v) involves second or third degree burns, or any burns affecting more than 5% of the body surface; or
 - (vi) involves verified exposure to infectious substances or injurious radiation;
- (421) “Shall” indicates a mandatory requirement;
- (422) “Signal area” means an area on an aerodrome used for the display of ground signals;
- (423) “Signature” is an individual’s unique identification used as a means of authenticating a record entry or record. A signature may be hand-written, electronic, or any other form acceptable to the Authority;
- (424) “Skill test” means a competency test on the areas of operations for a licence, certificate, rating, or authorization that is conducted with actual demonstrations and by having the applicant respond to questions;

Civil Aviation (Flight Safety) Regulations

- (425)“Small aeroplane” means an aeroplane having a maximum certified take-off mass of less than 5,700 kg. (12,500 lbs.);
- (426)“Solo flight” means flight time during which a student pilot is the sole occupant of the aircraft, or that flight time during which the student acts as a PIC of a gas balloon or an airship requiring more than one flight crewmember;
- (427)“Spare parts” means any parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers, and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto;
- (428)“Special VFR flight” means a VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC;
- (429)“Specialised maintenance” means any maintenance not normally performed by an AMO (e.g., tire retreating, plating, etc.);
- (430)“Speciality curriculum” means a set of courses that is designed to satisfy a requirement of the Civil Aviation Regulations and that is approved by the Authority for use by a particular Level 2 ATO or satellite Level 2 ATO. The speciality curriculum includes training requirements unique to one or more Level 2 ATO clients;
- (431)“Specific operating provisions” (Maintenance) means the Specific Operating Provisions which describe the ratings (Class or Limited) in detail and which will contain or reference material and process specifications used in performing repair work, along with any limitations applied to the maintenance organisation. The accountable manager and the Authority sign this document;
- (432)“Split Duty” means a Flying Duty Period that consists of two or more sectors, separated by less than a minimum rest period;
- (433)“Standard” means an object, artifact, tool, test equipment, system, or experiment that stores, embodies, or otherwise provides a physical quantity, which serves as the basis for

Civil Aviation (Flight Safety) Regulations

measurement of the quantity. It also includes a document describing the operations and process that must be performed in order for a particular end to be achieved;

(434)“Standard atmosphere” means an atmospheric unit of reference defined as follows —

- a) the air is a perfect dry gas;
- b) the physical constants are:
 - Sea level mean molar mass:
 $M_0 = 28.964420 \times 10^{-3} \text{ kg mol}^{-1}$
 - Sea level atmospheric pressure:
 $P_0 = 1013.250 \text{ hPa}$
 - Sea level temperature:
 $t_0 = 15^\circ\text{C}$
 - $T_0 = 288.15 \text{ K}$
 - Sea level atmospheric density:
 $\rho_0 = 1.2250 \text{ kg m}^{-3}$
 - Temperature of the ice point:
 $T_i = 273.15 \text{ K}$
 - Universal gas constant:
 $R^* = 8.31432 \text{ JK}^{-1}\text{mol}^{-1}$

c) the temperature gradients are —

Geopotential altitude (km) /Temperature gradient

From	To	/(Kelvin per standard geopotential kilometre)
-5.0	11.0	-6.5
11.0	20.0	0.0
20.0	32.0	+1.0
32.0	47.0	+2.8
47.0	51.0	0.0
51.0	71.0	-2.8
71.0	80.0	-2.0

(435)“Standby Duty” means a period during which the company places restraints on a crewmember who would otherwise be off duty;

(436)“State of Design” means the Contracting State which approved the original type certificate and any subsequent supplemental type certificates for an aircraft, or which approved the design of an aeronautical product or appliance;

Civil Aviation (Flight Safety) Regulations

- (437)“State of Manufacture” means the Contracting State, under whose authority an aircraft was assembled, approved for compliance with the type certificate and all extant supplemental type certificates, test flown and approved for operation. The state of manufacture may or may not also be the state of design;
- (438)“State of Occurrence” means the State in the territory of which an accident or incident occurs;
- (439)“State of Origin” as it relates to dangerous goods, the State in which dangerous goods were first loaded on an aircraft;
- (440)“State of Registry” means the Contracting State on whose registry an aircraft is entered;
- (441)“Substance” means alcohol, sedatives, hypnotics, anxiolytics, hallucinogens, opioids, cannabis, inhalants, central nervous system stimulants such as cocaine, amphetamines, and similarly acting sympathomimetics, phencyclidine or similarly acting arylcyclohexylamines, and other psychoactive drugs and chemicals;
- (442)“Substance abuse” means —
- (i) the use of a substance in a situation in which that use was physically hazardous, if there has been at any other time an instance of the use of a substance also in a situation in which that use was physically hazardous;
 - (ii) a verified positive drug test result acquired under an anti-drug program or internal program of the Saint Lucia government; or
 - (iii) misuse of a substance that the Authority, based on case history and qualified medical judgement relating to the substance involved, finds makes the applicant unable to safely perform the duties or exercise the privileges of the airman certificate applied for or held; or may reasonably be expected, for the maximum duration of the airman medical certificate applied for or held, to make the applicant unable to perform those duties or exercise those privileges;
- (443)“Substance dependence” means a condition in which a person is dependent on a substance, other than tobacco or

Civil Aviation (Flight Safety) Regulations

ordinary xanthine-containing (e.g., caffeine) beverages, as evidenced by increased tolerance; manifestation of withdrawal symptoms; impaired control of use; or continued use despite damage to physical health or impairment of social, personal, or occupational functioning;

- (444) “Substantial damage” means damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component. Engine failure or damage limited to an engine if only one engine fails or is damaged, bent failings or cowling, dented skin, small punctured holes in the skin or fabric, ground damage to rotor or propeller blades, and damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips are not considered “substantial damage” for the purpose of this Part;
- (445) “Suitable Accommodation” means a well-furnished bedroom, which is subject to minimum noise, is well ventilated and has the facility to control the level of light and temperature;
- (446) “Synthetic flight trainer” see Flight simulation training device;
- (447) “Take-off and initial climb phase” means that part of the flight from the start of take-off to 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or to the end of the climb in the other cases;
- (448) “Takeoff decision point” means the point used in determining takeoff performance of a Class 1 helicopter from which, should an engine failure occur at this point, either a rejected takeoff may be made or a takeoff safely continued;
- (449) “Take-off surface” means that part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction;
- (450) “Target level of safety (TLS)” means a generic term representing the level of risk which is considered acceptable in particular circumstances;

Civil Aviation (Flight Safety) Regulations

- (451) “Taxiing” means movement of an aircraft on the surface of an aerodrome under its own power, excluding takeoff and landing;
- (452) “Taxiway” means a defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including —
- Aircraft stand taxiway. A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;
 - Apron taxiway. A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron;
 - Rapid exit taxiway. A taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimizing runway occupancy times;
- (453) “Technical instructions” means the latest effective edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc. 9284-AN/905), including the supplement and any addendum, approved and published by decision of the Council of the ICAO. The term “Technical Instructions” is used in this Part;
- (454) “Technical log” means a document carried on an aircraft for recording defects and malfunctions discovered during operation and for recording details of all maintenance carried out whilst the aircraft is operating between scheduled visits to the base maintenance facility. It also contains operating information relevant to flight safety and maintenance data that the operating crew need to know. A technical log contains two independent sections: a journey record section and an aircraft maintenance record section;
- (455) “Terminal control area” means a control area normally established at the confluence of ATC routes in the vicinity of one or more major aerodromes;
- (456) “Terrain Awareness Warning System” means a system that provides the flight crew with sufficient information and

Civil Aviation (Flight Safety) Regulations

alerting to detect a potentially hazardous terrain situation and so the flight crew may take effective action to prevent a controlled flight into terrain (CFIT) event;

- (457) “Threat” as it relates to flight, events or errors that occur beyond the influence of the flight crew, increase operational complexity and which must be managed to maintain the margin of safety;
- (458) “Threat management” means the process of detecting and responding to the threats with countermeasures that reduce or eliminate the consequences of threats, and mitigate the probability of errors;
- (459) “Tools, Equipment and Test Equipment” means equipment used for the performance of maintenance or calibration on an aircraft or aeronautical product. See also working standard;
- (460) “Total estimated elapsed time” means for IFR flights, the estimated time required from takeoff to arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome. For VFR flights, the estimated time required from takeoff to arrive over the destination aerodrome;
- (461) “Total vertical error (TVE)” means the vertical geometric difference between the actual pressure altitude flown by an aircraft and its assigned pressure altitude (flight level);
- (462) “Track” means the projection on the earth’s surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid);
- (463) “Traceability” means a characteristic of a calibration, analogous to a pedigree. A traceable calibration is achieved when each Measurement Device and Working Standard, in a hierarchy stretching back to the National Standard, was itself properly calibrated, and the results properly documented. The documentation provides the information needed to show that all calibrations in the chain of calibrations were properly performed;

Civil Aviation (Flight Safety) Regulations

- (464) “Traffic avoidance advice” is advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision.
- (465) “Traffic information” means information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision;
- (466) “Training manual” is a manual containing the training goals, objectives, standards syllabi, and curriculum for each phase of the approved training course;
- (467) “Training procedures manual” is a manual containing procedures, instructions and guidance for use by personnel in the execution of their duties in meeting the requirements of the certificate;
- (468) “Training program” means a program that consists of courses, courseware, facilities, flight training equipment and personnel necessary to accomplish a specific training objective. It may include a core curriculum and a specialty curriculum;
- (469) “Training time” means the time spent receiving any kind of approved training from an authorised instructor;
- (470) “Training to proficiency” means the process of the check airman administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period;
- (471) “Training specifications” means a document issued to a certified Aviation Training Organisation by the Authority that prescribes that organisation’s training, checking, and testing authorizations and limitations, and specifies training program requirements;
- (472) “Transition altitude” means the altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes;
- (473) “Transfer Standard” means any standard that is used to compare a measurement process, system, or device at one location or level with another measurement process, system or device at another location or level;

Civil Aviation (Flight Safety) Regulations

- (474)“Travelling time” means all time spent by a crewmember transiting between the place of rest and the place of reporting for duty;
- (475)“Type Certificate” is a document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State;
- (476)“Ultimate load” means the limit load multiplied by the appropriate factor of safety;
- (477)“UN number” means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances;
- (478)“Undesired aircraft state” occurs when the flight crew places the aircraft in a situation of unnecessary risk;
- (479)“Unit load device” means any type of aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo;
- (480)“Unmanned free balloon” means a non-power-driven, unmanned, lighter-than-air aircraft in free flight;
- (481)“Validation” means the action taken by one State as an alternative to issuing its own licence or certificate, in accepting a licence or certificate issued by another Contracting State as the equivalent of its own licence or certificate for use on aircraft registered in the first State;
- (482)“Visibility” means visibility for aeronautical purposes is the greater of —
- The greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognized when observed against a bright background;
 - The greatest distance at which lights in the vicinity of 1,000 candelas can be seen and identified against an unlit background;
- (483)“Visual meteorological conditions (VMC)” means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima;

Civil Aviation (Flight Safety) Regulations

- (484)“Vital Point” means any point on an aircraft at which single mal-assembly could lead to catastrophe, i.e. result in loss of aircraft or in fatalities;
- (485)“VFR flight” means a flight conducted in accordance with the visual flight rules;
- (486)“VTOSS” means the minimum speed at which climb shall be achieved with the critical power-unit inoperative, the remaining powerunits operating within approved operating limits.
- Note — The speed referred to above may be measured by instrument indications or achieved by a procedure specified in the flight manual
- (487)“Week” means a period of 7 consecutive days starting at (..) time Local on a (..) day of the week.
(Insert time and day of the week, as required;)
- (488)“Wet Lease” means the lease of an aircraft with crew and other back-up;
- (489)“Working Standard” means a calibrated standard that is used in the performance of maintenance or calibrations in any work area for the purpose of forming the basis for product acceptance or for making a finding of airworthiness (approval for return to service) to an aircraft or aeronautical product. A working standard may be maintained by comparison with primary standards, secondary standards, reference standards or transfer standards, as appropriate. A working standard is not to be used to test, measure, or calibrate other working standards or measurement devices.

1.2 GENERAL ADMINISTRATIVE RULES GOVERNING TESTING, LICENCES AND CERTIFICATES

1.2.1.1 DISPLAY AND INSPECTION OF LICENCES AND CERTIFICATES

(a) Pilot licence —

- (1) To act as a pilot of a civil aircraft registered in Saint Lucia, a person shall have in his or her physical possession or readily accessible in the aircraft a valid pilot licence.

Civil Aviation (Flight Safety) Regulations

- (2) To act as a pilot of a civil aircraft of foreign registry within Saint Lucia, a person shall be the holder of a valid pilot licence issued by the State of Registry, and have the pilot licence in his or her physical possession or readily accessible in the aircraft.
- (b) Flight instructor rating: A person who holds a flight instructor rating shall have that licence, or any other documentation acceptable to the Authority, in his or her physical possession or readily accessible in the aircraft when exercising the privileges of that rating.
 - (c) Other airman licence: A person required by any part of these Regulations to have an airman's licence shall have it in his or her physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that licence.
 - (d) Medical certificate: A person required by any part of these Regulations to have a current medical certificate shall have it in his or her physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that certificate.
 - (e) Pilot School Certificate and Aviation Maintenance Technician School Certificate: The holder of a Pilot School certificate or a provisional Pilot School certificate or Aviation Maintenance Technician School certificate shall display that certificate in a place in the school that is normally accessible to the public and that is not obscured.
 - (f) Training Centre Certificate: The holder of a Training Centre certificate shall prominently display that certificate in a place accessible to the public in the principal business office of the training centre.
 - (g) Aircraft Airworthiness Certificate: An owner or operator of an aircraft shall display that certificate in the cabin of the aircraft or at the entrance to the aircraft flight deck.
 - (h) Approved Maintenance Organisation (AMO) Certificate: The holder of an AMO certificate shall prominently display that certificate in a place accessible to the public in the principal business office of the AMO.
 - (i) Inspection of licence: A person who holds an airman or crewmember licence, medical certificate, or authorization required by these Regulations shall present it for inspection on a request from —

Civil Aviation (Flight Safety) Regulations

- (1) the Authority; or
- (2) any national or local law enforcement officer.

1.2.1.2 CHANGE OF NAME

- (a) A holder of a licence or certificate issued under these Regulations may apply to change the name on a licence or certificate.
- (b) The holder under part (a) shall include with any such request —
 - (1) the current licence or certificate; and
 - (2) a copy of the marriage licence, court order, or other document verifying the name change.
- (c) The Authority shall return to the airman the documents specified in paragraph (a) of this subsection.

1.2.1.3 CHANGE OF ADDRESS

A holder of an airman licence or pilot school, training centre, or aviation maintenance school certificate who has made a change in permanent mailing address may not, after 30 days from that date, exercise the privileges of the licence or certificate unless he or she has notified the Authority in writing of the new permanent mailing address, or current residential address if the permanent mailing address includes a post office box number.

1.2.1.4 REPLACEMENT OF A LOST OR DESTROYED AIRMAN OR MEDICAL CERTIFICATE OR KNOWLEDGE TEST REPORT

- (a) An applicant who has lost or destroyed one of the following documents issued under these Regulations shall request a replacement in writing from the office designated by the Authority —
 - (1) an airman licence;
 - (2) a medical certificate;
 - (3) a knowledge test report.
- (b) The airman or applicant shall state in the request letter —
 - (1) the name of the airman or applicant;
 - (2) the permanent mailing address, or if the permanent mailing address includes a post office box number, the person's current residential address;

Civil Aviation (Flight Safety) Regulations

- (3) the social security number or equivalent national identification number;
- (4) the date and place of birth of the airman or applicant; and
- (5) any available information regarding the —
 - (ii) grade, number, and date of issuance of the licence, and the ratings, if applicable;
 - (iii) date of the medical examination, if applicable; and
 - (iv) date the knowledge test was taken, if applicable.
- (c) After receiving a facsimile from the Authority confirming that the lost or destroyed document was issued, an airman may carry the facsimile in lieu of the lost or destroyed document for up to 60 days pending the airman's receipt of a duplicate document

1.2.1.5 FALSIFICATION, REPRODUCTION, OR ALTERATION OF APPLICATIONS, CERTIFICATES, LOGBOOKS, REPORTS, OR RECORDS

- (a) A person shall not make or cause to be made concerning any licence, certificate, rating, qualification, or authorization, an application for or duplicate thereof, issued under these Regulations —
 - (1) any fraudulent or intentionally false statement;
 - (2) any fraudulent or intentionally false entry in any logbook, record, or report that these Regulations require, or used to show compliance with any requirement of these Regulations;
 - (3) any reproduction for fraudulent purpose; or
 - (4) any alteration.
- (b) A person who commits any act prohibited under paragraph (a) of this section may have his or her airman licence, rating, certificate, qualification, or authorization revoked or suspended.

1.2.1.6 SURRENDER, SUSPENSION, OR REVOCATION OF LICENCE OR CERTIFICATE

- (a) A licence or certificate issued under these Regulations shall cease to be effective if it is surrendered, suspended, or revoked.

Civil Aviation (Flight Safety) Regulations

- (b) Where a certificate or a licence issued under these Regulations has been suspended or revoked, the holder of such a licence or a certificate shall, on a request made by the Authority, return that licence or certificate to the Authority.

1.2.1.7 REAPPLICATION AFTER REVOCATION

Unless otherwise authorised by the Authority, a person whose licence, certificate, rating, or authorization has been revoked shall not apply for any licence, certificate, rating, or authorization for one year after the date of revocation.

1.2.1.8 REAPPLICATION AFTER SUSPENSION

Unless otherwise authorised by the Authority, a person whose licence has been suspended shall not apply for any licence, rating, or authorization during the period of suspension.

1.2.1.9 VOLUNTARY SURRENDER OR EXCHANGE OF Licence

- (a) The holder of a licence or certificate issued under these Regulations may voluntarily surrender it for —
 - (1) cancellation;
 - (2) issuance of a lower grade licence; or
 - (3) another licence with specific ratings deleted.
- (b) An applicant requesting voluntary surrender of a licence shall include the following signed statement or its equivalent: “This request is made for my own reasons, with full knowledge that my (insert name of licence or rating, as appropriate) may not be reissued to me unless I again pass the tests prescribed for its issuance.”

1.2.1.10 PROHIBITION ON PERFORMANCE DURING MEDICAL DEFICIENCY

- (a) A person who holds a current medical certificate issued under these Regulations shall not act in a capacity for which that medical certificate is required while that person —
 - (1) knows or has reason to know of any medical condition that would make the person unable to meet the requirements for the required medical certificate; or

Civil Aviation (Flight Safety) Regulations

- (2) is taking medication or receiving other treatment for a medical condition that results in the person being unable to meet the requirements for the required medical certificate.

1.2.1.11 DRUG AND ALCOHOL TESTING AND REPORTING

- (a) An employee who performs any function requiring a licence, rating, qualification, or authorization prescribed by these Regulations directly or by contract for a certificate holder under the provisions of these Regulations may —
 - (1) be denied any licence, certificate, rating, qualification, or authorization for a period of up to one year after the date of such refusal; and
 - (2) have his or her licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.
- (b) A person subject to these Regulations who is convicted for the violation of any local or national statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, shall —
 - (1) be denied any licence, certificate, rating, qualification, or authorization issued under these Regulations for a period of up to one year after the date of final conviction; or
 - (2) have his or her licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.
- (c) A person subject to these Regulations who refuses to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer, or refuses to furnish or to authorise the release of the test results requested by the Authority shall —
 - (1) be denied any licence, certificate, rating, qualification, or authorization issued under these Regulations for a period of up to one year after the date of that refusal; or
 - (2) have his or her licence, certificate, rating, qualification, or authorization issued under these Regulations suspended or revoked.

Civil Aviation (Flight Safety) Regulations

1.3 EXEMPTIONS AND EQUIVALENT SAFETY CASE

1.3.1.1 EXEMPTIONS AND EQUIVALENT SAFETY CASE

A person shall not introduce procedures contrary to those prescribed in these Regulations unless needed and an equivalent safety case has first been approved by the Authority.

1.4 SAFETY MANAGEMENT

- (a) Any AOC, ATO, and AMO shall implement a safety management system acceptable to the Authority that as a minimum:
 - (1) Identifies safety hazards;
 - (2) Ensures the implementation of remedial action necessary to maintain agreed safety performance;
 - (3) Provides for continuous monitoring and regular assessment of the safety performance; and
 - (4) Aims at a continuous improvement of the overall performance of the safety management system.
- (b) The safety management system shall clearly define lines of safety accountability throughout the organisation including a direct accountability for safety on the part of senior management.
- (c) The safety management system shall contain the components and elements prescribed in Implementing Standards.
- (d) No AOC, ATO or AMO shall be required to comply with the requirements of this section prior to 30th October 2013.

Note 1: Guidance on defining safety performance is contained in ICAO Doc 9859 Safety Management Manual.

Note 2: The framework for the implementation and maintenance of a safety management system is contained in ICAO Doc 9859 Safety Management Manual, Appendix 4.

Note 3: The framework for a STATE Safety Programme (SSP) is contained in ICAO Annex 1: Attachment C and ICAO Annex 6, Part I: Attachment I.

*Civil Aviation (Flight Safety) Regulations***PART 2 - PERSONNEL LICENSING****CONTENTS****2.1 GENERAL LICENSING REQUIREMENTS**

- 2.1.1 *General*
 - 2.1.1.1 *Applicability*
 - 2.1.1.2 *Definitions*
 - 2.1.1.3 *Acronyms*
- 2.1.2 *Licences, Ratings, and Authorizations*
 - 2.1.2.1 *Applicability*
 - 2.1.2.2 *Licences Issued*
 - 2.1.2.3 *Ratings Issued*
 - 2.1.2.4 *Authorizations Issued*
 - 2.1.2.5 *Duration of Licences, Ratings, and Authorizations*
 - 2.1.2.6 *Language Proficiency*
 - 2.1.2.7 *General Requirements: Personnel Licences, Ratings, and Authorizations*
- 2.1.3 *Validation And Conversion Of Foreign Licences And Ratings*
 - 2.1.3.1 *Validation Of Foreign Private Pilot Licence and Ratings*
 - 2.1.3.2 *Conversion Of Of Foreign Private Pilot Licence and Ratings*
 - 2.1.3.3 *Validation of Foreign Commercial and Airline Transport Pilot Licences and Ratings*
 - 2.1.3.4 *Conversion of Foreign Commercial and Airline Transport Pilot Licences and Ratings*
- 2.1.4 *General Testing and Training Requirements*
 - 2.1.4.1 *Tests: General Procedure*
 - 2.1.4.2 *Knowledge test: Prerequisites and Passing Grades*
 - 2.1.4.3 *Practical Test: Prerequisites*
 - 2.1.4.4 *Practical Tests: General Procedures*
 - 2.1.4.5 *Practical Tests: Required Aircraft and Equipment*
 - 2.1.4.6 *Retesting After Failure*
 - 2.1.4.7 *Records of Training Time*
 - 2.1.4.8 *Flight Training Received From Flight Instructors Not Rated by the Authority*
 - 2.1.4.9 *Limitations on the Use of Flight Simulators and Flight Training Devices*
 - 2.1.4.10 *(Reserved)*
 - 2.1.4.11 *Synthetic Flight Training Device*

*Civil Aviation (Flight Safety) Regulations***2.2 CERTIFICATION: PILOTS, FLIGHT INSTRUCTORS, AND GROUND INSTRUCTORS**

- 2.2.1 *Aircraft Ratings and Pilot Authorizations*
 - 2.2.1.1 *General Requirement*
 - 2.2.1.2 *Instrument Rating Requirements*
 - 2.2.1.3 *Category Rating*
 - 2.2.1.4 *Class Rating*
 - 2.2.1.5 *Type Rating*
 - 2.2.1.6 *Category II and III Pilot Authorization Requirements*
 - 2.2.1.7 *(Reserved)*
- 2.2.2 *Student Pilots*
 - 2.2.2.1 *Applicability*
 - 2.2.2.2 *Eligibility Requirements for Student Pilots*
 - 2.2.2.3 *Application*
 - 2.2.2.4 *Solo Requirements for Student Pilots*
 - 2.2.2.5 *General Limitations*
 - 2.2.2.6 *Solo Cross-Country Flight Requirements*
- 2.2.3 *Private Pilots*
 - 2.2.3.1 *Applicability*
 - 2.2.3.2 *Eligibility Requirements: General*
 - 2.2.3.3 *Aeronautical Knowledge*
 - 2.2.3.4 *Flight Proficiency*
 - 2.2.3.5 *Aeronautical Experience*
 - 2.2.3.6 *Cross-Country Flights: Pilots Based on Small Islands*
 - 2.2.3.7 *Private Pilot Privileges and Limitations: Required Crewmember*
 - 2.2.3.8 *Private Pilot with Balloon Rating: Limitations*
- 2.2.4 *Commercial Pilots*
 - 2.2.4.1 *Applicability*
 - 2.2.4.2 *Eligibility requirements: General*
 - 2.2.4.3 *Commercial Pilot: Aeronautical Knowledge Requirements*
 - 2.2.4.4 *Commercial Pilot: Flight Proficiency Requirements*
 - 2.2.4.5 *Commercial Pilot: Aeronautical experience*
 - 2.2.4.6 *Commercial Pilot Privileges and Limitations*
 - 2.2.4.7 *Additional Aircraft Category, Class, and Type Ratings*
- 2.2.5 *Airline Transport Pilots*
 - 2.2.5.1 *Applicability*
 - 2.2.5.2 *Eligibility Requirements: General*
 - 2.2.5.3 *Aeronautical Knowledge*
 - 2.2.5.4 *Flight Proficiency*
 - 2.2.5.5 *Aeronautical Experience: Aeroplane Category Rating*
 - 2.2.5.6 *Aeronautical Experience: Rotorcraft Category and Helicopter Class Rating*
 - 2.2.5.7 *Aeronautical Experience: Powered-Lift Flight Time*

Civil Aviation (Flight Safety) Regulations

- 2.2.5.8 *Additional Aircraft Category, Class, and Type Ratings*
- 2.2.5.9 *Airline Transport Pilot Privileges*
- 2.2.6 *Flight Instructors*
 - 2.2.6.1 *Applicability*
 - 2.2.6.2 *Eligibility Requirements*
 - 2.2.6.3 *Aeronautical Knowledge*
 - 2.2.6.4 *Flight Instructor: Areas of Operation for Flight Proficiency*
 - 2.2.6.5 *Flight Instructor Records*
 - 2.2.6.6 *Additional Flight Instructor Endorsements*
 - 2.2.6.7 *Flight Instructor Privileges*
 - 2.2.6.8 *Flight Instructor Limitations and Qualifications*
 - 2.2.6.9 *Renewal of Flight Instructor Ratings*
 - 2.2.6.10 *Expired Flight Instructor Rating*
- 2.2.7 *(Reserved)*

2.3 CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

- 2.3.1 *Flight Engineers*
 - 2.3.1.1 *Applicability*
 - 2.3.1.2 *Licences and Ratings Required*
 - 2.3.1.3 *(Reserved)*
 - 2.3.1.4 *Eligibility Requirements - General*
 - 2.3.1.5 *Additional Aircraft Ratings*
 - 2.3.1.6 *Knowledge Requirements*
 - 2.3.1.7 *Aeronautical Experience Requirements*
 - 2.3.1.8 *Skill Requirements*
 - 2.3.1.9 *(Reserved)*
 - 2.3.1.10 *Validation of Foreign Flight Engineers Licences and Ratings*
 - 2.3.1.11 *Conversion of Foreign Flight Engineers Licences and Ratings*

2.4 LICENSING: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

- 2.4.1 *General*
 - 2.4.1.1 *Applicability*
- 2.4.2 *Air Traffic Controllers*
 - 2.4.2.1 *Applicability*
 - 2.4.2.2 *Required Licences, Rating or Qualification*
 - 2.4.2.3 *Eligibility Requirements: General*
 - 2.4.2.4 *Knowledge Requirements*
 - 2.4.2.5 *Experience*
 - 2.4.2.6 *Air Traffic Controller Ratings*
 - 2.4.2.7 *Requirements for air traffic controller ratings*
 - 2.4.2.8 *Privileges and limitations*

Civil Aviation (Flight Safety) Regulations

- 2.4.2.9 *Validity of ratings*
- 2.4.2.10 *Rest and Duty Limitations*
- 2.4.2.11 *Aerodrome Flight Information Service (AFIS) Officers*
- 2.4.2.12 *Requirements For Authorization To Provide (AFIS)*
- 2.4.3 *(Reserved)*
- 2.4.4 *Aviation Maintenance Technicians*
 - 2.4.4.1 *Applicability*
 - 2.4.4.2 *Eligibility Requirements: General*
 - 2.4.4.3 *Ratings*
 - 2.4.4.4 *Aircraft Rating: Knowledge Requirements*
 - 2.4.4.5 *Experience Requirements*
 - 2.4.4.6 *Skill Requirements*
 - 2.4.4.7 *Privileges and Limitations*
 - 2.4.4.8 *Validation Of AMT Licences*
 - 2.4.4.9 *Conversion Of AMT Licences*
 - 2.4.4.10 *AMT Licence renewal*
- 2.4.5 *Certification Authorizations*
 - 2.4.5.1 *Applicability*
 - 2.4.5.2 *Eligibility Requirements: General*
- 2.4.6 *(Reserved)*

2.5 MEDICAL STANDARDS AND CERTIFICATION

- 2.5.1 *General*
 - 2.5.1.1 *Applicability*
 - 2.5.1.2 *Medical Fitness*
 - 2.5.1.3 *Aviation Medical Examiners*
 - 2.5.1.4 *Aviation Medical Examinations*
 - 2.5.1.5 *Special Circumstances*
 - 2.5.1.6 *Decrease of Medical Fitness*
 - 2.5.1.7 *Use of Psychoactive Substances*
- 2.5.2 *Medical Certification Procedures*
 - 2.5.2.1 *Applicability*
 - 2.5.2.2 *Issuance of Medical Certificate*
 - 2.5.2.3 *Medical Certificate Requirements*
 - 2.5.2.4 *Duration of a Medical Certificate*
 - 2.5.2.5 *Special Circumstances*
 - 2.5.2.6 *Renewal of Medical Certificate*
 - 2.5.2.7 *Denial of Medical Certificate*
- 2.5.3 *Physical and Mental Standards — All Medical Certificates*
 - 2.5.3.1 *Applicability*
 - 2.5.3.2 *General Medical Requirements*
 - 2.5.3.3 *Physical and Mental Requirements*
 - 2.5.3.4 *Visual Acuity Test Requirements*

Civil Aviation (Flight Safety) Regulations

- 2.5.3.5 *Hearing Test Requirements*
- 2.5.3.6 *Colour Perception Requirements*
Class 1
- 2.5.4 *Medical Certificates*
- 2.5.4.1 *Applicability*
- 2.5.5 *Class 2 Medical Certificates*
- 2.5.5.1 *Applicability*
- 2.5.6 *Class 3 Medical Certificates*
- 2.5.6.1 *Applicability*

2.1 GENERAL LICENSING REQUIREMENTS

2.1.1 General

2.1.1.1 APPLICABILITY

(a) This Part prescribes —

- (1) the requirements for issuing airman licences, and ratings; and authorizations to those licences, as applicable;
- (2) the conditions under which those licences, ratings, and authorizations are necessary; and
- (3) the privileges and limitations of holders of those licences, ratings, and authorizations.

2.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

2.1.1.3 ACRONYMS

The following acronyms are used in this Part —

- (1) A – Aeroplane.
- (2) AIP – Aeronautical Information Publication.
- (3) AME – Aviation Medical Examiner.
- (4) AMO – Approved Maintenance Organisation.
- (5) AMT—Aircraft Maintenance Technician.
- (6) AOC - Air Operator Certificate.
- (7) ATO - Aviation Training Organisation.

Civil Aviation (Flight Safety) Regulations

- (8) AC – Advisory Circular.
- (9) cm – centimetre(s).
- (10) dB – decibels.
- (11) ATCO – Air Traffic Controller.
- (12) AS—Airship.
- (13) ATPL – Airline Transport Pilot Licence.
- (14) B—Balloon.
- (15) CAT II- Category II.
- (16) CAT III –Category III.
- (17) CPL – Commercial Pilot Licence.
- (18) CRM – Crew Resource Management.
- (19) DFEE – Designated Flight Engineer Examiner.
- (20) DFNE – Designated Flight Navigator Examiner.
- (21) DFOOE—Designated Flight Operations Officer Examiner.
- (22) DME – Designated Mechanic Examiner.
- (23) DPE – Designated Pilot Examiner.
- (24) DPRE – Designated Parachute Rigger Examiner.
- (25) FE – Flight Engineer.
- (26) FI – Flight Instructor.
- (27) FOO – Flight Operations Officer.
- (28) G – Glider.
- (29) IA – Inspection Authorization.
- (30) IFR – Instrument Flight Rules.
- (31) ILS – Instrument Landing System.
- (32) H – Helicopter.
- (33) ICAO – International Civil Aviation Organisation.
- (34) LWTR – Licence Without Type Rating.
- (35) MPA – Multi-pilot Aeroplane.
- (36) MPH – Multi-pilot Helicopter.

Civil Aviation (Flight Safety) Regulations

- (37) NOTAM – Notice to airmen.
- (38) OECS – Organisation of Eastern Caribbean States.
- (39) PIC – pilot-in-command.
- (40) PL – Powered-lift
- (41) PPL – Private Pilot Licence.
- (42) RT – Radiotelephony.
- (43) SPA – Single-pilot Aeroplane.
- (44) SPH – Single-pilot Helicopter.
- (45) SPL – Student Pilot Licence.
- (46) VFR – Visual Flight Rules.

2.1.2 Licences, Ratings, and Authorizations**2.1.2.1 APPLICABILITY**

This section describes the licences, ratings and pilot authorizations issued by the Authority and prescribes the requirements for testing and validating such licences, ratings and authorizations.

2.1.2.1 (A) APPLICATION

An applicant for a pilot licence shall apply to the Authority in the manner prescribed in IS 2.1.2.1(a)

2.1.2.2 LICENCES ISSUED

- (a) The Authority may issue the following licences under this Part —
 - (1) pilot licences —
 - (i) student pilot;
 - (ii) private pilot;
 - (iii) commercial pilot; and
 - (iv) airline transport pilot.
 - (2) flight engineer licence;
 - (3) air traffic controller licence;
 - (4) aviation maintenance technician (AMT) licence;
 - (5) radio operator licence.

*Civil Aviation (Flight Safety) Regulations***2.1.2.3 RATINGS ISSUED**

- (a) The Authority may issue the following ratings for pilots —
 - (1) Category ratings in the following aircraft —
 - (i) Aeroplane.
 - (ii) Helicopter.
 - (iii) Glider.
 - (iv) Free Balloon.
 - (v) Airship.
 - (vi) Powered lift.
 - (2) Class ratings in the following aircraft —
 - (i) Single-engine land – aeroplane.
 - (ii) Single-engine sea – aeroplane.
 - (iii) Multi-engine land – aeroplane.
 - (iv) Multi-engine sea - aeroplane.
 - (v) A class rating may be issued for those helicopters certificated for single-pilot operations and which have comparable handling, performance and other characteristics.
 - (vi) Hot air – balloon.
 - (vii) Gas – balloon.
 - (viii) Any rating considered necessary by the Authority.
 - (3) Type ratings in the following aircraft —
 - (i) Large aircraft (except lighter-than-air);
 - (ii) Turbojet or turbofan powered aeroplanes;
 - (iii) Each type of helicopter certificated for single-pilot except where a class rating has been established under (a)(2)(v).
 - (iv) Aircraft certificated for at least two pilots;
 - (v) All aircraft used in public transport operations; and
 - (vi) Any aircraft considered necessary by the Authority.

Civil Aviation (Flight Safety) Regulations

(4) Instrument ratings in the following aircraft —

- (i) Instrument – Aeroplane.
- (ii) Instrument – Helicopter.
- (iii) Instrument – Powered lift.

Note — The instrument rating is included in the CPL-Airship and the ATPL-Aeroplane and Powered-lift.

(5) Flight Instructor ratings:

- (i) The appropriate aircraft category, class, instrument or type rating according to the instruction to be taught.
- (ii) The Authority may issue the following ratings to place on a ground instructor's licence when an applicant satisfactorily accomplished the requirements of this Part for the rating sought —

(b) The Authority may issue the following ratings for flight engineers —

- (1) Reciprocating engine powered.
- (2) Turbopropeller powered.
- (3) Turbojet powered.

(c) The Authority may issue the following ratings for air traffic controllers —

- (1) Aerodrome control rating.
- (2) Approach control procedural rating.
- (3) Approach control surveillance rating.
- (4) Area control procedural rating.
- (5) Area control surveillance rating.

(d) The Authority may issue the following ratings for AMTs —

- (1) Airframe.
- (2) Powerplant.
- (3) Avionics.
- (4) Any other specialized ratings as may be determined by the Authority.

Civil Aviation (Flight Safety) Regulations

- (e) The Authority may issue ratings as appropriate to an aviation repairman specialist licence.
- (f) The Authority may issue the following ratings to place on a parachute rigger's licence when an applicant satisfactorily accomplished the requirements of this Part for the rating sought —
 - (1) Seat.
 - (2) Back.
 - (3) Chest.
 - (4) Lap.

2.1.2.4 AUTHORIZATIONS ISSUED

The Authority may issue the following authorizations under this Part —

- (a) Category II pilot authorization;
- (b) Category III pilot authorization.

2.1.2.5 DURATION OF LICENCES, RATINGS, AND AUTHORIZATIONS

- (a) A licence shall be issued without a specific expiration date.
- (b) The exercise of any of the privileges of a licence issued under this Part shall be dependent on the validity of such licence in respect of —
 - (1) the medical currency of such licence;
 - (2) the competency of the licence holder; and
 - (3) the recency of experience of the licence holder.
- (c) The validity period of medical certificates issued under this Part shall be in accordance with IS 2.1.2.5.

2.1.2.6 LANGUAGE PROFICIENCY

- (a) Applicants for, or holders of pilots, flight engineers, air traffic controllers, flight operations and radio operator licences shall demonstrate the ability to speak and understand the English language to at least the Operational Level 4, with the aim to speak at the Expert Level 6 as specified in the language proficiency requirements in IS 2.1.2.6;

Civil Aviation (Flight Safety) Regulations

- (b) The language proficiency of applicants or licence holders identified in item (a) shall be formally evaluated at intervals in accordance with an individual's demonstrated proficiency level as follows —
 - (1) those demonstrating language proficiency at the Operational Level 4 shall be evaluated at intervals not greater than 3 years;
 - (2) those demonstrating language proficiency at the Extended Level 5 shall be evaluated at intervals not greater than 6 years; and
 - (3) those demonstrating language proficiency at the Expert Level 6 shall be exempt from further language evaluation;
- Note: See Implementing Standard 2.1.2.6 for detailed language proficiency requirements

2.1.2.7 GENERAL REQUIREMENTS: PERSONNEL LICENCES, RATINGS, AND AuthorizationS

- (a) The Authority may issue to an applicant who cannot comply with certain eligibility requirements or areas of operations required for the issue of a licence because of physical limitations, or for other reasons, a licence, rating, or authorization with an appropriate limitation provided the —
 - (1) applicant is able to meet all other certification requirements for the licence, rating, or authorization sought;
 - (2) physical limitation, if any, has been recorded with the Authority on the applicant's medical records; and
 - (3) authority determines that the applicant's inability to perform the particular area of operation will not adversely affect safety.
- (b) The Authority may remove a limitation placed on a person's licence provided that person demonstrates to an examiner or inspector satisfactory proficiency in the area of operation to which the limitation applies, or otherwise shows compliance with conditions to remove the limitation, as applicable.
- (c) A person shall not act as a required pilot of a civil aircraft of foreign registry within Antigua & Barbuda, unless that person's pilot licence was issued under this Part, or was issued or validated by the country in which the aircraft is registered.

Civil Aviation (Flight Safety) Regulations

- (d) A person shall not act as a pilot, flight instructor, required flight crew member, or air traffic controller unless that person holds an appropriate and current medical certificate issued under this Part, or other documentation acceptable to the Authority.

Implementing Standard: See IS: 2.5.2.3 for persons exempt from holding a medical certificate.

(e) Flight Instructor Rating

- (1) except as provided in paragraph (e)(2) of this subsection, a person other than the holder of a flight instructor rating with appropriate endorsements on his licence shall not —

- (i) give training required to qualify a person for solo flight and solo cross country flight;
- (ii) endorse an applicant for a pilot, flight instructor, or ground instructor licence or rating issued under this part;
- (iii) endorse a pilot logbook to show training given; or
- (iv) endorse a student pilot licence and logbook for solo operating privileges.

- (2) The following instructors do not have to hold a flight instructor rating —

- (i) the holder of a commercial pilot licence with a lighter-than-air rating, provided the training is given in a lighter-than-air aircraft;
- (ii) the holder of an airline transport pilot licence with appropriate ratings, provided the training is conducted in accordance with an approved air carrier training program;
- (iii) a person who is qualified in accordance with Part 3, Subpart 3.4, provided the training is conducted in accordance with an approved training program;
- (iv) a flight instructor, qualified in accordance with 2.1.4.8, not rated by the Authority;
- (v) the holder of a ground instructor licence in accordance with the privileges of the licence; or
- (vi) A person shall not act as the PIC or co-pilot of an aircraft unless that person holds the appropriate

Civil Aviation (Flight Safety) Regulations

category, class, and type rating (if a class rating and type rating is required) for the aircraft to be flown, except where the pilot —

- (3) is receiving training for the purpose of obtaining an additional pilot licence or rating that is appropriate to that aircraft while under the supervision of an authorised instructor; or
 - (4) has received training required by this Part that is appropriate to the aircraft category, class, and type rating (if a class or type rating is required) for the aircraft to be flown, and has received the required endorsements from an authorised instructor.
- (f) A pilot shall not act as PIC of an aircraft that is carrying another person, or is operated for compensation or hire, unless that pilot holds a category, class, and type rating (if a class and type rating is required) that applies to the aircraft.

Note — This subsection does not require a category and class rating for an aircraft not type certified as an aeroplane, rotorcraft, glider, powered-lift, or lighter-than-air aircraft.

- (g) Except as provided in paragraph (i) of this subsection, a person shall not act as PIC of a complex aeroplane, high-performance aeroplane, or a pressurised aircraft capable of flight above 25,000 feet MSL, or an aircraft that the Authority has determined requires aircraft type specific training unless the person has —
- (1) received and logged ground and flight training from an authorised instructor in the applicable aeroplane type, or in an approved flight simulator or approved flight training device that is representative of that, and has been found proficient in the operation and systems of that aeroplane; and
 - (2) received a one-time endorsement in the pilot's logbook from an authorised instructor who certifies the person is proficient to operate that aircraft.
- (h) The training and endorsement required by paragraph (h) of this subsection is not required if the person has logged flight time as PIC of that type of aircraft, or in an approved flight simulator or approved flight training device that is representative of such an aircraft.

Civil Aviation (Flight Safety) Regulations

- (i) Additional training required for operating tailwheel aeroplanes. Except as provided in paragraph (j)(3) of this subsection, a person shall not act as PIC of a tailwheel aeroplane unless that person has —
 - (1) received and logged flight training from an authorised instructor in a tailwheel aeroplane on the manoeuvres and procedures listed in paragraph (j)(2) of this subsection;
 - (2) received an endorsement in the person’s logbook from an authorised instructor who found the person proficient in the operation of a tailwheel aeroplane, to include at least normal and crosswind takeoffs and landings, wheel landings (unless the manufacturer has recommended against such landings), and go around procedures;
 - (3) the training and endorsement required by this subsection is not required if the person logged PIC time in a tailwheel aeroplane before.

Implementing Standard: See IS: 2.1.2.7 for details on additional requirements and exemptions to the training requirements of this subsection.

2.1.3 Validation and Conversion of Foreign Licences and Ratings

2.1.3.1 VALIDATION OF FOREIGN PRIVATE PILOT LICENCE AND RATINGS

- (a) General.
 - (1) A person who holds a valid and current private pilot licence issued by another Contracting State in accordance with ICAO Annex 1 may apply for a validation of that licence provided that —
 - (i) The applicant presents to the Authority the foreign licence and evidence of the experience required by presenting the record (e.g. logbook).
 - (ii) The applicant presents to the Authority evidence that he/she holds either a current medical certificate issued under Part 2 or a current medical certificate issued by the Contracting State that issued the applicant’s licence.
 - (A) The Authority may allow the applicant to use his or her foreign medical certificate with the validation

Civil Aviation (Flight Safety) Regulations

certificate provided that the medical certification requirements on which the foreign medical certificate was issued meet the requirements of Part 2, relevant to the licence held.

- (iii) The applicant presents to the Authority evidence of proficiency in the English Language as specified in 2.1.2.6. or shall demonstrate to the Authority the language proficiency skills as specified in 2.1.2.6.
- (2) The Authority will verify the authenticity of the licence, ratings, authorizations and the medical certificate with the state of licence issue prior to issuing the validation.
- (3) The Authority will only validate ratings or authorizations on the foreign licence together with the validation of a licence.
- (4) The Authority may issue a validation certificate for a period not exceeding six months, provided the foreign licence, ratings or authorizations and the medical certificate remain valid.
- (5) The Authority will place on the validation certificate issued under this Subsection the pilot's foreign licence number and country of issuance.
- (b) In addition to the requirements in item (a) above, the applicant for a validation certificate shall meet the following requirements:
 - (1) Demonstrate to the satisfaction of the Authority knowledge of any subject areas deemed relevant to the licence to be validated.
 - (2) Complete a skill test for the relevant licence and ratings that he or she wants to be validated relevant to the privileges of the licence held.

2.1.3.2 CONVERSION OF FOREIGN PRIVATE PILOT LICENCE AND RATINGS

- (a) General.
 - (1) A person who holds a valid and current private pilot licence issued by another Contracting State in accordance with ICAO Annex 1 may apply for a conversion of that licence provided that —

Civil Aviation (Flight Safety) Regulations

- (i) The applicant presents to the Authority the foreign licence and evidence of the experience required by presenting the record (e.g. logbook).
 - (ii) The applicant holds a Class 2 medical certificate issued under Part 2.
 - (iii) The applicant presents to the Authority evidence of proficiency in the English Language as specified in 2.1.2.6. or shall demonstrate to the Authority the language proficiency skills as specified in 2.1.2.6.
- (2) The Authority will verify the authenticity of the licence, ratings and authorizations with the state of licence issue prior to the conversion of the licence.
- (3) The Authority will convert ratings or authorizations on the foreign licence together with the conversion of a licence
- (b) In addition to the requirements in item (a) above, the applicant for a licence conversion shall meet the following requirements:
- (1) Demonstrate to the satisfaction of the Authority the knowledge relevant to the licence to be converted of:
 - (i) Air Law; and
 - (ii) Any other subject areas deemed necessary by the Authority.
 - (2) Complete a skill test for the relevant licence and ratings that he or she wants to be converted relevant to the privileges of the licence held.

2.1.3.3 VALIDATION OF FOREIGN COMMERCIAL AND AIRLINE TRANSPORT PILOT LICENCES AND RATINGS

- (a) General.
- (1) A person who holds a valid and current commercial or airline transport pilot licence issued by another Contracting State in accordance with ICAO Annex 1 may apply for a validation of that licence provided that —
 - (i) The applicant presents to the Authority the foreign licence and evidence of the experience required by presenting the record (e.g. logbook).

Civil Aviation (Flight Safety) Regulations

- (ii) The applicant presents to the Authority evidence that he or she holds either a current medical certificate issued under Part 2 or a current medical certificate issued by the Contracting State that issued the applicant's licence.
 - (A) The Authority may allow the applicant to use his/her foreign medical certificate with the validation certificate provided that the medical certification requirements on which the foreign medical certificate was issued meet the requirements of Part 2, relevant to the licence held.
 - (iii) The applicant presents to the Authority evidence of proficiency in the English Language as specified in 2.1.2.6 or shall demonstrate to the Authority the language proficiency skills as specified in 2.1.2.6.
 - (iv) The application is supported by the relevant operator.
- (2) The Authority will verify the authenticity of the licence, ratings, authorizations and the medical certificate with the state of licence issue prior to issuing the validation.
 - (3) The Authority will only validate ratings or authorizations on the foreign licence together with the validation of a licence
 - (4) The Authority may issue a validation certificate for a period not exceeding six months, provided the foreign licence, ratings or authorizations and the medical certificate remain valid.
 - (5) The Authority will place on the validation certificate issued under this Subsection the pilot's foreign licence number and country of issuance.
- (b) In addition to the requirements in item (a) above, the applicant for a validation certificate shall meet the following requirements:
- (1) Demonstrate to the satisfaction of the Authority knowledge of any subject areas deemed relevant to the licence to be validated.
 - (2) Complete a skill test for the relevant licence and ratings that he or she wants to be validated relevant to the privileges of the licence held.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS: 2.1.2.7 for details on additional requirements and exemptions to the training requirements of this subsection.

2.1.3.4 CONVERSION OF FOREIGN COMMERCIAL AND AIRLINE TRANSPORT PILOT LICENCES AND RATINGS

(a) General.

- (1) A person who holds a valid and current commercial or airline transport pilot licence issued by another Contracting State in accordance with ICAO Annex 1 may apply for a conversion of that licence provided that —
 - (i) The applicant presents to the Authority the foreign licence and evidence of the experience required by presenting the record (e.g. logbook).
 - (ii) The applicant holds a Class 2 medical certificate issued under Part 2.
 - (iii) The application is supported by the relevant operator.
 - (iv) The applicant presents to the Authority evidence of proficiency in the English Language as specified in 2.1.2.6. or shall demonstrate to the Authority the language proficiency skills as specified in 2.1.2.6.
- (2) The Authority will verify the authenticity of the licence, ratings, authorizations with the state of licence issue prior to the conversion of a licence.
- (3) The Authority will only convert ratings or authorizations on the foreign licence.

(b) In addition to the requirements in item (a) above, the applicant for a conversion shall meet the following requirements —

- (1) Demonstrate to the satisfaction of the Authority the knowledge relevant to the licence to be validated of —
 - (i) Air Law; and
 - (ii) Any other subject areas deemed necessary by the Authority.
- (2) Complete a skill test for the relevant licence and ratings that he or she wants to be converted relevant to the privileges of the licence held.

Civil Aviation (Flight Safety) Regulations

2.1.4 General Testing and Training Requirements

2.1.4.1 TESTS: GENERAL PROCEDURE

Tests prescribed by or under this Part are given at times and places and by persons designated by the Authority.

2.1.4.2 KNOWLEDGE TEST: PREREQUISITES AND PASSING GRADES

- (a) An applicant for a knowledge test shall have —
 - (1) received an endorsement from an authorised instructor certifying that the applicant accomplished a ground-training or a home-study course required by this Part for the licence or rating sought and is prepared for the knowledge test; and
 - (2) proper identification at the time of application that contains the applicant's —
 - (i) photograph;
 - (ii) signature;
 - (iii) date of birth, which shows the applicant meets or will meet the age requirements of this Part for the licence sought before the expiration date of the airman knowledge test report; and
 - (iv) actual residential address, if different from the applicant's mailing address.
- (b) The minimum passing grade for the knowledge test shall be as in the applicable personnel licensing advisory circular (PLAC).

2.1.4.3 PRACTICAL TEST: PREREQUISITES

- (a) To be eligible for a practical test, an applicant shall meet all applicable requirements for the licence or rating sought.
Implementing Standard: See IS: 2.1.4.3 for the eligibility requirements of a practical test.
- (b) If an applicant does not complete all increments of a practical test for a licence or rating on one date, the applicant shall complete all remaining increments of the test not more than 30 calendar days after that date.

Civil Aviation (Flight Safety) Regulations

- (c) If an applicant does not satisfactorily complete all increments of the practical test for a licence or a rating within 30 calendar days after beginning the test, the applicant shall retake the entire practical test, including those increments satisfactorily completed.

2.1.4.4 PRACTICAL TESTS: GENERAL PROCEDURES

- (a) Except as provided in paragraph (b) of this subsection, the Authority will determine an applicant's ability to hold a licence or rating issued under this Subpart based on the applicant's ability to safely perform the following during a practical test —
 - (1) Perform the tasks specified in the areas of operation for the licence or rating sought within the prescribed standards;
 - (2) demonstrate mastery of the aircraft;
 - (3) demonstrate sound judgement; and
 - (4) demonstrate single-pilot competence if the aircraft is type certified for single-pilot operations.
- (b) If an applicant fails any area of operation, that applicant fails the practical test.
- (c) An applicant is not eligible for a licence or rating sought until all the areas of operation are passed.
- (d) The examiner or the applicant may discontinue a practical test at any time —
 - (1) when the applicant fails one or more of the areas of operation; or
 - (2) due to inclement weather conditions, aircraft airworthiness, or any other safety-of-flight concern.
- (e) If a practical test is discontinued, the Authority may give the applicant credit for those areas of operation already passed, but only if the applicant —
 - (1) passes the remainder of the practical test within the 30-day period after the date the practical test was begun;
 - (2) presents to the examiner for the retest, the original notice of disapproval form or the letter of discontinuance form, as appropriate;

Civil Aviation (Flight Safety) Regulations

- (3) satisfactorily accomplishes any additional training needed and obtains the appropriate instructor endorsements, if additional training is required.

2.1.4.5 PRACTICAL TESTS: REQUIRED AIRCRAFT AND EQUIPMENT

Except when permitted to accomplish the entire flight increment of the practical test in an approved flight simulator or an approved flight training device, an applicant for a licence or rating issued under this Part shall furnish an aircraft with the necessary equipment and controls.

Implementing Standard: See IS: 2.1.4.5 for required equipment and controls for practical tests.

2.1.4.6 RETESTING AFTER FAILURE

- (a) An applicant for a knowledge or practical test who fails that test may reapply for the test only after the applicant has received —
 - (1) the necessary training from an authorised instructor who has determined that the applicant is proficient to pass the test; and
 - (2) an endorsement from an authorised instructor who gave the applicant the additional training.
- (b) An applicant for a flight instructor rating with an aeroplane category rating or, for a flight instructor rating with a glider category rating, who has failed the practical test due to deficiencies in instructional proficiency on stall awareness, spin entry, spins, or spin recovery shall —
 - (1) comply with the requirements of paragraph (a) of this subsection before being retested;
 - (2) bring an aircraft to the retest that is of the appropriate aircraft category for the rating sought and is certified for spins; and
 - (3) demonstrate satisfactory instructional proficiency on stall awareness, spin entry, spins, and spin recovery to an examiner during the retest.

2.1.4.7 RECORDS OF TRAINING TIME

A person shall document and record the following time in a manner acceptable to the Authority —

Civil Aviation (Flight Safety) Regulations

- (1) training and aeronautical experience used to meet the requirements for a licence, rating, qualification, authorization, or flight review of this Part;
- (2) the aeronautical experience required to show recent flight experience requirements of these Regulations.

Implementing Standard: See IS: 2.1.4.7 for flight time to be recorded.

2.1.4.8 FLIGHT TRAINING RECEIVED FROM FLIGHT INSTRUCTORS NOT RATED BY THE AUTHORITY

- (a) A person may credit flight training toward the requirements of a pilot licence or rating if that person received the training from —
 - (1) a flight instructor of an Armed Force in a program for training military pilots of either —
 - (a) Antigua & Barbuda; or
 - (b) another Contracting State; or
 - (2) a flight instructor authorised to give such training by the licensing authority of a Contracting State, provided that the flight training is given outside Antigua & Barbuda.
- (b) A flight instructor described in paragraph (a) of this subsection is authorised to give only the endorsements to show training given.

2.1.4.9 LIMITATIONS ON THE USE OF FLIGHT SIMULATORS AND FLIGHT TRAINING DEVICES

- (a) Except as specified in paragraphs (b) or (c) of this subsection, an airman shall not receive credit for use of any flight simulator or flight training device for satisfying any training, testing, or checking requirement of this part unless that flight simulator or flight training device is approved by the Authority for —
 - (1) the training, testing, and checking for which it is used;
 - (2) each particular manoeuvre, procedure, or crewmember function performed; and
 - (3) the representation of the specific category and class of aircraft, type of aircraft, particular variation within the type of aircraft, or set of aircraft for certain flight training devices.

Civil Aviation (Flight Safety) Regulations

- (b) The Authority will consider as a flight training device any device used for flight training, testing, or checking that the Authority has accepted or approved, which any user can show to function as originally designed, provided it is used for the same purposes for which it was originally accepted or approved and only to the extent of such acceptance or approval.
- (c) The Authority may approve a device other than a flight training simulator or flight training device for specific purposes.

Implementing Standard: See IS: 2.1.4.9 for requirements on the use of approved simulators and flight training devices.

2.1.4.10 (RESERVED)**2.1.4.11 SYNTHETIC FLIGHT TRAINING DEVICE**

- (a) A Synthetic Flight Training Device is classified as —
 - (1) flight training device (FTD);
 - (2) full flight simulator (FFS).
- (b) Synthetic flight training devices shall be used if available otherwise an aeroplane shall be used if appropriate for the manoeuvre or procedure.

2.2 CERTIFICATION: PILOTS, FLIGHT INSTRUCTORS, AND GROUND INSTRUCTORS**2.2.1 Aircraft Ratings and Pilot Authorizations****2.2.1.1 GENERAL REQUIREMENT**

To be eligible for an aircraft rating or authorization to a pilot licence, an applicant shall meet the appropriate requirements of this section for the aircraft rating or authorization sought.

2.2.1.2 INSTRUMENT RATING REQUIREMENTS

- (a) An applicant for an instrument rating shall —
 - (1) hold a pilot licence with an aircraft category and class rating for the instrument rating sought;
 - (2) receive a logbook or training record endorsement from an authorised instructor certifying that the person is prepared to take the required practical test;

Civil Aviation (Flight Safety) Regulations

- (3) pass the required knowledge test on the aeronautical knowledge areas, unless the applicant already holds an instrument rating in another category; and
- (4) pass the required practical test on the areas of operation in —
 - (a) the aircraft category, class, and type, if applicable, appropriate to the rating sought; or
 - (b) a flight simulator or a flight training device appropriate to the rating sought and approved for the specific manoeuvre or procedure performed.
 - (c) Aeronautical knowledge. An applicant for an instrument rating shall have received and logged ground training from an authorised instructor on the areas of aeronautical knowledge that apply to the instrument rating.
 - (d) Flight proficiency. An applicant for an instrument rating shall receive and log training from an authorised instructor in an aircraft, or in an approved flight simulator or approved flight training device, in accordance with paragraph (e) of this subsection.

Note: If the privileges of the instrument rating are to be exercised on multi-engined aeroplanes, the applicant shall have received dual instrument flight instruction in such an aeroplane from an authorized flight instructor. The instructor shall ensure that the applicant has operational experience in the operation of the aeroplane solely by reference to instruments with one engine inoperative or simulated inoperative.

- (e) Aeronautical experience. An applicant for an instrument rating shall have logged the required aeronautical experience shown in the implementing standard for this subsection.
- (f) Use of approved flight simulators or approved flight training devices. If the instrument training was provided by an authorised instructor in an approved flight simulator or an approved flight training device, an applicant may perform —

Civil Aviation (Flight Safety) Regulations

- (1) a maximum of 30 hours in that flight simulator or flight training device if the training was accomplished in accordance with a training program approved under Part 3, Subpart 3.2; or
- (2) a maximum of 20 hours in that flight simulator or flight training device if the training was not accomplished in accordance with a training program approved under Part 3, Subpart 3.2.

Implementing Standard: See IS: 2.2.1.2 for additional requirements pertaining to the knowledge test, practical test, aeronautical experience, and aeronautical knowledge areas that apply to the instrument rating.

2.2.1.3 CATEGORY RATING

- (a) A pilot seeking a category rating —
 - (1) shall have received the required training and possess the aeronautical experience prescribed by this part for the aircraft category and, if applicable, class and type rating sought;
 - (2) shall have an endorsement in his or her logbook or training record from an authorised instructor that the applicant has been found competent in the following areas, as appropriate to the pilot licence for the aircraft category and, if applicable, class and type rating sought —
 - (i) aeronautical knowledge areas;
 - (ii) areas of operation.
 - (3) shall pass the practical test applicable to the pilot licence for the aircraft category and, if applicable, class and type rating sought; and
 - (4) need not take an additional knowledge test, provided the applicant holds an aeroplane, rotorcraft, powered-lift, or airship rating at that pilot licence level.

2.2.1.4 CLASS RATING

- (a) A pilot seeking a class rating —
 - (1) shall have an endorsement in his or her logbook or training record from an authorised instructor that the applicant has

Civil Aviation (Flight Safety) Regulations

been found competent in the following areas, as appropriate to the pilot licence and for the aircraft class rating sought:

- (i) aeronautical knowledge areas;
 - (ii) areas of operation.
- (2) shall pass the practical test applicable to the pilot licence for the aircraft class rating sought;
 - (3) need not meet the training time requirements prescribed by this Part for the aircraft class rating sought; and
 - (4) need not take an additional knowledge test, provided the applicant holds an aeroplane, rotorcraft, powered-lift, or airship rating at that pilot licence level.

2.2.1.5 TYPE RATING

- (a) A pilot seeking an aircraft type rating to be added on a pilot licence, or the addition of an aircraft type rating that is accomplished concurrently with an additional aircraft category or class rating —
 - (1) Shall have gained experience in an aircraft or flight simulator and recorded that experience in his or her logbook or training record showing demonstrated competency in the following areas, as appropriate to the pilot licence for the aircraft category, class and type rating sought —
 - (i) Normal flight procedures and manoeuvres during all phases of flight;
 - (ii) Abnormal and emergency procedures and manoeuvres in the event of failures and malfunctions of equipment, such as powerplant, systems and airframe;
 - (iii) Where applicable, instrument procedures, including instrument approach, missed approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure;
 - (iv) Procedures for crew incapacitation and crew coordination including allocation of pilot tasks; crew cooperation and use of checklists.
 - (2) Shall pass the practical test applicable to the pilot licence for the aircraft category, class, and type rating sought; demonstrating —

Civil Aviation (Flight Safety) Regulations

- (i) The skill and knowledge required for the safe operation of the applicable type of aircraft, relevant to the duties of a pilot-in-command or a co-pilot as applicable; and
 - (ii) At the airline transport pilot licence level, an extent of knowledge required by the Authority.
- (b) In addition to (a) above, a pilot employee of an AOC holder shall —
 - (1) Hold or concurrently obtain an instrument rating that is appropriate to the aircraft category, class or type rating sought;
 - (2) Except as provided for in paragraphs (e) and (f), shall perform the practical test under instrument flight rules;
 - (3) Need not take an additional knowledge test, provided the applicant holds an aeroplane, rotorcraft, powered-lift, or airship rating on their pilot licence; and
 - (4) Received an endorsement in his or her flight training record from the certificate holder certifying that the applicant has completed the certificate holder's approved ground and flight training programme appropriate to the aircraft type rating sought.
- (c) An applicant for a type rating who provides an aircraft not capable of the instrument manoeuvres and procedures required by the appropriate requirements for the practical test may—
 - (1) Obtain a type rating limited to “VFR only”; and
 - (2) Remove the “VFR only” limitation for each aircraft type in which the applicant demonstrates compliance with the appropriate instrument requirements of this Part.
- (d) The Authority may issue to an applicant for a type rating a licence with the limitation “VFR only” for each aircraft type not equipped for the applicant to show instrument proficiency.
- (e) An applicant for a type rating in a multi engine, single-pilot station aeroplane may meet the requirements of paragraph (b) in a multi-seat version of that multi engine aeroplane.
- (f) An applicant for a type rating in a single-engine, single-pilot station aeroplane may meet the requirements of paragraph (b) in a multi-seat version of that single-engine aeroplane.

Civil Aviation (Flight Safety) Regulations

- (g) An applicant for a type rating in a single-engine, single-pilot station aeroplane may meet the requirements of paragraph (b) in a multiseat version of that single-engine aeroplane.

2.2.1.6 CATEGORY II AND III PILOT Authorization REQUIREMENTS

- (a) General. An applicant for a Category II or Category III pilot authorization shall —
 - (1) hold a pilot licence with an instrument rating or an airline transport pilot licence;
 - (2) hold a category and class rating, and type rating, if applicable, for the aircraft for which the authorization is sought; and
 - (3) complete the practical test requirements.
- (b) Experience requirements. An applicant for a Category II or Category III pilot authorization shall have at least —
 - (1) 50 hours of night flight time as PIC;
 - (2) 75 hours of instrument time under actual or simulated instrument conditions that may include not more than:
 - (i) a combination of 25 hours of simulated instrument flight time in an approved flight simulator or an approved flight training device; or
 - (ii) 40 hours of simulated instrument flight time if accomplished in an approved course conducted by an appropriately rated ATO certified under Part 3, Subpart 3.2.
 - (iii) 250 hours of cross-country flight time as PIC.
- (c) On passing a practical test for a Category II or III pilot authorization, a pilot may renew that authorization for each type of aircraft for which the pilot holds authorization.
- (d) If the holder of a Category II or Category III pilot authorization passes the practical test for a renewal after the authorisation expires, the Authority shall renew the authorization from the date the applicant satisfactorily passed the practical test.
- (e) If the holder of a Category II or Category III pilot authorization passes the practical test for a renewal in the month before the

Civil Aviation (Flight Safety) Regulations

authorization expires, the Authority will consider that the holder passed it during the month the authorization expired.

Implementing Standard: See IS: 2.2.1.6 for additional requirements concerning Category II and III pilot authorizations.

2.2.1.7 (RESERVED)**2.2.2 Student Pilots****2.2.2.1 APPLICABILITY**

This Subpart prescribes the requirements for the issuance of student pilot licences, the conditions under which those licences are necessary, and the general operating rules and limitations for the holders of those licences.

2.2.2.2 ELIGIBILITY REQUIREMENTS FOR STUDENT PILOTS

To be eligible for a student pilot licence, an applicant shall —

- (a) be at least 17 years of age;
- (b) hold a Class 2 medical certificate issued under Part 2.;
- (c) meet the English language proficiency requirements of 2.1.2.6.

2.2.2.3 APPLICATION

An applicant for a student pilot licence shall apply to the Authority in the prescribed manner.

2.2.2.4 SOLO REQUIREMENTS FOR STUDENT PILOTS

- (a) General.
 - (1) A student pilot shall not fly solo unless under the supervision of, or with the authority of, an authorized flight instructor;
 - (2) A student pilot may not operate an aircraft in solo flight unless that student has met the requirements of this subsection.
- (b) Aeronautical knowledge.
 - (1) a student pilot shall satisfactorily pass an aeronautical knowledge test on the following subjects —

Civil Aviation (Flight Safety) Regulations

- (i) applicable sections of this Part and Part 8;
 - (ii) airspace rules and procedures for the airport where the student will perform solo flight; and
 - (iii) flight characteristics and operational limitations for the make and model of aircraft to be flown.
- (2) The student's authorised instructor shall —
- (i) administer the test; and
 - (ii) at the conclusion of the test, review all incorrect answers with the student before authorising that student to conduct a solo flight.
- (3) Pre solo flight training. Prior to conducting a solo flight, a student pilot shall have —
- (i) received and logged flight training for the manoeuvres and procedures of this subsection that are appropriate to the make and model of aircraft to be flown; and
 - (ii) demonstrated satisfactory proficiency and safety, as judged by an authorised instructor, on the manoeuvres and procedures required by this subsection in the make and model of aircraft or similar make and model of aircraft to be flown.
- (4) Manoeuvres and procedures for pre-solo flight training. A student pilot shall receive and log flight training for required manoeuvres and procedures.

Implementing Standard: See IS: 2.2.2.4 for required manoeuvres and procedures for a student pilot.

2.2.2.5 GENERAL LIMITATIONS

- (a) A student pilot may not act as PIC of an aircraft —
- (1) that is carrying a passenger;
 - (2) that is carrying property for compensation or hire;
 - (3) that is operated for compensation or hire;
 - (4) in furtherance of a business;
 - (5) on an international flight;
 - (6) with a flight or surface visibility of less than 3 statute miles during daylight hours or 5 statute miles at night;

Civil Aviation (Flight Safety) Regulations

- (7) when the flight cannot be made with visual reference to the surface; or
 - (8) in a manner contrary to any limitations placed in the pilot's logbook by an authorised instructor.
- (b) A student pilot shall not act as a required pilot flight crewmember on any aircraft for which more than one pilot is required by the aircraft type certificate, or by these Regulations under which the flight is conducted, except when receiving flight training from an authorised instructor on board an airship, and no person other than a required flight crewmember is carried on the aircraft.
- (c) A student pilot shall not operate an aircraft in solo flight unless that student pilot has received within the 90 days preceding the date of the flight, an endorsement from an authorised instructor for the specific make and model aircraft to be flown made —
- (1) on his or her student pilot licence; and
 - (2) in the student's logbook.
- (d) A student pilot shall not operate an aircraft in solo flight at night unless that student pilot has received —
- (1) flight training at night that includes takeoffs, approaches, landings and go-arounds at night at the airport where the student will conduct solo flight;
 - (2) navigation training at night in the vicinity of the airport where the student pilot will conduct solo flight; and
 - (3) an endorsement for night solo flight.

2.2.2.6 SOLO CROSS-COUNTRY FLIGHT REQUIREMENTS

- (a) General.
- (1) except as provided in paragraph (b) of this subsection, a student pilot shall meet the requirements of this subsection before —
 - (i) conducting a solo cross-country flight, or any flight greater than 25 nautical miles from the airport from where the flight originated; and
 - (ii) making a solo flight and landing at any location other than the airport of origination.

Civil Aviation (Flight Safety) Regulations

- (2) except as provided in paragraph (b) of this subsection, a student pilot who seeks solo cross-country flight privileges shall —
 - (i) have received flight training from an authorised instructor on the manoeuvres and procedures of this subsection that are appropriate to the make and model of aircraft for which solo cross-country privileges are sought;
 - (ii) have demonstrated cross-country proficiency on the appropriate manoeuvres and procedures of this subsection to an authorised instructor;
 - (iii) have satisfactorily accomplished the pre-solo flight manoeuvres and procedures required by IS: 2.2.2.6 in the make and model of aircraft or similar make and model of aircraft for which solo cross-country privileges are sought; and
 - (iv) comply with any limitations included in the instructor's endorsement that are required by paragraph (c) of this subsection.
- (3) a student pilot who seeks solo cross-country flight privileges shall have received ground and flight training from an authorised instructor on the cross-country manoeuvres and procedures listed in this subsection that are appropriate to the aircraft to be flown.
- (b) Authorization to perform certain solo flights and cross-country flights. A student pilot shall obtain an endorsement from an authorised instructor to make solo flights, subject to the following conditions —
 - (1) a student pilot may make solo flights to another airport that is within 25 nautical miles from the airport where the student pilot normally receives training, provided —
 - (i) the authorised instructor who makes the endorsement gave the student pilot flight training at the other airport, and that training included flight in both directions over the route, entering and exiting the traffic pattern, and takeoffs and landings at the other airport;
 - (ii) the student pilot has a current solo flight endorsement in accordance with 2.2.2.4.

Civil Aviation (Flight Safety) Regulations

- (iii) the instructor has determined that the student pilot is proficient to make the flight; and
 - (iv) the purpose of the flight is to practice takeoffs and landings at that other airport.
- (2) a student pilot may make repeated specific solo cross-country flights to another airport that is within 50 nautical miles of the airport from which the flight originated, provided —
 - (i) the authorised instructor who gave the endorsement gave the student flight training in both directions over the route, including entering and exiting the traffic patterns, takeoffs, and landings at the airport to be used;
 - (ii) the student has current solo flight endorsements in accordance with 2.2.2.4; and
 - (iii) the student has a current solo cross-country flight endorsement in accordance with paragraph (c) of this subsection, except that separate endorsements are not required for each flight made under this paragraph.
- (c) Endorsements for solo cross-country flights. Except as specified in paragraph (b)(2), a student pilot shall have the endorsements prescribed in this paragraph for each make and model aircraft the student will fly on each cross-country flight —
 - (1) student pilot licence endorsement —
 - (i) a student pilot shall have a solo cross-country endorsement placed on the student pilot licence by the authorised instructor who conducted the training.
 - (2) logbook endorsement —
 - (i) a student pilot shall have a solo cross-country endorsement placed in the student pilot's logbook by the authorised instructor who conducted the training;
 - (ii) a licenced pilot who is receiving training for an additional aircraft category and class rating shall have an endorsement placed in the pilot's logbook by the authorised instructor who conducted the training.
- (d) Manoeuvres and procedures for cross-country flight training. A student pilot who is receiving training for cross-country flight shall receive and log flight training in the required manoeuvres and procedures.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS: 2.2.2.6 for list of required manoeuvres and procedures.

2.2.3 Private Pilots

2.2.3.1 APPLICABILITY

This subsection prescribes the requirements for the issuance of private pilot licences and ratings, and the conditions under which those licences and ratings are necessary.

2.2.3.2 ELIGIBILITY REQUIREMENTS: GENERAL

To be eligible for a private pilot licence, a person shall —

- (a) be at least 17 years of age;
- (b) hold a Class 2 medical certificate issued under Part 2.;
- (c) meet the English language proficiency requirements of 2.1.2.6
- (d) receive a logbook endorsement for the knowledge test from an authorised instructor who —
 - (1) conducted the training or reviewed the person's home study on the aeronautical knowledge areas listed in 2.2.3.3 that apply to the aircraft rating sought; and
 - (2) certified that the person is prepared for the required knowledge test.
- (e) pass the required knowledge test on the aeronautical knowledge areas listed in 2.2.3.3.
- (f) receive flight training and a logbook endorsement from an authorised instructor who—
 - (1) conducted the training in the areas of operation listed in 2.2.3.4(a) that apply to the aircraft rating sought; and
 - (2) certified that the person is prepared for the required practical test.
- (g) meet the aeronautical experience requirements of this Subpart that apply to the aircraft rating sought before applying for the practical test;
- (h) pass a practical test on the areas of operation listed in 2.2.3.4(a) that apply to the aircraft rating sought;

Civil Aviation (Flight Safety) Regulations

- (i) comply with the appropriate sections of Subpart 2.2 that apply to the aircraft category and class rating sought.

2.2.3.3 AERONAUTICAL KNOWLEDGE

An applicant for a private pilot licence shall receive and log ground training from an authorised instructor or complete a home-study course on the required aeronautical knowledge areas shown in IS: 2.2.3.3.

2.2.3.4 FLIGHT PROFICIENCY

An applicant for a private pilot licence shall receive and log flight training from an authorised instructor and shall receive and log ground training from an authorised instructor or complete a home-study course on the following areas of operation —

- (a) for all categories, class and type ratings, as applicable —
 - (1) preflight preparation;
 - (2) preflight procedures;
 - (3) airport and seaplane base operations;
 - (4) takeoffs, landings, and go arounds;
 - (5) performance manoeuvres;
 - (6) ground reference manoeuvres;
 - (7) navigation;
 - (8) slow flight and stalls;
 - (9) basic instrument manoeuvres;
 - (10) emergency operations;
 - (11) night operations; and
 - (12) postflight procedures.
- (b) for the category and class ratings shown below, the applicable areas of operation shown in paragraph (a) and —
 - (1) aeroplane category rating with a multiengine class rating —
 - (i) multiengine operations.

Civil Aviation (Flight Safety) Regulations

- (2) rotorcraft category rating with a helicopter class rating —
 - (i) airport and heliport operations; and
 - (ii) hovering manoeuvres.
- (3) rotorcraft category rating with a gyroplane class rating —
 - (i) flight at slow airspeeds.
- (4) powered-lift category rating —
 - (i) airport and heliport operations; and
 - (ii) hovering manoeuvres.
- (5) glider category rating —
 - (i) airport and gliderport operations;
 - (ii) launches and landings;
 - (iii) performance speeds; and
 - (iv) soaring techniques.
- (6) lighter-than-air category rating with a balloon class rating —
 - (i) launches and landings.

2.2.3.5 AERONAUTICAL EXPERIENCE

- (a) An applicant for a private pilot licence with an aeroplane, rotorcraft, or powered-lift category rating shall receive and log one of the following minimum flight training times —
 - (1) at least 40 hours of flight time that includes at least 20 hours of flight training from an authorised instructor, and
 - (2) 10 hours of solo flight training in the areas of operation listed in 2.2.3.4,

Implementing Standard: See IS: 2.2.3.5 for minimum aeronautical training requirement.
- (b) Except when fewer hours are approved by the Authority, an applicant who has satisfactorily completed a private pilot course conducted by an ATO certified under Part 3, Subpart 3.2 need have only a total of 35 hours of aeronautical experience.
- (c) When the applicant has flight time as a pilot of aircraft in other categories, the Authority shall determine whether such

Civil Aviation (Flight Safety) Regulations

experience is acceptable and, if so, the extent to which the flight time requirements of 2.2.3.5(a) may be reduced.

- (d) An applicant for a private pilot licence may credit one of the following in an approved flight simulator or an approved flight training device representing the category, class, and type, if applicable, of aircraft appropriate to the rating sought —
 - (i) a maximum of 2.5 hours of training, if received from an authorised instructor other than an ATO; or
 - (ii) a maximum of 5 hours of training if the training is accomplished in a course conducted by an ATO certified under Part 3, Subpart 3.2.

2.2.3.6 CROSS-COUNTRY FLIGHTS: PILOTS BASED ON SMALL ISLANDS

- (a) Except as provided in paragraph (b) of this subsection, an applicant located on an island from which the cross-country flight training required in 2.2.2.6 cannot be accomplished without flying over water for more than 10 nautical miles from the nearest shoreline need not comply with the requirements of that section.
- (b) If other airports that permit civil operations are available to which a flight may be made without flying over water for more than 10 nautical miles from the nearest shoreline, the applicant shall show completion of two round trip solo flights between those two airports that are farthest apart, including a landing at each airport on both flights.
- (c) The Authority shall issue to an applicant who complies with paragraph (a) or paragraph (b) of this subsection, and meets all requirements for the issuance of a private pilot licence, except the cross-country training requirements of 2.2.2.6 of this Subpart, a pilot licence with an endorsement containing the following limitation, “Passenger carrying prohibited on flights more than 10 nautical miles from (the appropriate island).” The Authority may subsequently amend the limitation to include another island if the applicant complies with the requirements of paragraph (a) or paragraph (b) of this subsection for another island.

Civil Aviation (Flight Safety) Regulations

- (d) On meeting the cross-country training requirements of 2.2.2.6, an applicant may have the limitation in paragraph (c) of this subsection removed.

**2.2.3.7 PRIVATE PILOT PRIVILEGES AND LIMITATIONS:
REQUIRED CREWMEMBER**

- (a) Except as provided in paragraphs (b) through (f) of this subsection, a private pilot shall not act as a required crewmember of an aircraft —
 - (1) carrying passengers or property for compensation or hire;
or
 - (2) operated for compensation or hire.
- (b) A private pilot may, for compensation or hire, act as a required crewmember of an aircraft in connection with any business or employment if —
 - (1) the flight is only incidental to that business or employment;
and
 - (2) the aircraft does not carry passengers or property for compensation or hire.
- (c) A private pilot may act as a required crewmember of an aircraft used in a passenger carrying airlift sponsored by a charitable organisation described in paragraph (c)(7) of this subsection, and for which the passengers make a donation to the organisation, when the following requirements are met —
 - (1) the sponsor of the airlift notifies the office of the Authority with jurisdiction over the area concerned at least 7 days before the event and furnishes —
 - (i) a signed letter from the sponsor that shows the name of the sponsor, the purpose of the charitable event, the date and time of the event, and the location of the event; and
 - (ii) a photocopy of each required crewmember's pilot licence, medical certificate, and logbook entries that show the pilot is current and has logged at least 200 hours of flight time;
 - (iii) the flight is conducted from a public airport that is adequate for the aircraft to be used, or from another

Civil Aviation (Flight Safety) Regulations

- airport that has been approved by the Authority for the operation;
- (iv) no aerobatic or formation flights are conducted;
 - (v) an aircraft used for the charitable event holds a standard airworthiness certificate;
 - (vi) an aircraft used for the charitable event is airworthy and complies with the applicable requirements of Part 8;
 - (vii) a flight for the charitable event is made during day VFR conditions; and
 - (viii) the charitable organisation is an organisation identified as such by the appropriate authority of the government.
- (d) A private pilot may be reimbursed for aircraft operating expenses that are directly related to search and location operations, provided the expenses involve only fuel, oil, airport expenditures, or rental fees, and the operation is sanctioned and under the direction and control of —
- (1) a relevant Government agency; or
 - (2) an organisation that conducts search and location operations.
- (e) A private pilot who is an aircraft salesman and who has at least 200 hours of logged flight time may demonstrate an aircraft in flight to a prospective buyer.
- (f) A private pilot shall not pay less than the pro rata share of the operating expenses of a flight with passengers, provided the expenses involve only fuel, oil, airport expenditures, or rental fees.
- (g) Except as provided in paragraphs (b) through (f) of this subsection, a private pilot shall not, for compensation or hire, act as SIC of an aircraft that is type certified for more than one pilot.

2.2.3.8 PRIVATE PILOT WITH BALLOON RATING: LIMITATIONS

- (a) If an applicant for a private pilot licence with a balloon rating takes a practical test in a balloon with an airborne heater —
- (1) the Authority shall place on the pilot licence a limitation restricting the exercise of the privileges of that licence to a balloon with an airborne heater; and

Civil Aviation (Flight Safety) Regulations

- (2) the pilot may remove the limitation by obtaining the required aeronautical experience in a gas balloon and receiving a logbook endorsement from an authorised instructor who attests to the person's accomplishment of the required aeronautical experience and ability to satisfactorily operate a gas balloon.
- (b) If an applicant for a private pilot licence with a balloon rating takes a practical test in a gas balloon —
- (1) the Authority shall place on the pilot licence a limitation restricting the exercise of the privilege of that licence to a gas balloon; and
 - (2) the pilot may remove the limitation by obtaining the required aeronautical experience in a balloon with an airborne heater and receiving a logbook endorsement from an authorised instructor who attests to the pilot's accomplishment of the required aeronautical experience and ability to satisfactorily operate a balloon with an airborne heater.

2.2.4 Commercial Pilots

2.2.4.1 APPLICABILITY

This subsection prescribes the requirements for the issuance of commercial pilot licences and ratings, and the conditions under which those licences and ratings are necessary.

2.2.4.2 ELIGIBILITY REQUIREMENTS: GENERAL

To be eligible for a commercial pilot licence, a person shall —

- (a) be at least 18 years of age;
- (b) hold a Class 1 medical certificate issued under Part 2;
- (c) meet the English language proficiency requirements of 2.1.2.6;
- (d) receive a logbook endorsement from an authorised instructor who —
 - (1) conducted the required ground training or reviewed the person's home study on the aeronautical knowledge areas listed in IS: 2.2.4.3 that apply to the aircraft category and class rating sought; and
 - (2) certified that the person is prepared for the required

Civil Aviation (Flight Safety) Regulations

knowledge test that applies to the aircraft category and class rating sought.

- (i) pass the required knowledge test on the aeronautical knowledge areas listed in IS: 2.2.4.3;
- (ii) receive the required training and a logbook endorsement from an authorised instructor who —
 - (A) conducted the training on the areas of operation listed in IS: 2.2.4.3 that apply to the aircraft category and class rating sought; and
 - (B) certified that the person is prepared for the required practical test.
- (3) meet the aeronautical experience requirements of this Subpart that apply to the aircraft category and class rating sought before applying for the practical test;
- (4) pass the required practical test on the areas of operation listed in IS: 2.2.4.4 that apply to the aircraft category and class rating sought;
- (5) hold a private pilot licence issued under this Subpart; and
- (6) comply with all sections of this Subpart that apply to the aircraft category and class rating sought.

2.2.4.3 COMMERCIAL PILOT: AERONAUTICAL KNOWLEDGE REQUIREMENTS

An applicant for a commercial pilot licence shall receive and log ground training from an authorised instructor, or complete a home-study course on the required aeronautical knowledge areas shown in IS: 2.2.4.3.

Implementing Standard: See IS: 2.2.4.3 for specific aeronautical knowledge area requirements.

2.2.4.4 COMMERCIAL PILOT: FLIGHT PROFICIENCY REQUIREMENTS

An applicant for a commercial pilot licence shall complete a home study course or receive and log ground training from an authorised instructor and shall receive and log flight training from an authorised instructor on the areas of operation of this subsection that apply to the aircraft category, class and type rating sought.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS: 2.2.4.4 for detailed requirements concerning training for aircraft category and class ratings sought.

2.2.4.5 COMMERCIAL PILOT: AERONAUTICAL EXPERIENCE

- (a) An applicant for a commercial pilot licence shall obtain the required 250 flight hours of aeronautical experience set forth in IS: 2.2.4.5 —
- (1) except when fewer hours are approved by the Authority, an applicant who has satisfactorily completed a commercial pilot course conducted by an ATO certified under Part 3, Subpart 3.2 need have only the following total aeronautical experience to meet the aeronautical experience requirements of this subsection —
 - (i) 190 hours for an aeroplane or powered-lift rating.
 - (ii) 150 hours for a helicopter rating.
- (b) An applicant for a commercial pilot licence may credit one of the maximum times for training in an approved flight simulator or approved flight training device representing the applicable category, class, and type of aircraft appropriate to the rating sought —
- (1) 50 hours for an aeroplane or powered-lift rating;
 - (2) 25 hours for a helicopter rating;
 - (3) 100 hours for an aeroplane or powered lift rating in a course conducted by an ATO certified under Part 3, Subpart 3.2; or
 - (4) 50 hours for a helicopter rating in a course conducted by an ATO certified under Part 3, Subpart 3.2.

Implementing Standard: See IS: 2.2.4.5 for specific required aeronautical experience

2.2.4.6 COMMERCIAL PILOT PRIVILEGES AND LIMITATIONS

- (a) Privileges —

A commercial pilot licence holder may act as PIC or co-pilot of an aircraft for compensation or hire, including the carriage of persons or property for compensation or hire, provided the pilot is qualified in accordance with the applicable parts of these Regulations;

Civil Aviation (Flight Safety) Regulations

- (1) a commercial pilot with a lighter than air category ratings may —
 - (i) for an airship —
 - (A) give flight and ground training in an airship for the issuance of a licence or rating;
 - (B) endorse a pilot licence for an airship; and
 - (C) act as PIC or co-pilot of an airship under IFR.
 - (ii) for a balloon —
 - (D) give flight and ground training in a balloon for the issuance of a licence or rating; and
 - (E) endorse a pilot licence for a balloon.
- (b) Limitations —
 - (1) the Authority shall issue to an applicant for a commercial pilot licence with an aeroplane category or powered-lift category rating who does not hold an instrument rating in the same category and class, a commercial pilot licence that contains the limitation, “The carriage of passengers for hire in (aeroplanes) (powered-lifts) on cross-country flights in excess of 50 nautical miles or at night is prohibited.”
 - (2) a pilot may remove the limitation specified in paragraph (b) (1) by satisfactorily accomplishing the requirements listed in 2.2.1.2 for an instrument rating in the same category and class of aircraft that has the limitation;
 - (3) if an applicant for a commercial pilot licence with a balloon rating takes a practical test in a balloon with an airborne heater —
 - (i) the Authority shall place on the pilot licence a limitation restricting the exercise of the privileges of that licence to a balloon with an airborne heater;
 - (ii) the pilot may remove the limitation specified in paragraph (b)(3)(i) by obtaining the required aeronautical experience in a gas balloon and receiving a logbook endorsement from an authorised instructor who attests to the pilot’s accomplishment of the required aeronautical experience and ability to satisfactorily operate a gas balloon.

Civil Aviation (Flight Safety) Regulations

- (4) if an applicant for a commercial pilot licence with a balloon rating takes a practical test in a gas balloon —
 - (i) the Authority shall place on the pilot licence a limitation restricting the exercise of the privileges of that licence to a gas balloon; and
 - (ii) the pilot may remove the limitation specified in paragraph (b)(4)(i) by obtaining the required aeronautical experience in a balloon with an airborne heater and receiving a logbook endorsement from an authorised instructor who attests to the person's accomplishment of the required aeronautical experience and ability to satisfactorily operate a balloon with an airborne heater.

2.2.4.7 ADDITIONAL AIRCRAFT CATEGORY, CLASS, AND TYPE RATINGS

- (a) An applicant for a commercial pilot licence with a category rating who holds a commercial pilot licence with another aircraft category rating shall —
 - (1) meet the applicable eligibility requirements;
 - (2) pass a knowledge test on the applicable aeronautical knowledge areas;
 - (3) meet the applicable aeronautical experience requirements; and
 - (4) pass the practical test on the areas of operation.
- (b) Aircraft type rating.
 - (1) An applicant seeking an aircraft type rating to be added on a commercial pilot licence shall pass a knowledge test appropriate to the type rating sought;
 - (2) Pass the required skill test on the applicable aircraft type.

2.2.5 Airline Transport Pilots

2.2.5.1 APPLICABILITY

This Subpart prescribes the requirements for the issuance of airline transport pilot licences and ratings, and the conditions under which those licences and ratings are necessary.

*Civil Aviation (Flight Safety) Regulations***2.2.5.2 ELIGIBILITY REQUIREMENTS: GENERAL**

To be eligible for an airline transport pilot licence, a person shall —

- (a) be at least 21 years of age;
- (b) hold a Class 1 medical certificate issued under Part 2.;
- (c) meet the English language proficiency requirements of 2.1.2.6;
- (d) meet at least one of the following requirements —
 - (1) hold a valid and current commercial pilot licence and an instrument rating; or
 - (2) hold either a foreign airline transport pilot or foreign commercial pilot licence and an instrument rating issued by another Contracting State.
 - (3) meet the aeronautical applicable experience requirements of this Subpart before applying for the practical test;
 - (4) pass a knowledge test on the applicable aeronautical knowledge areas of IS: 2.2.5.3 that apply to the aircraft category and class rating sought;
 - (5) pass the practical test on the applicable areas of operation listed in 2.2.5.4 that apply to the aircraft category and class rating sought.

2.2.5.3 AERONAUTICAL KNOWLEDGE

- (a) General. The Authority will administer a knowledge test for an airline transport pilot licence based on the aeronautical knowledge areas appropriate to the aircraft category and class rating sought.
- (b) An applicant for an air transport licence shall receive and log ground training from an authorised instructor, or complete a home-study course on the required aeronautical knowledge areas shown in IS: 2.2.5.3.

Implementing Standard: See IS: 2.2.5.3 for a list of required aeronautical knowledge areas.

2.2.5.4 FLIGHT PROFICIENCY

An applicant for an airline transport pilot licence shall complete a home study course or receive and log ground training from an

Civil Aviation (Flight Safety) Regulations

authorised instructor and shall receive and log flight training from an authorised instructor on the areas of operation of this subsection that apply to the aircraft category, class and type rating sought.

Implementing Standard: See IS: 2.2.5.4 for detailed requirements concerning training for aircraft category and class ratings sought.

2.2.5.5 AERONAUTICAL EXPERIENCE: AEROPLANE CATEGORY RATING

- (a) Except as provided in paragraphs (b), (c), and (d) of this subsection, an applicant for an airline transport pilot licence with an aeroplane category and class rating shall have at least 1,500 hours of total time as a pilot that includes at least —
- (1) 500 hours of cross-country flight time;
 - (2) 100 hours of night flight time;
 - (3) 75 hours of instrument flight time, in actual or simulated instrument conditions;
 - (4) not more than one of the following in an approved flight simulator or approved flight training device representing an aeroplane—
 - (i) 25 hours of simulated instrument time.
 - (ii) 50 hours of simulated instrument time if the training was accomplished in a course conducted by an ATO certified under Part 3, Subpart 3.2;
 - (5) 100 hours of aeronautical experience requirements in an approved course conducted by an ATO certified under Part 3, Subpart 3.2; and
 - (6) 250 hours of flight time in an aeroplane as a PIC, or as SIC performing the duties and functions of a PIC while under the supervision of a PIC or any combination thereof, which includes at least —
 - (i) 100 hours of cross country flight time; and
 - (ii) 25 hours of night flight time.
- (b) A pilot who has performed at least 20 night takeoffs and landings to a full stop may substitute each additional night takeoff and landing to a full stop for 1 hour of night flight time to satisfy

Civil Aviation (Flight Safety) Regulations

the requirements of paragraph (a)(2) of this subsection, not to exceed 25 hours of night flight time.

- (c) A commercial pilot applicant may credit the following SIC flight time or flight-engineer flight time toward the 1,500 hours of total time as a pilot required by paragraph (a) of this subsection —
- (1) SIC time acquired in an aeroplane —
 - (i) required to have more than one pilot by the aeroplane’s flight manual or type certificate; or
 - (ii) engaged in operations under Part 9 for which a SIC is required.
 - (2) flight-engineer time acquired —
 - (i) in an aeroplane required to have a flight engineer by the aeroplane’s flight manual or type certificate;
 - (ii) while engaged in operations under Part 9 for which a flight engineer is required;
 - (iii) while the pilot is participating in a pilot training program approved under Part 9; and
 - (iv) that does not exceed 1 hour for each 3 hours of flight engineer flight time for a total credited time of no more than 500 hours.

2.2.5.6 AERONAUTICAL EXPERIENCE: ROTORCRAFT CATEGORY AND HELICOPTER CLASS RATING

An applicant for an airline transport pilot licence with a rotorcraft category and helicopter class rating, shall have at least 1,500 hours of total time as a pilot that includes at least —

- (a) 500 hours of cross-country flight time;
- (b) 100 hours of night flight time, of which 15 hours are in helicopters;
- (c) 200 hours of flight time in helicopters, which includes at least 75 hours as a PIC, or as SIC performing the duties and functions of a PIC under the supervision of a PIC, or any combination thereof;
- (d) 75 hours of instrument flight time in actual or simulated instrument meteorological conditions, of which at least 50 hours are obtained in flight with at least 25 hours in helicopters as a

Civil Aviation (Flight Safety) Regulations

PIC, or as SIC performing the duties and functions of a PIC under the supervision of a PIC, or any combination thereof;

- (e) not more than one of the following in an approved flight simulator or approved flight training device representing a rotorcraft —
 - (1) 25 hours of simulated instrument time;
 - (2) 50 hours of simulated instrument time if the training was accomplished in a course conducted by an ATO certified under Part 3, Subpart 3.2.

2.2.5.7 AERONAUTICAL EXPERIENCE: POWERED-LIFT FLIGHT TIME

- (a) An applicant for an airline transport pilot licence with a powered-lift category rating shall have at least 1,500 hours of total time as a pilot that includes at least —
 - (1) 500 hours of cross-country flight time;
 - (2) 100 hours of night flight time;
 - (3) 250 hours in a powered-lift as a PIC, or as a SIC performing the duties and functions of a PIC under the supervision of a PIC, or any combination thereof, which includes at least —
 - (i) 100 hours of cross-country flight time; and
 - (ii) 25 hours of night flight time.
 - (4) 75 hours of instrument flight time in actual or simulated instrument conditions;
 - (5) not more than one of the following in an approved flight simulator or approved flight training device representing a powered-lift —
 - (i) 25 hours of simulated instrument time;
 - (ii) 50 hours of simulated instrument time if the training was accomplished in a course conducted by an ATO certified under Part 3, Subpart 3.2.
- (b) 100 hours of aeronautical experience in an approved course conducted by an ATO certified under Part 3, Subpart 3.2.

*Civil Aviation (Flight Safety) Regulations***2.2.5.8 ADDITIONAL AIRCRAFT CATEGORY, CLASS, AND TYPE RATINGS**

- (a) An applicant for an airline transport licence with a category rating who holds an airline transport pilot licence with another aircraft category rating shall —
 - (1) meet the applicable eligibility requirements;
 - (2) pass a knowledge test on the applicable aeronautical knowledge areas;
 - (3) meet the applicable aeronautical experience requirements; and
 - (4) pass the practical test on the areas of operation.
- (b) Aircraft type rating.
 - (1) An applicant seeking an aircraft type rating to be added on an airline transport pilot licence shall pass a knowledge test appropriate to the type rating sought;
 - (2) Pass the required skill test on the applicable aircraft type.

2.2.5.9 AIRLINE TRANSPORT PILOT PRIVILEGES

- (a) The Authority extends to the holder of an airline transport pilot licence the same privileges as those extended to a holder of a commercial pilot licence with an instrument rating and the privilege to act as PIC and SIC in aircraft in commercial air transportation.
- (b) An airline transport pilot may instruct —
 - (1) other pilots in air transportation service in aircraft of the category, class, and type, as applicable, for which the airline transport pilot is rated, and in simulation of those aircraft, and endorse the logbook or other training record of the person to whom training has been given;
 - (2) only as provided in this subsection, unless the airline transport pilot also holds a flight instructor licence, in which case the holder may exercise the instructor privileges of this Part for which he or she is rated.
- (c) Excluding briefings and debriefings, an airline transport pilot shall not instruct in aircraft, approved flight simulators, and approved flight training devices under this subsection —

Civil Aviation (Flight Safety) Regulations

- (1) for more than 8 hours in any 24-consecutive-hour period;
or
 - (2) for more than 36 hours in any 7-consecutive-day period.
- (d) An airline transport pilot shall not instruct in Category II or Category III operations unless he or she has been trained and successfully tested under Category II or Category III operations, as applicable.

2.2.6 Flight Instructors

2.2.6.1 APPLICABILITY

This Subpart prescribes the requirements for the issuance of flight instructor ratings, the conditions under which those ratings are necessary, and the limitations on those ratings.

2.2.6.2 ELIGIBILITY REQUIREMENTS

To be eligible for a flight instructor rating a person shall —

- (a) be at least 18 years of age;
- (b) hold a Class 1 medical certificate issued under Part 2.;
- (c) meet the English language proficiency requirements of 2.1.2.6;
- (d) hold either a commercial pilot licence or airline transport pilot licence with —
 - (1) an aircraft category, class and rating that is appropriate to the flight instructor rating sought; and
 - (2) an instrument rating, if the person holds a commercial pilot licence and is applying for a flight instructor rating with —
 - (i) an aeroplane category and single-engine class rating;
 - (ii) an aeroplane category and multiengine class rating;
 - (iii) a powered lift rating; or
 - (iv) an instrument rating.
 - (3) receive a logbook endorsement from an authorised instructor on the fundamentals of instructing listed in 2.2.6.3 appropriate to the required knowledge test;
 - (4) pass a knowledge test on the areas listed in 2.2.6.3,

Civil Aviation (Flight Safety) Regulations

- (5) receive a logbook endorsement from an authorised instructor on the areas of operation listed in 2.2.6.4, appropriate to the flight instructor rating sought;
- (6) pass the required practical test that is appropriate to the flight instructor rating sought in an —
 - (i) aircraft that is representative of the category, class and type of aircraft for the aircraft rating sought; or
 - (ii) approved flight simulator or approved flight training device that is representative of the category, class and type of aircraft for the rating sought, and used in accordance with an approved course at an ATO certified under Part 3, Subpart 3.2.
- (7) accomplish the following for a flight instructor rating with an aeroplane or a glider rating —
 - (i) receive a logbook endorsement from an authorised instructor indicating that the applicant is competent and possesses instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures after receiving flight training in those training areas in an aeroplane or glider, as appropriate, that is certified for spins;
 - (ii) demonstrate instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures.
- (8) an examiner may accept the endorsement specified in paragraph (8)(i) of this subsection as satisfactory evidence of instructional proficiency in stall awareness, spin entry, spins, and spin recovery procedures for the practical test, provided that the practical test is not a retest as a result of the applicant failing the previous test for deficiencies in those knowledge or skill areas.
- (9) if a retest is the result of deficiencies in the ability of an applicant to demonstrate the requisite knowledge or skill, the applicant shall demonstrate the knowledge and skill to an examiner in an aeroplane or glider, as appropriate, that is certified for spins.
- (10) log at least 15 hours as PIC in the category, class and type of aircraft that is appropriate to the flight instructor rating sought; and

Civil Aviation (Flight Safety) Regulations

- (11) comply with the appropriate sections that apply to the flight instructor rating sought.

2.2.6.3 AERONAUTICAL KNOWLEDGE

- (a) An applicant for a flight instructor rating shall receive and log ground training from an authorised instructor on the fundamentals of instructing, including —
- (1) the learning process;
 - (2) elements of effective teaching;
 - (3) student evaluation and testing;
 - (4) course development;
 - (5) lesson planning; and
 - (6) classroom training techniques.
- (7) the aeronautical knowledge areas for a private and commercial pilot licence applicable to the aircraft category for which flight instructor privileges are sought; and
- (8) the aeronautical knowledge areas for the instrument rating applicable to the category for which instrument flight instructor privileges are sought.

2.2.6.4 FLIGHT INSTRUCTOR: AREAS OF OPERATION FOR FLIGHT PROFICIENCY

- (a) An applicant for a flight instructor rating shall receive and log flight and ground training, and an endorsement from an authorised instructor, that the person is proficient to pass a practical test for the flight instructor rating sought.
- (b) An applicant may accomplish the flight training required by this subsection —
- (1) in an aircraft that is representative of the category and class of aircraft for the rating sought; or
 - (2) in a flight simulator or flight training device representative of the category and class of aircraft for the rating sought, and used in accordance with an approved course at an ATO certified under Part 3, Subpart 3.2.

Implementing Standard: See IS: 2.2.6 4 for a list of areas of operation that apply to the practical test for a flight instructor rating.

*Civil Aviation (Flight Safety) Regulations***2.2.6.5 FLIGHT INSTRUCTOR RECORDS**

A flight instructor shall —

- (a) sign the logbook of each person to whom that instructor has given flight training or ground training;
- (b) maintain a record in a logbook or a separate document that contains the following —
 - (1) the name of each person whose logbook or student pilot licence that instructor has endorsed for solo flight privileges, and the date of the endorsement; and
 - (2) the name of each person that instructor has endorsed for a knowledge test or practical test, and a record of the kind of test, the date, and the results; and
- (c) retain the records required by this subsection for at least 3 years.

2.2.6.6 ADDITIONAL FLIGHT INSTRUCTOR ENDORSEMENTS

- (a) An applicant for an additional flight instructor endorsement shall meet the eligibility requirements listed in 2.2.6.2 that apply to the flight instructor endorsement sought.
- (b) An applicant for an additional endorsement is not required to pass the knowledge test on the areas listed in 2.2.6.3.

2.2.6.7 FLIGHT INSTRUCTOR PRIVILEGES

A flight instructor is authorised within the limitations of that person's flight instructor rating, and pilot licence to give training and endorsements that are required for, and relate to —

- (a) a student pilot licence;
- (b) a pilot licence;
- (c) a flight instructor licence;
- (d) a ground instructor licence;
- (e) an aircraft rating;
- (f) an instrument rating;
- (g) a flight review, operating privilege, or recency of experience requirement;
- (h) a practical test; and
- (i) a knowledge test.

*Civil Aviation (Flight Safety) Regulations***2.2.6.8 FLIGHT INSTRUCTOR LIMITATIONS AND QUALIFICATIONS**

The holder of a flight instructor rating shall observe the limitations and qualifications applicable to flight instructors.

Implementing Standard: See IS: 2.2.6 8 for detailed list of flight instructor limitations and qualifications.

2.2.6.9 RENEWAL OF FLIGHT INSTRUCTOR RATINGS

- (a) A flight instructor rating that has not expired may be renewed for an additional 24 calendar months if the holder —
 - (1) passes a practical test for —
 - (i) renewal of the flight instructor rating; or
 - (ii) an additional flight instructor rating; or
 - (2) presents to an Authority inspector —
 - (i) a record of training students that shows during the preceding 24 calendar months the flight instructor has endorsed at least five students for a practical test for a licence or rating, and at least 80 per cent of those students passed that test on the first attempt;
 - (ii) a record that shows that within the preceding 24 calendar months, service as a company check pilot, chief flight instructor, company check airman, or flight instructor in a Part 9 operation, or in a position involving the regular evaluation of pilots; or
 - (iii) a graduation certificate showing that the pilot has successfully completed an approved flight instructor refresher course consisting of ground training or flight training, or both, within the 90 days preceding the expiration month of his or her flight instructor licence.
- (b) If a flight instructor accomplishes the renewal requirements within the 90 days preceding the expiration month of his or her flight instructor rating —
 - (1) the Authority shall consider that the flight instructor accomplished the renewal requirement in the month due; and

Civil Aviation (Flight Safety) Regulations

- (2) the Authority shall renew the current flight instructor licence for an additional 24 calendar months from its expiration date.
- (c) A flight instructor may accomplish the practical test required by paragraph (a)(1) of this subsection in an approved course conducted by an ATO certified under Part 3, Subpart 3.2.

2.2.6.10 EXPIRED FLIGHT INSTRUCTOR RATING

The holder of an expired flight instructor rating may renew that rating by passing the prescribed test.

2.2.7 (RESERVED)

2.3 CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

2.3.1 Flight Engineers

2.3.1.1 APPLICABILITY

Subpart 2.3 prescribes the requirements for issuing flight engineer licences.

2.3.1.2 LICENCES AND RATINGS REQUIRED

A person shall not act as a flight engineer of a civil aircraft of Antigua & Barbuda registry unless he or she has a flight engineer licence with appropriate ratings.

2.3.1.3 (RESERVED)

2.3.1.4 ELIGIBILITY REQUIREMENTS - GENERAL

To be eligible for a flight engineer licence, a person shall —

- (a) be at least 18 years of age;
- (b) hold a Class 3 medical certificate issued under Part 2.
- (c) meet the English language proficiency requirements of 2.1.2.6; and
- (d) comply with the requirements of this subsection that apply to the rating sought.

*Civil Aviation (Flight Safety) Regulations***2.3.1.5 ADDITIONAL AIRCRAFT RATINGS**

To add another aircraft class rating to a flight engineer licence, an applicant shall —

- (a) pass the knowledge test and practical test that is appropriate to the class of aeroplane for which an additional rating is sought, or
- (b) satisfactorily complete an approved flight engineer training program that is appropriate to the additional class rating sought.

2.3.1.6 KNOWLEDGE REQUIREMENTS

- (a) An applicant for a flight engineer licence shall pass a knowledge test on the following —
 - (1) the regulations that apply to a flight engineer.
 - (2) the theory of flight and aerodynamics.
 - (3) basic meteorology with respect to engine operations.
 - (4) centre of gravity computations.
- (b) An applicant for the original or additional issue of a flight engineer class rating shall pass a knowledge test for that aeroplane class on the following —
 - (1) aeroplane equipment;
 - (2) aeroplane systems;
 - (3) aeroplane loading;
 - (4) aeroplane procedures and engine operations with respect to limitations;
 - (5) normal operating procedures;
 - (6) emergency procedures.
- (c) Before taking the knowledge tests prescribed in paragraphs (a) and (b) of this subsection, an applicant for a flight engineer licence shall present satisfactory evidence of having completed one of the experience requirements of 2.3.1.7.
- (d) An applicant may take the knowledge tests before acquiring the flight training required by 2.3.1.7.
- (e) Except as provided in paragraph (f) of this subsection, an applicant for a flight engineer licence or rating shall have passed

Civil Aviation (Flight Safety) Regulations

the knowledge tests required by paragraphs (a) and (b) of this subsection since the beginning of the 24th calendar month before the month in which the practical test is taken.

- (f) An applicant who within the period ending 24 calendar months after passing the knowledge test, is employed as a flight crewmember or mechanic by an Antigua & Barbuda air carrier or certificate holder need not comply with the time limit set in paragraph (e) of this subsection if the applicant —
 - (1) is employed by such a certificate holder at the time of the practical test; and
 - (2) if employed as a flight crewmember, has completed initial training, and, if appropriate, transition, upgrade, recurrent training; or
 - (3) if employed as an AMT, meets the recency of experience requirements of 5.6.1.4.
- (g) An AOC holder may, when authorised by the Authority, provide as part of an approved training program a knowledge test that it may administer to satisfy the test required for an additional rating under paragraph (b) of this subsection.

2.3.1.7 AERONAUTICAL EXPERIENCE REQUIREMENTS

- (a) Except as otherwise specified herein, an applicant for a flight engineer licence shall obtain and log the flight time used to satisfy the aeronautical experience requirements of paragraph (b) of this subsection on an aeroplane on which a flight engineer is required by these Regulations.
- (b) An applicant for a flight engineer licence with a class rating shall present, for the class rating sought, satisfactory evidence of one of the following, including the practical experience with the aircraft described in paragraph (a) of this subsection—
 - (1) at least 3 years of practical experience in aircraft and aircraft engine maintenance and at least 5 hours of flight training in the duties of a flight engineer;
 - (2) graduation from at least a 2-year specialised aeronautical training course in maintaining aircraft and aircraft engines and at least 5 hours of flight training in the duties of a flight engineer;

Civil Aviation (Flight Safety) Regulations

- (3) a degree in aeronautical, electrical, or mechanical engineering from a recognised college, university, or engineering school; at least 6 calendar months of practical experience in maintaining aircraft and at least 5 hours of flight training in the duties of a flight engineer;
- (4) at least a commercial pilot licence with an instrument rating and at least 5 hours of flight training in the duties of a flight engineer;
- (5) At least 200 hours of flight time in a transport category aeroplane as PIC or SIC performing the functions of a PIC under the supervision of a PIC;
- (6) At least 100 hours of flight time as a flight engineer;
- (7) Within the 90-day period before application, successful completion of an approved flight engineer ground and flight course of instruction.

2.3.1.8 SKILL REQUIREMENTS

- (a) An applicant for a flight engineer licence with a class and type ratings shall pass a practical test on the duties of a flight engineer —
 - (1) in the class and type of aeroplane for which a rating is sought; and
 - (2) only on an aeroplane specified in 2.3.1.7(a) or an approved flight simulator replicating the class and type of such an aeroplane.
- (b) An applicant shall —
 - (1) show satisfactory performance in preflight inspection, servicing, starting, pre-takeoff, and post-landing procedures;
 - (2) in flight, show satisfactory performance of the normal duties and procedures relating to the aeroplane, aeroplane engines, propellers (if appropriate), systems, and appliances; and
 - (3) in flight, in an aeroplane simulator, or in an approved training device, show satisfactorily performance on emergency duties and procedures and recognise and take appropriate action for malfunctions of the aeroplane, engines, propellers (if appropriate), systems and appliances.

*Civil Aviation (Flight Safety) Regulations***2.3.1.9 (RESERVED)****2.3.1.10 VALIDATION OF FOREIGN FLIGHT ENGINEERS
LICENCES AND RATINGS**

(a) General.

- (1) A person who holds a current flight engineer licence issued by another Contracting State may apply for a validation of that licence provided that —
 - (i) The applicant holds a current and valid flight engineer licence issued by another Contracting State in accordance with ICAO Annex 1.
 - (ii) The applicant presents to the Authority the foreign licence and evidence of the experience required by presenting the record (e.g. logbook).
 - (iii) The applicant presents to the Authority evidence that he or she holds either a current medical certificate issued under Part 2 or a current medical certificate issued by the Contracting State that issued the applicant's licence.
 - (A) The Authority may allow the applicant to use his/her foreign medical certificate with the validation certificate provided that the medical certification requirements on which the foreign medical certificate was issued meet the requirements of Part 2, relevant to the licence held.
 - (iv) The applicant presents to the Authority evidence of proficiency in the English Language as specified in 2.1.2.6. or shall demonstrate to the Authority the language proficiency skills as specified in 2.1.2.6.
 - (v) The application is supported by the relevant operator.
- (2) The Authority will verify the authenticity of the licence, ratings, authorizations and the medical certificate with the state of licence issue prior to issuing the validation.
- (3) The Authority will only validate ratings or authorizations on the foreign licence together with the validation of a licence.

Civil Aviation (Flight Safety) Regulations

- (4) The Authority may issue a validation certificate for a period not exceeding six months, provided the foreign licence, ratings or authorizations and the medical certificate remain valid.
- (5) the Authority will place on the validation certificate issued under this Subsection the flight engineer's foreign licence number and country of issuance.
- (b) In addition to the requirements in item (a) above, the applicant for a validation certificate shall meet the following requirements:
 - (1) Demonstrate to the satisfaction of the Authority the knowledge relevant to the licence to be validated of —
 - (i) Air Law; and
 - (ii) Any other subject areas deemed necessary by the Authority.
 - (2) Complete a skill test for the relevant licence and ratings that he or she wants to be validated relevant to the privileges of the licence held.

Implementing Standard: See IS: 2.1.2.7 for details on additional requirements and exemptions to the training requirements of this subsection.

2.3.1.11 CONVERSION OF FOREIGN FLIGHT ENGINEERS LICENCES AND RATINGS

- (a) General.
 - (1) A person who holds a valid and current flight engineer licence issued by another Contracting State in accordance with ICAO Annex 1 may apply for a conversion of that licence provided that —
 - (i) The applicant presents to the Authority the foreign licence and evidence of the experience required by presenting the record (e.g. logbook).
 - (ii) The applicant holds a Class 2 medical certificate issued under Part 2.
 - (iii) The application is supported by the relevant operator.
 - (iv) The applicant presents to the Authority evidence of proficiency in the English Language as specified in

Civil Aviation (Flight Safety) Regulations

2.1.2.6. or shall demonstrate to the Authority the language proficiency skills as specified in 2.1.2.6.

- (2) The Authority will verify the authenticity of the licence, ratings, authorizations with the state of licence issue prior to the conversion of a licence.
- (3) The Authority will only convert ratings or authorizations on the foreign licence.
- (b) In addition to the requirements in item (a) above, the applicant for a conversion shall meet the following requirements —
 - (1) Demonstrate to the satisfaction of the Authority the knowledge relevant to the licence to be validated of —
 - (i) Air Law; and
 - (ii) Any other subject areas deemed necessary by the Authority.
 - (2) Complete a skill test for the relevant licence and ratings that he or she wants to be converted relevant to the privileges of the licence held.

Implementing Standard: See IS: 2.1.2.7 for details on additional requirements and exemptions to the training requirements of this subsection.

2.4 LICENSING: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

2.4.1 General

2.4.1.1 APPLICABILITY

Subpart 2.4 prescribes the requirements for issuing the following licences, ratings, and inspection authorizations for —

- (a) air traffic controllers;
- (b) ATC facility rating;
- (c) flight operations officers;(RESERVED)
- (d) aviation maintenance technicians;

*Civil Aviation (Flight Safety) Regulations***2.4.2 Air Traffic Controllers****2.4.2.1 APPLICABILITY**

This Subpart prescribes the requirements for issuance of student air traffic controller licences, air traffic controller licences and ratings, and the conditions under which those licences and ratings are necessary.

2.4.2.2 REQUIRED LICENCES, RATING OR QUALIFICATION

A person shall not provide an air traffic controller service unless he or she —

- (a) holds an air traffic controller licence issued to him or her under this Subpart;
- (b) holds a holds a current air traffic controller rating;
- (c) maintains competency in accordance with criteria established by the Authority;
- (d) holds a student air traffic controller licence issued under this subpart; and functions under the supervision of an appropriately rated air traffic controller; or
- (e) is undergoing ab-initio departmental instruction from an air traffic controller who is specifically authorized to carry out instruction in an operational environment.

2.4.2.3 ELIGIBILITY REQUIREMENTS: GENERAL

- (a) To be eligible for a student air traffic controller licence a person shall —
 - (1) be at least 21 years of age;
 - (2) hold a Class 3 medical certificate issued under Part 2;
 - (3) meet the English language proficiency requirements of 2.1.2.6; and
 - (4) completed an approved training course;
- (b) To be eligible for an air traffic controller licence a person shall —
 - (1) be at least 21 years of age;
 - (2) meet the English language proficiency requirements of 2.1.2.6;

Civil Aviation (Flight Safety) Regulations

- (3) meet the requirements of 2.4.2.4; and
- (4) meet the requirements of at least one of the ratings set out in 2.4.2.6.

2.4.2.4 KNOWLEDGE REQUIREMENTS

An applicant for an air traffic controller licence shall have demonstrated knowledge appropriate to the holder of an air traffic controller licence in at least the following subjects —

- (1) Air Law - Rules and regulations relevant to the air traffic controller;
- (2) Air traffic control equipment – Principles, use and limitations of equipment used in air traffic control;
- (3) General Knowledge - Principles of flight; principles of operation and functioning of aircraft, powerplants and systems; aircraft performances relevant to air traffic control operations;
- (4) Human Performance - Human performance relevant to air traffic control including principles of threat and error management;
- (5) Aeronautical meteorology; use and appreciation of meteorological documentation and information; origin and characteristics of weather phenomena affecting flight operations and safety; altimetry;
- (6) Navigation - Principles of air navigation; principle, limitation and accuracy of navigation systems and visual aids;and
- (7) Operational Procedures - Air traffic control, communication, radiotelephony and phraseology procedures (routine, non routine and emergency); use of the relevant aeronautical documentation; safety practices associated with flight.

2.4.2.5 EXPERIENCE

An applicant shall have completed an approved training course and not less than three months' of satisfactory service engaged in the actual control of air traffic under the supervision of an appropriately rated air traffic controller. The experience requirements specified for air traffic controller ratings in paragraph 2.4.2.6 (c) will be credited as part of the experience specified in this paragraph.

Civil Aviation (Flight Safety) Regulations

2.4.2.6 AIR TRAFFIC CONTROLLER RATINGS

- (a) Air traffic controller ratings shall comprise the following categories —
- (1) Aerodrome control rating;
 - (2) Approach control procedural rating.
 - (3) Approach control surveillance rating.
 - (4) Area control procedural rating.
 - (5) Area control surveillance rating.

2.4.2.7 REQUIREMENTS FOR AIR TRAFFIC CONTROLLER RATINGS

An applicant shall have demonstrated a level of knowledge appropriate to the privileges granted in at least the following subjects in so far as they affect the area of responsibility —

- (a) Knowledge.

An applicant for an air traffic controller rating shall receive knowledge instruction through an approved training course on the knowledge areas appropriate to the holder of an air traffic controller rating on the subjects as specified below for each rating sought —

- (1) Aerodrome control rating —
 - (i) Aerodrome layout, physical characteristics and visual aids.
 - (ii) Airspace structure.
 - (iii) Applicable rules, procedures and source of information.
 - (iv) Air navigation facilities.
 - (v) Air traffic control equipment and its use.
 - (vi) Terrain and prominent landmarks.
 - (vii) Characteristics of air traffic.
 - (viii) Weather phenomena.
 - (ix) Emergency and search and rescue plans.
- (2) Approach control procedural and area control procedural ratings.

Civil Aviation (Flight Safety) Regulations

- (i) Airspace structure;
 - (ii) Applicable rules, procedures and source of information.
 - (iii) Air navigation facilities.
 - (iv) Air traffic control equipment and its use.
 - (v) Terrain and prominent landmarks.
 - (vi) Characteristics of air traffic and traffic flow.
 - (vii) Weather phenomena.
 - (viii) Emergency and search and rescue plans.
- (3) Approach control and area control surveillance ratings —
- (i) Principles, use and limitations of applicable ATS surveillance systems and associated equipment; and
 - (ii) Procedures for the provision of ATS surveillance service, as appropriate, including procedures to ensure appropriate terrain clearance.
- (b) Experience. The applicant for an air traffic controller licence shall have —
- (1) Satisfactorily completed an approved training course.
 - (2) Provided, satisfactorily, under the supervision of an appropriately rated air traffic controller —
 - (i) Aerodrome control rating: an aerodrome control service, for a period of not less than 90 hours or one month, whichever is greater, at the unit for which the rating is sought.
 - (ii) Approach, control procedural, approach control surveillance, area control procedural or area control surveillance rating: the control service for which the rating is sought, for a period of not less than 180 hours or three months, whichever is greater, at the unit for which the rating is sought.
 - (3) The experience specified under (c)(2) shall have been completed within the 6-month period immediately preceding application.
 - (4) When the applicant already holds an air traffic controller rating in another category or the same rating in another

Civil Aviation (Flight Safety) Regulations

unit, the Authority shall determine whether the experience requirements of (c)(1)(2) may be reduced and to what extent.

- (c) Skill. The applicant shall have demonstrated, at a level appropriate to the privileges being granted, the skill, judgement and performance required to provide a safe, orderly and expeditious control service.
- (d) Concurrent issuance of two air traffic controller ratings. When two air traffic controller ratings are sought concurrently, the Authority shall determine the applicable requirements on the basis of the requirements for each rating. These requirements shall not be less than the those of the higher rating.

2.4.2.8 PRIVILEGES AND LIMITATIONS.

- (1) Subject to compliance with the requirements specified in this Part, the privileges of the holder of an air traffic controller licence with the following applicable rating shall be —
 - (i) Aerodrome control rating: to provide or to supervise the provision of aerodrome control service for the aerodrome for which the licence holder is rated.
 - (ii) Approach control procedural rating: to provide or to supervise the provision of approach control service for the aerodrome or aerodromes for which the licence holder is rated, within the airspace or portion thereof, under the jurisdiction of the unit providing approach control service.
 - (iii) Approach control surveillance rating: to provide or supervise the provision of approach control service with the use of applicable ATS surveillance systems for the aerodrome or aerodromes for which the licence holder is rated within the airspace or portion thereof, under the jurisdiction of the unit providing approach control service.
 - (iv) Area control procedural rating: to provide or supervise the provision of area control service within the control area or portion thereof, for which the licence holder is rated; and
 - (v) Area control surveillance rating: to provide or supervise the provision of area control service with the use with

Civil Aviation (Flight Safety) Regulations

the use of applicable ATS surveillance systems within the control area or portion of the control area, for which the licence holder is rated.

- (2) Before exercising the privileges indicated in (f)(1), the licence holder shall be familiar with all pertinent and current information.
- (3) The holder of an air traffic controller licence and ratings(s) shall not provide supervise the provision of air traffic control service unless such holder has received proper authorization from the management of the applicable ATC unit. Such supervision shall be limited to the supervision of air traffic controllers who already hold —
 - (i) An air traffic controller rating in the same category at that ATC unit; or
 - (ii) An air traffic controller rating in another category at that ATC unit or the same rating for another ATC unit, and is undergoing operational training leading to the issue of a rating in that category at that ATC unit.
- (4) The holder of an air traffic controller licence shall not carry out ab-initio instruction or instruct/supervise a non-rated controller in an operational environment unless such holder has received proper authorization from the Authority.

Note — The supervision of already-rated controllers as in (3) above requires authorization from the management of the applicable ATC unit, while ab-initio instruction/supervision of non-rated controllers requires authorization from the Authority.

2.4.2.9. VALIDITY OF RATINGS

A rating shall become invalid when an air traffic controller has ceased to exercise the privileges of the rating for a period determined by the Authority. That period shall not exceed 6 months. A rating shall remain invalid until the controller's ability to exercise the privileges of the rating has been re-established.

2.4.2.10 REST AND DUTY LIMITATIONS

- (a) Except where the Authority determines that an emergency air traffic situation has arisen, an Air Traffic Controller shall have a minimum of twenty-four consecutive hours free from duty within each seven consecutive days of duty.

Civil Aviation (Flight Safety) Regulations

- (b) Except where the Authority determines that an emergency air traffic situation has arisen, an Air Traffic Controller shall not work or be required to work for more than twelve consecutive hours.
- (c) An Air Traffic Controller shall be required to take a rest period of at least eight consecutive hours before each duty period.
- (d) Notwithstanding (c) above, where the duty period is more than ten consecutive hours the rest period of the Air Traffic Controller shall be no less than the preceding duty period.

2.4.2.11 AERODROME FLIGHT INFORMATION SERVICE (AFIS) OFFICERS

- (a) A person shall not provide an Aerodrome Flight Information Service (AFIS) unless he or she has been authorized by the Authority.
- (b) To be eligible for authorization to provide AFIS a person shall —
 - (1) be at least 18 years of age;
 - (2) hold a Class 3 medical certificate issued under Part 2;
 - (3) meet the English language proficiency requirements of 2.1.2.6; and
 - (4) meet the requirements of 2.4.2.9.

2.4.2.12 REQUIREMENTS FOR AUTHORIZATION TO PROVIDE AFIS

- (a) Knowledge:

An applicant shall have demonstrated a level of knowledge appropriate to AFIS authorization in at least the following subjects —

- (1) Rules of the Air and air traffic procedures pertinent to aerodrome operations;
- (2) Procedures and practices pertaining to Flight Information Service (FIS) and alerting service;
- (3) Terms used in the aeronautical mobile service to include words and phrases and the phonetic alphabet;
- (4) Communication codes and abbreviations used;
- (5) Radiotelephony phraseologies and operating procedures;

Civil Aviation (Flight Safety) Regulations

- (6) General air traffic services and airspace organization within the State;
- (7) Local aerodrome rules;
- (8) Characteristics of local traffic;
- (9) Local terrain and prominent landmarks;
- (10) Local air navigation facilities;
- (11) Procedures for coordination between the AFIS unit and its associated ATC unit(s);
- (12) Pertinent data regarding meteorological reports and effect of significant weather characteristics; and
- (13) Local procedures for alerting of emergency services.

(b) Experience

The applicant shall have satisfactorily —

- (1) Completed an approved Aerodrome Control course; and
- (2) Provided Aerodrome Flight Information Service at that AFIS unit under the supervision of an authorized AFIS officer or an appropriately rated air traffic controller for not less than two months.

(c) Skill

The applicant shall have demonstrated competency in —

- (1) The manipulation and operation of typical transmit/receiver equipment and controls, including ancillary facilities and radio direction-finding apparatus in use;
- (2) The visual inspection and daily operational check of the radio equipment in use;
- (3) The transmission of radiotelephony messages, including correct microphone technique, enunciation and speech quality; and
- (4) The reception of telephony messages and the ability to relay messages correctly.

2.4.3 (RESERVED)

*Civil Aviation (Flight Safety) Regulations***2.4.4 Aviation Maintenance Technicians**

Note: The terms “licenced Engineer,” “aviation maintenance engineer” or “aircraft maintenance engineer (AME)” may be used instead of “Aviation Maintenance Technician”

2.4.4.1 APPLICABILITY

- (a) This Subpart prescribes the requirements for issuance of an AMT licence and associated ratings which are issued and extended within the defined Categories given in 2.4.4.3.
- (b) There are two parts to each Category —
 - (1) licence Without Type Rating (LWTR). This licence does not confer any certification responsibilities or privileges. It is, however, a prerequisite for the grant of the relevant Type Ratings and Certification Authorization within an AMO;
 - (2) Type Ratings. Type Ratings confer on the holder of a LWTR the privileges and certification responsibilities defined in 2.4.4.7.

2.4.4.2 ELIGIBILITY REQUIREMENTS: GENERAL

- (a) An applicant for the grant or extension of a licence shall —
 - (1) submit an application which is acceptable in content and presentation;
 - (2) provide evidence of acceptable experience required by IS 2.4.4.5 and any training course requirements relevant to the application;
 - (3) comply with the knowledge and competency requirements prescribed for the rating sought;
 - (4) be able to read, write, interpret technical reports and carry out technical discussions in the English language;
 - (5) pass all of the prescribed tests for the rating sought;
 - (6) pay the appropriate fee.
- (b) An applicant for the conversion of a Licence based on a licence or certificate not issued by Saint Lucia shall —

Civil Aviation (Flight Safety) Regulations

- (1) submit an application which is acceptable in content in type and form;
- (2) enclose original documents or acceptable certified copies of the licences and certificates supporting the application;
- (3) be able to read, write, interpret technical reports and carry out technical discussions in the English language;
- (4) pay the appropriate fee.

Implementing Standard: See IS 2.4.4.2 for further requirements and procedures for the acceptance of foreign licences and certificates.

2.4.4.3 RATINGS

Categories and Ratings defined in IS: 2.4.4.3 are issued under this subpart

2.4.4.4 AIRCRAFT RATING: KNOWLEDGE REQUIREMENTS

- (a) An applicant for an AMT licence or rating shall, after meeting the applicable experience requirements of 2.4.4.5, pass the applicable knowledge tests covering the construction and maintenance of aircraft appropriate to the category and rating sought, the regulations and the provisions of the applicable Parts.
- (b) The examination for the grant of a Licence will normally be in two parts: (i) a written examination, comprising a multi-choice question paper and an essay question paper, and (ii) an oral examination. All papers of the written examination must be taken at one sitting. The oral examination can only be taken after the written examination has been passed and normally must be taken within 3 months of the written examination.
- (c) The applicant shall pass each section of the written test before completing any necessary oral examination.

Implementing Standard; See IS 2.4.4.4 for details of the examinations, the examination syllabus and procedures following partial passes.

2.4.4.5 EXPERIENCE REQUIREMENTS

Applications for the grant or extension of an AMT Licence in any category must demonstrate compliance with the experience requirements detailed in IS:2.4.4.5.

*Civil Aviation (Flight Safety) Regulations***2.4.4.6 SKILL REQUIREMENTS**

Each applicant for an AMT licence or rating must pass an oral and a practical test on the rating he seeks. The tests cover the applicant's basic skill in performing practical projects on the subjects covered by the written test for that rating.

2.4.4.7 PRIVILEGES AND LIMITATIONS

- (a) A licenced AMT may perform or supervise the maintenance, or modification of, or after inspection, approve for return to service, any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof, for which he or she has a valid appropriately type rated licence.
- (b) A licenced AMT in Category 'A' with the appropriate type rating may, after he or she has performed the 100 hour or annual inspection required by Part 8 of these Regulations on an airframe, or any related part or appliance, approve it for return to service.
- (c) A licenced AMT in Category 'C' with the appropriate type rating may, after he or she has performed the 100 hour or annual inspection required by Part 8 of these Regulations on a powerplant or propeller, or any related part or appliance, approve for return to service.
- (d) See IS 2.4.4.7.
- (e) A licenced AMT in any Category shall not —
 - (1) approve for return to service any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof which is operated on an AOC issued in accordance with Part 9 of these Regulations unless he or she is approved by the AMO responsible for the maintenance and listed in the list of certifying staff;
 - (2) exercise the privileges of the licence unless the AMT understands the current instructions for continued airworthiness and the maintenance instructions for the specific operation concerned;
 - (3) perform or supervise —
 - (i) a major repair or major modification of a propeller;
or
 - (ii) any repair or alteration of instruments;

Civil Aviation (Flight Safety) Regulations

- (4) approve for return to service —
 - (i) any aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof after completion of a major alteration or major repair; or
 - (ii) any instrument after completion of any repair or alteration;

2.4.4.8 VALIDATION OF AMT LICENCES

- (a) General requirements for validation.
 - (1) A person who holds a current and valid AMT licence issued by another Contracting State in accordance with ICAO Annex 1, may apply for a validation of such licence for use on aircraft registered in Saint Lucia.
 - (2) The applicant for the validation certificate shall present to the Authority the foreign licence and evidence of the experience required by presenting the personal record.
 - (3) The applicant for the validation certificate shall demonstrate to the Authority evidence of proficiency in the English Language in accordance with this Part.
 - (4) The Authority will verify the authenticity of the licence, ratings authorizations with the state of licence issue prior to issuing the validation.
 - (5) The Authority will only validate ratings or authorizations on the foreign licence together with the validation of a licence
 - (6) The Authority may issue a validation certificate for a period to be determined by the Authority provided the foreign licence, ratings or authorizations remain valid. A validation certificate so granted shall not exceed six months.
- (b) The applicant for the validation certificate shall demonstrate to the satisfaction of the Authority the knowledge relevant to the licence to be validated of —
 - (1) Regulations;
 - (2) Applicable Airworthiness requirements governing certification and continuing airworthiness; and
 - (3) Approved maintenance organisations and procedures.

Civil Aviation (Flight Safety) Regulations

- (c) The applicant for the validation certificate to take an oral examination for the relevant licence and ratings that he or she wants to be validated relevant to the privileges of the licence held; and
- (d) Have a minimum of four years AMT experience.

2.4.4.9 CONVERSION OF AMT LICENCES

- (a) General requirements for conversion.
 - (1) A person who holds a current and valid AMT licence issued by another Contracting State in accordance with ICAO Annex 1, may apply for conversion of such licence for use on aircraft registered in Saint Lucia provided the following requirements are met.
 - (2) The applicant for the conversion shall present to the Authority the foreign licence and evidence of the experience required by presenting the personal record.
 - (3) The applicant for the conversion shall demonstrate to the Authority evidence of proficiency in the English Language in accordance with this Part.
 - (4) Demonstrate to the satisfaction of the Authority the knowledge relevant to the licence to be converted of —
 - (i) Regulations;
 - (ii) Applicable Airworthiness requirements governing certification and continuing airworthiness;
 - (iii) Approved maintenance organisations and procedures; and
 - (iv) Human Performance;
- (b) The applicant for the licence conversion shall satisfactorily complete an oral examination for the relevant licence and ratings that he or she wants to be converted relevant to the privileges of the licence held; and
- (c) Have a minimum of four years AMT experience.
 - (1) The Authority will verify the authenticity of the licence, ratings authorizations with the state of licence issue prior to issuing the converted licence.

Civil Aviation (Flight Safety) Regulations

- (2) The Authority will only convert ratings or authorizations on the foreign licence together with the conversion of a licence.

2.4.4.10 AMT LICENCE RENEWAL

It is the responsibility of the Licence holder to ensure that his or her Licence remains valid.

- (a) an applicant for the renewal of a licence shall —
 - (1) submit an application for renewal which is acceptable in form and content;
 - (2) provide evidence of having been engaged on the maintenance of operating aircraft for periods of at least 6 months during the 12 months before application for renewal. Where a Licence holder is unable to show such experience but has been actively involved for the same periods in matters concerned with aircraft maintenance (e.g. as a quality engineer or quality manager, an aeronautical engineering instructor or as a flight engineer) consideration will be given to renewing the Licence;
 - (3) pay the appropriate fee.
- (b) Expired Licences.
 - (1) a Licence which has lapsed for less than 2 years may be considered for renewal without examination of the holder provided that the requirements of (a) and the implementing standard are met;
 - (2) a Licence which has lapsed for more than 2 years may not be renewed without examination of the holder. The amount of recent experience required may depend on the length of time the since the Licence lapsed and the nature of employment;

2.4.5 Certification Authorizations**2.4.5.1 APPLICABILITY**

This Subpart prescribes the requirements for issuance of certification authorizations, and the conditions under which these authorizations are necessary.

Civil Aviation (Flight Safety) Regulations

2.4.5.2 ELIGIBILITY REQUIREMENTS: GENERAL

An AMO shall issue a Certification Authorization to Certifying Staff in accordance with procedures approved by the Authority. Such procedures shall contain at least the following eligibility requirements:

- (1) the applicant must hold a valid AMT LWTR issued by the Authority or an appropriate validation of a foreign licence in the appropriate category;
- (2) the applicant must have completed an appropriate type course approved by the Authority or hold the appropriate Type Rating;
- (3) the applicant must pass an examination on the AMO procedures;
- (4) the applicant must submit to the AMO, a satisfactory record of experience as specified in 2.4.4.5.(e).

2.4.6 (RESERVED)

2.5 MEDICAL STANDARDS AND CERTIFICATION

2.5.1 General

2.5.1.1 APPLICABILITY

This Subpart prescribes the medical standards and certification procedures for issuing and reissuing Class 1, Class 2, and Class 3 medical certificates.

2.5.1.2 MEDICAL FITNESS

- (a) An applicant for a licence shall, when applicable, hold a medical certificate issued in accordance with this Part.
- (b) The flight crewmembers or air traffic controllers shall not exercise the privileges of their licence unless they hold a current medical certificate appropriate to the licence.
- (c) The period of validity of a medical certificate shall begin on the day the medical examination is performed. The duration of the period of validity shall be in accordance with the provisions of 2.5.2.4
- (d) The period of validity of a medical certificate may be extended, at the discretion of the Authority up to 45 days.

*Civil Aviation (Flight Safety) Regulations***2.5.1.3 AVIATION MEDICAL EXAMINERS**

- (a) Subject to compliance with the requirements specified in this Part, the Authority will designate and authorise qualified and licenced physicians in the practice of medicine, to be authorised as an Aviation Medical Examiner (AME) and conduct medical examinations of fitness of applicants for the issue, renewal or re-issue of the licences or ratings specified in this Part;
- (b) AMEs shall have had training in Basic and Advanced aviation medicine. Before designation, medical examiners shall demonstrate adequate competency in aviation medicine;
- (c) AMEs shall receive refresher training every three years;
- (d) AMEs shall have practical knowledge and experience of the conditions in which the holders of licences and ratings carry out their duties;

Note: Examples of practical knowledge and experience are flight experience, simulator experience, on-site observation or any other hands-on experience deemed by the Authority to meet this requirement.

- (e) The authorization of an AME is valid for 3 years. Re-authorization will be at the discretion of the Authority
- (f) Having completed the medical examination of an applicant in accordance with this Section, the AME shall submit a signed report to the Authority detailing the results of the examination;
- (g) Medical confidentiality shall be respected at all times;
- (h) All medical reports and records shall be securely held with accessibility restricted to authorized personnel;
- (i) If the medical examination is carried out by a constituted group of AMEs, the head of the group will be appointed by the Authority, who will be responsible for coordinating the results of the examination and signing the report;
- (j) An AME shall report to the Authority any individual case where, in the examiner's judgement, an applicant's failure to meet any requirement could jeopardise flight safety;
- (k) The Authority will use the services of physicians experienced in the practice of aviation medicine, when it is necessary to evaluate reports submitted to the Authority by medical examiners;

Civil Aviation (Flight Safety) Regulations

- (l) The Authority retains the right to reconsider any action of an AME.

2.5.1.4 AVIATION MEDICAL EXAMINATIONS

- (a) Applicants for licences or ratings for which medical fitness is prescribed shall sign and furnish to the AME a declaration stating whether they have previously undergone such an examination and, if so, with what result;
- (b) Each applicant for a medical certificate shall provide the AME with a personally certified statement of medical facts concerning personal, familial and hereditary history;
- (c) Each applicant for a medical certificate shall produce proof of identification;
- (d) Any false declaration to an AME made by an applicant for a licence or rating shall be reported to the Authority for such action as may be considered appropriate.

2.5.1.5 SPECIAL CIRCUMSTANCES

- (a) If the medical requirements prescribed in Part 2 for a particular licence are not met, the appropriate medical certificate will not be issued, renewed or re-issued unless the following conditions are fulfilled —
 - (1) Accredited medical conclusion indicates that in special circumstances the applicant's failure to meet any requirement, whether numerical or otherwise, is such that exercise of the privileges of the licence applied for is not likely to jeopardize flight safety;
 - (2) Relevant ability, skill and experience of the applicant and operational conditions have been given due consideration; and
 - (3) The licence is endorsed by the Authority with any special limitation or limitations when the safe performance of the licence holder's duties is dependent on compliance with such limitation or limitations.
- (b) The AME shall report to the Authority any individual case where, in the AME's judgement, an applicant's failure to meet any requirement, whether numerical or otherwise, is such that exercise of the privileges of the licence being applied for, or

Civil Aviation (Flight Safety) Regulations

held, is not likely to jeopardize flight safety.

2.5.1.6 DECREASE OF MEDICAL FITNESS

Holders of licences provided for in this Part shall not exercise the privileges of their licences and related ratings at any time when they are aware of any decrease in their medical fitness which might render them unable to safely and properly exercise these privileges

2.5.1.7 USE OF PSYCHOACTIVE SUBSTANCES

- (a) Holders of licences provided for in this Part shall not exercise the privileges of their licences and related ratings while under the influence of any psychoactive substance which might render them unable to safely and properly exercise these privileges.
- (b) Holders of licences provided for in this Part shall not engage in any problematic use of substances.

2.5.2 Medical Certification Procedures**2.5.2.1 APPLICABILITY**

This Section prescribes the medical certification procedures required for the issuance of all medical certificates.

2.5.2.2 ISSUANCE OF MEDICAL CERTIFICATE

- (a) The Authority will issue the applicable medical certificate to any person who meets the medical standards prescribed in this Subpart, based on medical examination and evaluation of the applicant's history and condition.
- (b) A person to be issued a medical certificate shall undergo a medical examination based on the physical and mental standards contained in this Subpart.
- (c) A person who does not meet the medical standards of this Subpart shall not be granted a medical certificate unless that person meets the requirements of 2.5.2.5.

2.5.2.3 MEDICAL CERTIFICATE REQUIREMENTS

- (a) To conduct the following operations, except for a person employed by the Authority, a person shall —
 - (1) hold a Class 1 medical certificate when exercising the privileges of a commercial or an airline transport pilot

Civil Aviation (Flight Safety) Regulations

licence;

- (2) hold at least a Class 2 medical certificate when exercising the privileges of a student, private pilot or flight engineer licence; or hold at least a Class 3 medical certificate when exercising the privileges of an air traffic controller licence.

2.5.2.4 DURATION OF A MEDICAL CERTIFICATE

The duration of a Medical Certificate shall be in accordance with IS 2.5.2.4

2.5.2.5 SPECIAL CIRCUMSTANCES

If the medical requirements prescribed in this Part for a particular licence are not met, the appropriate medical certificate will not be issued, renewed or re-issued unless the following conditions are fulfilled —

- (a) Accredited medical conclusion indicates that in special circumstances the applicant's failure to meet any requirement, whether numerical or otherwise, is such that exercise of the privileges of the licence applied for is not likely to jeopardize flight safety;
- (b) Relevant ability, skill and experience of the applicant and operational conditions have been given due consideration; and
- (c) The licence is endorsed by the Authority with any special limitation or limitations when the safe performance of the licence holder's duties is dependent on compliance with such limitation.

2.5.2.6 RENEWAL OF MEDICAL CERTIFICATE

The requirements for the renewal of a medical assessment are the same as those for the initial assessment except where otherwise specifically stated.

2.5.2.7 DENIAL OF MEDICAL CERTIFICATE

- (a) A applicant who is denied a medical certificate by an AME may, within 30 days after the date of the denial, apply in writing and in duplicate to the Authority for reconsideration of that denial. If the applicant does not ask for reconsideration during the 30-day period after the date of the denial, the Authority will consider that he or she has withdrawn the application for a medical certificate.

Civil Aviation (Flight Safety) Regulations

- (b) The denial of a medical certificate —
 - (1) by an aviation medical examiner is not a denial by the Authority; and
 - (2) by the Authority is considered to be a denial by the Authority.

2.5.3 Physical and Mental Standards - All Medical Certificates**2.5.3.1 APPLICABILITY**

This Section prescribes the physical medical standards required for all medical certificates.

2.5.3.2 GENERAL MEDICAL REQUIREMENTS

- (a) An applicant for a Medical Certificate issued in accordance with this Part, shall undergo a medical examination based on the following requirements —
 - (1) Physical and mental;
 - (2) Visual and colour perception; and
 - (3) Hearing.

2.5.3.3 PHYSICAL AND MENTAL REQUIREMENTS

- (a) An applicant for any class of Medical Assessment shall be required to be free from —
 - (1) Any abnormality, congenital or acquired; or
 - (2) Any active, latent, acute or chronic disability; or
 - (3) Any wound, injury or sequela from operation; or
 - (4) Any effect or side-effect of any prescribed or non-prescribed therapeutic medication taken; such as would entail a degree of functional incapacity which is likely to interfere with the safe operation of an aircraft or with the safe performance of duties.

2.5.3.4 VISUAL ACUITY TEST REQUIREMENTS

Visual acuity tests shall be conducted in accordance with IS 2.5.3.4.

Civil Aviation (Flight Safety) Regulations

2.5.3.5 HEARING TEST REQUIREMENTS

Hearing test requirements shall be in accordance with IS 2.5.3.5.

2.5.3.6 COLOUR PERCEPTION REQUIREMENTS

Colour perception requirements shall be in accordance with IS 2.5.3.5.

2.5.4 Class 1 Medical Certificates

2.5.4.1 APPLICABILITY

Applicants shall be assessed in accordance with IS 2.5.4.1

2.5.5 Class 2 Medical Certificates

2.5.5.1 APPLICABILITY

Applicants shall be assessed in accordance with IS 2.5.5.1

2.5.6 Class 3 Medical Certificates

2.5.6.1 APPLICABILITY

Applicants shall be assessed in accordance with IS 2.5.6.1

CONTENTS

PART 3 – AVIATION TRAINING ORGANISATIONS

3.1 GENERAL

3.1.1 General

3.1.1.1 Applicability

3.1.1.2 Definitions

3.1.1.3 Acronyms

3.1.2 Certificate Requirements

3.1.2.1 Certificate Required

3.1.2.2 Application for Issuance or Amendment

3.1.2.3 Curriculum and Personnel Requirements

3.1.2.4 Contents of an ATO Certificate

3.1.2.5 Duration Of Certificate

3.1.2.6 Deviations or Waivers

3.1.2.7 Advertising Limitations

3.1.3 Location and Facilities

3.1.3.1 Facilities, Equipment, and Material

3.1.3.2 Flight Training Facilities, Equipment, and Courseware

3.1.3.3 Satellite ATOs

Civil Aviation (Flight Safety) Regulations

- 3.1.3.4 *Changes Requiring Notice to the Authority*
- 3.1.3.5 *Inspection*
- 3.1.4 *Administrative*
 - 3.1.4.1 *Record keeping*
 - 3.1.4.2 *Graduation Certificates and Transcripts*
 - 3.1.4.3 *Transcripts.*
- 3.2 *PILOT TRAINING*
 - 3.2.1 *General*
 - 3.2.1.1 *Pilot Training Courses*
 - 3.2.1.2 *Requirements for a Level 1 ATO Certificate*
 - 3.2.1.3 *Provisional Level 1 ATO Certificate*
 - 3.2.1.4 *Renewal of Certificates and Ratings*
 - 3.2.2 *Flight Training Equipment Requirements*
 - 3.2.2.1 *Applicability*
 - 3.2.2.2 *Airport Requirements*
 - 3.2.2.3 *Aircraft Requirements*
 - 3.2.2.4 *Flight Simulators And Flight Training Devices*
 - 3.2.3 *Curriculum and Syllabus Requirements*
 - 3.2.3.1 *Applicability*
 - 3.2.3.2 *Approval of Training Program*
 - 3.2.3.3 *Training Program Curriculum Requirements*
 - 3.2.4 *Personnel Requirements*
 - 3.2.4.1 *Applicability*
 - 3.2.4.2 *Level 2 ATO Instructor Eligibility Requirements*
 - 3.2.4.3 *Level 2 ATO Instructor and Evaluator Privileges and Limitations*
 - 3.2.4.4 *Level 2 ATO Instructor Training and Testing Requirements*
 - 3.2.4.5 *Level 2 ATO Evaluator Requirements*
 - 3.2.4.6 *Level 1 ATO Personnel*
 - 3.2.4.7 *Level 1 ATO Chief Instructor Qualifications*
 - 3.2.4.8 *Level 1 ATO Assistant Chief Instructor Qualifications*
 - 3.2.4.9 *Level 1 ATO Check Instructor Qualifications*
 - 3.2.4.10 *Level 1 ATO Instructor Flight Training*
 - 3.2.4.11 *Level 1 ATO Instructor Ground Training*
 - 3.2.4.12 *Level 1 ATO Chief Instructor Responsibilities*
 - 3.2.5 *Operating Rules*
 - 3.2.5.1 *Applicability*
 - 3.2.5.2 *Privileges*
 - 3.2.5.3 *Limitations: ATO*
 - 3.2.5.4 *Limitations: Enrolled Students in Actual Flight Curricula*
 - 3.2.5.5 *Level 1 ATO Enrolment documents*
- 3.3 *OTHER CREWMEMBERS*
 - 3.3.1.1 *Special Curricula*
- 3.4 *AIRMEN OTHER THAN FLIGHTCREW*

Civil Aviation (Flight Safety) Regulations

- 3.4.1 *Other Than AMT Courses*
 - 3.4.1.1 *Applicability*
 - 3.4.1.2 *Other Training Courses*
 - 3.4.1.3 *Application, Duration, and Renewal*
- 3.4.2 *AMT Training Courses.*
 - 3.4.2.1 *Applicability*
 - 3.4.2.2 *AMT Training Courses*
 - 3.4.2.3 *General Curriculum Requirements*
 - 3.4.2.4 *AMT Training Program Providers*
 - 3.4.2.5 *Instructor Requirements*
 - 3.4.2.6 *Attendance and Credit for Prior Instruction or Experience*

3.1 GENERAL

3.1.1 General

3.1.1.1 APPLICABILITY

This Part prescribes the requirements for certifying and administering Aviation Training Organisations (ATO).

3.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

3.1.1.3 ACRONYMS

The following acronyms are used in Part 3 —

- (1) ATO – Aviation Training Organisation
- (2) AFM — Aircraft Flight Manual
- (3) AMT – Aviation Maintenance Technician (Part 2)
- (4) IFR – Instrument Flight Rules
- (5) NOTAM – Notice to Airmen.

3.1.2 Certificate Requirements

3.1.2.1 CERTIFICATE REQUIRED

- (a) A person shall not operate an ATO without, or in violation of, an ATO certificate and training specifications issued under this Part.

Civil Aviation (Flight Safety) Regulations

- (b) Except for a holder of an AOC training its own flight crews, A person shall not conduct training, testing, or checking in advanced flight training devices or flight simulators without, or in violation of, the certificate and training specifications required by this Part.
- (c) The Authority shall issue an ATO certificate and training specifications to an applicant who meets the requirements of this Part.

3.1.2.2 APPLICATION FOR ISSUANCE OR AMENDMENT

- (a) An applicant for an ATO certificate and training specifications shall apply at least 120 calendar days before the beginning of any proposed training.
- (b) An applicant for an ATO certificate and training specification shall provide to the Authority that information shown in IS: 3.1.2.2.

Implementing Standard: See IS: 3.1.2.2 for certificate information needed by the Authority.

- (c) An applicant for an ATO certificate shall ensure that the facilities and equipment described in its application are —
 - (1) available for inspection and evaluation prior to approval; and
 - (2) in place and operational at the location of the proposed ATO prior to issuance of a certificate under this Subpart.
- (d) The Authority shall issue to an applicant who meets the requirements and is approved by the Authority —
 - (1) an ATO certificate containing all business names included on the application under which the certificate holder may conduct operations and the address of each business office used by the certificate holder; and
 - (2) training specifications, issued by the Authority to the certificate holder, containing —
 - (i) authorization for the ATO to function as a Level 1 ATO or Level 2 ATO;
 - (ii) the type of training authorised, including approved courses;

Civil Aviation (Flight Safety) Regulations

- (iii) the category, class, and type of aircraft that may be used for training, testing, and checking;
 - (iv) for each flight simulator or flight training device, the make, model, and series of aeroplane or the set of aeroplanes being simulated and the qualification level assigned, or the make, model, and series of rotorcraft, or set of rotorcraft being simulated and the qualification level assigned;
 - (v) for each flight simulator and flight training device subject to qualification evaluation by the Authority, the identification number assigned by the Authority;
 - (vi) the name and address of each satellite ATO, and the approved courses offered at each satellite ATO;
 - (vii) authorised deviations or waivers from this Subpart; and
 - (viii) any other items the Authority may require or allow.
- (e) The Authority may deny, suspend, revoke, or terminate an organisation's ATO certificate under this Subpart if the Authority finds that the organisation —
- (1) held an ATO certificate that was revoked, suspended, or terminated within the previous 5 years; or
 - (2) employs or proposes to employ a person who —
 - (i) was previously employed in a management or supervisory position by another organisation whose ATO certificate was revoked, suspended, or terminated within the previous 5 years;
 - (ii) exercised control over another organisation whose certificate has been revoked, suspended, or terminated within the last 5 years; and
 - (iii) contributed materially to the revocation, suspension, or termination of that ATO certificate and who will be employed in a management or supervisory position, or who will be in control of or have a substantial ownership interest in the first mentioned organisation.
 - (3) Has provided incomplete, inaccurate, fraudulent, or false information for an ATO certificate.

Civil Aviation (Flight Safety) Regulations

- (f) At any time, the Authority may amend an ATO certificate —
 - (1) on the Authority's own initiative, under applicable Saint Lucia legislation; or
 - (2) on timely application by the certificate holder.
- (g) An ATO shall file an application to amend an ATO certificate at least 60 calendar days prior to the applicant's proposed effective amendment date unless a different filing period is approved by the Authority.
- (h) The Authority may issue an ATO certificate to an applicant —
 - (1) for an ATO inside or outside of Saint Lucia; and
 - (2) whose business office or primary location, or both are located inside or outside Saint Lucia.

3.1.2.3 CURRICULUM AND PERSONNEL REQUIREMENTS

- (a) An ATO shall adhere to its approved curriculum.
- (b) An ATO shall not change its approved curriculum unless the change is approved by the Authority in advance.
- (c) A Level 2 ATO shall show that —
 - (1) for each proposed curriculum, the Level 2 ATO has, and shall maintain, a sufficient number of instructors who are qualified in accordance with section 3.2.4 to perform the duties to which they are assigned.
 - (2) a Level 1 ATO shall meet the personnel requirements shown in Section 3.2.4.
 - (3) an ATO with AMT courses shall meet the personnel requirements shown in 3.4.2.5.
- (d) A Level 2 ATO shall have designated, and shall maintain, a sufficient number of approved evaluators to provide required checks and tests to graduation candidates within 7 calendar days of training completion for any curriculum leading to airman licences or ratings, or both.
- (e) A Level 2 ATO shall maintain, a sufficient number of management personnel who are qualified and competent to perform required duties.
- (f) A management representative, and all personnel who are

Civil Aviation (Flight Safety) Regulations

designated by the Level 2 ATO to conduct and direct student training, shall be able to understand, read, write, and fluently speak the English language.

- (g) The persons listed in this subsection may serve in more than one position for an ATO, provided that person is qualified for each position.

3.1.2.4 CONTENTS OF AN ATO CERTIFICATE

- (a) An ATO certificate shall consist of two documents —
 - (1) a certificate for public display signed by the Authority, and
 - (2) training specifications containing the terms, conditions, and authorizations applicable to the ATO certificate.
- (b) An ATO certificate shall contain —
 - (1) the name and location (main place of business) of the ATO;
 - (2) the date of issue and period of validity for each page issued;
 - (3) the authorised locations of operations; and
 - (4) training specifications for the following categories, as applicable —
 - (i) pilot training.
 - (ii) other crewman training.
 - (iii) other airman training.
 - (iv) AMT training.
 - (v) other training.
 - (5) other authorizations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the training conducted by the ATO.

3.1.2.5 DURATION OF CERTIFICATE

- (a) Except as shown in paragraph (c), an ATO expires, unless surrendered, suspended, or revoked —
 - (1) 12 calendar months after the certificate was issued;
 - (2) except as provided in paragraph (b), on the date that any change in ownership of the school occurs;

Civil Aviation (Flight Safety) Regulations

- (3) on the date of any significant change in the school's facilities occurs; or
 - (4) on notice by the Authority that the school has failed for more than 60 days to maintain the required facilities, aircraft, or personnel.
- (b) A change in the ownership of an ATO does not terminate the ATO certificate issued for that ATO if, within 30 days —
- (1) the certificate holder makes application for an appropriate amendment to the certificate; and
 - (2) no significant change in the facilities, operating personnel, or approved training courses is involved.
- (c) If the Authority suspends, revokes, or terminates an ATO certificate issued pursuant to this Part, the holder of that certificate shall return the certificate to the Authority within five working days after being notified that the certificate is suspended, revoked, or terminated.

3.1.2.6 DEVIATIONS OR WAIVERS

- (a) The Authority may issue deviations or waivers from any of the requirements of this Part.
- (b) An ATO requesting a deviation or waiver under this section shall provide the Authority with information acceptable to the Authority that shows —
 - (1) justification for the deviation or waiver; and
 - (2) that the deviation or waiver will not adversely affect the quality of instruction or evaluation.

3.1.2.7 ADVERTISING LIMITATIONS

- (a) No person shall advertise as an ATO until an ATO certificate has been issued to that facility by the Authority.
- (b) No ATO may make any statement, either in writing or orally, about itself that is false or is designed to mislead any person.
- (c) Whenever the advertising of an ATO indicates that it is approved, the advertisement must clearly state the approved training organisation's certificate number.

*Civil Aviation (Flight Safety) Regulations***3.1.3 Location and Facilities****3.1.3.1 FACILITIES, EQUIPMENT, AND MATERIAL**

- (a) An ATO shall provide facilities, equipment, and material equal to the standards currently required for the issue of the certificate and rating that it holds.
- (b) An ATO shall not make a substantial change in facilities, equipment, or material that have been approved for a particular curriculum, unless that change is approved by the Authority in advance.
- (c) An ATO with approved AMT courses shall not make any change in the ATO's location unless the change is approved by the Authority in advance. If the certificate holder desires to change the location of the ATO, the certificate holder shall notify the Authority, in writing, at least 30 days before the date of the relocation. The Authority may prescribe the conditions under which the ATO may operate while it is changing its location or housing facilities. If the certificate holder changes the location of the ATO without notification, the certificate shall be revoked.
- (d) An ATO shall establish and maintain a principal business office that is physically located at the address shown on its certificate.
- (e) The principal business office of an ATO shall not be shared with, or used by, another ATO.
- (f) An ATO shall ensure that —
 - (1) each room, training booth, or other space used for instructional purposes is heated, lighted, and ventilated to conform to local building, sanitation, and health codes; and
 - (2) the facilities used for instruction are not routinely subject to significant distractions caused by flight operations and maintenance operations at the airport.
- (g) An ATO shall maintain the records required by this Part in facilities adequate for that purpose.
- (h) An ATO with approved AMT courses shall have and maintain the following instructional equipment as is appropriate to the rating sought —
 - (1) various kinds of airframe structures, airframe systems and components, powerplants, and powerplant systems and

Civil Aviation (Flight Safety) Regulations

components (including propellers), of a quantity and type suitable to complete the practical projects required by its approved curricula;

- (2) at least one aircraft of a type acceptable to the Authority;
 - (3) the equipment required by paragraph (h) need not be in an airworthy condition, and if damaged prior to use by the ATO, shall have been repaired enough for complete assembly.
- (i) An ATO with an AMT rating shall have airframes, powerplants, propellers, appliances, and components thereof, to be used for instruction and from which students will gain practical working experience, and shall insure that the airframes, powerplants, propellers, appliances, and components thereof be sufficiently diversified as to show the different methods of construction, assembly, inspection, and operation when installed in an aircraft for use.
 - (j) An ATO with an AMT rating shall ensure that it maintains a sufficient number of units of the material described in paragraph (h)(3) so that no more than eight students will work on any one unit at one time.
 - (k) An ATO with an AMT rating using an aircraft for instructional purposes that does not have retractable landing gear and wing flaps, shall provide training aids, or operational mock-ups of the retractable landing gear and wing flaps which are acceptable to the Authority.
 - (l) An ATO with an AMT rating, seeking an additional AMT rating, shall have at least the facilities, equipment, and materials appropriate to the rating sought.
 - (m) An ATO with an AMT rating shall maintain, on the premises and under the full control of the ATO, an adequate supply of material, special tools, and shop equipment used in constructing and maintaining aircraft as is appropriate to the approved curriculum of the ATO, in order to assure that each student will be properly instructed.
 - (n) An ATO with an AMT rating shall insure that the special tools and shop equipment required by paragraph (h) be in satisfactory working condition for instructional and practice purposes.

Implementing Standard: See IS: 3.1.3.1 for specific requirements for facilities for AMT courses.

*Civil Aviation (Flight Safety) Regulations***3.1.3.2 FLIGHT TRAINING FACILITIES, EQUIPMENT, AND COURSEWARE**

- (a) A Level 2 ATO shall have available exclusively, for adequate periods of time and at a location approved by the Authority, adequate flight training equipment and courseware, including at least one flight simulator or advanced flight training device.
- (b) An ATO that plans to conduct pilot flight training shall show that it has continuous use of a briefing area located at each airport at which training flights originate that is —
 - (1) adequate to shelter students waiting to engage in their training flights;
 - (2) arranged and equipped for the conduct of pilot briefings; and
 - (3) for an ATO with an instrument rating course or commercial pilot course, it is equipped with adequate communication to sources of weather and flight planning information.

3.1.3.3 SATELLITE ATOS

- (a) An ATO may conduct training in accordance with a training program approved by the Authority at a satellite ATO if —
 - (1) the facilities, equipment, personnel, and course content of the satellite ATO meet the applicable requirements;
 - (2) the instructors and evaluators at the satellite ATO are under the direct supervision of management personnel of the principal ATO;
 - (3) the certificate holder notifies the Authority in writing that a particular satellite ATO is to begin operations at least 60 days prior to proposed commencement of operations at that satellite ATO; and
 - (4) the certificate holder's training specifications reflect the name and address of the satellite ATO and the approved courses offered at the satellite ATO.
- (b) The Authority will issue training specifications which prescribe the operations required and authorised at each satellite ATO.

*Civil Aviation (Flight Safety) Regulations***3.1.3.4 CHANGES REQUIRING NOTICE TO THE AUTHORITY**

- (a) An ATO shall notify the Authority within 30 days of any of the following changes —
 - (1) the accountable manager;
 - (2) the instructional and evaluation staff;
 - (3) the housing, training facilities and equipment, procedures, curricula, and work scope that could affect the approval.
- (b) The Authority may prescribe the conditions under which an ATO may operate during such changes unless the Authority determines that the approval should be suspended.

3.1.3.5 INSPECTION

- (a) The Authority may, at any time, inspect an ATO on the ATO's premises to determine the ATO's compliance with this Part.
- (b) Inspections pursuant to paragraph (a) will normally be repeated on a twelve month basis, which may be extended to a twenty-four month basis if, in the opinion of the Authority, the holder continues to meet the requirements under which it was originally certificated.
- (c) After an inspection pursuant to paragraph (a) is made, the certificate holder will be notified, in writing, of any deficiencies found during the inspection.

3.1.4 Administrative**3.1.4.1 RECORD KEEPING**

- (a) An ATO shall maintain a record for each trainee that contains —
 - (1) the name of the trainee;
 - (2) a copy of the trainee's licence, if any, and medical certificate, if required;
 - (3) the name of the course and the make and model of flight training equipment used, if applicable;
 - (4) the trainee's prerequisite experience and course time completed;
 - (5) the date the student graduated, terminated training, or transferred to another school;

Civil Aviation (Flight Safety) Regulations

- (6) the trainee's performance on each lesson and the name of the instructor providing instruction;
 - (7) a current progress record for each trainee showing the practical projects or laboratory work completed or to be completed for each subject;
 - (8) the date and result of each knowledge test and end of course practical test and the name of the evaluator conducting the test(s); and
 - (9) the number of hours of additional training that was accomplished after any unsatisfactory practical test.
- (b) The Authority shall not consider a student's logbook as sufficient for the records required by paragraph (a).
 - (c) An ATO shall maintain a record for each instructor or evaluator designated to instruct a course approved in accordance with this Part that indicates that the instructor or evaluator has complied with the applicable requirements of this Part.
 - (d) An ATO shall—
 - (1) maintain the records required by paragraph (a) for at least 2 year following the completion of training, testing or checking;
 - (2) maintain the qualification records required by paragraph (c) while the instructor or evaluator is in the employ of the certificate holder and for 2 years thereafter; and
 - (3) maintain the recurrent demonstration of proficiency records required by paragraph (c) for at least 2 years.
 - (e) An ATO shall provide the records required by this section to the Authority on request, within a reasonable time, and shall store and maintain the records required by —
 - (1) Paragraph (b) at the ATO, or satellite ATO where the training, testing, or checking, if appropriate, occurred, or at another location acceptable to the authority; and
 - (2) paragraph (c) at the ATO or satellite ATO where the instructor or evaluator is primarily employed, or at another location acceptable to the authority.
 - (f) An ATO shall provide to a trainee, on request and at a reasonable time, a copy of his or her training records.

Civil Aviation (Flight Safety) Regulations

- (g) an ATO shall keep a current record of each student enrolled, showing, if applicable —
 - (1) the instruction credited under 3.4.2.6, if any; and
 - (2) the authenticated transcript of grades from a school previously attended.

3.1.4.2 GRADUATION CERTIFICATES AND TRANSCRIPTS

- (a) An ATO shall issue on completion of training a graduation certificate to each student who completes its approved course of training.
- (b) An ATO shall include in each graduation certificate —
 - (1) the name of the school and the certificate number of the ATO;
 - (2) the name of the graduate to whom it was issued;
 - (3) the approved curriculum title;
 - (4) the date of graduation;
 - (5) a statement that the student has satisfactorily completed each required stage of the approved course of training including the tests for those stages;
 - (6) an authentication by an official of the school; and
 - (7) a statement showing the cross country flight training that the student received in the course of training, if applicable.
- (c) An ATO shall not issue a graduation certificate to a student, or recommend a student for a licence or rating, unless the student has —
 - (1) completed the training specified in the approved course of training; and
 - (2) passed the required final tests.

3.1.4.3 TRANSCRIPTS

- (a) On request, an ATO shall provide a transcript of a student's grades to each student who is graduated from that ATO or who leaves it before being graduated.
- (b) An ATO shall include in the transcript required by paragraph (a) —
 - (a) —

Civil Aviation (Flight Safety) Regulations

- (1) the curriculum in which the student was enrolled;
- (2) whether the student satisfactorily completed that curriculum;
- (3) the final grades the student received; and
- (4) an authentication by an official of the school.

3.2 PILOT TRAINING**3.2.1 General****3.2.1.1 PILOT TRAINING COURSES**

- (a) The Authority will issue certificates and training specifications for two levels of ATO which conduct pilot flight training courses, as shown —
 - (i) a Level 1 ATO is one which conducts the preponderance of each flight training course using an actual aircraft;
 - (ii) a Level 2 ATO is one which conducts all or substantially all of each flight training course using simulation media which are qualified and approved by the Authority.
- (b) The Authority may approve the following courses of instruction to an applicant for, or holder of a Level 1 ATO certificate, provided the applicant meets the requirements of 3.1.2.2 —
 - (1) licensing and rating courses.
 - (i) private pilot course. (IS: 3.2.1.1 Appendix A)
 - (ii) Commercial pilot course. (IS: 3.2.1.1 Appendix B)
 - (iii) instrument rating course. (IS: 3.2.1.1 Appendix C)
 - (iv) airline transport pilot course. (IS: 3.2.1.1 Appendix D)
 - (v) flight instructor course. (IS: 3.2.1.1 Appendix E)
 - (vi) flight instructor instrument course. (IS: 3.2.1.1 Appendix F)
 - (vii) ground instructor course. (IS: 3.2.1.1 Appendix G)
 - (viii) additional aircraft category or class rating course. (IS: 3.2.1.1 Appendix H)
 - (ix) aircraft type rating course. (IS: 3.2.1.1 Appendix I)

Civil Aviation (Flight Safety) Regulations

- (2) Special preparation courses. (IS: 3.2.1.1 Appendix J)
 - (i) pilot refresher course;
 - (ii) flight instructor refresher course;
 - (iii) ground instructor refresher course;
 - (iv) agricultural aircraft operations course;
 - (v) rotorcraft external load operations course;
 - (vi) special operations course;
 - (vii) test pilot course.
- (3) pilot ground school course. (IS: 3.2.1.1 Appendix K)
- (c) The Authority may approve the following courses of instruction to an applicant for, or holder of a Level 2 ATO certificate, provided the applicant meets the requirements of 3.1.2.2 —
 - (1) any course for licensing or for any rating for which the applicant can show an effective curriculum and for which the Authority has qualified the simulation media.

3.2.1.2 REQUIREMENTS FOR A LEVEL 1 ATO CERTIFICATE

- (a) The Authority will issue to an applicant a Level 1 ATO certificate with associated ratings if the applicant—
 - (1) held a provisional Level 1 ATO certificate issued under this Part for at least 24 calendar months preceding the month of application;
 - (2) meets the applicable requirements of this Subpart for the ratings sought; and
 - (3) within 24 calendar months preceding the month of application, has trained, recommended, and had at least 80 per cent of all applicants pass on the first attempt —
 - (i) a knowledge or a practical test for a pilot licence, flight instructor licence, ground instructor licence, or an additional rating; and
 - (ii) any combination of tests specified in paragraphs (c)(1) and (2).

Implementing Standard: See IS: 3.2.1.1 Appendix J: Special Preparation Courses for an end-of-course test for a special training course.

*Civil Aviation (Flight Safety) Regulations***3.2.1.3 PROVISIONAL LEVEL 1 ATO CERTIFICATE**

The Authority may issue to an applicant that meets the applicable requirements of this Subpart, but does not meet the recent training activity requirements of 3.2.1.1, a provisional Level 1 ATO certificate with ratings.

3.2.1.4 RENEWAL OF CERTIFICATES AND RATINGS**(a) Level 1 ATO.**

- (1) A Level 1 ATO may apply for renewal of its certificate and ratings within 30 days preceding the month the Level 1 ATO's certificate expires, provided the ATO meets the requirements prescribed in paragraph (a)(2).
- (2) The Authority will renew for an additional 24 calendar months a Level 1 ATO certificate and ratings if the Authority determines the ATO's personnel, aircraft, facility and airport, approved training courses, training records, and recent training ability and quality meet the requirements.
- (3) A Level 1 ATO that does not meet the renewal requirements in paragraph (a)(2), may apply for a provisional Level 1 ATO certificate if the school meets the requirements of 3.2.1.3.

(b) Provisional Level 1 ATO.

- (1) Except as provided in paragraph (b)(3), the Authority will not renew a provisional Level 1 ATO certificate or the ratings on that certificate.
- (2) A provisional Level 1 ATO may apply for a Level 1 ATO certificate and associated ratings provided that ATO meets the requirements of this Subpart.
- (3) A former provisional Level 1 ATO may apply for another provisional Level 1 ATO certificate, provided 180 days have elapsed since its last provisional Level 1 ATO certificate expired.

3.2.2 Flight Training Equipment Requirements

*Civil Aviation (Flight Safety) Regulations***3.2.2.1 APPLICABILITY**

This section prescribes —

- (1) the personnel and aircraft requirements for an ATO certificate; and
- (2) the facilities that an ATO shall have available on a continuous basis.

3.2.2.2 AIRPORT REQUIREMENTS

Each applicant for, and holder of, a Level 1 ATO certificate shall show that it has continuous use of each airport at which training flights originate, and that the airport has an adequate runway and the necessary equipment.

Implementing Standard: See IS: 3.2.2.2 for specific runway and equipment requirements.

3.2.2.3 AIRCRAFT REQUIREMENTS

- (a) An ATO shall ensure, for each aircraft used for flight instruction and solo flights —
 - (1) except for flight instruction and solo flights in a curriculum for agricultural aircraft operations, external load operations, and similar aerial work operations, that the aircraft has a standard certificate of airworthiness issued by the Authority, or a foreign equivalent acceptable to the Authority;
 - (2) that each aircraft is maintained and inspected in accordance with the requirements of Part 4; and
 - (3) that each aircraft is equipped as provided in the training specifications for the approved course for which it is used.
- (b) Except as provided in paragraph (c), an ATO shall ensure that each aircraft used for flight instruction is at least a two place aircraft with engine power controls and flight controls that are easily reached and that operate in a conventional manner from both pilot stations.
- (c) An ATO may use aeroplanes with controls such as nose wheel steering, switches, fuel selectors, and engine air flow controls that are not easily reached and operated in a conventional manner by both pilots for flight instruction if the certificate

Civil Aviation (Flight Safety) Regulations

holder determines that the flight instruction can be conducted in a safe manner considering the location of controls and their nonconventional operation, or both.

- (d) An ATO shall ensure that each aircraft used in a course involving IFR operations is equipped and maintained for IFR operations.
- (e) The Authority may approve aircraft with a restricted airworthiness certificate for use in the agricultural aircraft operations, external load operations, test pilot, and special operations courses listed in 3.1.3.3(a), if its use for training is not prohibited by the aircraft's operating limitations.

3.2.2.4 FLIGHT SIMULATORS AND FLIGHT TRAINING DEVICES

- (a) An ATO shall show that each flight simulator and flight training device used for training, testing, and checking will be or is specifically qualified and approved by the Authority for —
 - (1) each manoeuvre and procedure for the make, model, and series of aircraft, set of aircraft, or aircraft type simulated, as applicable; and
 - (2) each curriculum or training course in which the flight simulator or flight training device is used, if that curriculum or course is used to satisfy any requirement of these Regulations.
- (b) A holder of a Level 1 ATO certificate shall show that each of its flight simulators and flight training devices —
 - (1) represent the aircraft for which the course is approved;
 - (2) is used only for training given by an authorised instructor; and
 - (3) is not used for more than 25 per cent of the total flight training hour requirements.
- (c) Each ATO shall ensure, prior to use, that the approval required by this section includes —
 - (1) the set of aircraft or type aircraft;
 - (2) if applicable, the particular variation within type for which the training, testing, or checking is being conducted; and
 - (3) the particular manoeuvre, procedure, or crewmember function to be performed.

Civil Aviation (Flight Safety) Regulations

- (d) Each ATO shall ensure that each flight simulator or flight training device used by the ATO is —
 - (1) maintained to ensure the reliability of the performances, functions, and all other characteristics that were required for qualification;
 - (2) modified to conform with any modification to the aircraft being simulated if the modification results in changes to performance, function, or other characteristics required for qualification;
 - (3) given a functional preflight check each day before being used; and
 - (4) provided with a discrepancy log in which the instructor or evaluator, at the end of each training session, enters each discrepancy.
- (e) Unless otherwise authorised by the Authority, each ATO shall ensure that each component on a flight simulator or flight training device used by it is operative if the component is essential to, or involved in, the training, testing, or checking of airmen.
- (f) The Authority will not restrict ATO instructors or students to specific —
 - (1) route segments during line-oriented flight training scenarios; or
 - (2) visual data bases replicating a specific customer's bases of operation.
- (g) An ATO may request evaluation, qualification, and continuing evaluation for qualification of flight simulators and flight training devices without —
 - (1) holding an air operator certificate; or
 - (2) having a specific relationship to a holder of an air operator certificate.

3.2.3 Curriculum and Syllabus Requirements**3.2.3.1 APPLICABILITY**

This Section prescribes the curriculum and syllabus requirements for the issuance of an ATO certificate and training specifications for training, testing, and checking conducted to meet the requirements

Civil Aviation (Flight Safety) Regulations

of Part 2.

3.2.3.2 APPROVAL OF TRAINING PROGRAM

- (a) Each ATO shall apply to the Authority for training program approval.
- (b) Each applicant for training program approval shall indicate in the application —
 - (1) which courses are part of the core curriculum and which courses are part of the speciality curriculum;
 - (2) which requirements of Part 2 would be satisfied by the curriculum or curricula; and
 - (3) which requirements of Part 2 would not be satisfied by the curriculum or curricula.
- (c) After an ATO begins operations under an approved training program, the Authority may require the ATO to make revisions to that training program if the Authority finds that the certificate holder is not meeting the provisions of its approved training program.
- (d) If the Authority requires an ATO to make revisions to an approved training program and the ATO does not make those required revisions within 30 calendar days, the Authority may suspend, revoke, or terminate the certificate under the provisions of 3.1.2.2(e).

3.2.3.3 TRAINING PROGRAM CURRICULUM REQUIREMENTS

An ATO shall ensure that a training program curriculum it submits to the Authority for approval meets the applicable requirements and contains —

- (1) a syllabus for each proposed curriculum;
- (2) minimum aircraft and flight training equipment requirements for each proposed curriculum;
- (3) minimum instructor and evaluator qualifications for each proposed curriculum;
- (4) a curriculum for initial training and continuing training of each instructor or evaluator employed to instruct in a proposed curriculum; and

Civil Aviation (Flight Safety) Regulations

- (5) for each curriculum that provides for the issuance of a licence or rating in fewer than the minimum hours prescribed by Part 2 —
 - (i) a means of demonstrating the ability to accomplish such training in the reduced number of hours; and
 - (ii) a means of tracking student performance.

3.2.4 Personnel Requirements**3.2.4.1 APPLICABILITY**

This section prescribes the personnel and flight training equipment requirements for an ATO that is conducting training necessary to meet the requirements of Part 2.

3.2.4.2 LEVEL 2 ATO INSTRUCTOR ELIGIBILITY REQUIREMENTS

- (a) An ATO shall not employ a person as an instructor in a flight training course that is subject to approval by the Authority unless that person —
 - (1) is at least 18 years of age;
 - (2) is able to read, write, speak, and understand the English language;
 - (3) if instructing in an aircraft in flight, holds a flight instructor licence;
 - (4) if instructing in simulated flight, satisfies the requirements of paragraph (c); and
 - (5) meets at least one of the following requirements—
 - (i) meets the aeronautical experience requirements for a commercial pilot licence, excluding the required hours of instruction in preparation for the commercial pilot practical test;
 - (ii) if instructing in a flight simulator or flight training device that represents an aeroplane requiring a type rating or if instructing in a curriculum leading to the issuance of an airline transport pilot licence, meets the aeronautical experience requirements for an airline transport pilot; or
 - (iii) is employed as a flight simulator instructor or a flight training device instructor for an ATO providing instruction and testing to meet the requirements of Part 2.

Civil Aviation (Flight Safety) Regulations

- (b) An ATO shall designate each instructor in writing for each approved course, prior to that person functioning as an instructor in that course.
- (c) Prior to initial designation, each flight and simulator flight instructor shall complete the requirements of IS: 3.2.4.2(a).
Implementing Standard: See IS: 3.2.4.2 for specific training eligibility requirements.

3.2.4.3 LEVEL 2 ATO INSTRUCTOR AND EVALUATOR PRIVILEGES AND LIMITATIONS

- (a) An ATO may allow an instructor to provide —
 - (1) instruction for each curriculum for which that instructor is qualified;
 - (2) testing and checking for which that instructor is qualified; and
 - (3) instruction, testing, and checking intended to satisfy the requirements of this Part.
- (b) An ATO whose instructor or evaluator is designated in accordance with the requirements to conduct training, testing, or checking in flight training equipment, may allow its instructor or evaluator to give endorsements required by Part 2 if that instructor or evaluator is authorised by the Authority to instruct or evaluate in a curriculum that requires such endorsements.
- (c) An ATO shall not allow an instructor to —
 - (1) excluding briefings and debriefings, conduct more than 8 hours of instruction in any 24-consecutive-hour period, or more than 6 days or 40 hours in any 7 day period;
 - (2) provide flight training equipment instruction unless that instructor meets the requirements of 3.2.4.4(a)(1) through (a)(4), and 3.2.4.4(b), as applicable; or
 - (3) provide flight instruction in an aircraft unless that instructor —
 - (i) meets the requirements of 3.2.4.4(a)(1), (a)(2), and (a)(5);
 - (ii) holds a flight instructor licence;
 - (iii) holds pilot licences and ratings applicable to the category, class, and type aircraft in which instructing;

Civil Aviation (Flight Safety) Regulations

- (iv) if instructing or evaluating in an aircraft in flight while occupying a required crewmember seat, holds at least a valid second class medical certificate; and
- (v) meets the recency of experience requirements of 8.10.1.33 and 8.10.1.37.

3.2.4.4 LEVEL 2 ATO INSTRUCTOR TRAINING AND TESTING REQUIREMENTS

- (a) Except as provided in paragraph (c), prior to designation and every 12 calendar months beginning the first day of the month following an instructor's initial designation, a certificate holder shall ensure that each of its instructors meets the following requirements.
 - (1) each flight instructor or simulator flight instructor shall satisfactorily demonstrate to an authorised evaluator knowledge of, and proficiency in, instructing in a representative segment of each curriculum for which that instructor is designated to instruct under Subpart 3.4;
 - (2) each instructor shall satisfactorily complete an approved course of ground instruction in at least —
 - (i) the fundamental principles of the learning process;
 - (ii) elements of effective teaching, instruction methods, and techniques;
 - (iii) instructor duties, privileges, responsibilities, and limitations;
 - (iv) training policies and procedures;
 - (v) cockpit resource management and crew co-ordination; and
 - (vi) evaluation.
 - (3) Each instructor who instructs in a flight simulator or flight training device shall satisfactorily complete an approved course of training in the operation of the flight simulator, and an approved course of ground instruction, applicable to the training courses the instructor is designated to instruct, which shall include —
 - (i) proper operation of flight simulator and flight training device controls and systems;

Civil Aviation (Flight Safety) Regulations

- (ii) proper operation of environmental and fault panels;
 - (iii) limitations of simulation; and
 - (iv) minimum equipment requirements for each curriculum.
- (4) Each flight instructor who provides training in an aircraft shall satisfactorily complete an approved course of ground instruction and flight training in an aircraft, flight simulator, or flight training device, which shall include—
 - (i) performance and analysis of flight training procedures and manoeuvres applicable to the training courses that the instructor is designated to instruct;
 - (ii) technical subjects covering aircraft subsystems and operating rules applicable to the training courses that the instructor is designated to instruct;
 - (iii) emergency operations;
 - (iv) emergency situations likely to develop during training; and
 - (v) appropriate safety measures.
- (5) Each instructor who instructs in flight training equipment shall pass a knowledge test and annual proficiency check —
 - (i) in the flight training equipment in which the instructor will be instructing; and
 - (ii) on the subject matter and manoeuvres of a representative segment of each curriculum for which the instructor will be instructing.
- (b) In addition to the requirements of paragraphs (a)(1) through (a) (5), each certificate holder shall ensure that each instructor who instructs in a flight simulator that the Authority has approved for all training and all testing for the airline transport pilot licensing test, aircraft type rating test, or both, has met at least one of the requirements of IS: 3.2.4.2 (b).
- (c) The Authority will consider completion of a curriculum required by paragraph (a) or (b) taken in the calendar month before or after the month in which it is due as taken in the month in which it was due for the purpose of computing when the next training is due.

Civil Aviation (Flight Safety) Regulations

- (d) The Authority may give credit for the requirements of paragraph (a) or (b) to an instructor who has satisfactorily completed an instructor training course for a Part 9 certificate holder if the Authority finds such a course equivalent to the requirements of paragraph (a) or (b).

Implementing Standard: See IS: 3.2.4.2 specific testing and training requirements for a Level 2 ATO instructor.

3.2.4.5 LEVEL 2 ATO EVALUATOR REQUIREMENTS

- (a) Except as provided by paragraph (d), an ATO shall ensure that each person authorised as an evaluator —
 - (1) is approved by the Authority;
 - (2) is in compliance with 3.2.4.2, 3.2.4.3 and 3.2.4.4;
 - (3) prior to designation, satisfactorily completes a curriculum within 12 calendar months that includes the following —
 - (i) evaluator duties, functions and responsibilities;
 - (ii) methods, procedures and techniques for conducting required tests and checks;
 - (iii) evaluation of pilot performance; and
 - (iv) management of unsatisfactory tests and subsequent corrective action; and
 - (4) if evaluating in-flight training equipment, satisfactorily pass a knowledge test and annual proficiency check in a flight simulator or aircraft in which the evaluator will be evaluating.
- (b) For the purpose of computing when evaluator training is due, the Authority will consider that an evaluator who satisfactorily completes a curriculum required by paragraph (a)(3) in the calendar month before or the calendar month after the month in which it was due, to have taken it in the month it was due.
- (c) The Authority may give credit for the requirements of paragraph (a)(3) to an evaluator who has satisfactorily completed an evaluator training course for an AOC holder if the Authority finds such a course equivalent to the requirements of paragraph (a)(3).

*Civil Aviation (Flight Safety) Regulations***3.2.4.6 LEVEL 1 ATO PERSONNEL**

- (a) A Level 1 ATO shall have adequate personnel, including licenced flight instructors, licenced ground instructors, and holders of a commercial pilot licence with a lighter than air rating, if applicable, and a chief instructor who are qualified and competent to perform the duties assigned in each approved training course.
- (b) An instructor for ground or flight training shall hold a flight instructor licence, ground instructor licence, or commercial pilot licence with a lighter than air rating, as appropriate, with ratings for the approved training course and any aircraft used in that course.

3.2.4.7 LEVEL 1 ATO CHIEF INSTRUCTOR QUALIFICATIONS

To be designated as a chief instructor for a Level 1 ATO course, a person shall meet one or more of the requirements of IS:3.2.4.7 as applicable.

Implementing Standard: See IS: 3.2.4.7 . for chief instructor qualification requirements.

3.2.4.8 LEVEL 1 ATO ASSISTANT CHIEF INSTRUCTOR QUALIFICATIONS

To be designated as an assistant chief instructor for a Level 1 ATO course, a person shall meet the requirements of IS: 3.2.4.8.

Implementing Standard: See IS: 3.2.4.8 for assistant chief instructor qualification requirements.

3.2.4.9 LEVEL 1 ATO CHECK INSTRUCTOR QUALIFICATIONS

To be designated as a check instructor for a Level 1 ATO conducting student stage checks, end of course tests, and instructor proficiency checks under this Part, a person shall meet the applicable requirements of IS: 3.2.4.9.

Implementing Standard: See of IS: 3.2.4.9 for check instructor qualification requirements.

3.2.4.10 LEVEL 1 ATO INSTRUCTOR FLIGHT TRAINING

- (a) A person shall not give a student flight training under an approved course of training, unless he or she is a licenced flight

Civil Aviation (Flight Safety) Regulations

instructor or commercial pilot with a lighter than air rating and, has the ratings and the minimum qualifications specified in the approved training course outline.

- (b) An ATO shall not authorise a student pilot to start a solo flight until the flight has been approved by an authorised instructor who is present at the origination.
- (c) A chief instructor or assistant chief instructor assigned to a training course shall complete, at least once every 12 calendar months, an approved syllabus of training consisting of ground or flight training, or both, or an approved flight instructor refresher course.
- (d) A licenced flight instructor or commercial pilot with a lighter than air rating who is assigned to a flight training course shall satisfactorily complete the following tasks, which shall be administered by the school's chief instructor, assistant chief instructor, or check instructor —
 - (1) prior to receiving authorization to train students in a flight training course, accomplish —
 - (i) a review of and a briefing on the objectives and standards of that training course; and
 - (ii) an initial proficiency check in each make and model of aircraft used in that training course in which that person provides training.
 - (2) Every 12 calendar months after the month in which the person last complied with paragraph (d)(1)(ii), accomplish a proficiency check in one of the aircraft the person trains students.

3.2.4.11 LEVEL 1 ATO INSTRUCTOR GROUND TRAINING

- (a) Except as provided in paragraph (b), an instructor who is assigned to a ground training course, shall hold a flight or ground instructor licence, or a commercial pilot licence with a lighter than air rating with the appropriate rating for that course of training.
- (b) A person who does not meet the requirements of paragraph (a) may be assigned ground training duties in a ground training course, if —

Civil Aviation (Flight Safety) Regulations

- (1) the chief instructor who is assigned to that ground training course finds the person qualified to give that training; and
 - (2) the instructor serves under the supervision of the chief instructor or the assistant chief instructor who is present at the facility when the training is given.
- (c) An instructor shall not be used in a ground training course until he or she has been briefed in regard to the objectives and standards of that course by the chief instructor, assistant chief instructor, or check instructor.

3.2.4.12 LEVEL 1 ATO CHIEF INSTRUCTOR RESPONSIBILITIES

During training, a Level 1 ATO shall ensure that the chief instructor or an assistant chief instructor is available —

- (1) at the Level 1 ATO, or
- (2) by telephone, radio, or other electronic means.

3.2.5 Operating Rules**3.2.5.1 APPLICABILITY**

This section prescribes the operating rules applicable to an ATO and operating a course or training program curriculum approved in accordance with this Part.

3.2.5.2 PRIVILEGES

- (a) A Level 2 ATO may allow flight simulator instructors and evaluators to meet recency of experience requirements through the use of a flight simulator or flight training device if that flight simulator or flight training device is used in a course approved in accordance with Section 3.2.5.
- (b) The ATO may advertise and conduct approved pilot training courses in accordance with the certificate and any ratings that it holds.
- (c) A Level 1 ATO may credit towards the curriculum requirements of a course, previous training and pilot experience and knowledge, provided the student meets the requirements of IS: 3.2.5.2.

Implementing Standard: See IS: 3.2.5.2 for specific transfer credit requirements.

*Civil Aviation (Flight Safety) Regulations***3.2.5.3 LIMITATIONS: ATO**

- (a) An ATO shall —
 - (1) ensure that a flight simulator or flight training device freeze, slow motion, or repositioning feature is not used during testing or checking; and
 - (2) ensure that a repositioning feature is used during line operational simulation for evaluation and line-oriented flight training only to advance along a flight route to the point where the descent and approach phase of the flight begins.
- (b) When practical testing, flight checking, or line operational simulation is being conducted, the Level 2 ATO shall ensure that one of the following occupies each supporting crewmember position —
 - (1) a crewmember qualified as SIC in the aircraft category and class, provided that no flight instructor who is giving instruction may occupy a crewmember position; and
 - (2) a student, provided that no student may be used in a crewmember position with any other student not in the same specific course.
- (c) Maintenance of Personnel, Facilities, and Equipment: An ATO shall not provide training to a student who is enrolled in an approved course of training unless each airport, all flight training equipment, and each authorised instructor and evaluator continuously meet the requirements and the standards specified in the certificate holder's training specifications.
- (d) A certified ATO shall not require any student to attend classes of instruction more than 8 hours in any day or more than 6 days or 40 hours in any consecutive 7-day period.

3.2.5.4 LIMITATIONS: ENROLLED STUDENTS IN ACTUAL FLIGHT CURRICULA

- (a) A student pilot shall carry the following items on each aircraft used for flight training and solo flights —
 - (1) a pre-takeoff and pre-landing checklist; and
 - (2) the operator's handbook or AFM for the aircraft if one is furnished by the manufacturer or copies of the handbook to each student using the aircraft.

*Civil Aviation (Flight Safety) Regulations***3.2.5.5 LEVEL 1 ATO ENROLMENT DOCUMENTS**

- (a) The holder of a Level 1 ATO certificate shall furnish each student, on enrolment, with a copy of the following.
- (1) a certificate of enrolment containing —
 - (i) the name of the course in which the student is enrolled; and
 - (ii) the date of that enrolment.
 - (2) a copy of the student's training syllabus.
 - (3) for pilot students, a copy of the safety procedures and practices that describe —
 - (i) the use of facilities and the operation of its aircraft;
 - (ii) the weather minimums required by the school for dual and solo flights;
 - (iii) the procedures for starting and taxiing aircraft on the ramp;
 - (iv) fire precautions and procedures;
 - (v) redispach procedures after unprogrammed landings, on and off airports;
 - (vi) aircraft discrepancies and write offs;
 - (vii) Securing of aircraft when not in use;
 - (viii) fuel reserves necessary for local and cross country flights;
 - (ix) avoidance of other aircraft in flight and on the ground;
 - (x) minimum altitude limitations and simulated emergency landing instructions; and
 - (xi) a description of and instructions regarding the use of assigned practice areas.
 - (4) A Level 1 ATO shall maintain a monthly listing of persons enrolled in each training course offered by the school.
- (b) A Level 1 ATO shall ensure that each training course for which it seeks approval meets the minimum curriculum requirements.

Implementing Standard: See IS: 3.2.5.5 for Level 1 training course contents.

*Civil Aviation (Flight Safety) Regulations***3.3 OTHER CREWMEMBERS****3.3.1.1 SPECIAL CURRICULA**

An ATO may apply for approval to conduct a special course of airman training for which a curriculum is not prescribed in the implementing standards, if the applicant shows that the training course contains features that could achieve a level of pilot proficiency equivalent to that achieved by a training course prescribed in the requirements of Part 2, as applicable.

3.4 AIRMEN OTHER THAN FLIGHTCREW**3.4.1 Other Than AMT Courses****3.4.1.1 APPLICABILITY**

- (a) This Subpart provides an alternative means to accomplish flight training required by Parts 2 or 9.
- (b) Certification under this Subpart is not required for training that is —
 - (1) approved under the provisions of Part 9; and
 - (2) conducted under Part 2, unless that Part requires certification under this Part.

3.4.1.2 OTHER TRAINING COURSES

- (a) The Authority may approve the following courses of instruction to an applicant for, or holder of an ATO certificate, provided the applicant meets the applicable requirements of 3.1.2.2(d):
 - (1) flight operations officer.
 - (2) flight engineer.
 - (3) cabin crew.
 - (4) material handlers.
 - (5) ground servicing personnel.
 - (6) security personnel.
 - (7) others approved by the Authority.
- (b) The Authority will approve a course for which the application is made if the ATO, or ATO applicant, shows that the course contains a curriculum that will achieve a level of competency

Civil Aviation (Flight Safety) Regulations

equal to, or greater than, that required by the applicable Parts of these Regulations.

Implementing Standard: See IS: 3.2.1.1, Appendix M, for Flight Engineer Training Course Requirements.

3.4.1.3 APPLICATION, DURATION, AND RENEWAL

- (a) Application. An ATO proposing to train flight operations officers shall submit an application containing —
 - (1) instruction in the areas of knowledge and topics;
 - (2) a minimum of 200 total course hours; and
 - (3) an outline of the major topics and subtopics to be covered and the number of hours proposed for each.
- (b) Duration and renewal.
 - (1) the authority to operate an aircraft flight operations officer licensing course expires 24 months after the last day of the month of issuance of the authority;
 - (2) the holder of an approval for an aircraft flight operations officer licensing course shall apply to the Authority for renewal within 30 days prior to the expiration date.
- (c) Instruction.
 - (1) the holder of a course approval shall ensure that it maintains an adequate number of instructors who maintain a 24 calendar-month average of at least 80 per cent of the graduates of that school passing the practical test on the first attempt.

Implementing Standard: See IS: 3.2.5.5 for course approval requirements.

3.4.2 AMT Training Courses**3.4.2.1 APPLICABILITY**

This Subpart prescribes the requirements for —

- (1) issuing ATO certificates and ratings;
- (2) conducting licensing courses and associated ratings for AMTs; and
- (3) instructing the general operating rules for the holders of AMT licences and ratings.

*Civil Aviation (Flight Safety) Regulations***3.4.2.2 AMT TRAINING COURSES**

The Authority may approve courses of instruction in accordance with the ratings defined in IS 2.4.4.3 of Part 2, provided the ATO meets the requirements of 3.1.2.2.

3.4.2.3 GENERAL CURRICULUM REQUIREMENTS

- (a) An ATO shall have an approved curriculum that is designed to qualify its students to perform the duties of an AMT for a particular rating or ratings.
- (b) The curriculum shall cover the subjects and items prescribed in Part 2, Appendix 2.
- (c) An ATO shall teach each subject to at least the indicated level of proficiency defined in Part 2, Appendix 2
- (d) The certificate holder shall maintain a curriculum that shows —
 - (1) the required practical projects to be completed;
 - (2) for each subject, the proportions of theory and other instruction to be given; and
 - (3) a list of the minimum required tests to be given.
- (e) An ATO may issue AMT licences of competency to persons successfully completing speciality courses provided that all requirements are met and the licences of competency specifies the aircraft make and model to which the licence applies.

3.4.2.4 AMT TRAINING PROGRAM PROVIDERS

- (a) An ATO may apply to the Authority for approval for an AMT training program.
- (b) An AOC holder, an AMO, or an ATO may apply to the Authority for approval for an AMT training program that meets the requirements of this Subpart.

Implementing Standard: See Part 2, Appendix 2, for AMT training program curriculum requirements.

3.4.2.5 INSTRUCTOR REQUIREMENTS

- (a) An ATO shall provide the number of instructors holding appropriate licences and ratings, issued under Part 2, Section 2.4.4, that the Authority determines is necessary to provide

Civil Aviation (Flight Safety) Regulations

adequate instruction and supervision of the students, including at least one such instructor for each 25 students in each class held in a shop where students are performing actual tasks appropriate to the curriculum.

- (b) An ATO may provide specialised instructors, who are not licenced in accordance with Part 2, to teach mathematics, physics, basic electricity, basic hydraulics, drawing, and similar subjects.
- (c) An ATO shall maintain a list of the names and qualifications of such specialised instructors, and on request, provide a copy of the list, with a summary of the qualifications of each specialised instructor to the Authority.

3.4.2.6 ATTENDANCE AND CREDIT FOR PRIOR INSTRUCTION OR EXPERIENCE

- (a) An ATO may credit a student with instruction or previous experience as follows —
 - (1) Instruction satisfactorily completed at —
 - (i) an accredited university, college, or junior college;
 - (ii) an accredited vocational, technical, trade or high school;
 - (iii) a military technical school; or
 - (iv) an ATO.
 - (2) Previous aviation maintenance experience comparable to required curriculum subjects —
 - (i) by determining the amount of credit to be allowed by documents verifying previous experience; and
 - (ii) by giving the student a test equal to the one given to students who complete the comparable required curriculum subject at the ATO.
 - (3) Credit to be allowed for previous instruction —
 - (i) by an entrance test equal to one given to the students who complete a comparable required;
 - (ii) by an evaluation of an authenticated transcript from the student's former school; or

Civil Aviation (Flight Safety) Regulations

- (iii) in the case of an applicant from a military school, only on the basis of an entrance test.
- (4) An ATO may credit a student seeking an additional rating with previous satisfactory completion of the common portions of an AMT's curriculum.
- (b) An ATO shall show hours of absence allowed and how it will make missed material available to the student.

CONTENTS

PART 4 - AIRCRAFT REGISTRATION AND MARKING

- 4.1 GENERAL
 - 4.1.1.1 Applicability
 - 4.1.1.2 Definitions
 - 4.1.1.3 Acronyms
- 4.2 REGISTRATION REQUIREMENTS
 - 4.2.1.1 General
 - 4.2.1.2 Transfer of functions and duties
 - 4.2.1.3 Application
- 4.3 NATIONALITY AND REGISTRATION MARKS
 - 4.3.1.1 Applicability
 - 4.3.1.2 General
 - 4.3.1.3 Display of Marks: General
 - 4.3.1.4 Size of Marks
 - 4.3.1.5 Deviations for Size and Location of Marks
 - 4.3.1.6 Location of Marks on Fixed-wing Aircraft
 - 4.3.1.7 Location of Marks on Rotorcraft
 - 4.3.1.8 Location of Marks on Lighter-Than-Air Aircraft
 - 4.3.1.9 Sale of Aircraft: Removal of Marks
 - 4.3.1.10 Identification Plate Required

4.1 GENERAL

4.1.1.1 APPLICABILITY

Part 4 prescribes the requirements for registration and marking of Civil Aircraft under the provisions of the Civil Aviation Act for the time being in force.

*Civil Aviation (Flight Safety) Regulations***4.1.1.2 DEFINITIONS**

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

4.1.1.3 ACRONYMS

There are no abbreviations used in Part 4.

4.2 REGISTRATION REQUIREMENTS**4.2.1.1 GENERAL**

- (a) No person may operate a civil aircraft that is eligible for registration under the laws of Saint Lucia unless it has been registered by its owner or operator under the provisions of the laws of Saint Lucia and the Authority has issued a certificate of registration for that aircraft which shall be carried aboard that aircraft for all operations.
- (b) The certificate of aircraft registration will be issued by the Authority in the form as contained in Implementing Standards.

4.2.1.2 REGISTRATION ELIGIBILITY

An aircraft shall be eligible for registration in accordance with the requirements of Regulations 26(2).

4.2.1.3 APPLICATION

- (a) A person who wishes to register an aircraft in Saint Lucia must submit an application for aircraft registration to the Authority in a form and manner in a manner prescribed by the Authority. Each application shall —
 - (1) certify eligibility as required by Chapter 4;
 - (2) be signed by the applicant.
- (b) The fee provided for by law will be submitted with the application for aircraft registration to the Authority.
- (c) On an applicant meeting all requirements for registration, a certificate of Registration will be issued by the Authority.

4.2.1.4 AIRCRAFT REGISTRY

- (a) The Authority shall maintain an aircraft registry showing for each aircraft registered by Saint Lucia the information

Civil Aviation (Flight Safety) Regulations

recorded on the certificate of aircraft registration and any other information required by the Authority.

- (b) On request, the Authority will provide information to another ICAO Contracting State or to ICAO as to aircraft registration or ownership of any particular aircraft registered in Saint Lucia.

4.3 NATIONALITY AND REGISTRATION MARKS

4.3.1.1 APPLICABILITY

This Subpart prescribes the requirements for the identification and marking of civil aircraft registered in Saint Lucia.

4.3.1.2 GENERAL

- (a) A person shall operate a civil aircraft registered in Saint Lucia only if it displays the nationality and registration marks in accordance with the requirements of this section. The letter or letters used to identify the nationality of Saint Lucia shall conform with the requirements outlined in ICAO Annex 7.
- (b) Unless otherwise authorized by the Authority, a person shall not display on any aircraft any design, mark, or symbol that modifies the nationality and registration marks.
- (c) Permanent marking of aircraft nationality and registration shall —
 - (1) Be painted on the aircraft or affixed by other means insuring a similar degree of permanence;
 - (2) Have no ornamentation;
 - (3) Contrast in colour with the background;
 - (4) Be legible, and
 - (5) Be kept clean and visible at all times.

4.3.1.3 DISPLAY OF MARKS: GENERAL

- (a) The nationality mark of the aircraft shall consist of the Roman capital letter denoting the nationality of Saint Lucia followed by the registration number of the aircraft in Arabic numerals. Each suffix letter used in the marks displayed must also be a Roman capital letter.

Civil Aviation (Flight Safety) Regulations

- (b) If, because of the aircraft configuration, it is not possible to mark the aircraft in accordance with this Part, the owner may apply to the Authority for a different procedure.

4.3.1.4 SIZE OF MARKS

- (a) The operator of an aircraft shall display marks on the aircraft meeting the size requirements of this section.
- (b) Height. The character marks in each separate group shall be of equal height and on —
 - (1) Fixed-wing aircraft —
 - (i) Wings- shall be at least 50 centimeters
 - (ii) Fuselage and vertical tail surfaces - shall be at least 30 centimeters high;
 - (2) Rotorcraft shall be at least 30 centimeters high; and
 - (3) Lighter-than-air aircraft at least 50 centimeters high.
- (c) Width. Characters must be two-thirds as wide as they are high, except the number “1”, which must be one-sixth as wide as it is high, and the letters “M” and “W” which may be as wide as they are high.
- (d) Thickness. Characters shall be formed by solid lines one-sixth as thick as the character is high.
- (e) Spacing. The space between each character may not be less than one-fourth of the character width.
- (f) Uniformity. The marks required by this Part for fixed-wing aircraft must have the same height, width, thickness, and spacing on both sides of the aircraft.

4.3.1.5 LOCATION OF MARKS ON HEAVIER-THAN-AIR AIRCRAFT

- (a) The owner of a fixed-wing aircraft shall display the marks once on the lower surface of the wing structure as follows —
 - (1) They shall be located on the left half of the lower surface of the wing structure unless they extend across the whole of the lower surface of the wing structure.
 - (2) So far as is possible, the marks shall be located equidistant from the leading and trailing edge of the wings.

Civil Aviation (Flight Safety) Regulations

- (3) The tops of the letters and numbers shall be toward the leading edge of the wing.
- (b) On a heavier than air aircraft with a fuselage (or equivalent structure) or a vertical tail surface, the marks shall appear on either the vertical tail surfaces or the sides of the fuselage as follows —
 - (1) If displayed on the vertical tail surfaces, horizontally on both surfaces of a single vertical tail or on the outer surfaces of a multi-vertical tail.
 - (2) If displayed on the fuselage surfaces, horizontally on both sides of the fuselage between the trailing edge of the wing and the leading edge of the horizontal stabilizer.
 - (3) If engine pods or other appurtenances are located in the area described in paragraph (b) (2) and are an integral part of the aircraft, the marks may appear on those pods or appurtenances

4.3.1.6 LOCATION OF MARKS ON LIGHTER-THAN-AIR AIRCRAFT

- (a) Airships. The operator shall place marks on an airship to appear on —
 - (1) the hull, located lengthwise on each side of the hull and on its upper surface on the line of symmetry; or
 - (2) the horizontal and vertical stabilizers surfaces —
 - (i) for the horizontal stabilizer, located on the right half of the upper surface and on the left half of the lower surface, with the tops of the letters and numbers toward the leading edge; and
 - (ii) for the vertical stabilizer, located on each side of the bottom half stabilizer, with the letters and numbers placed horizontally.
- (b) Spherical balloons (other than unmanned free balloons). The operator shall apply marks to appear in two places diametrically opposite each other and located near the maximum horizontal circumference of the balloon.
- (c) Non-spherical balloons (other than unmanned free balloons). The operator shall apply marks to appear on each side, located

Civil Aviation (Flight Safety) Regulations

near the maximum cross-section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cables.

- (d) Lighter-than-air aircraft (other than unmanned free balloons). The operator shall apply side marks to be visible both from the sides and from the ground.
- (e) Unmanned free balloons. The operator shall apply marks to appear on the identification plate.

4.3.1.7 LOCATION OF MARKS ON ROTORCRAFT

The operator of a rotorcraft shall display marks horizontally on both surfaces of the cabin, fuselage, boom, or tail, such that the rotorcraft can be readily identified.

4.3.1.8 SPECIAL CASES FOR SIZE AND LOCATION OF MARKS

- (a) If either one of the surfaces authorized for displaying required marks is large enough for display of marks meeting the size requirements of this section and the other is not, the operator shall place full-size marks on the larger surface.
- (b) If neither surface is large enough for full-size marks, the Authority may approve marks as large as practicable for display on the larger of the two surfaces.
- (c) If, because of the aircraft configuration, it is not possible to mark the aircraft in accordance with this Part, the owner may apply to the Authority for a different procedure.

Sale of Aircraft: Removal of Marks

When an aircraft that is registered in Saint Lucia is sold, the holder of the certificate of registration shall remove, before its delivery to the purchaser, all nationality and registration marks of Saint Lucia, unless the purchaser is a citizen or other legal entity as prescribed in Regulation 26(2)

4.3.1.9 IDENTIFICATION PLATE REQUIRED

The operator of an aircraft registered pursuant to these Regulations shall affix to the aircraft, an identification plate —

- (1) containing the aircraft type, model, serial number, marks of nationality and operator's name and location;

Civil Aviation (Flight Safety) Regulations

- (2) made of fireproof metal or other fireproof material of suitable physical properties;
- (3) secured onto the aircraft in a prominent position near the main entrance, or, in the case of a free balloon, affixed conspicuously to the exterior of the payload.

4.3.1.10 TRANSFER OF FUNCTIONS AND DUTIES

- (a) When an aircraft registered in Saint Lucia is operated by an operator who has an AOC from another contracting State, that Saint Lucia may, by agreement with such other State, transfer to it, all or part of its functions and duties as State of registry in respect of that aircraft. Under such an agreement, Saint Lucia shall be relieved of responsibility in respect of the functions and duties transferred;
- (b) When an aircraft registered in another contracting State is operated by an operator who has an AOC from Saint Lucia, the contracting State may, by agreement with Saint Lucia, transfer all or part of its functions and duties as State of registry in respect of that aircraft to Saint Lucia. Under such an agreement, the contracting State shall be relieved of responsibility in respect of the functions and duties transferred;
- (c) The above transfer shall not have effect before the agreement between States, in which it is embodied, has been registered with the ICAO Council.

CONTENTS

PART 5 - AIRWORTHINESS

- 5.1 GENERAL
 - 5.1.1.1 Applicability
 - 5.1.1.2 Definitions
 - 5.1.1.3 Acronyms
- 5.2 AIRCRAFT AND COMPONENT ORIGINAL CERTIFICATION
 - 5.2.1.1 Applicability
- 5.3 SUPPLEMENTAL TYPE CERTIFICATES
 - 5.3.1.1 Applicability
 - 5.3.1.2 Issuance of a Supplemental Type Certificate
- 5.4 AIRWORTHINESS CERTIFICATES
 - 5.4.1.1 Applicability
 - 5.4.1.2 Eligibility

Civil Aviation (Flight Safety) Regulations

- 5.4.1.3 Classifications of Airworthiness Certificates
- 5.4.1.4 Amendment of Airworthiness Certificate
- 5.4.1.5 Transfer or Surrender of Airworthiness Certificate
- 5.4.1.6 Effective Dates of Airworthiness Certificate
- 5.4.1.7 Aircraft Identification
- 5.4.1.8 Issue of Standard Airworthiness Certificates
- 5.4.1.9 Airworthiness Directives
- 5.4.1.10 Commercial Air Transport
- 5.4.1.11 Issue of Special Airworthiness Certificates
- 5.4.1.12 AIRCRAFT NOISE CERTIFICATION
- 5.5 CONTINUED AIRWORTHINESS OF AIRCRAFT AND COMPONENTS
 - 5.5.1.1 Applicability
 - 5.5.1.2 Responsibility
 - 5.5.1.3 General
 - 5.5.1.4 Reporting of Failures, Malfunctions, and Defects
- 5.6 AIRCRAFT MAINTENANCE AND INSPECTION
 - 5.6.1.1 Applicability
 - 5.6.1.2 Persons Authorised to Perform Maintenance, Preventive Maintenance and Modifications
 - 5.6.1.3 Persons Authorised to Perform Maintenance
 - 5.6.1.4 Authorised Personnel to Approve for Return to Service
 - 5.6.1.5 Persons Authorised to Perform Inspections
 - 5.6.1.6 Performance Rules: Maintenance
 - 5.6.1.7 Performance Rules: Inspections
 - 5.6.1.8 Performance Rules: Airworthiness Limitations
- 5.7 MAINTENANCE RECORDS AND ENTRIES
 - 5.7.1.1 Content, Form and Disposition of Maintenance, Preventive Maintenance, Rebuilding and Modification Records
 - 5.7.1.2 Records of Overhaul and Rebuilding
 - 5.7.1.3 Approval for Return to Service After Maintenance, Preventive maintenance, Rebuilding, or Modification
 - 5.7.1.4 Content, Form, and Disposition of Records for Inspections
- 5.1 GENERAL**

*Civil Aviation (Flight Safety) Regulations***5.1.1.1 APPLICABILITY**

- (a) This Part contains the requirements for —
- (1) certification of aircraft and aeronautical components;
 - (2) issuance of Airworthiness Certificates and other certifications for aeronautical products;
 - (3) continued airworthiness of aircraft and aeronautical components;
 - (4) rebuilding and modifications of aircraft and aeronautical components;
 - (5) maintenance and preventive maintenance of aircraft and aeronautical components;
 - (6) aircraft inspection requirements; and
 - (7) air operator aircraft maintenance and inspection requirements.

5.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

5.1.1.3 ACRONYMS

- (a) The following acronyms are used in Part 5 —
- (1) AOC – Air Operator Certificate (Civil Aviation Law)
 - (2) AMO – Approved Maintenance Organisation (Part 1)
 - (3) MEL – Minimum Equipment List (Part 1)
 - (4) PIC – Pilot in command (Part 1)
 - (5) TSO – Technical Standard Order.

5.2 AIRCRAFT AND COMPONENT ORIGINAL CERTIFICATION**5.2.1.1 APPLICABILITY**

- (a) This Section describes the procedures and designation of applicable rules for original certification of an aircraft and related aeronautical products.

Civil Aviation (Flight Safety) Regulations

- (b) The Authority shall hold this Subpart reserved until such time as it has received an application for Type Certificates, Production Certificates or other related approvals.
- (c) An applicant for a production certificate for any aircraft or aeronautical product thereof for manufacture in Saint Lucia shall comply with the type certificate as required by the State of Design for approval.
- (d) At such time as the application for production is presented the Authority shall make available suitable regulations or provisions for the issuance of an airworthiness certificate, or airworthiness document as appropriate for the product concerned.

5.3 SUPPLEMENTAL TYPE CERTIFICATES**5.3.1.1 APPLICABILITY**

This Section prescribes procedural requirements for the issue of supplemental type certificates.

5.3.1.2 ISSUANCE OF A SUPPLEMENTAL TYPE CERTIFICATE

- (1) Any person who alters a product by introducing a major change in type design, not great enough to require a new application for a type certificate, shall apply for a Supplemental Type Certificate, or equivalent, to the regulatory agency of the State of Design that approved the type certificate for that product, or to the State of Registry of the aircraft.
- (2) The person referred to under section (1) shall apply in accordance with the procedures prescribed by that State.

5.4 AIRWORTHINESS CERTIFICATES**5.4.1.1 APPLICABILITY**

This Section prescribes procedures required for the issue of airworthiness certificates.

5.4.1.2 ELIGIBILITY

- (a) A registered owner or the agent of a registered owner of an aircraft registered in Saint Lucia shall apply for an airworthiness certificate for that aircraft.

Civil Aviation (Flight Safety) Regulations

- (b) An applicant for an airworthiness certificate under part (a) shall apply in a form and manner that is acceptable to the Authority.

5.4.1.3 CLASSIFICATIONS OF AIRWORTHINESS CERTIFICATES

- (a) The Authority may issue a Standard Airworthiness Certificate for an aircraft which is used for either private or commercial flying;
- (b) The Authority may issue a Special Airworthiness Certificate in the form of a restricted certificate;
- (c) The Authority may issue an Aerial Work Certificate for an aircraft which is used for specialised services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

5.4.1.4 AMENDMENT OF AIRWORTHINESS CERTIFICATE

- (a) The Authority may amend or modify an Airworthiness Certificate —
 - (1) on application from an operator; or
 - (2) on its own initiative.

5.4.1.5 TRANSFER OR SURRENDER OF AIRWORTHINESS CERTIFICATE

- (a) An owner of an aircraft shall transfer an Airworthiness Certificate —
 - (1) to the lessee on lease of an aircraft within or outside Saint Lucia; or
 - (2) to the buyer on sale of the aircraft within Saint Lucia.
- (b) An owner shall surrender the Airworthiness Certificate for the aircraft to the issuing Authority on sale of that aircraft outside of Saint Lucia.

5.4.1.6 EFFECTIVE DATES OF AIRWORTHINESS CERTIFICATE

- (a) Airworthiness Certificates are effective as follows unless sooner surrendered, suspended or revoked, or a special termination date is otherwise established by the Authority — (See IS: 5.4.1.6)

Civil Aviation (Flight Safety) Regulations

- (1) a Certificate of Airworthiness shall be renewed or shall remain valid, subject to the laws of the State of Registry, provided that the State of Registry shall require that the continuing airworthiness of the aircraft shall be determined by a periodical inspection at appropriate intervals having regard to lapse of time and type of service.
- (b) When an aircraft imported for registration in Saint Lucia has a Certificate of Airworthiness issued by another Contracting State, Saint Lucia may, as an alternative to issuance of its own Certificate of Airworthiness, establish validity by suitable authorization to be carried with the former Certificate of Airworthiness accepting it as the equivalent of a Certificate of Airworthiness issued by Saint Lucia. The validity of the authorization under part (b) shall not extend beyond the period of validity of the Certificate of Airworthiness or as indicated in IS 5.4.1.6.

5.4.1.7 AIRCRAFT IDENTIFICATION

An applicant for an airworthiness certificate shall show that the aircraft is properly registered and marked, and includes at least one fireproof identification plate in accordance with Part 4.3.1.10

5.4.1.8 ISSUE OF AIRWORTHINESS CERTIFICATES

- (a) The Authority shall issue a Standard Airworthiness certificate if —
 - (1) the applicant presents evidence to the Authority that the aircraft conforms to a type design approved under a type certificate or a supplemental type certificate and to the applicable Airworthiness Directives of the State of Manufacture;
 - (2) the aircraft has been inspected in accordance with the performance rules of this regulation for inspections and found airworthy by persons authorised by the Authority to make such determinations within the last 30 calendar days; and
 - (3) the Authority finds after an inspection that the aircraft conforms to type design and is in condition for safe operation.
- (b) The Authority may validate an airworthiness or aerial work certificate issued by another Contracting State on registration of

Civil Aviation (Flight Safety) Regulations

the aircraft in Saint Lucia. The validity of the validation shall not extend beyond the period of validity of the airworthiness certificate or one year, whichever is less.

5.4.1.9 AIRWORTHINESS DIRECTIVES

- (a) On registration of an aircraft in Saint Lucia, the Authority shall notify the State of Design of the aircraft of the registration in Saint Lucia, and request that the Authority receives any and all airworthiness directives addressing that aircraft, airframe, aircraft engine, propeller, appliance or component part.
- (b) Whenever the State of Design or State of Manufacture considers that a condition in an aircraft, airframe, aircraft engine, propeller, appliance, or component part is unsafe as shown by the issuance of an airworthiness directive by that State, the requirements of such directives shall apply to Saint Lucia registered civil aircraft of the type identified in that airworthiness directive.
- (c) The Authority shall identify manufacturer's service bulletins and other sources of data, or develop and prescribe inspections, procedures and limitations, for mandatory compliance pertaining to affected aircraft in Saint Lucia.
- (d) A person shall not operate any civil aircraft registered in Saint Lucia to which the measures of this subsection apply, except in accordance with the applicable directives.

5.4.1.10 COMMERCIAL AIR TRANSPORT

The Authority shall consider an airworthiness certificate valid for commercial air transport only when the aircraft is operated in accordance with a valid AOC issued by the State of the Operator.

5.4.1.11 ISSUE OF SPECIAL AIRWORTHINESS CERTIFICATES

- I. The Authority may issue a Special Airworthiness Certificate to an aircraft that does not qualify for a Standard Certificate;
- II. Aircraft holding Special Airworthiness Certificates shall be subject to operating limitations within Saint Lucia and may not make international flights;
- III. The Authority may issue specific operating limitations for each Special Airworthiness Certificate.

*Civil Aviation (Flight Safety) Regulations***FERRY FLIGHT PERMITS**

- I. The Authority may issue a Ferry Flight Permit to an aircraft that is capable of safe flight, but unable to meet applicable airworthiness requirements, for the purpose of —
 - (1) flying to a base where repairs, modifications, maintenance, or inspections are to be performed, or to a point of storage;
 - (2) delivering or exporting an aircraft;
 - (3) evacuating aircraft from areas of impending danger;
 - (4) operating at weights in excess of the aircraft's maximum Certified Takeoff Weight for flight beyond normal range over water or land areas, where adequate landing facilities or appropriate fuel is not available and the excess weight is limited to additional fuel, fuel-carrying facilities and navigation equipment necessary for the flight; and
- II. The Authority shall require a properly executed maintenance release in the aircraft permanent record by a suitably licenced person or AMO.
- III. The Authority may issue specific operating limitations for each Ferry Flight Permit.
- IV. The operator shall obtain all required overflight authorizations from countries to be overflown on flights outside of Antigua and Barbuda.

Note — Foreign Authorities may refuse flight from, into or through their airspace.

PERMITS TO FLY

- I. The Authority may issue a Permit to Fly to an aircraft for testing after repairs, modifications, or maintenance;
- II. The Authority shall require a properly executed maintenance release in the aircraft permanent record by a suitably licenced person or AMO;
- III. The Authority may issue specific operating limitations for each Permit to Fly.

*Civil Aviation (Flight Safety) Regulations***5.4.1.12 AIRCRAFT NOISE CERTIFICATION**

- (a) Noise certification of an aircraft shall be granted by the Authority on the basis of satisfactory evidence that the aircraft complies with requirements specified in IS: 5.4.1.12.
- (b) When an aircraft imported for registration in Saint Lucia has a Noise Certificate issued by another Contracting State, Saint Lucia may, as an alternative to issuance of its own Noise Certificate, establish validity by suitable authorization to be carried with the former Noise Certificate, accepting it as the equivalent of a Noise Certificate issued by Saint Lucia.

5.5 CONTINUED AIRWORTHINESS OF AIRCRAFT AND COMPONENTS**5.5.1.1 APPLICABILITY**

This Section prescribes rules governing the continued airworthiness of civil aircraft registered in Saint Lucia, whether operating inside or outside the borders of Saint Lucia.

5.5.1.2 RESPONSIBILITY

- (a) An owner or a lessee of an aircraft shall be responsible for maintaining the aircraft in an airworthy condition by ensuring that —
 - (1) all maintenance, overhaul, modifications and repairs which affect airworthiness are performed as prescribed by the State of Registry;
 - (2) maintenance personnel make appropriate entries in the aircraft maintenance records certifying that the aircraft is airworthy;
 - (3) the approval for return to service (maintenance release) is completed to the effect that the maintenance work performed has been completed satisfactorily and in accordance with the prescribed methods; and
 - (4) in the event there are open discrepancies, the maintenance release includes a list of the uncorrected maintenance items and these items are made a part of the aircraft permanent record.

*Civil Aviation (Flight Safety) Regulations***5.5.1.3 GENERAL**

- (a) A person shall not perform any maintenance, preventive maintenance, or modifications on an aircraft other than as prescribed in this regulation.
- (b) 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 limitation section unless the —
 - (i) mandatory replacement times;
 - (ii) inspection intervals; and
 - (iii) related procedures specified in that section or alternative inspection intervals and related procedures set forth in the specific operating provisions approved under part 9, or in accordance with the inspection program approved under Part 8 have been complied with.
- (c) A person shall not operate an aeronautical product to which an Airworthiness Directive applies, issued either by the State of Design, State of Manufacture or by the State of Registry for aircraft operated within Saint Lucia, except in accordance with the requirements of that Airworthiness Directive.
- (d) When the Authority determines that an airframe or aeronautical product has exhibited an unsafe condition and that condition is likely to exist or to develop in other products of the same type design, the Authority shall issue an Airworthiness Directive prescribing inspections and the conditions and limitations, if any, under which those products may continue to be operated.

5.5.1.4 REPORTING OF FAILURES, MALFUNCTIONS, AND DEFECTS

- (a) An owner or an operator of an aircraft shall report to the Authority any failures, malfunctions, or defects that may result in at least the following —
 - (1) fires during flight and whether the related fire-warning system properly operated;
 - (2) fires during flight not protected by a related fire-warning system;
 - (3) false fire warning during flight;

Civil Aviation (Flight Safety) Regulations

- (4) an engine exhaust system that causes damage during flight to the engine, adjacent structure, equipment, or components;
- (5) an aircraft component that causes accumulation or circulation of smoke, vapour, or toxic or noxious fumes in the crew compartment or passenger cabin during flight;
- (6) engine shutdown during flight because of flameout;
- (7) engine shutdown during flight when external damage to the engine or aircraft structure occurs;
- (8) engine shutdown during flight due to foreign object ingestion or icing;
- (9) shutdown during flight of more than one engine;
- (10) a propeller feathering system or ability of the system to control overspeed during flight;
- (11) a fuel or fuel-dumping system that affects fuel flow or causes hazardous leakage during flight;
- (12) an unintended landing gear extension or retraction, or opening or closing of landing gear doors during flight;
- (13) brake system components that result in loss of brake actuating force when the aircraft is in motion on the ground;
- (14) aircraft structure that requires major repair;
- (15) cracks, permanent deformation, or corrosion of aircraft structure, if more than the maximum acceptable to the manufacturer or the Authority;
- (16) aircraft components or systems malfunctions that result in taking emergency actions during flight (except action to shut down an engine);
- (17) each interruption to a flight, unscheduled change of aircraft en route, or unscheduled stop or diversion from a route, caused by known or suspected technical difficulties or malfunctions;
- (18) any abnormal vibration or buffeting caused by a structural or system malfunction, defect, or failure;
- (19) a failure or malfunction of more than one attitude, airspeed, or altitude instrument during a given operation of the aircraft.

Civil Aviation (Flight Safety) Regulations

- (20) the number of engines removed prematurely because of malfunction, failure or defect, listed by make and model and the aircraft type in which it was installed; or
 - (21) the number of propeller featherings in flight, listed by type of propeller and engine and aircraft on which it was installed.
- (b) A report required by this subsection shall —
- (1) be made within 3 days after determining that the failure, malfunction, or defect required to be reported has occurred; and
 - (2) include as much of the following information as is available and applicable —
 - (i) aircraft serial number;
 - (ii) when the failure, malfunction, or defect is associated with an article approved under a TSO authorization, the article serial number and model designation, as appropriate;
 - (iii) when the failure, malfunction or defect is associated with an engine or propeller, the engine or propeller serial number, as appropriate;
 - (iv) product model;
 - (v) identification of the part, component, or system involved, including the part number; and
 - (vi) nature of the failure, malfunction, or defect.
 - (c) The Authority, of the State of Registry of the aircraft, shall submit all such reports on receipt to the State of Design.
 - (d) The Authority, if not the State of Registry of the aircraft, will submit all such reports on receipt to the State of Registry.

5.6 AIRCRAFT MAINTENANCE AND INSPECTION

5.6.1.1 APPLICABILITY

This Section prescribes rules governing the maintenance and inspection of any aircraft having an Saint Lucia Airworthiness Certificate or associated aeronautical products.

*Civil Aviation (Flight Safety) Regulations***5.6.1.2 PERSONS AUTHORISED TO PERFORM MAINTENANCE, PREVENTIVE MAINTENANCE AND MODIFICATIONS**

- (a) The persons authorised to perform maintenance subject to this Subpart include —
 - (1) a pilot licensed by the Authority;
 - (2) a person performing maintenance under the supervision of an aviation maintenance technician;
 - (3) an aviation maintenance technician;
 - (4) an AMO.

- (b) This Section outlines the privileges and limitations of these entities with respect to the extent and type of work they may perform regarding —
 - (1) maintenance,
 - (2) preventive Maintenance,
 - (3) modification,
 - (4) inspection, and
 - (5) approvals for return to service.

5.6.1.3 PERSONS AUTHORISED TO PERFORM MAINTENANCE

- (a) A person shall not perform any task defined as maintenance on an aircraft or aeronautical products, except as provided in the following —
 - (1) a pilot licenced by the Authority may perform preventive maintenance on any aircraft owned or operated by that pilot so long as the aircraft is not listed for use by an AOC holder.
 - (2) a person working under the supervision of an aviation maintenance technician, may perform the maintenance, preventive maintenance and modifications that the supervisory aviation maintenance technician is authorised to perform —
 - (i) if the supervisor personally observes the work being done to the extent necessary to ensure that it is being done properly, and

Civil Aviation (Flight Safety) Regulations

- (ii) if the supervisor is readily available, in person, for consultation.
- (3) a licenced aviation maintenance technician may perform or supervise the maintenance or modification of an aircraft or aeronautical product for which he or she is rated subject to the limitations of Part 2, Section 2.4.4 of these Regulations.
- (4) an AMO may perform aircraft maintenance within the limits specified by the Authority.
- (5) a manufacturer holding an AMO may —
 - (i) rebuild or alter any aeronautical product manufactured by that manufacturer under a type or production certificate;
 - (ii) rebuild or alter any aeronautical product manufactured by that manufacturer under a TSO Authorization, a Parts Manufacturer Approval by the State of Design, or Product and Process Specification issued by the State of Design; and
 - (iii) perform any inspection required by Part 8 on aircraft it manufacturers, while currently operating under a production certificate or under a currently approved production inspection system for such aircraft.

5.6.1.4 AUTHORISED PERSONNEL TO APPROVE FOR RETURN TO SERVICE

- (a) A person or an entity, other than the Authority, shall not approve an aircraft, airframe, aircraft engine, propeller, appliance, or component part for return to service after it has undergone maintenance, preventive maintenance, rebuilding, or modification, except as provided in the following —
 - (1) a pilot licenced by the Authority may return his or her aircraft to service after performing authorised preventive maintenance.
 - (2) a licenced aviation maintenance technician may approve aircraft and aeronautical products for return to service after he or she has performed, supervised, or inspected its maintenance subject to the limitation of Part 2, Section 2.4.4 of these Regulations.

Civil Aviation (Flight Safety) Regulations

- (3) an AMO may approve aircraft and aeronautical products for return to service as provided in the specifications approved by the Authority.

5.6.1.5 PERSONS AUTHORISED TO PERFORM INSPECTIONS

- (a) A person, unless otherwise authorised by the Authority, shall not perform the inspections required by 8.2.1.7 for aircraft and aeronautical products prior to or after it has undergone maintenance, preventive maintenance, rebuilding, or modification, except as provided in the following —
 - (1) an aviation maintenance technician may conduct the required inspections of aircraft and aeronautical products for which he or she is rated and current;
 - (2) an aviation maintenance technician may conduct the required duplicate inspections of aircraft and aeronautical products for which he or she is rated and current; (See IS: 5.6.1.5)
 - (3) an AMO may perform the required inspections of aircraft and aeronautical products as provided in the specifications approved by the Authority.

5.6.1.6 PERFORMANCE RULES: MAINTENANCE

- (a) A person performing maintenance, preventive maintenance, or modification on an aeronautical product shall use the methods, techniques, and practices prescribed in —
 - (1) the current manufacturer's maintenance manual or instructions for Continued Airworthiness prepared by its manufacturer; and
 - (2) additional methods, techniques and practices required by the Authority; or methods, techniques and practices designated by the Authority where the manufacturer's documents were not available.

See Implementing Standard IS: 5.6.1.6

- (b) A person shall use the tools, equipment, and test apparatus necessary to assure completion of the work in accordance with accepted industry practices. If the manufacturer involved recommends special equipment or test apparatus, the person performing maintenance shall use that equipment or apparatus or its equivalent acceptable to the Authority;

Civil Aviation (Flight Safety) Regulations

- (c) If the manufacturer involved recommends special equipment or test apparatus, the person performing maintenance shall use that equipment or apparatus or its equivalent acceptable to the Authority;
- (d) A person performing maintenance, preventive maintenance, or modification on an aeronautical product shall do that work in such a manner, and use materials of such a quality, that the condition of the aeronautical product worked on will be at least equal to its original or properly altered condition with regard to aerodynamic function, structural strength, resistance to vibration and deterioration, and other qualities affecting airworthiness;
- (e) the methods, techniques, and practices contained in an AOC holder's maintenance control manual and continuous maintenance program, as approved by the Authority, shall constitute an acceptable means of compliance with the requirements of this subsection;
- (f) each person performing a major modification or repair defined in this Part will use data approved by the Authority —
 - (1) the approved data used must be referenced on the form or log entry used to approve the modification or repair for return to service.
 - (2) acceptable "approved data" is data specifically approved by the following for the modification or repair —
 - (i) the Authority;
 - (ii) the State of Manufacture;
 - (iii) a Designee authorized by the State of Manufacture for that type modification or repair;
 - (iv) the State of Design; or
 - (v) a Designee authorized by the State of Design for that type modification or repair.

5.6.1.7 PERFORMANCE RULES: INSPECTIONS

- (a) General. A person performing an inspection required by the Authority shall —

Civil Aviation (Flight Safety) Regulations

- (1) perform the inspection so as to determine whether the aircraft, or portion(s) thereof under inspection, meets all applicable airworthiness requirements; and
 - (2) if there is an inspection program required or accepted for the specific aircraft being inspected, perform the inspection in accordance with the instructions and procedures set forth in the inspection program.
- (b) Rotorcraft. A person performing an inspection required on a rotorcraft shall inspect the following systems in accordance with the maintenance manual or Instructions for Continued Airworthiness of the manufacturer concerned —
- (1) the drive shafts or similar systems,
 - (2) the main rotor transmission gear box for obvious defects,
 - (3) the main rotor and centre section (or the equivalent area), and
 - (4) the auxiliary rotor on helicopters.
- (c) Annual and 100-hour inspections.
- (1) A person performing an annual or 100-hour inspection shall use a checklist while performing the inspection.
 - (2) The checklist referred to in section (1) may be of the person's own design, one provided by the manufacturer of the equipment being inspected, or one obtained from another source and shall include the scope and detail of the items prescribed by the Authority.

Implementing Standard: See IS: 5.6.1.7 for components to be included in an annual or 100-hour inspection.

- (3) A person approving a reciprocating-engine-powered aircraft for return to service after an annual or 100-hour inspection shall, before that approval, run the aircraft engine or engines to determine satisfactory performance in accordance with the current manufacturer's recommendations of —
 - (i) power output (static and idle rpm);
 - (ii) magnetos;
 - (iii) fuel and oil pressure; and
 - (iv) cylinder and oil temperature.

Civil Aviation (Flight Safety) Regulations

- (4) A person approving a turbine-engine-powered aircraft for return to service after an annual or 100-hour inspection shall, before that approval, run the aircraft engine or engines to determine satisfactory performance in accordance with the current manufacturer's recommendations.

5.6.1.8 PERFORMANCE RULES: AIRWORTHINESS LIMITATIONS

A person performing an inspection or other maintenance specified in an airworthiness limitations section of a current manufacturer's maintenance manual, or Instructions for Continued Airworthiness, shall perform the inspection or other maintenance in accordance with that section, or in accordance with specifications approved by the Authority.

5.7 MAINTENANCE RECORDS AND ENTRIES

5.7.1.1 CONTENT, FORM AND DISPOSITION OF MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING AND MODIFICATION RECORDS

- (a) A person who maintains, performs preventive maintenance, rebuilds or modifies an aircraft or aeronautical product shall, when the work is performed satisfactorily, make an entry in the maintenance record of that equipment as follows —
- (1) a description (or reference to data acceptable to the Authority) of work performed;
 - (2) completion date of the work performed;
 - (3) name, signature, certificate number and kind of licence held by the person approving the work.

Note: The signature constitutes the approval for return to service only for the work performed.

- (b) A person performing the work under part (a) shall enter records of major repairs and major modifications, and dispose of that form in the manner prescribed by the Authority.

Implementing Standard: See IS: 5.7.1.1 for the maintenance form requirements and a sample major repair and modification form.

- (c) A person working under supervision of an aviation maintenance technician shall not perform any inspection required in Part 8 or any inspection performed after a major repair or modification.

*Civil Aviation (Flight Safety) Regulations***5.7.1.2 RECORDS OF OVERHAUL AND REBUILDING**

- (a) A person shall not describe in any required maintenance entry or form, an aeronautical product as being overhauled unless —
 - (1) it has been disassembled, cleaned, inspected as permitted, repaired as necessary, and reassembled using methods, techniques, and practices acceptable to the Authority; and
 - (2) it has been tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance manufacturing approval.
- (b) A person shall not describe in any required maintenance entry or form, an aircraft or other aeronautical product as being rebuilt unless it has been —
 - (i) disassembled;
 - (ii) cleaned;
 - (iii) inspected as permitted;
 - (iv) repaired as necessary, reassembled; and
 - (v) tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits.

Note: Part 5.7.1.2(a) reflects the required maintenance entry for rebuilt. As identified in Part 5.6.1.3(a)(5) only a manufacturer holding an AMO can rebuild an aeronautical product.

5.7.1.3 APPROVAL FOR RETURN TO SERVICE AFTER MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, OR MODIFICATION

- (a) A person shall not approve for return to service any aeronautical product that has undergone maintenance, preventive maintenance, rebuilding, or modification unless —
 - (1) the appropriate maintenance record entry has been made;
 - (2) the repair or modification form authorised by or furnished by the Authority has been executed in a manner prescribed

Civil Aviation (Flight Safety) Regulations

by the Authority;

- (3) if a repair or modification results in any change in the aircraft operating limitations or flight data contained in the approved aircraft flight manual, those operating limitations or flight data are appropriately revised and set forth as prescribed.

Implementing Standard: See IS: 5.7.1.1 for the repair or modification form requirements.

5.7.1.4 CONTENT, FORM, AND DISPOSITION OF RECORDS FOR INSPECTIONS

- (a) Maintenance record entries. A person approving or disapproving the return to service of an aeronautical product after any inspection performed in accordance with Part 8, shall make an entry in the maintenance record of that equipment containing the following information —
 - (1) type of inspection and a brief description of the extent of the inspection;
 - (2) date of the inspection and aircraft total time in service;
 - (3) signature, the licence number, and kind of licence held by the person approving or disapproving for return to service the aeronautical product;
 - (4) if the aircraft is found to be airworthy and approved for return to service, the following or a similarly worded statement— “I certify that this aircraft has been inspected in accordance with (insert type) inspection and was determined to be in an airworthy condition”;
 - (5) if the aircraft is not approved for return to service because of needed maintenance, non-compliance with the applicable specifications, airworthiness directives, or other approved data, the following or a similarly worded statement—I certify that this aircraft has been inspected in accordance with (insert type) inspection and a list of discrepancies and unairworthy items dated (date) has been provided for the aircraft owner or operator; and
 - (6) if an inspection is conducted under an inspection program provided for in Part 8, the person performing the inspection shall make an entry identifying the inspection program accomplished, and containing a statement that the inspection

Civil Aviation (Flight Safety) Regulations

was performed in accordance with the inspections and procedures for that particular program.

- (b) Listing of discrepancies. A person performing any inspection required in Part 8 who finds that the aircraft is not airworthy or does not meet the applicable type certificate data sheet, airworthiness directives or other approved data on which its airworthiness depends, shall give the owner or the operator of the aircraft a signed and dated list of those discrepancies.

CONTENTS

PART 6 – APPROVED MAINTENANCE ORGANISATIONS

- 6.1 GENERAL
 - 6.1.1.1 Applicability
 - 6.1.1.2 Definitions
 - 6.1.1.3 Acronyms
 - 6.1.1.4 Certificate and Specific Operating Provisions
 - 6.1.1.5 Advertising
 - 6.1.1.6 Deviation Authority
- 6.2 CERTIFICATION
 - 6.2.1.1 Application for an AMO Certificate
 - 6.2.1.2 Issuance of an AMO Certificate
 - 6.2.1.3 Duration and Renewal of Certificate
 - 6.2.1.4 Continued Validity of Approval
 - 6.2.1.5 Changes to the AMO and Certificate Amendments
 - 6.2.1.6 Ratings of the AMO
 - 6.2.1.7 AMO Limited Ratings
- 6.3 HOUSING, FACILITIES, EQUIPMENT, & MATERIALS
 - 6.3.1.1 General
 - 6.3.1.2 Housing and Facility Requirements
 - 6.3.1.3 Equipment, Tools, and Material
- 6.4 ADMINISTRATION
 - 6.4.1.1 Personnel and Training Requirements
 - 6.4.1.2 Rest and Duty Limitations for Persons Performing Maintenance Functions in an AMO
 - 6.4.1.3 Record of Certifying Staff
- 6.5 AMO OPERATING RULES
 - 6.5.1.1 AMO Procedures Manual
 - 6.5.1.2 Maintenance Procedures and Independent Quality Assurance System
 - 6.5.1.3 Capability List
 - 6.5.1.4 Privileges of the AMO

Civil Aviation (Flight Safety) Regulations

- 6.5.1.5 Limitations on the AMO
- 6.5.1.6 Certificate of Release to Service
- 6.5.1.7 Maintenance Records
- 6.5.1.8 Airworthiness Data
- 6.5.1.9 Reporting of Unairworthy Conditions
- 6.5.1.10 ECCAA Inspections
- 6.5.1.11 Performance Standards

6.1 GENERAL

6.1.1.1 APPLICABILITY

This Part prescribes the requirements for issuing approvals to organisations for the maintenance, preventive maintenance, and modifications of aircraft and aeronautical products and prescribes the general operating rules for an Approved Maintenance Organisation (AMO). The approval, when granted, shall apply to the whole organisation and shall be headed by the accountable manager.

6.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

6.1.1.3 ACRONYMS

The following acronyms are used in this Part —

- (1) AMO – Approved Maintenance Organisation
- (2) PMA – Parts Manufacturing Authorization
- (3) TSO – Technical Standard Order.

6.1.1.4 CERTIFICATE AND SPECIFIC OPERATING PROVISIONS

- (a) The AMO certificate will consist of two documents —
 - (1) a one page certificate signed by the Authority, and
 - (2) a multi-page specific operating provisions signed by the Accountable Manager and the Authority containing the terms, conditions, and authorizations.
- (b) A person shall not operate as an AMO without, or in violation of, an AMO certificate issued under this Part.

Civil Aviation (Flight Safety) Regulations

- (c) An AMO may perform maintenance, preventive maintenance, or modifications on an aircraft, airframe, aircraft engine, propeller, appliance, component, or part thereof only for which it is rated and within the limitations placed in its specific operating limitations.
- (d) The AMO certificate will contain —
 - (1) the certificate number specifically assigned to the AMO;
 - (2) the name and location (main place of business) of the AMO;
 - (3) the date of issue and period of validity;
 - (4) the ratings issued to the AMO; and
 - (5) authority signature.
- (e) The AMO Specific Operating Provisions will contain —
 - (1) the certificate number specifically assigned to the AMO;
 - (2) the class or limited ratings issued in detail, including special approvals and limitations issued;
 - (3) the date issued or revised;
 - (4) accountable manager and Authority signatures.
- (f) The certificate issued to each AMO must be available in the premises for inspection by the public and the Authority.

6.1.1.5 ADVERTISING

- (a) A person shall not advertise as an AMO until an AMO certificate has been issued to that person.
- (b) An AMO shall not make any statement, either in writing or orally, about itself that is false or is designed to mislead any person.
- (c) Whenever the advertising of an AMO indicates that it is an AMO, the advertisement must clearly state its AMO's certificate number.

6.1.1.6 DEVIATION AUTHORITY

- (a) The Authority may, on consideration of the circumstances of a particular maintenance organisation, issue a deviation providing relief from specified sections of this Part, provided that the

Civil Aviation (Flight Safety) Regulations

Authority finds that the circumstances presented warrant the deviation and that a level of safety will be maintained equal to that provided by the rule from which the deviation is sought. This deviation authority will be issued as a Letter of Deviation Authority.

- (b) A Letter of Deviation Authority may be terminated or amended at any time by the Authority.
- (c) A request for deviation authority must be made in a form and manner acceptable to the Authority and submitted to the Authority at least 60 days before the date the deviation from specified sections in this part is necessary for the intended maintenance, preventive maintenance, or modification. A request for deviation authority must contain complete statement of the circumstances and justifications for the deviation requested, and show that a level of safety will be maintained equal to that provided by the rule from which the deviation is sought.
- (d) An AMO that receives a Letter of Deviation Authority must have a means of notifying the appropriate management, certifying staff, and personnel of the deviation, including the extent of the deviation and when the deviation is terminated or amended.

6.2 CERTIFICATION**6.2.1.1 APPLICATION FOR AN AMO CERTIFICATE**

- (a) The Authority will require an applicant for an AMO certificate to submit the following —
 - (1) an application in a form and a manner prescribed by the Authority;
 - (2) its maintenance procedures manual;
 - (3) a list of the maintenance functions to be performed for it, under contract, by another AMO;
 - (4) a list of all AMO certificates and ratings pertinent to those certificates issued by any contracting State other than Saint Lucia; and
 - (5) any additional information the Authority requires the applicant to submit.

Civil Aviation (Flight Safety) Regulations

Note: “In a form” and “in a manner” mean that a form issued by the Authority should be completed by the accountable manager, or the manager’s nominee designated in accordance with 6.2.1.1(a).

Note: On approval of its maintenance procedures manual by the Authority, the AMO will be required to submit a copy to the Authority.

- (b) An application for the amendment of an existing AMO certificate shall be made on a form and in a manner prescribed by the Authority. If applicable, the AMO shall submit the required amendment to the maintenance procedures manual to the Authority for approval.

6.2.1.2 ISSUANCE OF AN AMO CERTIFICATE

An applicant may be issued an AMO certificate if, after investigation, the Authority finds that the applicant —

- (1) meets the applicable regulations and standards for the holder of an AMO;
- (2) is properly and adequately equipped for the performance of maintenance of aircraft or aeronautical product for which it seeks approval; and
- (3) is fit, having regard in particular to the applicant’s previous conduct, or if there is evidence of unlawful conduct in aviation or previous breaches of aviation regulations.

6.2.1.3 DURATION AND RENEWAL OF CERTIFICATE

- (a) A certificate or rating issued to an AMO located in Saint Lucia is effective for the period specified on the certificate or until the AMO surrenders it or the Authority suspends or revokes it.
- (b) A certificate or rating issued to an AMO located outside the Saint Lucia is effective —
 - (1) for the period specified on the certificate,
 - (2) until the AMO surrenders the certificate, or
 - (3) until the Authority suspends or revokes the certificate.
- (c) The holder of a certificate that expires or is surrendered, suspended, or revoked by the Authority must return the certificate and specific operating provisions to the Authority.

Civil Aviation (Flight Safety) Regulations

- (d) An AMO located outside Saint Lucia that applies for a renewal of its AMO certificate for aircraft registered in Saint Lucia must —
 - (1) submit its request for renewal to the Authority, no later than 45 days before the AMO's current certificate expires. If a request for renewal is not made within this period, the AMO must follow the application procedure prescribed by the Authority.

6.2.1.4 CONTINUED VALIDITY OF APPROVAL

- (a) Unless the approval has previously been surrendered, superseded, suspended, revoked or expired by virtue of exceeding any expiration date that may be specified in the approval certificate, the continued validity of approval is dependent on —
 - (1) the AMO remaining in compliance with this Part;
 - (2) the Authority being granted access to the organisation's facilities to determine continued compliance with this regulation; and
 - (3) the payment of any charges prescribed by the Authority.
- (b) The holder of an AMO certificate that expires or is surrendered, suspended, or revoked, shall return it to the Authority.

6.2.1.5 CHANGES TO THE AMO AND CERTIFICATE AMENDMENTS

- (a) To enable the Authority to determine continued compliance with this Part, the AMO shall provide written notification to the Authority either prior to, or within a time period determined by the Authority to be as soon as practicable after, any of the following changes —
 - (1) the name of the organisation;
 - (2) the location of the organisation;
 - (3) the housing, facilities, equipment, tools, material, procedures, work scope and certifying staff that could affect the AMO rating or ratings;
 - (4) the ratings held by the AMO, whether granted by the Authority or held through an AMO certification issued by another contracting State;

Civil Aviation (Flight Safety) Regulations

Note: See subsection 6.2.1.1(a).

- (5) additional locations of the organisation;
 - (6) the accountable manager; or
 - (7) the list of management personnel identified as described in the maintenance procedures manual.
- (b) The Authority will amend the AMO certificate if the AMO notifies the Authority of a change in —
- (1) location or housing and facilities;
 - (2) additional locations of the organisation;
 - (3) rating, including deletions;
 - (4) name of the organisation with same ownership; or
 - (5) ownership.
- (c) The Authority may amend the AMO certificate if the AMO notifies the Authority of a change in —
- (1) the accountable manager; or
 - (2) the list of management personnel identified as described in the maintenance procedure manual.
- (d) When the Authority issues an amendment to an AMO certificate because of new ownership of the AMO, the Authority will assign a new certificate number to the amended AMO certificate.
- (e) The Authority may —
- (1) prescribe, in writing, the conditions under which the AMO may continue to operate during any period of implementation of the changes noted in subparagraph (a); and
 - (2) hold the AMO certificate in abeyance if the Authority determines that approval of the AMO certificate should be delayed; the Authority will notify the AMO certificate holder, in writing, of the reasons for any such delay.
- (f) If changes are made by the AMO to the items listed in subparagraph (a) without notification to the Authority and amendment of the AMO certificate by the Authority, the AMO certificate may be suspended by the Authority.

*Civil Aviation (Flight Safety) Regulations***6.2.1.6 RATINGS OF THE AMO**

The following ratings are issued under this Subpart —

- (1) airframe ratings. An aircraft rating on an AMO certificate permits that AMO to perform maintenance, preventive maintenance, or modifications on an aircraft, including work on the powerplant(s) of that aircraft up to, but not including, overhaul as that term defined in 5.1.1.2(a)(5) under the following classes —
 - (i) Class 1: Aircraft (other than rotorcraft and aircraft composed primarily of composite material) of 5,700 kg maximum certificated takeoff weight or less.
 - (ii) Class 2: Aircraft (other than rotorcraft and aircraft composed primarily of composite material) over 5,700 kg maximum certificated takeoff weight and up to, and including, 34,200 kg maximum certificated takeoff weight.
 - (iii) Class 3: Aircraft, (other than rotorcraft and aircraft composed primarily composite material) over 34,200 kg maximum certificated takeoff weight.
 - (iv) Class 4: Rotorcraft (other than rotorcraft composed primarily of composite material) of 2,736 kg maximum certificated takeoff weight or less.
 - (v) Class 5: Rotorcraft (other than rotorcraft composed primarily of composite material) over 2,736 kg maximum certificated takeoff weight.
 - (vi) Class 6: Aircraft composed primarily of composite material, of 5,700 kg maximum certificated takeoff weight or less.
 - (vii) Class 7: Aircraft composed primarily of composite material, over 5,700 kg maximum certificated takeoff weight
- (2) Powerplant ratings. A powerplant rating on an AMO certificate permits that AMO to perform maintenance, preventive maintenance, or modifications of powerplants under the following classes —
 - (i) Class 1: Reciprocating engines.
 - (ii) Class 2: Turbopropeller and turboshaft engines.

Civil Aviation (Flight Safety) Regulations

- (iii) Class 3: Turbojet and turbofan engines.
- (3) Propeller ratings. A propeller rating on an AMO certificate permits that AMO to perform maintenance, preventive maintenance, or modifications of propellers under the following classes —
- (i) Class 1: Fixed-pitch and ground-adjustable propellers.
 - (ii) Class 2: Variable-pitch propellers.
- (4) Avionics ratings. An avionics rating on an AMO certificate permits that AMO to perform maintenance, preventive maintenance, or modifications of avionics equipment under the following ratings —
- (i) Class 1: Communication equipment: Any radio transmitting equipment or receiving equipment, or both, used in aircraft to send or receive communications, regardless of carrier frequency or type of modulation used; including auxiliary and related aircraft interphone systems, amplifier systems, electrical or electronic intercrew signalling devices, and similar equipment; but not including equipment used for navigation of the aircraft or as an aid to navigation, equipment for measuring altitude or terrain clearance, other measuring equipment operated on radio or radar principles, or mechanical, electrical, gyroscopic, or electronic instruments that are a part of communications avionics equipment.
 - (ii) Class 2: Navigational equipment: Any avionics system used in aircraft for en-route or approach navigation, except equipment operated on radar or pulsed radio frequency principles, but not including equipment for measuring altitude or terrain clearance or other distance equipment operated on pulsed radio frequency principles.
 - (iii) Class 3: Pulsed equipment: Any aircraft electronic system operated on pulsed radio frequency principles.
- (5) Computer systems ratings. A computer systems rating on an AMO certificate permits that AMO to perform maintenance, preventive maintenance, or modifications of digital computer systems and components thereof, that have the function of receiving external data, processing

Civil Aviation (Flight Safety) Regulations

such data, and transmitting and presenting the processed data under the following classes —

- (i) Class 1: Aircraft computer systems.
 - (ii) Class 2: Powerplant computer systems.
 - (iii) Class 3: Avionics computer systems.
- (6) Instrument ratings. An instrument rating on an AMO certificate permits that AMO to perform maintenance, preventive maintenance, or modifications of instruments under the following classes —
- (i) Class 1: Mechanical: Any diaphragm, bourdon tube, aneroid, optical, or mechanically driven centrifugal instrument that is used on aircraft or to operate aircraft, including tachometers, airspeed indicators, pressure gauges, drift sights, magnetic compasses, altimeters, or similar mechanical instruments.
 - (ii) Class 2: Electrical: Any self-synchronous and electrical indicating instruments and systems, including remote indicating instruments, cylinder head temperature gauges, or similar electrical instruments.
 - (iii) Class 3: Gyroscopic: Any instrument or system using gyroscopic principles and motivated by air pressure or electrical energy, including automatic pilot control units, turn and bank indicators, directional gyros, and their parts, and flux gate and gyrosyn compasses.
 - (iv) Class 4: Electronic: Any instruments whose operation depends on electron tubes, transistors, or similar devices including capacitance type quantity gauges, system amplifiers, and engine analysers.
- (7) Accessory ratings. An accessory rating on an AMO certificate permits that AMO to perform maintenance, preventive maintenance, or modifications of accessory equipment under the following classes —
- (i) Class 1: Mechanical. The accessories that depend on friction, hydraulics, mechanical linkage, or pneumatic pressure for operation.
 - (ii) Class 2: Electrical. The accessories that depend on electrical energy.

Civil Aviation (Flight Safety) Regulations

- (iii) Class 3: Electronic. The accessories that depend on the use of an electron tube transistors, lasers, fiber optics, solid-state, integrated circuits, vacuum tubes, or similar electronic controls.
- (iv) Class 4: Auxiliary power units (APU's) that may be installed on aircraft as self-contained units to supplement the aircraft's engines as a source of hydraulic, pneumatic, or electrical power.

Implementing Standard: See IS: 6.2.1.6 for a detailed explanation of each rating.

6.2.1.7 AMO LIMITED RATINGS

- (a) Whenever the Authority finds it appropriate, it may issue a limited rating to an AMO that maintains or alters only a particular type of airframe, powerplant, propeller, radio, instrument, or accessory, or parts thereof, or performs only specialised maintenance requiring equipment and skills not ordinarily found in an AMO. Such a rating may be limited to a specific model aircraft, engine, or constituent part, or to any number of parts made by a particular manufacturer.
- (b) Limited ratings are issued for —
 - (1) aircraft;
 - (2) airframe;
 - (3) powerplants;
 - (4) propellers;
 - (5) avionics equipment;
 - (6) computer systems;
 - (7) instruments;
 - (8) accessories; and
 - (9) any other purpose for which the Authority finds the applicant's request appropriate.
- (c) Specialised service ratings. A specialised service rating may be issued to a maintenance organisation to perform specific maintenance or processes. The specific operating provisions of the AMO must identify the specification used in performing that specialised service. The specification may be —

Civil Aviation (Flight Safety) Regulations

- (1) a civil or military specification that is currently used by industry and approved by the Authority; or
- (2) a specification developed by the AMO and approved by the Authority.

6.3 HOUSING, FACILITIES, EQUIPMENT, & MATERIALS**6.3.1.1 GENERAL**

A certificated AMO must provide personnel, facilities, equipment, and materials in quantity and quality that meet the standards required for the issuance of the certificate and ratings that the AMO holds.

6.3.1.2 HOUSING AND FACILITY REQUIREMENTS

- (a) Housing and facilities shall be provided appropriate for all planned work ensuring, in particular, protection from weather.
- (b) All work environments shall be appropriate for the task carried out and shall not impair the effectiveness of personnel.
- (c) Office accommodation shall be appropriate for the management of planned work including, in particular, the management of quality, planning, and technical records.
- (d) Specialised workshops and bays shall be segregated, as appropriate, to ensure that environmental and work area contamination is unlikely to occur.
- (e) Storage facilities shall be provided for parts, equipment, tools and material.
- (f) Storage conditions shall be provided security for serviceable parts, segregation of serviceable from unserviceable parts, and prevent deterioration of and damage to stored items.

Implementing Standard: See IS: 6.3.1.2 for detailed requirements pertaining to housing and facilities.

6.3.1.3 EQUIPMENT, TOOLS, AND MATERIAL

- (a) The AMO shall have available the necessary equipment, tools, and material to perform the approved scope of work and these items shall be under full control of the AMO. The availability of equipment and tools means permanent availability except in the case of any tool or equipment that is so rarely needed that its permanent availability is not necessary.

Civil Aviation (Flight Safety) Regulations

- (b) The Authority may exempt an AMO from possessing specific tools and equipment for maintenance or repair of an aircraft or aeronautical product specified in the AMO's approval, if these items can be acquired temporarily, by prior arrangement and be under full control of the AMO when needed to perform required maintenance or repairs.
- (c) The AMO shall control all applicable tools, equipment and test equipment used for product acceptance or for making a finding of airworthiness.
- (d) The AMO shall ensure that all applicable tools, equipment and test equipment used for product acceptance or for making a finding of airworthiness are calibrated to ensure correct calibration to a standard acceptable to the Authority and traceable to the National Standards of Saint Lucia, the United States, Canada, the United Kingdom, or other National Standard as individually accepted by the Authority.
- (e) The AMO shall keep all records of calibrations and the standards used for calibration.

Implementing Standard: See IS: 6.3.1.3 for detailed requirements pertaining to tools, equipment, and test equipment.

6.4 ADMINISTRATION

6.4.1.1 PERSONNEL AND TRAINING REQUIREMENTS

- (a) A management person or group of persons acceptable to the Authority, whose responsibilities include ensuring that the AMO is in compliance with these Regulations, shall be nominated.
- (b) The person or persons nominated as manager shall represent the maintenance management structure of the AMO, and be responsible for all functions specified in this Part.
- (c) Nominated managers shall be directly responsible to an accountable manager who shall be acceptable to the Authority.
- (d) The AMO shall employ sufficient personnel to plan, perform, supervise and inspect and release the work in accordance with the approval.
- (e) The competence of personnel involved in maintenance shall be established in accordance with a procedure and to a standard acceptable to the Authority.

Civil Aviation (Flight Safety) Regulations

- (f) A person signing a maintenance release or an approval for return to service shall be qualified in accordance with Part 2 or 2.4.4 as appropriate to the work performed and shall be acceptable to the Authority.
- (g) The maintenance personnel and the certifying staff shall meet the qualification requirements and receive initial and continuation training to their assigned tasks and responsibilities in accordance with a program acceptable to the Authority. The training program established by the AMO shall include training in knowledge and skills related to human performance, including co-ordination with other maintenance personnel and flight crew.

Implementing Standard: See IS: 6.4.1.1 for detailed personnel requirements.

6.4.1.2 REST AND DUTY LIMITATIONS FOR PERSONS PERFORMING MAINTENANCE FUNCTIONS IN AN AMO

- (a) A person shall not assign or perform maintenance functions for an aircraft, unless that person has had a minimum rest period of 8 hours prior to the beginning of duty.
- (b) A person shall not schedule a person performing maintenance functions for aircraft for more than 12 consecutive hours of duty.
- (c) In situations involving unscheduled aircraft unserviceability, persons performing maintenance functions for aircraft may be continued on duty for —
 - (1) Up to 16 consecutive hours; or
 - (2) 20 hours in 24 consecutive hours.
- (d) Following unscheduled duty periods, the person performing maintenance functions for aircraft shall have a mandatory rest period of 10 hours.
- (e) The AMO shall relieve the person performing maintenance functions from all duties for 24 consecutive hours during any 7 consecutive day period.

6.4.1.3 RECORD OF CERTIFYING STAFF

- (a) The AMO shall maintain a roster of all certifying staff, which includes details of the scope of their authorization.

Civil Aviation (Flight Safety) Regulations

- (b) Certifying staff shall be notified in writing of the scope of their authorization.

Implementing Standard: See IS: 6.4.1.3 for detailed requirements pertaining to records of certifying staff.

6.5 AMO OPERATING RULES

6.5.1.1 AMO PROCEDURES MANUAL

Note: The purpose of the AMO Procedures Manual is to set forth the procedures, the means, and methods of the AMO. Compliance with its contents will assure compliance with the Part 6 requirements, which is a pre-requisite to obtaining and retaining an AMO certificate.

- (a) An AMO Maintenance Procedures Manual and any subsequent amendments thereto shall be approved by the Authority prior to use.
- (b) The AMO Maintenance Procedures Manual shall specify the scope of work required of the AMO in order to satisfy the relevant requirements needed for an approval of an aircraft or aeronautical product for return to service.
- (c) The AMO procedures manual and any other manual it identifies must —
 - (1) include instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety;
 - (2) be in a form that is easy to revise and contains a system which allows personnel to determine current revision status;
 - (3) have the date of the last revision printed on each page containing the revision;
 - (4) not be contrary to any applicable Saint Lucia regulation or the AMO's specific operating provisions; and
 - (5) include a reference to appropriate civil aviation regulations.
- (d) The Approved Maintenance Procedures Manual for use by the organisation shall contain the following information —

Civil Aviation (Flight Safety) Regulations

- (1) a statement signed by the accountable manager confirming that the AMO Procedures Manual and any associated manuals define the AMO's compliance with this regulation and will be complied with at all times;
- (2) a procedure to establish and maintain a current list of the titles and names of the management personnel accepted by the Authority. The list of personnel may be separate from the Procedures Manual but must be kept current and available for review by the Authority when requested;
- (3) a list which describes the duties and responsibility of the management personnel and which matters on which they may deal directly with the Authority on behalf of the AMO;
- (4) an organisation chart showing associated chains of responsibility of the management personnel.
- (5) a procedure to establish and maintain a current roster of certifying personnel;

Note: The list of certifying personnel may be separate from the procedures manual but must be kept current and available for review by the Authority when requested.

- (6) a description of the procedures used to establish the competence of maintenance personnel;
- (7) a general description of manpower resources;

Note: Subparagraphs (1) to (7) constitute the management part of the maintenance organisation Procedures Manual and therefore could be produced as one document and made available to person(s) who should be reasonably familiar with its contents.

- (8) a description of the method used for the completion and retention of the maintenance records;
- (9) a description of the procedure for preparing the maintenance release and the circumstances under which the release is to be signed;
- (10) a description, when applicable, of additional procedures for complying with an AOC holder's maintenance procedures and requirements;
- (11) a description of the procedures for complying with the service information reporting requirement contained in 6.5.1.9;

Civil Aviation (Flight Safety) Regulations

- (12) a description of the procedure for receiving, amending and distributing within the AMO all necessary airworthiness data from the type certificate holder or the type design organisation;
- (13) a general description of the facilities located at each address specified in the AMO's approval certificate;
- (14) a general description of the AMO's scope of work relevant to the extent of approval;
- (15) the notification procedure for AMO to use when requesting the approval of changes to the organisation of the AMO from the Authority;
- (16) the amendment procedure for the AMO procedures manual, including the submission to the Authority. Copies of all amendments to the manual shall be furnished promptly to all organisations or persons to whom the manual has been issued.;
- (17) the AMO's procedures, acceptable to the Authority, to ensure good maintenance practices and compliance with all relevant requirements in this subsection;
- (18) the AMO's procedures to establish and maintain an independent quality system to monitor compliance with the adequacy of the procedures to ensure good quality maintenance practices and airworthy aircraft and aeronautical products. Compliance monitoring must include a feedback system to the person or group of persons specified in 6.4.1.1, and ultimately to the accountable manager to ensure, as necessary, corrective action. Such a system shall be acceptable to the Authority;
- (19) the AMO procedures for self-evaluations, including methods and frequency of such evaluations, and procedures for reporting results to the accountable manager for review and action;
- (20) a list of operators, if appropriate, to which the AMO provides an aircraft maintenance service;
- (21) a list of organisations performing maintenance on behalf of the AMO; and
- (22) a list of the AMO's line maintenance locations and procedures, if applicable.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS: 6.5.1.1 for detailed requirements concerning the Procedures Manual and a sample Maintenance Procedures Manual format.

6.5.1.2 MAINTENANCE PROCEDURES AND INDEPENDENT QUALITY ASSURANCE SYSTEM

- (a) The AMO shall establish procedures acceptable to the Authority to ensure good maintenance practices and compliance with all relevant requirements in these Regulations such that aircraft and aeronautical products may be properly released to service.
- (b) The AMO shall establish an independent quality assurance system, acceptable to the Authority, to monitor compliance with and adequacy of the procedures and by providing a system of inspection to ensure that all maintenance is properly performed.
- (c) The quality assurance system shall include a procedure to initially qualify and periodically perform audits on persons performing work on behalf of the AMO.
- (d) Compliance monitoring shall include a feedback system to the designated management person or group of persons directly responsible for the quality system and ultimately to the accountable manager to ensure, as necessary, corrective action.
- (e) The maintenance procedures shall cover all aspects of maintenance activity and describe standards to which the AMO intends to work. The aircraft/aircraft component design, AMO standards and aircraft operator standards must be taken into account.
- (f) The maintenance procedures should address the provisions and limitations of this Part.
- (g) The AMO's quality system shall be sufficient to review all maintenance procedures as described in the AMO's Procedures Manual in accordance with an approved program once a year for each aircraft type maintained.
- (h) The AMO's quality system shall indicate when audits are due, when completed, and establish a system of audit reports, which can be seen by visiting Authority staff on request. The audit system shall clearly establish a means by which audit reports containing observations about non-compliance or poor standards are communicated to the accountable manager.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS: 6.5.1.2 for a detailed list of inspection items evaluated by the the quality system.

6.5.1.3 CAPABILITY LIST

- (a) An AMO must prepare and retain a current capability list approved by the Authority. The AMO may not perform maintenance, preventive maintenance, or modifications on an article until the article has been listed on the capability list in accordance with this Part and 6.5.1.1(d)(19).
- (b) The capability list must identify each article by make and model, part number, or other nomenclature designated by the article's manufacturer.
- (c) An article may be listed on the capability list only if the article is within the scope of the ratings and classes of the AMO's certificate, and only after the AMO has performed a self-evaluation in accordance with 6.5.1.1(d)(19). The AMO must perform the self-evaluation described in this paragraph to determine that the maintenance organisation has all of the facilities, equipment, material, technical data, processes, housing, and trained personnel in place to perform the work on the article as required by this part. If the AMO makes that determination, it may apply to the Authority for approval to amend the capability list.
- (d) The document of the evaluation described in paragraph (c) of this section must be signed by the accountable manager and must be retained on file by the AMO.
- (e) On amending its capability list, the maintenance organisation must send a copy of the list to the Authority.
- (f) The capability list must be available in the premises for inspection by the public and the Authority.
- (g) The self-evaluations must be available in the premises for inspection by the Authority.
- (h) The AMO shall retain the capability list and self-evaluation for two years from the date accepted by the accountable manager.

6.5.1.4 PRIVILEGES OF THE AMO

- (a) The AMO shall carry out the following tasks as permitted by and in accordance with the AMO maintenance procedures manual —

Civil Aviation (Flight Safety) Regulations

- (1) maintain any aircraft or aeronautical product for which it is rated at the location identified in the approval certificate;
 - (2) maintain any aircraft for which it is rated at any location subject to the need for such maintenance arising from unserviceability of the aircraft;
 - (3) describe the activities in support of a specific AOC holder where that AOC holder has requested the services of the AMO at locations other than the location identified on the AMO certificate and the AMO has been rated to maintain the aircraft of that specific AOC holder at the requested location in the AMO operating provisions approved by the Authority; and
 - (4) issue an approval for return to service or a maintenance release in respect of subparagraphs (a) (1), (2), and (3) of this subsection on completion of maintenance in accordance with limitations applicable to the AMO.
- (b) An AMO shall not contract out the maintenance, preventative maintenance, modification or alteration of a complete type-certificated product unless the subcontractor has been approved by the Authority for the scope of work to be performed in accordance with this Part and, the AMO shall not provide only approval for return to service of a product following contract maintenance.
- (c) An AMO shall not contract out the maintenance, preventative maintenance, modification or alteration of any other product unless the subcontractor has been approved by the Authority.
- (d) The AMO may maintain or alter any article for which it is rated at a place other than the AMO, if —
- (1) The function would be performed in the same manner as when performed at the AMO and in accordance with this Subpart;
 - (2) All necessary personnel, equipment, material, and technical or approved standards are available at the place where the work is to be done; and
 - (3) The maintenance procedure manual of the AMO sets forth approved procedures governing work to be performed at a place other than the AMO.

*Civil Aviation (Flight Safety) Regulations***6.5.1.5 LIMITATIONS ON THE AMO**

The AMO shall maintain an aircraft or aeronautical product for which it is approved only when all necessary housing, facilities, equipment, tools, material, approved technical data and certifying staff are available.

6.5.1.6 CERTIFICATE OF RELEASE TO SERVICE

- (a) A certificate of release to service shall be issued by appropriately authorised certifying staff when satisfied that all required maintenance of the aircraft or aeronautical product has been properly carried out by the AMO in accordance with the maintenance procedure manual.

Note: An aeronautical product which has been maintained off the aircraft requires the issue of a certificate of release to service for such maintenance and another certificate of release to service in regard to being installed properly on the aircraft, when such action occurs.

- (b) A certificate of release to service shall contain —
 - (1) Basic details of the maintenance carried out;
 - (2) The date such maintenance was completed; and
 - (3) The identity, including the authorization reference, of the AMO and certifying staff issuing the certificate.

Implementing Standard: See IS: 6.5.1.6 for detailed requirements concerning a certificate of release to service.

6.5.1.7 MAINTENANCE RECORDS

- (a) The AMO shall record, in a form acceptable to the Authority, all details for maintenance work performed.
- (b) The AMO shall provide a copy of each certificate of release to service to the aircraft operator, together with a copy of any specific airworthiness data used for repairs or modifications performed.
- (c) The AMO shall retain a copy of all detailed maintenance records and any associated airworthiness data for two years from the date the aircraft or aeronautical product to which the work relates was released from the AMO. Note: Where an AOC holder contracts an AMO to keep the aircraft operator's certificates of release to service and any associated airworthiness data, the retention period will be that required by Part 5.

Civil Aviation (Flight Safety) Regulations

- (d) Each person who maintains, performs preventive maintenance, rebuilds, or modifies an aircraft/aeronautical product shall make an entry in the maintenance record of that equipment —
 - (1) A description and reference to data acceptable to the Authority of work performed.
 - (2) The date of completion of the work performed.
 - (3) The name of the person performing the work if other than the person specified in this subsection.
 - (4) If the work performed on the aircraft or aeronautical product has been performed satisfactorily, the signature, certificate number, and kind of certificate held by the person approving the work.
 - (5) The authorised signature, the AMO certificate number, and kind of certificate held by the person approving or disapproving for return to service the aircraft, airframe, aircraft engine, propeller, appliance, component part, or portions;
 - (6) The signature constitutes the approval for return to service only for the work performed.
 - (7) In addition to the entry required by this paragraph, major repairs and major modifications shall be entered on a form, and the form disposed of by the person performing the work, in the manner prescribed by the Authority.
- (e) No person shall describe in any required maintenance entry or form an aircraft or aeronautical component as being overhauled unless —
 - (1) Using methods, techniques, and practices acceptable to the Authority, it has been disassembled, cleaned, inspected as permitted, repaired as necessary, and reassembled; and
 - (2) It has been tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under a TSO.

Note: For definitions of overhaul see 5.1.1.2(a)(7).

Civil Aviation (Flight Safety) Regulations

- (f) No person may describe in any required maintenance entry or form, an aircraft or other aeronautical product as being rebuilt unless it has been —
- (1) Disassembled, cleaned, inspected as permitted;
 - (2) Repaired as necessary; and
 - (3) Reassembled and tested to the same tolerances and limits as a new item, using either new parts or used parts that either conforms to new part tolerances and limits, or to approve oversized or undersized dimensions.

Note: For definitions of rebuild see 5.1.1.2(a)(8).

- (g) No person may approve for return to service any aircraft or aeronautical product that has undergone maintenance, preventive maintenance, rebuilding, or modification unless —
- (1) The appropriate maintenance record entry has been made;
 - (2) The repair or modification form authorised by or furnished by the Authority has been executed in a manner prescribed by the Authority.
- (h) If a repair or modification results in any change in the aircraft operating limitations or flight data contained in the approved aircraft flight manual, those operating limitations or flight data shall be appropriately revised and set forth as prescribed by the Authority.
- (i) Maintenance record entries for inspections. The person approving or disapproving for return to service an aircraft or aeronautical product, after any inspection performed in accordance with this regulation, shall make an entry in the maintenance record of that equipment containing the following information —
- (1) The type of inspection and a brief description of the extent of the inspection;
 - (2) The date of the inspection and aircraft total time in service; and
 - (3) The authorised signature, the AMO certificate number, and kind of certificate held by the person approving or disapproving for return to service the aircraft, airframe, aircraft engine, propeller, appliance, component part, or portions;

Civil Aviation (Flight Safety) Regulations

- (4) If the aircraft is found to be airworthy and approved for return to service, the following or a similarly worded statement—I certify that this aircraft has been inspected in accordance with (insert type) inspection and was determined to be in an airworthy condition in accordance with the requirements of the Regulations;
 - (5) If the aircraft is not approved for return to service because of needed maintenance, non-compliance with the applicable specifications, airworthiness directives, or other approved data, the following or a similarly worded statement—I certify that this aircraft has been inspected in accordance with (insert type) inspection and a list of discrepancies and unairworthy items dated (date) has been provided to the aircraft owner or operator in accordance with the Regulations; and
 - (6) If an inspection is conducted under an inspection program provided for in this regulation, the entry shall identify the inspection program accomplished, and contain a statement that the inspection was performed in accordance with the inspections and procedures for that particular program.
- (j) Listing of discrepancies. If the person performing any inspection required by this regulation finds that the aircraft is not airworthy or does not meet the applicable type certificate data sheet, airworthiness directives, or other approved data on which its airworthiness depends, that person shall give the owner or lessee a signed and dated list of those discrepancies.

6.5.1.8 AIRWORTHINESS DATA

- (a) The AMO shall be in receipt of all airworthiness data appropriate to support the work performed from the Authority, the aircraft/aeronautical product design organisation, and any other approved design organisation in the State of Manufacture or State of Design, as appropriate.

Note: The Authority may classify data from another authority or organisation as mandatory and may require the AMO to hold such data.

- (b) Where the AMO modifies airworthiness data specified in paragraph (a) to a format or presentation more useful for its maintenance activities, the AMO shall submit to the Authority

Civil Aviation (Flight Safety) Regulations

an amendment to the maintenance procedure manual for any such proposed modifications for acceptance.

- (c) All airworthiness data used by the AMO shall be kept current and made available to all personnel who require access to that data to perform their duties.

Implementing Standard: See IS: 6.5.1.8 for detailed requirements concerning airworthiness data.

6.5.1.9 REPORTING OF UNAIRWORTHY CONDITIONS

- (a) The AMO shall report to the Authority and the aircraft design organisation of the State of Design any identified condition that could present a serious hazard to the aircraft.
- (b) Reports shall be made on a form and in a manner prescribed by the Authority and contain all pertinent information about the condition known to the AMO.
- (c) Where the AMO is contracted by an AOC holder to carry out maintenance, that AMO shall report to the AOC holder any condition affecting the aircraft or aeronautical product.
- (d) Reports shall be made as soon as practicable, but in any case within three days of the AMO identifying the condition to which the report relates.

6.5.1.10 ECCAA INSPECTIONS

Each certificated approved maintenance organisation must allow the Authority to inspect that approved maintenance organisation and any of its contract maintenance facilities at any time to determine compliance with this part. Arrangements for maintenance, preventive maintenance, or modifications by a contractor must include provisions for inspections of the contractor by the Authority.

6.5.1.11 PERFORMANCE STANDARDS

- (a) Each certificated approved maintenance organisation that performs any maintenance, preventive maintenance, modifications for an air operator certificated under Part 9 having an approved maintenance program under Part 9.4.1.12 and approved continuous maintenance program under Part 9.4.1.13 shall perform that work in accordance with the air operator's manuals.

Civil Aviation (Flight Safety) Regulations

- (b) Except as provided in paragraph (a), each certificated approved maintenance organisation shall perform its maintenance and modification operations in accordance with the applicable standards in Part 5. It shall maintain, in current condition, all manufacturer's service manuals, instructions, and service bulletins that relate to the articles that it maintains or modifies.
- (c) In addition, each certificated approved maintenance organisation with an avionics rating shall comply with those sections in Part 5 that apply to electronic systems, and shall use materials that conform to approved specifications for equipment appropriate to its rating. It shall use test apparatus, shop equipment, performance standards, test methods, modifications, and calibrations that conform to the manufacturer's specifications or instructions, approved specification, and if not otherwise specified, to accept good practices of the aircraft avionics industry.

CONTENTS

PART 7 - INSTRUMENTS AND EQUIPMENT

INTRODUCTION TO PART 7

- 7.1.1 General
 - 7.1.1.1 Applicability
 - 7.1.1.2 Definitions
 - 7.1.1.3 Acronyms
 - 7.1.1.4 General Instrument and Equipment Requirements
- 7.1.2 Flight and Navigational Instruments
 - 7.1.2.1 General Requirements
 - 7.1.2.2 Minimum Flight and Navigational Instruments
 - 7.1.2.3 Instruments for Operations Requiring Two Pilots
 - 7.1.2.4 IFR Instruments
 - 7.1.2.5 Standby Attitude Indicator
 - 7.1.2.6 Instruments and Equipment for Category II Operations
 - 7.1.2.7 Navigation Equipment for Operations in RNP and MNPS Airspace
 - 7.1.2.8 AUTOPILOT
 - 7.1.2.9 IFR Helicopter Stabilization System for Commercial Air Transport
 - 7.1.2.10 Equipment for Special Altimetry Accuracy (RVSM)
- 7.1.3 Communication Equipment
 - 7.1.3.1 Radio Equipment
 - 7.1.3.2 Crew member Interphone System
 - 7.1.3.3 ALTITUDE REPORTING TRANSPONDER

Civil Aviation (Flight Safety) Regulations

- 7.1.4 Aircraft Lights and Instrument Illumination
 - 7.1.4.1 Aircraft Lights and Instrument Illumination
- 7.1.5 Engine Instruments
 - 7.1.5.1 Engine Instruments
- 7.1.6 Warning Instruments and Systems
 - 7.1.6.1 Mach number Indicator
 - 7.1.6.2 Loss of Pressurisation Indicator
 - 7.1.6.3 Landing Gear: Aural Warning Device
 - 7.1.6.4 Altitude Alerting System
 - 7.1.6.5 Ground Proximity Warning System
 - 7.1.6.6 Weather Radar – commercial air transport
 - 7.1.6.7 Airborne Collision Avoidance System (ACAS)
 - 7.1.6.8 Forward Looking Wind Shear Warning System - TurboJet Aircraft
- 7.1.7 Flight and Cockpit Voice Recorders
 - 7.1.7.1 FLIGHT DATA AND Voice Recorders - GENERAL
 - 7.1.7.2 Flight Deck Voice Recorders
 - 7.1.7.3 Flight Data Recorders
- 7.1.8 Emergency, Rescue, and Survival Equipment
 - 7.1.8.1 Emergency Equipment: All Aircraft
 - 7.1.8.2 Emergency Exit Equipment
 - 7.1.8.3 Visual Signalling Devices
 - 7.1.8.4 Survival Kits
 - 7.1.8.5 Emergency Locator Transmitter
 - 7.1.8.6 Portable Fire Extinguishers
 - 7.1.8.7 Lavatory Fire Extinguisher
 - 7.1.8.8 Lavatory Smoke Detector
 - 7.1.8.9 Crash Axe
 - 7.1.8.10 Marking of Break-in Points
 - 7.1.8.11 First-Aid and Emergency Medical Kit
 - 7.1.8.12 Oxygen Storage and Dispensing Apparatus
 - 7.1.8.13 Protective Breathing Equipment
 - 7.1.8.14 First Aid Oxygen Dispensing Units
 - 7.1.8.15 Megaphones
 - 7.1.8.16 Individual Flotation Devices
 - 7.1.8.17 Life Raft
 - 7.1.8.18 Flotation Device for Helicopter Ditching
- 7.1.9 Miscellaneous Systems and Equipment
 - 7.1.9.1 Seats, Safety Belts and Shoulder Harnesses
 - 7.1.9.2 Passenger and Pilot Compartment Doors
 - 7.1.9.3 Passenger Information Signs
 - 7.1.9.4 Public Address System
 - 7.1.9.5 Materials for Cabin Interiors

Civil Aviation (Flight Safety) Regulations

- 7.1.9.6 Materials for Cargo and Baggage Compartments
- 7.1.9.7 Power Supply, Distribution, and Indication System
- 7.1.9.8 Protective Circuit Fuses
- 7.1.9.9 Icing Protection Equipment
- 7.1.9.10 Pitot Heat Indication Systems
- 7.1.9.11 Static Pressure System
- 7.1.9.12 Windshield Wipers.
- 7.1.9.13 Chart Holder
- 7.1.9.14 Cosmic Radiation Detection Equipment
- 7.1.9.15 Maritime Sound Signalling Device
- 7.1.9.16 Anchors
- 7.1.9.17 Outside Air Temperature

7.1.1 General

7.1.1.1 APPLICABILITY

- (a) This Part prescribes the minimum instrument and equipment requirements for all aircraft in all operations.
- (b) The requirements of this Part use the following key designators —
 - (1) AAC: all aircraft, including Commercial Air Transport and AOC Holders appropriate to the subject of the regulations, e.g., an all aircraft regulation may only refer to seaplanes, but will include CAT and AOC seaplanes;
 - (2) CAT: commercial air transport (includes AOC Holders), appropriate to the subject of the regulations, e.g., a CAT regulation may only refer to seaplanes, but will include AOC seaplanes; and
 - (3) AOC: AOC Holders. Where AOC requirements are redundant to AAC or CAT requirements, or more detailed, the AOC requirements will be followed.

7.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

7.1.1.3 ACRONYMS

The following acronyms are used in Part 7 —

- (1) ADF – Automatic Direction Finder

Civil Aviation (Flight Safety) Regulations

- (2) AOC - Air Operator Certificate
- (3) DH - Decision Height
- (4) DME - Distance Measuring Equipment
- (5) ELT - Emergency Locator Transmitter
- (6) ILS - Instrument Landing System
- (7) IFR - Instrument Flight Rating
- (8) IMC - Instrument Meteorological Conditions
- (9) LRNS - Long Range Navigation Systems
- (10) MEL - Minimum Equipment List (Part 1)
- (11) MHz - Megahertz
- (12) MLS - Microwave Landing System
- (13) MNPS - Minimal Navigation Performance Specifications
- (14) NDB - Non-Directional Beacon
- (15) PBE - Pressure Breathing Equipment
- (16) RVSM - Reduced Vertical Separation Minimum
- (17) SSR - Secondary Surveillance Radar
- (18) VFR - Visual Flight Rules (see 8.8.3.1)
- (19) VMC - Visual Meteorological Conditions
- (20) VOR - VHF Omnidirectional Range
- (21) VSM - Vertical Separation Minimum.

7.1.1.4 GENERAL INSTRUMENT AND EQUIPMENT REQUIREMENTS

- (a) [AAC] In addition to the minimum equipment necessary for the issuance of a certificate of airworthiness, the instruments, equipment and flight documents prescribed in this Part shall be installed or carried, as appropriate, in aircraft according to the aircraft used and to the circumstances under which the flight is to be conducted.
- (b) [AAC] All required instruments and equipment shall be approved and installed in accordance with applicable airworthiness requirements.

Civil Aviation (Flight Safety) Regulations

- (c) [AAC] Prior to operation in Saint Lucia of any aircraft not registered in Saint Lucia that uses an airworthiness inspection program approved or accepted by the State of Registry, the owner/operator shall ensure that instruments and equipment required by Saint Lucia but not installed in the aircraft are properly installed and inspected in accordance with the requirements of the State of Registry.
- (d) [AAC] An AOC holder shall ensure that a flight does not commence unless the required equipment —
 - (1) meets the minimum performance standard and the operational and airworthiness requirements of all relevant standards;
 - (2) is installed such that the failure of any single unit required for either communication or navigation purposes, or both, will not result in the inability to communicate or navigate safely on the route being flown; and
 - (3) is in operable condition for the kind of operation being conducted, except as provided in the MEL.
- (e) [AAC] If equipment is to be used by one flight crewmember at his station during flight, it shall be installed so as to be readily operable from his or her station.
- (f) [AAC] When a single item of equipment is required to be operated by more than one flight crew member, it shall be installed so that the equipment is readily operable from any station at which the equipment is required to be operated.
- (g) The aircraft shall be equipped with spare fuses and bulbs of appropriate ratings for the replacement of those accessible in flight;
- (h) [AAC] 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 for ensuring that the process applied and the products delivered have met acceptable standards of integrity, and that the 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.

Civil Aviation (Flight Safety) Regulations

- (i) [AAC] An operator shall implement procedures that ensure the timely distribution and insertion of current and unaltered electronic navigation data to all aircraft that require it.

7.1.2 Flight and Navigational Instruments**7.1.2.1 GENERAL REQUIREMENTS**

- (a) [AAC] All aircraft shall be equipped with flight and navigational instruments which will enable the flight crew to —
 - (1) control the flight path of the aircraft;
 - (2) carry out any required procedural manoeuvres; and
 - (3) observe the operating limitations of the aircraft in the expected operating conditions.
- (b) [AAC] When a means is provided for transferring an instrument from its primary operating system to an alternative system, the means shall include a positive positioning control and shall be marked to indicate clearly which system is being used.
- (c) [AAC] Those instruments that are used by any one flight crew member shall be so arranged as to permit the flight crew member to see the indications readily from his station, with the minimum practicable deviation from the position and line of vision which he normally assumes when looking forward along the flight path

7.1.2.2 MINIMUM FLIGHT AND NAVIGATIONAL INSTRUMENTS

- (a) [AAC] A person shall not operate any aircraft unless it is equipped with the following flight and navigational instruments —
 - (1) an airspeed indicating system calibrated in knots;
 - (2) a sensitive pressure altimeter calibrated in feet with a sub-scale setting calibrated in hectopascals/millibars, adjustable for any barometric pressure likely to be set during flight;
 - (3) an accurate timepiece indicating the time in hours, minutes and seconds (approval not required);
 - (4) a magnetic compass.
- (b) No person may operate an aeroplane with speed limitations expressed in terms of Mach number unless there is a properly installed Mach number indicator.

*Civil Aviation (Flight Safety) Regulations***7.1.2.3 INSTRUMENTS FOR OPERATIONS REQUIRING TWO PILOTS**

- (a) [AAC] Whenever two pilots are required, each pilot's station shall have separate flight instruments as follows —
- (1) an airspeed indicator calibrated in knots;
 - (2) a sensitive pressure altimeter calibrated in feet with a sub-scale setting calibrated in hectopascals/millibars, adjustable for any barometric pressure likely to be set during flight;
 - (3) a vertical speed indicator;
 - (4) a turn and slip indicator, or a turn co-ordinator incorporating a slip indicator;
 - (5) an attitude indicator; and
 - (6) a stabilised direction indicator.
- (b) The second-in-command's flight instruments shall meet the same requirements for markings, indications and illumination as those required for the pilot-in-command.

7.1.2.4 IFR INSTRUMENTS

- (a) [AAC] All aircraft when operated in IFR, or when the aircraft cannot be maintained in a desired attitude without reference to one or more flight instruments, shall be equipped with —
- (1) an airspeed indicating system with a means of preventing malfunctioning due to either condensation or icing;
 - (2) a turn and slip indicator;
 - (3) an attitude indicator (artificial horizon);
 - (4) a heading indicator (directional gyroscope);
 - (5) a means of indicating whether the supply of power to the gyroscopic instruments is adequate;
 - (6) a means of indicating in the flight crew compartment the outside air temperature;
 - (7) a rate-of-climb and descent indicator;
 - (8) a minimum of two sensitive pressure altimeters with centre drum pointer or equivalent presentations, except for single pilot operations in propeller driven aircraft of less than 5700Kg MTOW, only one such altimeter is required; and

Civil Aviation (Flight Safety) Regulations

- (9) such additional instruments or equipment as may be prescribed by the Authority.
- (b) [AOC] A person shall not operate an aircraft under IFR, or under VFR over routes that cannot be navigated by reference to visual landmarks, unless the aircraft is equipped with navigation equipment in accordance with the requirements of air traffic services in the area(s) of operation, but not less than —
 - (1) one VOR receiving system, one ADF system, one DME and one Marker Beacon receiving system;
 - (2) one ILS or MLS where ILS or MLS is required for approach navigation purposes;
 - (3) an Area Navigation System when area navigation is required for the route being a flown;
 - (4) an additional VOR receiving system on any route, or part thereof, where navigation is based only on VOR signals; and
 - (5) an additional ADF system on any route, or part thereof, where navigation is based only on NDB signals.

Provided that individual requirements of section 7.1.2.4 (b) may be met by combinations of instruments or by integrated flight systems or by a combination or parameters on electronic displays provided that the information so available to each required pilot is no less than that provided by the instruments and associated equipment specified.

- (c) [AAC] All aircraft intended to land in IMC or at night shall be provided with radio navigation equipment capable of receiving signals providing guidance to —
 - (1) a point from which a visual landing can be effected; or
 - (2) each aerodrome at which it is intended to land in IMC; and
 - (3) any designated alternate aerodromes.
- (d) [AOC] A person shall not conduct single pilot IFR operations unless the aeroplane is equipped with an autopilot with at least altitude hold and heading mode.

7.1.2.5 STANDBY ATTITUDE INDICATOR

- (a) [AAC] A person shall not operate an aircraft with a maximum certified take-off mass exceeding 5,700 kg and aircraft having

Civil Aviation (Flight Safety) Regulations

a maximum approved passenger seating configuration of more than 9 seats unless it is equipped with a single standby attitude indicator (artificial horizon) that —

- (1) operates independently of any other attitude indicating system;
 - (2) is powered continuously during normal operation; and
 - (3) after a total failure of the normal electrical generating system, is automatically powered for a minimum of 30 minutes from a source independent of the normal electrical generating system.
- (b) [AAC] When the standby attitude indicator is being operated by emergency power, it shall be clearly evident to the flight crew.
- (c) [AAC] Where the standby attitude indicator has its own dedicated power supply there shall be an associated indication, either on the instrument or on the instrument pane when this supply is in use.
- (d) [AAC] If the standby attitude instrument system is installed and usable through flight attitudes of 360° of pitch and roll, the turn and slip indicators may be replaced by slip indicators.

7.1.2.6 INSTRUMENTS AND EQUIPMENT FOR CATEGORY II OPERATIONS

The instruments and equipment listed in this subsection shall be installed in each aircraft operated in a Category II operation —

Note: This subsection does not require duplication of instruments and equipment required by 7.1.2.2 or any other provisions of Part 7.

- (1) Group I.
 - (i) two localizer and glide slope receiving systems;

Note: Each system shall provide a basic ILS display and each side of the instrument panel must have a basic ILS display. However, a single localizer antenna and a single glide slope antenna may be used.
 - (ii) a communications system that does not affect the operation of at least one of the ILS systems;

Civil Aviation (Flight Safety) Regulations

- (iii) a marker beacon receiver that provides distinctive aural and visual indications of the outer and the middle markers;
- (iv) two gyroscopic pitch and bank indicating systems;
- (v) two gyroscopic direction indicating systems;
- (vi) two airspeed indicators;
- (vii) two sensitive altimeters adjustable for barometric pressure, having markings at 20 foot intervals and each having a placarded correction for altimeter scale error and for the wheel height of the aircraft;
- (viii) two vertical speed indicators;
- (ix) a flight control guidance system that consists of either an automatic approach coupler or a flight director system;

Note: A flight director system must display computed information as steering command in relation to an ILS localizer and, on the same instrument, either computed information as pitch command in relation to an ILS glide slope or basic ILS glide slope information. An automatic approach coupler must provide at least automatic steering in relation to an ILS localizer. The flight control guidance system may be operated from one of the receiving systems required by paragraph (a)(1)(i).

- (x) for Category II operations with decision heights below 150 feet either a marker beacon receiver providing aural and visual indications of the inner marker or a radio altimeter.
- (2) Group II.
- (i) warning systems for immediate detection by the pilot of system faults in items (a)(1)(I), (a)(1)(iv), (a)(1)(iv) and (a)(1)(ix), of Group I and, if installed for use in Category III operations, the radio altimeter and autothrottle system;
 - (ii) dual controls;
 - (iii) an externally vented static pressure system with an alternate static pressure source;

Civil Aviation (Flight Safety) Regulations

- (iv) a windshield wiper or equivalent means of providing adequate cockpit visibility for a safe visual transition by either pilot to touchdown and rollout;
- (v) a heat source for each airspeed system pitot tube installed or an equivalent means of preventing malfunctioning due to icing of the pitot system.

Implementing Standard: See IS: 7.1.2.6 for Category II instrument and equipment approval and maintenance requirements.

7.1.2.7 NAVIGATION EQUIPMENT FOR OPERATIONS IN RNP AND MNPS AIRSPACE

- (a) [AOC] An AOC holder shall not operate an aeroplane in MNPS airspace unless it is equipped with navigation equipment that —
 - (1) 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
 - (2) has been authorised by the State of Registry for MNPS operations concerned.
- (b) [AOC] The navigation equipment required for operations in MNPS airspace shall be visible and usable by either pilot seated at his duty station.
- (c) [AOC] For unrestricted operation in MNPS airspace an aeroplane shall be 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 aeroplane to navigate in accordance with the requirements of MNPS navigation.
- (d) [AOC] For operation in MNPS airspace along notified special routes, an aeroplane shall be equipped with one LRNS, unless otherwise specified.

7.1.2.8 AUTOPILOT

- (a) A person shall not operate an aircraft above FL 290 unless that aircraft is equipped with an autopilot capable of automatically maintaining a selected flight level.
- (b) A person shall not operate an aircraft in airspace for which minimum navigation performance specifications are prescribed

Civil Aviation (Flight Safety) Regulations

unless that aircraft is equipped with an autopilot capable of receiving and automatically tracking the selected navigational equipment inputs.

- (c) For commercial air transport: No person may operate an aeroplane with a single pilot under IFR unless that aeroplane is equipped with an autopilot with at least altitude hold and heading mode.

7.1.2.9 IFR HELICOPTER STABILIZATION SYSTEM FOR COMMERCIAL AIR TRANSPORT

A person shall not operate a helicopter in IFR commercial air transport operations without a stabilization system, unless that helicopter was certificated by the State of Manufacture as having adequate stability without such a system.

7.1.2.10 EQUIPMENT FOR SPECIAL ALTIMETRY ACCURACY (RVSM)

For flights 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, an aeroplane —

- a) shall be provided with equipment which is capable of —
- 1) indicating to the flight crew the flight level being flown;
 - 2) automatically maintaining a selected flight level;
 - 3) 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);
 - 4) automatically reporting pressure-altitude;
- b) shall be authorized by the State of the Operator for operation in the airspace concerned.

7.1.3 Communication Equipment**7.1.3.1 RADIO EQUIPMENT**

- (a) [AAC] A person shall not operate an aircraft that is not equipped with radio equipment —
- (1) in controlled flight;
 - (2) under instrument flight rules; or

Civil Aviation (Flight Safety) Regulations

(3) at night

- (b) [AAC] All aircraft operated in VFR as a controlled flight or in IFR shall be provided with radio communication equipment capable of conducting two-way communication with those aeronautical stations and on those frequencies prescribed by the Authority, including the aeronautic emergency frequency 121.5 MHz.
- (c) [AAC] A person shall not operate an aircraft in IFR, or in VFR over routes that cannot be navigated by reference to visual landmarks, unless the aircraft is equipped with communication and navigation equipment in accordance with the requirements of air traffic services in the area(s) of operation, but not less than —
 - (1) two independent radio communication systems necessary under normal operating conditions to communicate with an appropriate ground station from any point on the route including diversions;

Note: Each system shall have an independent antenna installation except that, where rigidly supported non-wire antennae or other antenna installations of equivalent reliability are used, only one antenna is required.
 - (2) secondary Surveillance Radar transponder equipment as required for the route being flown.
- (d) [AOC] When more than one communications or navigation unit is required, each shall be independent of the other to the extent that a failure in any one will not result in failure of any other.
- (e) [AAC] A person shall not operate an aircraft under IFR unless it is equipped with an audio selector panel accessible to each required flight crewmember.
- (f) [AOC] A person shall not conduct single pilot IFR or night operations unless the aircraft is equipped with a headset with boom microphone or equivalent and a transmit button on the control wheel.
- (g) [CAT] A person shall not operate and aircraft unless equipped with Radio Communication equipment capable of receiving meteorological information at any time during the flight.

*Civil Aviation (Flight Safety) Regulations***7.1.3.2 CREW MEMBER INTERPHONE SYSTEM**

- (a) [AOC] An AOC holder shall not operate an aircraft on which a flight crew of more than one is required unless it is equipped with a flight crew interphone system, including headsets and microphones, not of a handheld type, for use by all members of the flight crew.
- (b) [AOC] An AOC holder shall not operate an aircraft with a maximum certified take-off mass exceeding 15,000 kg or having a maximum approved passenger seating configuration of more than 19 unless it is equipped with a crew member interphone system that —
 - (1) operates independently of the public address system except for handsets, headsets, microphones, selector switches and signalling devices;
 - (2) provides a means of two-way communication between the flight crew compartment and each —
 - (i) passenger compartment;
 - (ii) galley located other than on a passenger deck level; and
 - (iii) remote crew compartment that is not on the passenger deck and is not easily accessible from a passenger compartment;
 - (3) is readily accessible for use —
 - (i) from each of the required flight crew stations in the flight crew compartment; and
 - (ii) at required cabin crew member stations close to each separate or pair of floor level emergency exits;
 - (4) has an alerting system incorporating aural or visual signals for use by flight crew members to alert the cabin crew and for use by cabin crew members to alert the flight crew;
 - (5) has a means for the recipient of a call to determine whether it is a normal call or an emergency call; and
 - (6) provides on the ground a means of two-way communication between ground personnel and at least two flight crew members.

Civil Aviation (Flight Safety) Regulations

- (c) A person engaged in commercial air transport 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.

7.1.3.3 ALTITUDE REPORTING TRANSPONDER

- (a) A person shall not operate an aircraft in airspace which requires a pressure altitude reporting transponder unless that equipment is operative.
- (b) A person shall not operate an aircraft at altitudes above FL 290 unless it is equipped with a system which is automatically reporting pressure altitudes.
- (c) For commercial air transport: A person shall not operate an aircraft in commercial air transport unless is equipped with a pressure-altitude reporting transponder which operates in accordance with the requirements of the appropriate air traffic service requirements.

7.1.4 Aircraft Lights and Instrument Illumination**7.1.4.1 AIRCRAFT LIGHTS AND INSTRUMENT ILLUMINATION**

- (a) [AAC] All aircraft operated at night shall be equipped with —
 - (1) a landing light;
 - (2) illumination for all flight instruments and equipment that are essential for the safe operation of the aircraft;
 - (3) lights in all passenger compartments;
 - (4) a flashlight for each crew member station; (approval not required).
 - (5) aircraft navigation lights;
 - (6) an anti-collision beacon
- (b) [AOC] An AOC holder shall not operate an aircraft by day or night unless it is equipped with —
 - (1) two landing lights;
 - (2) an anti-collision light system;

Civil Aviation (Flight Safety) Regulations

- (3) illumination for all flight instruments and equipment that are essential for the safe operation of the aircraft;
 - (4) lights in all passenger compartments; and
 - (5) A flashlight for each crew member station (approval not required).
- (c) [AOC] An AOC holder shall not operate an aircraft by night unless, in addition to the equipment specified in paragraph (a) above, it is equipped with —
- (1) navigation or position lights;
 - (2) two landing lights or a single light having two separately energised filaments; and
 - (3) lights to conform to the International regulations for preventing collisions at sea if the aircraft is a seaplane or an amphibian aircraft.

7.1.5 Engine Instruments**7.1.5.1 ENGINE INSTRUMENTS**

- (a) [CAT] Unless the Authority allows or requires different instrumentation for turbine engine powered aircraft to provide equivalent safety, a person shall not conduct any commercial air transport operations in any aircraft without the following engine instruments —
- (1) a fuel pressure indicator for each engine;
 - (2) a fuel flowmeter;
 - (3) a means for indicating fuel quantity in each fuel tank to be used;
 - (4) an oil pressure indicator for each engine;
 - (5) an oil quantity indicator for each oil-tank when a transfer or separate oil reserve supply is used;
 - (6) an oil-in temperature indicator for each engine;
 - (7) a tachometer for each engine;
 - (8) an independent fuel pressure warning device for each engine or a master warning device for all engines with a means for isolating the individual warning circuits from the master warning device.

Civil Aviation (Flight Safety) Regulations

- (b) [AOC] In addition to the listed equipment requirements in paragraph (a), reciprocating engine aircraft shall have the following —
- (1) a carburettor air temperature indicator for each engine;
 - (2) a cylinder head temperature indicator for each air-cooled engine;
 - (3) a manifold pressure indicator for each engine;
 - (4) a device for each reversible propeller, to indicate to the pilot when the propeller is in reverse pitch, that complies with the following:
 - (i) the device may be actuated at any point in the reversing cycle between the normal low pitch stop position and full reverse pitch, but it may not give an indication at or above the normal low pitch stop position;
 - (ii) the source of indication shall be actuated by the propeller blade angle or be directly responsive to it.

7.1.6 Warning Instruments and Systems**7.1.6.1 MACH NUMBER INDICATOR**

- (a) [AAC] All aircraft with speed limitations expressed in terms of Mach number shall be equipped with a Mach number indicator.
- (b) [AOC] A person shall not operate a turbo jet aircraft unless it is equipped with an installed aural mach overspeed warning.

7.1.6.2 LOSS OF PRESSURISATION INDICATOR

[AAC] All pressurised aircraft intended to be operated at flight altitudes at which the atmospheric pressure is less than 376hpa shall be equipped with a device to provide positive warning to the flight crew of any dangerous loss of pressurisation.

7.1.6.3 LANDING GEAR: AURAL WARNING DEVICE

- (a) [AOC] An aeroplane with landing gear shall have a landing gear aural warning device that functions continuously under the following conditions —
- (1) for aeroplanes with an established approach wing-flap position, whenever the wing flaps are extended beyond the maximum certified approach climb configuration position

Civil Aviation (Flight Safety) Regulations

in the Aeroplane Flight Manual and the landing gear is not fully extended and locked.

- (2) for aeroplanes without an established approach climb wingflap position, whenever the wing flaps are extended beyond the position at which landing gear extension is normally performed and the landing gear is not fully extended and locked.
- (b) [AOC] The warning system required by paragraph (a) of this section —
- (1) shall not have a manual shutoff;
 - (2) shall be in addition to the throttle-actuated device installed under the type certification airworthiness requirements; and
 - (3) May utilise any part of the throttle-actuated system including the aural warning device.
- (c) [AOC] The flap position-sensing unit may be installed at any suitable place in the aeroplane.

7.1.6.4 ALTITUDE ALERTING SYSTEM

- (a) [AOC] An AOC holder shall not operate a turbine propeller powered aeroplane with a maximum certified take-off mass in excess of 5,700 kg or having a maximum approved passenger seating configuration of more than 9 seats, or a turbojet powered aeroplane, unless it is equipped with an altitude alerting system capable of —
- (1) alerting the flight crew on approaching preselected altitude in either ascent or descent; and
 - (2) alerting the flight crew by at least an aural signal, when deviating above or below a preselected altitude.
- (b) [AAC] For operations in defined portions of airspace where, based on Regional Air Navigation Agreement, a VSM of 300 m (1,000 ft) is applied above FL 290, an aircraft shall be provided with equipment which is capable of providing an alert to the flight crew when a deviation occurs from the selected flight level. The threshold for the alert may not exceed ± 90 m (300 ft).

*Civil Aviation (Flight Safety) Regulations***7.1.6.5 GROUND PROXIMITY WARNING SYSTEM**

- (a) [CAT] No person may operate an aeroplane in excess of 5700kg or, authorised to carry more than 9 passengers, unless it is equipped with a ground proximity warning system which has a forward looking terrain avoidance function.
- (b) [AOC] A ground proximity warning system installed on any aircraft shall be so equip to automatically provide, by means of aural signals which may be supplemented by visual signals, timely and distinctive warning to the flight crew of sink rate, ground proximity, altitude loss after take-off or go around, incorrect landing configuration and downward glideslope deviation.
- (c) [AOC] A ground proximity warning system installed on any aircraft shall be so equip to provide, as a minimum, warnings of the following circumstances —
 - (1) excessive descent rate;
 - (2) excessive terrain closure rate;
 - (3) excessive altitude loss after take-off or go-around;
 - (4) unsafe terrain clearance while not in landing configuration;
and
 - (5) excessive descent below the instrument glide path.

7.1.6.6 WEATHER RADAR – COMMERCIAL AIR TRANSPORT

- (a) A person shall not operate an airplane having a maximum approved passenger seating of more than nine seats in commercial air transport unless it has an approved weather radar or thunderstorm detection device installed.
- (b) A person shall not operate an airplane having a maximum certificated takeoff mass of more than 5700 kg in commercial air transport unless it has an approved weather radar installed.
- (c) A person shall not begin a commercial air transport passenger flight under IFR, when current weather reports indicate that thunderstorms or other potentially hazardous conditions than could be detected by the installed weather radar or thunderstorm detection device may reasonably be expected along the route, unless that equipment is operating satisfactorily.

Civil Aviation (Flight Safety) Regulations

- (d) If the weather radar or thunderstorm detection device becomes inoperative on a commercial air transport passenger aircraft en route, the aircraft must be operated under the instructions and procedures specified in the AOC holder's Operations Manual.
- (e) An alternate electrical power supply is not required for the weather radar or thunderstorm detection device.

7.1.6.7 AIRBORNE COLLISION AVOIDANCE SYSTEM (ACAS)

Note: In anticipation of changing international safety standards, the Authority recommends that all commercial air transport passenger aircraft be equipped with an ACAS.

- (a) A person shall not operate a turbine engine aeroplane with a maximum certificated takeoff mass in excess of 15,000 kg or authorized to carry more than 30 passengers, unless it is equipped with an ACASII.
- (b) A person shall not operate a turbine engine aeroplane with a maximum certificated takeoff mass in excess of 5,700 kg or authorized to carry more than 19 passengers, unless it is equipped with an ACASII.

7.1.6.8 FORWARD LOOKING WIND SHEAR WARNING SYSTEM - TURBOJET AIRCRAFT

Note: In anticipation of changing international safety standards, the Authority recommends that commercial air transport turbojet aircraft with a maximum certificated take off mass in excess of 5,700Kg or authorised to carry more than nine passengers, be equipped with a forward looking wind shear warning system.

- (a) This system should be capable of providing the pilot with an aural and visual warning of wind shear ahead of the aircraft and the information required to permit the pilot to safely commence and continue a missed approach or go-around or to execute an escape manoeuvre if necessary.
- (b) This system should also provide an indication to the pilot when the limits specified for the certification of automatic landing equipment are being approached, when such equipment is in use.

*Civil Aviation (Flight Safety) Regulations***7.1.7 Flight and Cockpit Voice Recorders****7.1.7.1 FLIGHT DATA AND VOICE RECORDERS - GENERAL**

- (a) The flight recorders shall be constructed, located and installed so as to provide maximum practical protection for the recorders so that recorded information may be preserved, recovered and transcribed. To facilitate location and identification in case of an accident, the cockpit voice recorder shall —
 - (1) be either bright orange or bright yellow;
 - (2) have reflective tape affixed to the external surface to facilitate its location under water; and
 - (3) have an approved underwater locating device on or adjacent to the recorder, which is secured in such a manner that it is not likely to be separated during a crash impact.
- (b) Flight recorders shall —
 - (1) Be calibrated and have operational checks and evaluations of recordings to ensure the continued serviceability of the recorders, as required by the Authority; and
 - (2) shall meet the prescribed crashworthiness and fire protection specifications.
- (c) Flight recorders shall record in a digital mode.
- (d) An aircraft required to have both CVR and FDR may alternatively be equipped with —
 - (1) a single combination (CVR/FDR) recorder, for aircraft with a maximum certificated takeoff mass of 5700 kg or less; or
 - (2) two combination (CVR/FDR) recorders, for aircraft with a maximum certificated takeoff mass of more than 5700 kg.

7.1.7.2 FLIGHT DECK VOICE RECORDERS

- (a) All aeroplanes of a maximum certificated take-off mass of over 5,700Kg, shall be equipped with a CVR, the objective of which is the recording of the aural environment on the flight deck during flight time.

Civil Aviation (Flight Safety) Regulations

- (b) All helicopters of a maximum certificated take-off mass of over 3,180Kg, shall be equipped with a CVR, the objective of which is the recording of the aural environment on the flight deck during flight time. For helicopters not equipped with an FDR, at least main rotor speed shall be recorded on one track of the CVR.

Note: In anticipation of changing international requirements, the Authority recommends that all AOC holders of multi-engined turbine powered aircraft with a maximum certificated takeoff mass of 5700 kg or less install a voice recorder.

- (c) The flight deck voice recorder shall be capable of retaining the information recorded during at least the last 30 minutes. Except that for aircraft, for which the individual certificate of airworthiness was first issued after 1st January 2003, the CVR shall be capable of retaining the information recorded during at least the last two hours of its operation.
- (d) If an aircraft is equipped to utilize digital communications with ATS, those communications shall be recorded on either the flight deck voice or flight data recorder. If recorded on the flight data recorder, the minimum recording duration of the digital communications shall be equal to the duration of the CVR and readily correlatable to the cockpit voice recorder recording.
- (e) All aircraft which utilize data link communications for which the individual certificate of airworthiness was first issued after 1 January 2005 and are required to carry a CVR, shall record on a flight recorder, all data link communications to and from the aircraft. The minimum recording duration shall be equal to the duration of the CVR, and shall be correlated to the recorded cockpit audio. Sufficient information to derive the content of the data link communications message, and, whenever practical, the time the message was displayed to or generated by the crew shall be recorded.

7.1.7.3 FLIGHT DATA RECORDERS

- (a) All aeroplanes of a maximum certificated take-off mass of over 27,000Kg, shall be equipped with a type I FDR.
- (b) All aeroplanes of a maximum certificated take-off mass of over 5,700Kg, up to and including 27,000Kg, shall be equipped with a type II FDR

Civil Aviation (Flight Safety) Regulations

- (c) All aeroplanes of a maximum certificated take-off mass of over 5,700Kg, for which the individual certificate of airworthiness is first issued after 1st January 2005, shall be equipped with a type IA FDR.

Note: In anticipation of changing international requirements, the Authority recommends that all AOC holders of multi-engined turbine powered aircraft with a maximum certificated takeoff mass of 5700 kg or less install a Type IIA FDR.

- (d) All helicopters of a maximum certificated take-off mass of over 7,000Kg, shall be equipped with a type IV FDR.
- (e) All helicopters of a maximum certificated take-off mass of over 3,180Kg, for which the individual certificate of airworthiness is first issued after 1st January 2005, shall be equipped with a type IVA FDR

Note: In anticipation of changing international requirements, the Authority recommends that all AOC holders of helicopters with a maximum certificated takeoff mass of over 2700 kg up to and including 7000Kg install a Type V FDR.

- (f) The use of engraving metal foil and photographic film flight data recorders shall be discontinued.
- (g) FDRs shall be capable of retaining the information recorded during at least the last —
- (1) Type I and II - 25 hours of operation
 - (2) Type IIA - 30 minutes of operation
 - (3) Type IV, IVA and V – 10 hours of operation.
- (h) The specific data to be recorded by flight recorders shall be as required in the most current edition of ICAO Annex 6, Part 1, Ch 6.3.

7.1.8 Emergency, Rescue, and Survival Equipment

7.1.8.1 EMERGENCY EQUIPMENT: ALL AIRCRAFT

[AAC] An item of emergency and flotation equipment shall be —

- (1) readily accessible to the crew and, with regard to equipment located in the passenger compartment, to passengers without appreciable time for preparatory procedures;

Civil Aviation (Flight Safety) Regulations

- (2) clearly identified and clearly marked to indicate its method of operation;
- (3) marked as to date of last inspection; and
- (4) marked as to contents when carried in a compartment or container.

7.1.8.2 EMERGENCY EXIT EQUIPMENT

- (a) [AOC] A passenger-carrying land plane emergency exit (other than over-the-wing) that is more than 6 feet from the ground with the aeroplane on the ground and the landing gear extended, shall have an approved means to assist the occupants in descending to the ground.
- (b) [AOC] In any aeroplane, a passenger emergency exit, its means of access, and means of opening shall be conspicuously marked by a sign visible to occupants approaching along the main passenger aisle.
- (c) [AOC] A passenger-carrying aeroplane shall have an emergency lighting system, independent of the main lighting system that —
 - (1) illuminates each passenger exit marking and locating sign;
 - (2) provides enough general lighting in the passenger cabin; and
 - (3) includes floor proximity emergency escape path marking for aircraft —
 - (i) having a maximum total weight authorised exceeding 5700kg;
 - (ii) which are turbo-jet and which have a maximum total weight authorised exceeding 22,700kg;
 - (iii) which, in accordance with the certificate of airworthiness, may carry more than 19 passengers.
- (d) [AOC] A passenger emergency exit and the means of opening that exit from the outside shall be conspicuously marked by a sign visible on the outside of the aeroplane.
- (e) [AOC] A passenger-carrying aeroplane shall be equipped with a slip-resistant escape route that meets the requirements under which that aeroplane was type certified.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS: 7.1.8.2 for details of the emergency exit equipment requirements.

7.1.8.3 VISUAL SIGNALLING DEVICES

[AAC] A person shall not operate an aircraft over water or across land areas which have been designated by Saint Lucia as areas in which search and rescue will be difficult, unless equipped with such signalling devices as may be appropriate to the area overflown, to include —

- (1) visual signals for use by intercepting and intercepted aircraft; and
- (2) at least one pyrotechnic signalling device for each life raft required for overwater operations.

7.1.8.4 SURVIVAL KITS

- (a) [AAC] A person shall not operate an aircraft across land areas which have been designated by Saint Lucia as areas in which search and rescue would be especially difficult, unless equipped with enough survival kits for the number of occupants of the aircraft and is appropriately equipped for the route to be flown.
- (b) [AAC] A person shall not operate an aircraft over water at distances which require the carriage of life rafts, unless each raft is equipped with life saving equipment, including means of sustaining life.

7.1.8.5 EMERGENCY LOCATOR TRANSMITTER

- (a) [AAC] All aircraft shall be equipped with at least one automatic ELT.
- (b) All helicopters on all flights operated across land areas which have been designated by Saint Lucia as areas in which search and rescue would be especially difficult, shall be equipped with at least one automatic ELT.
- (c) All aircraft on all flights operated across land areas which have been designated by Saint Lucia as areas in which search and rescue would be especially difficult, shall be equipped with at least one automatic ELT.
- (d) All aircraft operated on over water flights under the following conditions, shall be equipped with at least two ELTs, one of which shall be automatic —

Civil Aviation (Flight Safety) Regulations

- (i) on long range over water flights over routes on which the aircraft may be over water and at more than a distance corresponding to 120 minutes at cruising speed or 740km (400NM), whichever is the lesser;
 - (ii) on flights away from land suitable for making an emergency landing in the event of the critical power unit becoming inoperative at any point along the route;
 - (iii) on flights away from land suitable for making an emergency landing when two power units are inoperative on aircraft having three or more power units; and
 - (iv) for all other aircraft, over routes on which the aircraft may be over water and at more than a distance corresponding to 30 minutes or 185km, whichever is the lesser.
- (e) [AOC] A person shall not operate an aircraft in extended overwater operations without having on the aircraft a survival type ELT that transmits simultaneously on 121.5 and 406 MHz, and meets the technical standards specified in the current edition of Annex 10.
- (f) [AOC] At least one survival type ELT shall be located with each liferaft carried (See 7.1.8.17).
- (g) [AAC] Batteries used in ELT's shall be replaced (or recharged if the battery is rechargeable) when —
- (1) the transmitter has been in use for more than one cumulative hour; or
 - (2) 50 per cent of their useful life (or for rechargeable batteries, 50 per cent of their useful life of charge) has expired.
- (h) [AAC] The expiration date for a replacement or recharged ELT battery shall be legibly marked on the outside of the transmitter.

Note: The battery useful life (or useful life of charge) requirements do not apply to batteries (such as water-activated batteries) that are essentially unaffected during probable storage intervals.

7.1.8.6 PORTABLE FIRE EXTINGUISHERS

[AOC] The owner or operator of an aircraft shall not operate an aircraft unless it is equipped with portable fire extinguishers

Civil Aviation (Flight Safety) Regulations

accessible for use in crew, passenger, and cargo compartments. Each aircraft shall be equipped as follows —

- (1) the type and quantity of extinguishing agent shall be suitable for the kinds of fires likely to occur in the compartment where the extinguisher is intended to be used;

Note: For passenger compartments, the extinguisher shall be designed to minimise the hazard of toxic gas concentrations.

- (2) at least one portable fire extinguisher shall be provided and conveniently located for use in each Class E cargo compartment which is accessible to crew members during flight, and at least one shall be located in each upper and lower lobe galley;
- (3) at least one portable fire extinguisher shall be conveniently located on the flight deck for use by the flight crew;
- (4) at least one portable fire extinguisher shall be conveniently located in the passenger compartment of aircraft having a passenger seating capacity of 30 or less;
- (5) for each aircraft having a passenger seating capacity of more than 30, there shall be at least the following number of portable fire extinguishers conveniently located and uniformly distributed throughout the compartment.

Minimum Number of Hand Fire Extinguishers	Passenger Seating Capacity
30 through 60	2
61 through 200	3
201 through 300	4
301 through 400	5
401 through 500	6
501 through 600	7
601 or more	8

7.1.8.7 LAVATORY FIRE EXTINGUISHER

- (a) [AOC] A person shall not operate a passenger-carrying transport category aircraft unless each lavatory in the aeroplane is equipped with a built-in fire extinguisher for each disposal receptacle for towels, paper, or waste located within the lavatory.

Civil Aviation (Flight Safety) Regulations

- (b) [AOC] Built-in lavatory fire extinguishers shall be designed to discharge automatically into each disposal receptacle on occurrence of a fire in the receptacle.

7.1.8.8 LAVATORY SMOKE DETECTOR

[AOC] A person shall not operate a passenger-carrying transport category aeroplane unless each lavatory in the aeroplane is equipped with a smoke detector system or equivalent that provides —

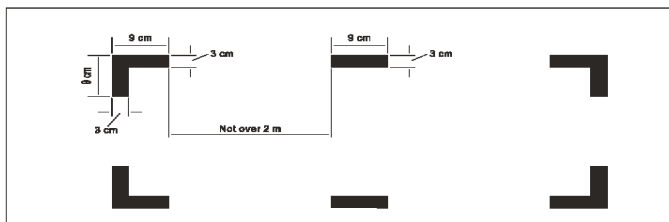
- (1) a warning light in the cockpit; or
- (2) a warning light or audio warning in the passenger cabin which would be readily detected by a Cabin Crew, taking into consideration the positioning of Cabin Crew throughout the passenger compartment during various phases of flight.

7.1.8.9 CRASH AXE

[AOC] An AOC holder shall not operate a large aircraft unless it is equipped with a crash axe appropriate to effective use in that type of aircraft, stored in a place not visible to passengers on the aircraft.

7.1.8.10 MARKING OF BREAK-IN POINTS

- (a) [AAC] If areas of the fuselage suitable for break-in by rescue crews in an emergency are marked on an aircraft, such areas shall be marked as shown below, and the colour of the markings shall be red or yellow and, if necessary, they shall be outlined in white to contrast with the background.



- (b) If the corner markings are more than 2m apart, intermediate lines 9 cm x 3 cm shall be inserted so that there is no more than 2 m between adjacent markings

Civil Aviation (Flight Safety) Regulations

7.1.8.11 FIRST-AID AND EMERGENCY MEDICAL KIT

- (a) [AOC] A person shall not operate an aircraft unless it is equipped with accessible first-aid kits and, on passenger flights in aircraft authorised to carry more than 250 passengers, an approved emergency medical kit for treatment of injuries or medical emergencies that might occur during flight time or in minor accidents.
- (b) [AOC] The number of first-aid kits to be carried shall be to the following scale —

Number of passenger seats installed	Number of first-aid kits required
0 to 50	1
51 to 150	2
151 to 250	3
250 and more	4

Note: See IS 7.1.8.11

7.1.8.12 OXYGEN STORAGE AND DISPENSING APPARATUS

- (a) [AAC] All aircraft intended to be operated at altitudes requiring the use of supplemental oxygen shall be equipped with adequate oxygen storage and dispensing apparatus.
- (b) [AAC] The oxygen apparatus, the minimum rate of oxygen flow, and the supply of oxygen shall meet applicable airworthiness standards for type certification in the transport category as specified by the Authority.
- (c) [AOC] An AOC holder shall not operate an aircraft at altitudes above 10,000 feet unless it is equipped with oxygen masks, located so as to be within the immediate reach of flight crew members while at their assigned duty station.
- (d) [AOC] An AOC holder shall not operate a pressurised aircraft at altitudes above 25,000 feet unless —
- (1) flight crew member oxygen masks are of a quick donning type;
 - (2) sufficient spare outlets and masks or sufficient portable oxygen units with masks are distributed evenly throughout

Civil Aviation (Flight Safety) Regulations

the cabin to ensure immediate availability of oxygen to each required cabin crew member and passenger regardless of his location at the time of cabin pressurisation failure

- (3) an oxygen-dispensing unit connected to oxygen supply terminals is installed so as to be immediately available to each occupant, wherever seated. The total number of dispensing units and outlets shall exceed the number of seats by at least 10%. The extra units are to be evenly distributed throughout the cabin.
- (e) [AOC] The amount of supplemental oxygen for sustenance required for a particular operation shall be determined on the basis of flight altitudes and flight duration, consistent with the operating procedures established for each operation in the Operations Manual and with the routes to be flown, and with the emergency procedures specified in the Operations Manual.

Implementing Standard: See IS: 7.1.8.12 to determine the amount of supplemental oxygen needed for non-pressurised and pressurised aircraft.

7.1.8.13 PROTECTIVE BREATHING EQUIPMENT

- (a) [AOC] An AOC holder shall not operate an aircraft with a maximum certified takeoff mass exceeding 5700 kg or having a maximum approved seating configuration of more than 19 seats unless —
 - (1) it has PBE to protect the eyes, nose and mouth of at least one flight crew member while on flight deck duty and to provide oxygen for a period of not less than 15 minutes; and
 - (2) it has sufficient portable PBE to protect the eyes, nose and mouth of all required cabin crew members and to provide breathing gas for a period of not less than 15 minutes.
- (b) [AOC] The oxygen supply for PBE may be provided by the required supplemental oxygen system.
- (c) [AOC] The PBE intended for flight crew use shall be conveniently located on the flight deck and be easily accessible for immediate use by each required flight crew member at their assigned duty station.
- (d) [AOC] The PBE intended for cabin crew use shall be installed adjacent to each required cabin crew member duty station.

Civil Aviation (Flight Safety) Regulations

- (e) [AOC] Easily accessible portable PBE shall be provided and located at or adjacent to the required hand fire extinguishers except that, where the fire extinguisher is located inside a cargo compartment, the PBE shall be stowed outside but adjacent to the entrance to that compartment.
- (f) [AOC] The PBE while in use shall not prevent required communication.

7.1.8.14 FIRST AID OXYGEN DISPENSING UNITS

- (a) [AOC] An AOC holder shall not conduct a passenger carrying operation in a pressurised aircraft at altitudes above 25,000 feet, when a cabin crew member is required to be carried, unless it is equipped with —
 - (1) undiluted first-aid oxygen for passengers who, for physiological reasons, may require oxygen following a cabin depressurisation; and
 - (2) a sufficient number of dispensing units, but in no case less than two, with a means for cabin crew to use the supply.
- (b) [AOC] The amount of first-aid oxygen required in paragraph (a) for a particular operation and route shall be determined on the basis of —
 - (1) flight duration after cabin depressurisation at cabin altitudes of more than 8,000 feet;
 - (2) an average flow rate of at least 3 litres Standard Temperature Pressure Dry/minute/person; and
 - (3) at least 2% of the passengers carried, but in no case for less than one person.

7.1.8.15 MEGAPHONES

- (a) [AOC] Each person operating a passenger-carrying aircraft with a seating capacity of more than 19, shall have a portable battery-powered megaphone or megaphones readily accessible to the crew members assigned to direct emergency evacuation.
- (b) [AOC] The number and location of megaphones required in paragraph (a) shall be determined as follows —

Civil Aviation (Flight Safety) Regulations

- (1) on aircraft with a seating capacity of more than 19 and less than 100 passengers, one megaphone shall be located in the passenger cabin where it would be readily accessible to a normal Cabin Crew seat; and
- (2) on aircraft with a seating capacity of more than 99 passengers, two megaphones in the passenger cabin on each aircraft one installed at the forward end and the other at the most rearward location where it would be readily accessible to a normal Cabin Crew seat.

7.1.8.16 INDIVIDUAL FLOTATION DEVICES

- (a) [AOC] All Seaplanes on all flights, all other multi engine aircraft operated on flights over water at a distance of more than 93 km (50 NM) from land suitable for making an emergency landing, all single engine aircraft when flying over water beyond gliding distance from shore and all aircraft taking off or landing at an aerodrome where, in the opinion of the Authority, the take off or approach path is so disposed over water that in the event of a mishap there would be a likelihood of a ditching, shall be equipped with one life jacket for each person on board.
- (b) [AOC] All life jackets shall be stowed in a position easily accessible from the seat or berth of the person for whose use it is provided.
- (c) [AOC] For extended overwater operations, each individual life jacket shall be fitted with an approved survivor locator light.
- (d) [AOC] On application by an aircraft operator, the Authority may approve the operation of an aircraft over water without individual life jackets, if the aircraft operator shows that the water over which the aircraft is to be operated is not of such size and depth that individual life jackets should be required for the survival of its occupants in the event the flight terminates in that water.

7.1.8.17 LIFE RAFT

- (a) [AOC] A person shall not operate an aircraft in commercial air transport in extended overwater operations without having on the aircraft enough life rafts with rated capacities and buoyancy to accommodate the occupants of the aircraft.

Civil Aviation (Flight Safety) Regulations

Note: Unless excess rafts of enough capacity are provided, the buoyancy and seating capacity of the rafts shall accommodate all occupants of the aircraft in the event of a loss of one raft of the largest rated capacity.

- (b) [AOC] Life rafts shall be stowed so as to facilitate their ready use in emergency.
- (c) [AOC] Life rafts shall be equipped with —
 - (1) a survivor locator light;
 - (2) a survival kit;
 - (3) a pyrotechnic signalling device; and
 - (4) an Emergency Locator Transmitter (See 7.1.8.5).
- (d) [AOC] Life rafts which are not deployable by remote control and which have a mass of more than 40 kg shall be equipped with some means of mechanically assisted deployment.

7.1.8.18 FLOTATION DEVICE FOR HELICOPTER DITCHING

[AAC] All helicopters flying over water at a distance from land corresponding to more than 10 minutes at normal cruise speed in the case of performance Class 1 or 2 helicopters, or flying over water beyond autorotational or safe forced landing distance from land in the case of performance Class 3 helicopters, shall be fitted with a permanent or rapidly deployable means of flotation so as to ensure a safe ditching of the helicopter.

7.1.9 Miscellaneous Systems and Equipment

7.1.9.1 SEATS, SAFETY BELTS AND SHOULDER HARNESES

[AOC] An aircraft used in passenger operations shall be equipped with the following seats, safety belts, and shoulder harnesses that meet the following airworthiness requirements for type certification of that aircraft —

- (1) a seat or berth with safety belt for each person on board over an age of 2;

Note: A berth designed to be occupied by two persons, such as a multiple lounge or divan seat, shall be equipped with an approved safety belt for use by two occupants during en route flight only.

Civil Aviation (Flight Safety) Regulations

- (2) a flight deck station with a combined safety belt and shoulder harness. The shoulder harness for each station shall incorporate a device which will automatically restrain the occupant's torso in the event of rapid deceleration;

NOTE: In anticipation of changing international safety standards, the Authority recommends that, when dual controls are installed, all commercial air transport passenger aircraft be equipped with a safety harness for each pilot seat which incorporates a restraining device to prevent the upper body of an incapacitated pilot from interfering with the flight controls.

- (3) A forward or rearward facing (within 15 degrees of the longitudinal axis of the aircraft) seat in the passenger compartment, for the use of each cabin crew member required to satisfy the intent of 9.3.1.7 in respect of emergency evacuation.

7.1.9.2 PASSENGER AND PILOT COMPARTMENT DOORS

- (a) [AAC] In all aircraft which are equipped with a flight crew compartment door, this door shall be capable of being locked and, to provide means by which cabin crew can discretely notify the flight crew in the event of suspicious activity or security breaches in the cabin.
- (b) All passenger carrying aircraft of a maximum certificated take off mass in excess of 45,500 kg or with a passenger seating capacity greater than 60 shall be equipped with an approved flight crew compartment door that is designed to resist penetration by small arms fire and grenade shrapnel and, to resist forcible intrusions by unauthorised persons. This door shall be capable of being locked and unlocked from either pilot's station.
- (c) In all aircraft equipped with a flight crew compartment door in accordance with paragraph (b) —
 - (1) this door shall be closed and locked from the time all external doors are closed following embarkation until any such door is opened for disembarkation, except when necessary to permit access and egress by authorised persons; and
 - (2) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons requesting entry and, to

Civil Aviation (Flight Safety) Regulations

detect suspicious behaviour or potential threat.

7.1.9.3 PASSENGER INFORMATION SIGNS

[CAT] An aircraft over 5700kg shall not operate unless it is equipped with —

- (1) at least one passenger information sign (using either letters or symbols) notifying when safety belts should be fastened and shall, when illuminated, be legible to each person seated in the passenger cabin under all probable conditions of cabin illumination;
- (2) signs which notify when safety belts should be fastened shall be so constructed that the crew can turn them on and off;
- (3) at least one passenger information sign (using either letters or symbols) notifying when smoking is prohibited;
- (4) a sign or placard affixed to each forward bulkhead and each passenger seat back that reads “Fasten Seat Belt While Seated.”

7.1.9.4 PUBLIC ADDRESS SYSTEM

[AOC] An AOC holder shall not operate a passenger carrying aircraft with a maximum approved passenger seating configuration of more than 19 unless a public address system is installed that —

- (1) operates independently of the interphone systems except for handsets, headsets, microphones, selector switches and signalling devices;
- (2) for each required floor level passenger emergency exit which has an adjacent cabin crew seat, has a microphone which is readily accessible to the seated cabin crew member, except that one microphone may serve more than one exit, provided the proximity of the exits allows unassisted verbal communication between seated cabin crew members; and
- (3) is capable of operation within 10 seconds by a cabin crew member at each of those stations in the compartment from which its use is accessible; and
- (4) is audible and intelligible at all passenger seats, toilets, and cabin crew seats and workstations.

*Civil Aviation (Flight Safety) Regulations***7.1.9.5 MATERIALS FOR CABIN INTERIORS**

- (a) [AOC] On the first major overhaul of an aircraft cabin or refurbishing of the cabin interior, all materials in each compartment used by the crew or passengers that do not meet the current airworthiness requirements pertaining to materials used in the interior of the cabin for type certification in the transport category as cited by the Authority, shall be replaced with materials that meet the requirements specified by the Authority.
- (b) [AOC] Seat cushions, except those on flight crew member seats, in any compartment occupied by crew or passengers shall meet requirements pertaining to fire protection as specified by the Authority.

7.1.9.6 MATERIALS FOR CARGO AND BAGGAGE COMPARTMENTS

[AOC] A Class C or D cargo compartment greater than 200 cubic feet in volume in a transport category aircraft type certified after January 1, 1958 shall have ceiling and sidewall liner panels which are constructed of —

- (1) glass fibre reinforced resin;
- (2) materials which meet the test requirements for flame resistance of cargo compartment liners as prescribed for type certification; or
- (3) in the case of installations approved prior to March 20, 1989, aluminium.

Note: The term “liner” includes any design feature, such as a joint or fastener, which would affect the capability of the liner to safely contain fire.

7.1.9.7 POWER SUPPLY, DISTRIBUTION, AND INDICATION SYSTEM

- (a) [AOC] An AOC holder shall not operate an aircraft unless it is equipped with —
 - (1) a power supply and distribution system that meets the airworthiness requirements for certification of an aircraft in the transport category, as specified by the Authority, or

Civil Aviation (Flight Safety) Regulations

- (2) a power supply and distribution system that is able to produce and distribute the load for the required instruments and equipment, with use of an external power supply if any one power source or component of the power distribution system fails;

Note: The use of common elements in the power system may be approved if the Authority finds that they are designed to be reasonably protected against malfunctioning.

- (3) a means for indicating the adequacy of the power being supplied to required flight instruments.
- (b) [AOC] Engine-driven sources of energy, when used, shall be on separate engines.

7.1.9.8 PROTECTIVE CIRCUIT FUSES

[AOC] An AOC holder shall not be permitted to operate an aircraft in which protective fuses are installed unless there are spare fuses available for use in flight equal to at least 10% of the number of fuses of each rating or three of each rating whichever is the greater.

7.1.9.9 ICING PROTECTION EQUIPMENT

- (a) [AAC] Unless an aircraft is certified under the transport category airworthiness requirements relating to ice protection, a person shall not be permitted to operate an aircraft in icing conditions unless it is equipped for the prevention or removal of ice on windshields, wings, empennage, propellers and other parts of the aircraft where ice formation will adversely affect the safety of the aircraft.
- (b) [AOC] An AOC holder shall not operate an aircraft in expected or actual icing conditions at night unless it is equipped with a means to illuminate or detect the formation of ice.

Note: Any illumination that is used shall be of a type that will not cause glare or reflection that would handicap crew members in the performance of their duties.

7.1.9.10 PITOT HEAT INDICATION SYSTEMS

- (a) [AAC] A person shall not be permitted to operate an aircraft in flight unless it is equipped with an airspeed indicating system with a heated pitot tube or equivalent means of preventing malfunctions due to either condensation or icing.

Civil Aviation (Flight Safety) Regulations

- (b) [AOC] An AOC holder shall not operate a transport category aircraft equipped with a flight instrument pitot heating system unless the aircraft is also equipped with an operable pitot heat indication system that complies with the following requirements:
- (1) the indication provided shall incorporate an amber light that is in clear view of a flight crew member;
 - (2) the indication provided shall be designed to alert the flight crew if either the pitot heating system is switched “off,” or the pitot heating system is switched “on” and any pitot tube heating element is inoperative.

7.1.9.11 STATIC PRESSURE SYSTEM

- (a) [AAC] A person shall not operate an aircraft unless it is equipped with two independent static pressure systems, vented to the outside atmospheric pressure so that they will be least affected by airflow variation or moisture or other foreign matter and installed so as to be airtight except for the vent.
- (b) Propeller driven aircraft of less than 5,700Kg MTOW may have one static pressure system which includes an alternate static source.

7.1.9.12 WINDSHIELD WIPERS

[AOC] An AOC holder shall not be permitted to operate an aircraft with a maximum certified take-off mass of more than 5700 kg unless it is equipped at each pilot station with a windshield wiper or equivalent means to maintain a clear portion of the windshield during precipitation.

7.1.9.13 CHART HOLDER

[AOC] All aircraft that have been originally type certificated with chart holders must have one installed. An AOC holder shall not be permitted to operate an aircraft with a chart holder unless it can be illuminated for night operations.

7.1.9.14 COSMIC RADIATION DETECTION EQUIPMENT

[AOC] An AOC holder shall ensure that aircraft intended to be operated above 15,000 m (49,000 ft) are equipped with an instrument to measure and indicate continuously the dose rate of total cosmic radiation being received (i.e., the total of ionising and neutron

Civil Aviation (Flight Safety) Regulations

radiation of galactic and solar origin) and the cumulative dose on each flight. The operator shall maintain records so that the total cosmic radiation dose received by each crew member over a period of twelve consecutive months can be determined. The operator shall maintain records so that the total cosmic radiation dose received by each crew member over a period of 12 consecutive months can be determined

7.1.9.15 MARITIME SOUND SIGNALLING DEVICE

[AAC] All seaplanes for all flights shall be equipped with equipment for making the sound signals prescribed in the International Regulations for Preventing Collisions at Sea, where applicable.

7.1.9.16 ANCHORS

[AAC] All seaplanes for all flights shall be equipped with one anchor, and one sea anchor (drogue), when necessary to assist in manoeuvring (approval for the anchors not required).

Note.- “Seaplanes” includes amphibians operated as seaplanes.

7.1.9.17 OUTSIDE AIR TEMPERATURE

A person shall not be permitted to operate an aircraft in flight unless it is equipped with a means of indicating the outside air temperature in the flight crew compartment.

CONTENTS

PART 8 – OPERATIONS

- 8.1 GENERAL
 - 8.1.1 Applicability and Definitions
 - 8.1.1.1 Applicability
 - 8.1.1.2 Definitions
 - 8.1.1.3 Acronyms
 - 8.2 GENERAL OPERATIONS REQUIREMENTS
 - 8.2.1 Aircraft Requirements
 - 8.2.1.1 Registration Markings
 - 8.2.1.2 Civil Aircraft Airworthiness
 - 8.2.1.3 Special Airworthiness Certificate Operational Restrictions
 - 8.2.1.4 Aircraft Instruments and Equipment
 - 8.2.1.5 Inoperative Instruments and Equipment
 - 8.2.1.6 Civil Aircraft Flight Manual, Marking and Placard Requirements

Civil Aviation (Flight Safety) Regulations

- 8.2.1.7 Required Aircraft and Equipment Inspections
- 8.2.1.8 Documents to be Carried on Aircraft
- 8.3 AIRCRAFT MAINTENANCE REQUIREMENTS
- 8.3.1.1 Applicability
- 8.3.1.2 General
- 8.3.1.3 Maintenance Required
- 8.3.1.4 Inspections
- 8.3.1.5 Changes To Aircraft Maintenance Programs
- 8.3.1.6 Inspections: All Other Aircraft
- 8.3.1.7 Content, Form, and Disposition of Maintenance, Preventive Maintenance, Rebuilding and Modification Records
- 8.3.1.8 Maintenance Records Retention
- 8.3.1.9 Transfer of Maintenance Records
- 8.4 FLIGHT CREW REQUIREMENTS
- 8.4.1.1 Composition of the Flight Crew
- 8.4.1.2 Flight Crew Qualifications
- 8.4.1.3 (Reserved)
- 8.4.1.4 Licences Required
- 8.4.1.5 Airman: Limitations on Use of Services for Commercial Air Transport
- 8.4.1.6 Rating Required for IFR Operations
- 8.4.1.7 Special Authorization Required for Category II/III Operations
- 8.4.1.8 Pilot Logbooks
- 8.4.1.9 Pilot Currency: Takeoff and Landings
- 8.4.1.10 Pilot Currency: IFR Operations
- 8.4.1.11 Pilot Currency: General Aviation Operations
- 8.4.1.12 Pilot Privileges and Limitations
- 8.5 CREW MEMBER DUTIES AND RESPONSIBILITIES
- 8.5.1.1 Authority and Responsibility of the PIC
- 8.5.1.2 Compliance with Local Regulations
- 8.5.1.3 Negligent or Reckless Operations of the Aircraft
- 8.5.1.4 Fitness of Flight Crew Members
- 8.5.1.5 Use of Narcotics, Drugs or Intoxicating Liquor
- 8.5.1.6 Crew Member Use of Seat Belts and Shoulder Harnesses
- 8.5.1.7 Flight Crew Members at Duty Stations
- 8.5.1.8 Required Crew Member Equipment
- 8.5.1.9 Compliance with Checklists
- 8.5.1.10 Search and Rescue Information
- 8.5.1.11 Production of Aircraft and Flight Documentation
- 8.5.1.12 Locking of Flight Deck Compartment Door: Commercial Air Transport
- 8.5.1.13 Admission to the Flight Deck: Commercial Air Transport

Civil Aviation (Flight Safety) Regulations

- 8.5.1.14 Admission of Inspector to the Flight Deck
- 8.5.1.15 Duties During Critical Phases of Flight: Commercial Air Transport
- 8.5.1.16 Manipulation of the Controls: Commercial Air Transport
- 8.5.1.17 Simulated Abnormal Situations in Flight: Commercial Air Transport
- 8.5.1.18 Completion of the Technical Logbook: Commercial Air Transport
- 8.5.1.19 Reporting Mechanical Irregularities
- 8.5.1.20 Reporting of Facility and Navigation Aid Inadequacies
- 8.5.1.21 Reporting of Hazardous Conditions
- 8.5.1.22 Reporting of Incidents
- 8.5.1.23 Accident Notification
- 8.5.1.24 Operation of Flight Deck Voice and Flight Data Recorders
- 8.5.1.25 Crew Member Oxygen: Minimum Supply and Use
- 8.5.1.26 Portable Electronic Devices
- 8.6 FLIGHT PLANNING AND SUPERVISION
- 8.6.1 Flight Plans
- 8.6.1.1 Submission of a Flight Plan
- 8.6.1.2 Air Traffic Control Flight Plan: Commercial Air Transport
- 8.6.1.3 Contents of a Flight Plan
- 8.6.1.4 Planned Reclearance
- 8.6.1.5 Changes to a Flight Plan
- 8.6.1.6 Closing a Flight Plan
- 8.6.2 Flight Planning and Preparation
- 8.6.2.1 Aircraft Airworthiness and Safety Precautions
- 8.6.2.2 Adequacy of Operating Facilities
- 8.6.2.3 Weather Reports and Forecasts
- 8.6.2.4 Limitations for VFR Flights
- 8.6.2.5 IFR Destination Aerodromes
- 8.6.2.6 IFR Destination Alternate Requirement
- 8.6.2.7 IFR Alternate Aerodrome Selection Criteria
- 8.6.2.8 Off-Shore Alternates for Helicopter Operations
- 8.6.2.9 Takeoff Alternate Aerodromes: Commercial Air Transport Operations
- 8.6.2.10 Maximum Distance from an Adequate Aerodrome for Two-engined Aeroplanes Without an ETOPS Approval
- 8.6.2.11 Extended Range Operations with Two-Engined Aeroplanes
- 8.6.2.12 En Route Alternate Aerodromes: ETOPS Operations
- 8.6.2.13 Fuel, Oil, and Oxygen Planning and Contingency Factors
- 8.6.2.14 Minimum Fuel Supply for VFR Flights
- 8.6.2.15 Minimum Fuel Supply for IFR Flights
- 8.6.2.16 Flight Planning Document Distribution and Retention:

Civil Aviation (Flight Safety) Regulations

- Commercial Air Transport
- 8.6.2.17 Aircraft Loading, Mass and Balance
- 8.6.2.18 Maximum Allowable Weights to be Considered on All Load Manifests
- 8.6.2.19 Flight Release Required: Commercial Air Transport
- 8.6.2.20 Operational Flight Plan: Commercial Air Transport
- 8.7 AIRCRAFT OPERATING AND PERFORMANCE LIMITATIONS
- 8.7.1 All Aircraft
- 8.7.1.1 Applicability
- 8.7.1.2 General
- 8.7.1.3 Aircraft Performance Calculations
- 8.7.1.4 General Weight and Obstruction Clearance Limitations
- 8.7.2 Aircraft Used in Commercial Air Transport
- 8.7.2.1 Applicability
- 8.7.2.2 General
- 8.7.2.3 Aircraft Performance Calculations
- 8.7.2.4 Takeoff limitations
- 8.7.2.5 En Route Limitations: All Engines Operating
- 8.7.2.6 En Route Limitations: One Engine Inoperative
- 8.7.2.7 En Route Limitations: Two Engines Inoperative
- 8.7.2.8 Landing Limitations
- 8.8 FLIGHT RULES
- 8.8.1 All Operations
- 8.8.1.1 Operation of Aircraft on the Ground
- 8.8.1.2 Takeoff Conditions
- 8.8.1.3 Flight into Known or Expected Icing
- 8.8.1.4 Altimeter Settings
- 8.8.1.5 Minimum Safe Altitudes: General
- 8.8.1.6 Minimum Safe VFR Altitudes: Commercial Air Transport Operations
- 8.8.1.7 Instrument Approach Operating Minima
- 8.8.1.8 Category II and III Operations: General Operating Rules
- 8.8.1.9 Category II and Category III Manual
- 8.8.1.10 Authorization for Deviation from Certain Category II Operations
- 8.8.1.11 Diversion Decision
- 8.8.1.12 Operating Near Other Aircraft
- 8.8.1.13 Right-of-Way Rules: Except Water Operations
- 8.8.1.14 Right-of-Way Rules: Water Operations
- 8.8.1.15 Use of Aircraft Lights
- 8.8.1.16 Simulated Instrument Flight
- 8.8.1.17 Inflight Simulation of Abnormal Situations

Civil Aviation (Flight Safety) Regulations

- 8.8.1.18 Dropping, Spraying, Towing
- 8.8.1.19 Aerobatic Flight
- 8.8.1.20 Flight Test Areas
- 8.8.1.21 Prohibited Areas and Restricted Areas
- 8.8.1.22 Operations in MNPS or RVSM Airspace
- 8.8.1.23 Operations on or in the Vicinity of an Uncontrolled Aerodrome
- 8.8.1.24 Aerodrome Traffic Pattern Altitudes: Turbojet, turbofan, or Large Aircraft
- 8.8.1.25 Compliance with Visual and Electronic Glide Slopes
- 8.8.1.26 Restriction or Suspension of Operations: Commercial Air Transport
- 8.8.1.27 Continuation of Flight when Destination Aerodrome is Temporarily Restricted: Commercial Air Transport
- 8.8.1.28 Interception
- 8.8.2 Control of Air Traffic
 - 8.8.2.1 ATC Clearances
 - 8.8.2.2 Adherence to ATC Clearances
 - 8.8.2.3 Communications
 - 8.8.2.4 Route to be Flown
 - 8.8.2.5 Inadvertent Changes
 - 8.8.2.6 ATC Clearance: Intended Changes
 - 8.8.2.7 Position Reports
 - 8.8.2.8 Operations on or in the Vicinity of a Controlled Aerodrome
 - 8.8.2.9 Unlawful Interference
 - 8.8.2.10 Time Checks
 - 8.8.2.11 Universal Signals
- 8.8.3 VFR Flight Rules
 - 8.8.3.1 Visual Meteorological Conditions
 - 8.8.3.2 VFR Weather Minimums for Takeoff and Landing
 - 8.8.3.3 Special VFR Operations
 - 8.8.3.4 VFR Cruising Altitudes
 - 8.8.3.5 ATC Clearances for VFR Flights
 - 8.8.3.6 VFR Flights Requiring ATC Authorization
 - 8.8.3.7 Weather Deterioration Below VMC
 - 8.8.3.8 Changing from VFR to IFR
 - 8.8.3.9 Two-way Radio Communication Failure in VFR
- 8.8.4 IFR Flight Rules
 - 8.8.4.1 IFR in Controlled Airspace
 - 8.8.4.2 IFR Flights Outside Controlled Airspace
 - 8.8.4.3 IFR Takeoff Minimums for Commercial Air Transport
 - 8.8.4.4 Minimum Altitudes for IFR Operations
 - 8.8.4.5 Minimum Altitudes for Use of an Autopilot 1

Civil Aviation (Flight Safety) Regulations

- 8.8.4.6 IFR Cruising Altitude or Flight Level in Controlled
Airspace
- 8.8.4.7 IFR Cruising Altitude or Flight Level in Uncontrolled
Airspace
- 8.8.4.8 IFR Radio Communications
- 8.8.4.9 Operation Under IFR in Controlled Airspace:
Malfunction Reports
- 8.8.4.10 Continuation of IFR Flight Toward a Destination
- 8.8.4.11 Instrument Approach Procedures and IFR Landing
Minimums
- 8.8.4.12 Commencing an Instrument Approach: Commercial Air
Transport
- 8.8.4.13 Instrument Approaches to Civil Aerodromes
- 8.8.4.14 Operation Below DH or MDA
- 8.8.4.15 Landing During Instrument Meteorological Conditions
- 8.8.4.16 Execution of a Missed Approach Procedure
- 8.8.4.17 Change from IFR Flight to VFR Flight
- 8.8.4.18 Two-Way Radio Communications Failure in IFR
- 8.9 PASSENGERS AND PASSENGER HANDLING⁵
- 8.9.1 All Passenger Carrying Operations
- 8.9.1.1 Unacceptable Conduct
- 8.9.1.2 Refuelling with Passengers on Board
- 8.9.1.3 Passenger Seats, Safety Belts, and Shoulder Harnesses
- 8.9.1.4 Passenger Briefing
- 8.9.1.5 Inflight Emergency Instruction
- 8.9.1.6 Passenger Oxygen: Minimum Supply and Use
- 8.9.1.7 Alcohol or Drugs
- 8.9.2 Commercial Air Transport Passenger Carrying Operations
- 8.9.2.1 Passenger Compliance with Instructions
- 8.9.2.2 Denial of Transportation
- 8.9.2.3 Carriage of Persons Without Compliance with these
Passenger-Carrying Requirements
- 8.9.2.4 Cabin Crew at Duty Stations
- 8.9.2.5 Evacuation Capability
- 8.9.2.6 Arming of Automatic Emergency Exits
- 8.9.2.7 Accessibility of Emergency Exits and Equipment
- 8.9.2.8 Stops
- 8.9.2.9 Carriage of Persons with Reduced Mobility
- 8.9.2.10 Exit Row Seating
- 8.9.2.11 Prohibition Against Carriage of Weapons
- 8.9.2.12 Oxygen for Medical Use by Passengers
- 8.9.2.13 Carry-on Baggage
- 8.9.2.14 Carriage of Cargo in Passenger Compartments

Civil Aviation (Flight Safety) Regulations

- 8.9.2.15 Passenger Information Signs
- 8.9.2.16 Required Passenger Briefings
- 8.9.2.17 Passenger Briefing: Extended Overwater Operations
- 8.9.2.18 Passenger Seat Belts
- 8.9.2.19 Passenger Seat Backs
- 8.9.2.20 Stowage of Food, Beverage and Passenger Service
- 8.9.2.21 Securing of Items of Mass in Passenger Compartment
- 8.9.2.22 Prohibition against Smoking in an Aircraft
- 8.10 **CREW MEMBER AND FLIGHT OPERATIONS OFFICER QUALIFICATIONS: COMMERCIAL AIR TRANSPORT**
 - 8.10.1.1 Age 60 Restriction
 - 8.10.1.2 PIC Licence Requirements: Turbojet, Turbofan, or Large Aircraft
 - 8.10.1.3 PIC Licence Requirements: Non Turbojet or turbofan Small Aircraft
 - 8.10.1.4 PIC Aeronautical Experience: Small Aircraft
 - 8.10.1.5 Co-Pilot Licence Requirements
 - 8.10.1.6 FE Licence Requirements
 - 8.10.1.7 One Pilot Qualified to Perform FE Functions
 - 8.10.1.8 Persons Qualified to Flight Release
 - 8.10.1.9 Company Procedures Indoctrination
 - 8.10.1.10 Initial Dangerous Goods Training
 - 8.10.1.11 Initial Security Training
 - 8.10.1.12 Initial Crew Resource Management
 - 8.10.1.13 Initial Emergency Equipment Drills
 - 8.10.1.14 Initial Aircraft Ground Training
 - 8.10.1.15 Initial Aircraft Flight Training
 - 8.10.1.16 Initial Specialised Operations Training
 - 8.10.1.17 Aircraft Differences
 - 8.10.1.18 Use of Simulators
 - 8.10.1.19 Introduction of New Equipment or Procedures
 - 8.10.1.20 Aircraft and Instrument Proficiency Checks
 - 8.10.1.21 Re-establishing Recency of Experience: Pilot
 - 8.10.1.22 Pairing of Low Experience Crew Members
 - 8.10.1.23 Flight Engineer Proficiency Checks
 - 8.10.1.24 Competence Checks: Cabin Crew
 - 8.10.1.25 Competence Checks: Flight Operations Officers
 - 8.10.1.26 Supervised Line Flying: Pilots
 - 8.10.1.27 Supervised Line Flying: Flight Engineers
 - 8.10.1.28 Supervised Line Experience: Cabin Crew
 - 8.10.1.29 Line Observations: Flight Operations Officers
 - 8.10.1.30 Route and Area Checks: Pilot Qualification

Civil Aviation (Flight Safety) Regulations

- 8.10.1.31 PIC Low Minimums Authorization
- 8.10.1.32 Designated Special Aerodromes and Heliports:
PIC Qualification
- 8.10.1.33 Recurrent Training: Flight Crew Members
- 8.10.1.34 Recurrent Training: Cabin Crew
- 8.10.1.35 Recurrent Training: Flight Operations Officers
- 8.10.1.36 Check Airman Training
- 8.10.1.37 Flight Instructor Training
- 8.10.1.38 Flight Instructor Qualifications
- 8.10.1.39 Check Airman Pilot Qualifications
- 8.10.1.40 Check Airman Designation
- 8.10.1.41 Check Airman Limitations
- 8.10.1.42 Substitution of Simulator Experience
- 8.10.1.43 Line Qualification: Check Airman and Instructor
- 8.10.1.44 Termination of a Proficiency, Competence or Line Check
- 8.10.1.45 Recording of Crew Member Qualifications
- 8.10.1.46 Monitoring of Training and Checking Activities
- 8.10.1.47 Eligibility Period
- 8.10.1.48 Reductions in Requirements
- 8.11 REST PERIODS, DUTY, AND FLIGHT TIME:
COMMERCIAL AIR TRANSPORT
 - 8.11.1.1 Applicability
 - 8.11.1.2 Purpose
 - 8.11.1.3 Responsibilities
 - 8.11.1.4 Definitions
 - 8.11.1.5 Flight duty period
 - 8.11.1.6 Flight duty period tables
 - 8.11.1.7 Limits on two flight crew long range operations
 - 8.11.1.8 Extension of flying duty period by in-flight relief
 - 8.11.1.9 Calculation of delay reporting times in a single FDP
 - 8.11.1.10 Aircraft commander's discretion to extend a FDP
 - 8.11.1.11 Split duty extensions
 - 8.11.1.12 Reporting exercise of discretion to an extension
of a FDP
 - 8.11.1.13 Late Finishes/Early Starts
 - 8.11.1.14 Standby duty
 - 8.11.1.15 Mixed duties
 - 8.11.1.16 Deadheading
 - 8.11.1.17 Travelling time
 - 8.11.1.18 Rest periods
 - 8.11.1.19 Aircraft commander's discretion to reduce a rest period
 - 8.11.1.20 Reporting exercise of discretion to reduce a rest period
 - 8.11.1.21 Days off

Civil Aviation (Flight Safety) Regulations

- 8.11.1.22 Absolute limit on flying hours
- 8.11.1.23 Cumulative duty hours
- 8.11.1.24 Calculation of cumulative duty hours
- 8.11.1.25 Records to be maintained
- 8.12 FLIGHT RELEASE: COMMERCIAL AIR TRANSPORT
- 8.12.1.1 Applicability
- 8.12.1.2 Qualified Persons Required for Operational Control Functions
- 8.12.1.3 Functions Associated with Operational Control
- 8.12.1.4 Operational Control Duties
- 8.12.1.5 Contents of a Flight Release
- 8.12.1.6 Flight Release: Aircraft Requirements
- 8.12.1.7 Flight Release: Facilities and NOTAMS
- 8.12.1.8 Flight Release: Weather Reports and Forecasts
- 8.12.1.9 Flight Release in Icing Conditions
- 8.12.1.10 Flight Release under VFR or IFR
- 8.12.1.11 Flight Release: Minimum Fuel Supply
- 8.12.1.12 Flight Release: Aircraft Loading and Performance
- 8.12.1.13 Flight Release: Amendment or Re-release En Route
- 8.12.1.14 Flight Release with Airborne Weather Radar Equipment

8.1 GENERAL

8.1.1 Applicability and Definitions

8.1.1.1 APPLICABILITY

- (a) This Part prescribes the requirements for operations —
 - (1) conducted by all airmen certified in Saint Lucia while operating aircraft registered in Saint Lucia;
 - (2) of a foreign registered aircraft by Saint Lucia AOC holders;
 - (3) of an aircraft within Saint Lucia by airmen or AOC holders of a foreign State.
- (b) For operations outside of Saint Lucia, all Saint Lucia pilots and all operators shall comply with these requirements unless compliance would result in a violation of the laws of the foreign State in which the operation is conducted.

Note: Where a particular requirement is applicable only to a particular segment of aviation operations, it will be identified by a reference to those particular operations, such as “commercial air transport” or “small non-turbojet or turbofan aeroplanes.”

Civil Aviation (Flight Safety) Regulations

Note: Those specific subsections not applicable to foreign operators will include the phrase “This requirement is not applicable to foreign operators.”

8.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

8.1.1.3 ACRONYMS

- (a) The following acronyms are used in Part 8 —
- (1) AFM – Aeroplane Flight Manual
 - (2) AGL – Above Ground Level
 - (3) AOC – Air Operator Certificate
 - (4) AOM – Aircraft Operating Manual
 - (5) APU – Auxiliary Power Unit
 - (6) ATC – Air Traffic Control
 - (7) CAT – Category
 - (8) CDL – Configuration Deviation List
 - (9) CRM – Crew Resource Management
 - (10) DH – Decision Height
 - (11) ETA – Estimated Time of Arrival
 - (12) ETOPS – Extended Twin-engine Operations
 - (13) FE – Flight Engineer
 - (14) FL – Flight Level
 - (15) GPS – Global Positioning System
 - (16) IMC – Instrument Meteorological Conditions
 - (17) INS – Inertial Navigation System
 - (18) LDA – Localizer-type Directional Aid
 - (19) LOC – Localizer
 - (20) LORAN – Long-range Navigation

Civil Aviation (Flight Safety) Regulations

- (21) LVTO – Low Visibility Take Off
- (22) MDA – Minimum Decent Altitude
- (23) MEA – Minimum En Route Altitude
- (24) MEL – Minimum Equipment List
- (25) MMEL – Master Minimum Equipment List
- (26) MOCA – Minimum Obstruction Clearance Altitude
- (27) MSL – Mean Sea Level
- (28) NOTAM – Notice to Airmen
- (29) RFM – Rotorcraft Flight Manual
- (30) RVR – Runway Visibility Range
- (31) RVSM – Reduced Vertical Separation Minimum
- (32) PBE – Protective Breathing Equipment
- (33) PIC – Pilot In Command
- (34) SIC – Co-pilot
- (35) SCA – Senior Cabin Crew
- (36) SM – Statute Miles
- (37) TACAN – Tactical Air Navigation System
- (38) VMC – Visual Meteorological Conditions
- (39) VSM – Vertical Separation Minimum
- (40) V1. Takeoff decision speed.
- (41) Vmo. Maximum operating speed.
- (42) Vso. Stalling speed or the minimum steady flight speed in the landing configuration.

8.2 GENERAL OPERATIONS REQUIREMENTS

8.2.1 Aircraft Requirements

8.2.1.1 REGISTRATION MARKINGS

A person shall not operate an aircraft registered in Saint Lucia unless the aircraft displays the proper markings prescribed in Part 4.

*Civil Aviation (Flight Safety) Regulations***8.2.1.2 CIVIL AIRCRAFT AIRWORTHINESS**

- (a) A person shall not operate a civil aircraft unless the civil aircraft is in an airworthy condition.
- (b) A PIC shall —
 - (i) determine whether an aircraft is in a condition for safe flight; and
 - (ii) discontinue a flight as soon as practicable when an unairworthy mechanical, electrical or structural condition occurs.

8.2.1.3 SPECIAL AIRWORTHINESS CERTIFICATE OPERATIONAL RESTRICTIONS

A person shall not operate an aircraft with a special airworthiness certificate except as provided in the limitations issued with that certificate.

8.2.1.4 AIRCRAFT INSTRUMENTS AND EQUIPMENT

A person shall not operate an aircraft unless the aircraft is equipped with the required instruments and navigation equipment appropriate to type of flight operation conducted and the route being flown.

Note: The instrument and equipment required for specific operations are listed in Part 7.

8.2.1.5 INOPERATIVE INSTRUMENTS AND EQUIPMENT

- (a) A person shall not, except as authorised by the Authority, takeoff an aircraft with inoperative instruments or equipment installed.
- (b) An AOC Holder shall not operate an aircraft with inoperative instruments and equipment installed unless the following conditions are met —
 - (1) an approved Minimum Equipment List exists for that aircraft;
 - (2) the Authority has issued the AOC Holder specific operating provisions authorising operations in accordance with an approved Minimum Equipment List;

Civil Aviation (Flight Safety) Regulations

- (3) 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 AOC Holders specific operating provisions;
 - (4) the aircraft is operated under all applicable conditions and limitations contained in the Minimum Equipment List and the specific operating provisions authorising use of the Minimum Equipment List;
 - (5) records identifying the inoperative instruments and equipment and the information required by paragraph (c) (i) of this section must be available to the pilot.
- (c) For the purposes of this section, an approved “Minimum Equipment List”, as authorised by the specific operating provisions, constitutes an approved change to the type design without requiring recertification and shall —
- (i) be prepared in accordance with the limitations specified in paragraph (d) of this section;
 - (ii) provide for the operation of the aircraft with certain instruments and equipment in an inoperative condition;
- (d) The following instruments and equipment shall not be included in the Minimum Equipment List —
- (1) instruments and equipment that are either specifically or otherwise required by the airworthiness requirements under which the aircraft is type certificated and which are essential for safe operations under all operating conditions;
 - (2) instruments and equipment required by an airworthiness directive to be in operable condition unless the airworthiness directive provides otherwise;
 - (3) instruments and equipment required for specific operations under Part 7, Part 8 or Part 9 of these Regulations.
- (e) Notwithstanding paragraphs (d)(1) and (d)(3) of this section, an aircraft with inoperative instruments or equipment may be operated under a special flight permit under 5.4.1.11 of these Regulations.

Note: Implementing Standard: See 8.2.1.5 for specific limitation on inoperative instruments and equipment.

*Civil Aviation (Flight Safety) Regulations***8.2.1.6 CIVIL AIRCRAFT FLIGHT MANUAL, MARKING AND PLACARD REQUIREMENTS**

- (a) A person shall not operate a civil aircraft registered in Saint Lucia unless there is available in that aircraft —
 - (1) a current, approved AFM or RFM; and
 - (2) an AOM approved by the Authority for the AOC holder.
- (b) A person shall not operate a civil aircraft within or over Saint Lucia unless the person has complied with the operating limitations specified in the approved AFM or RFM, markings and placards, or as otherwise prescribed by the certifying authority for the aircraft's State of Registry.
- (c) An operator of an aircraft shall display in the aircraft all placards, listings, instrument markings or a combination thereof, containing the operating limitations prescribed by the certifying authority for the aircraft's State of Registry for visual presentation.

8.2.1.7 REQUIRED AIRCRAFT AND EQUIPMENT INSPECTIONS

- (a) Unless otherwise authorised by the Authority, a person shall not operate a civil aircraft registered in Saint Lucia unless the aircraft has had the following inspections —
 - (1) an annual inspection within the past 12 calendar months;
 - (2) for remuneration or hire operations, a 100-hour or 6 month inspection;
 - (3) for IFR operations, an altimeter and pitot-static system inspection in the past 24 calendar months;
 - (4) for transponder equipped aircraft, a transponder check within the past 12 calendar months; and
 - (5) for ELT-equipped aircraft, an ELT check within the past 12 calendar months.
- (b) Aircraft which is maintained under an alternate maintenance and inspection program approved by the Authority, shall not be required to have current annual or 100-hour inspections in their maintenance records.

Note: An “alternate maintenance and inspection program” may

Civil Aviation (Flight Safety) Regulations

include a manufacturer's recommended program, instructions for continued airworthiness, or a program designed by the operator and approved by the Authority.

Note: The requirements of these inspections are provided in Part 5.

8.2.1.8 DOCUMENTS TO BE CARRIED ON AIRCRAFT

- (a) Except as provided in 8.2.1.6, a person shall not operate a civil aircraft, unless the aircraft has within it the following current and approved documents —
- (1) for international flights, Registration Certificate issued to the owner;
 - (2) Airworthiness Certificate which must be displayed in accordance with CAR 1.2.1.1(g);
 - (3) Aircraft Radio Licence;
 - (4) for international flights, list of passenger names and points of embarkation and destination;
 - (5) cargo manifest including special loads information;
 - (6) Aircraft Technical Log;
 - (7) for international commercial flights, a certified true copy of the Air Operator Certificate;
 - (8) Noise Certificate, if required;
 - (9) AFM or RFM;
 - (10) For commercial operations, part(s) of the Operations Manual relevant to operation(s) conducted;
 - (11) MEL;
 - (12) Category II or III Manual, as applicable;
 - (13) for international commercial flights in excess of one hour, Operational Flight Plan;
 - (14) for international flights, filed ATC flight plan;
 - (15) for international flights, NOTAMS briefing documentation;
 - (16) for international flights, meteorological information;
 - (17) mass and balance documentation;
 - (18) roster of special situation passengers;

Civil Aviation (Flight Safety) Regulations

- (19) for international flights, maps and charts for routes of proposed flight or possibly diverted flights;
- (20) forms for complying with the reporting requirements of the Authority and the AOC holder;
- (21) for international flights, a general declaration for customs;
- (22) any documentation which may be required by the Authority or States concerned with a proposed flight.

Note: “Special situation passengers” includes armed security personnel, deportees, persons in custody, and persons with special medical needs. International flights require all items, domestic flights require only those items not identified for international flights.

8.3 AIRCRAFT MAINTENANCE REQUIREMENTS**8.3.1.1 APPLICABILITY**

- (a) This Part prescribes the rules governing the inspection of a civil aircraft registered in Saint Lucia operating within or outside Saint Lucia.
- (b) Subsections 8.3.1.3 and 8.3.1.4 shall not apply to an aircraft subject to an approved continuous maintenance program approved by the Authority for an AOC holder in Part 9.
- (c) This Subpart applies to —
 - (i) all aircraft, as designated below, operated as commercial air transport in Saint Lucia if the operator has not been designated an AOC holder by Saint Lucia;
 - (ii) all general aviation large, complex aircraft operated in Saint Lucia, whether or not the aircraft is registered in Saint Lucia.
- (d) Where an aircraft that is not registered in Saint Lucia and operating under an inspection program approved or accepted by the State of Registry, does not have the equipment required by Saint Lucia-for operations within Saint Lucia, the owner or the operator of the aircraft shall ensure that such equipment is installed and inspected in accordance with the requirements of the State of Registry, in a manner that is acceptable to the Authority, prior to operation of that aircraft in Saint Lucia.

*Civil Aviation (Flight Safety) Regulations***8.3.1.2 GENERAL**

- (a) The registered owner or operator of an aircraft shall be primarily responsible for maintaining that aircraft in an airworthy condition and complying with all airworthiness directives.
- (b) A person shall not perform maintenance, preventive maintenance, or alterations on an aircraft other than as prescribed in this subpart, Part 5 and any other applicable regulations.
- (c) 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 forth in specific operating provisions are approved by the Authority under Part 9 or in accordance with an inspection program approved under 8.3.1.4(c).

8.3.1.3 MAINTENANCE REQUIRED

- (a) An owner or operator of an aircraft shall —
 - (1) ensure that the aircraft is inspected as prescribed in Part 8.3 and discrepancies repaired as prescribed in the Performance Rules of Part 5;
 - (2) repair, replace, remove, or inspect any inoperative instruments or items of equipment at the next required inspection, except when permitted under the provisions of an Minimum Equipment List (MEL);
 - (3) ensure that a placard has been installed on the aircraft when listed discrepancies include inoperative instruments or equipment; and
 - (4) ensure that maintenance personnel make appropriate entries in the aircraft maintenance records indicating the aircraft has been approved for return to service.

8.3.1.4 INSPECTIONS

- (a) Except as provided in paragraph (c) of this section, a person shall not operate an aircraft unless, within the preceding 12 calendar months, the aircraft has had —
 - (1) an annual inspection in accordance with Part 5 and has been approved for return to service by a person authorised by 5.6.1.4; or

Civil Aviation (Flight Safety) Regulations

- (2) an inspection for the issuance of an airworthiness certificate in accordance with Part 5.

Note: No inspection performed under paragraph (b) of this section may be substituted for any inspection required by this paragraph unless it is performed by a person authorised to perform annual inspections and is entered as an “annual” inspection in the required maintenance record.

- (b) Except as provided in paragraph (c), a person shall not —
- (i) operate an aircraft carrying any person (other than a crew member) for hire;
 - (ii) give flight instruction for hire in an aircraft which that person provides;

unless within the preceding 100 hours or six months of time in service the aircraft has received an annual or 100-hour inspection and been approved for return to service in accordance with Part 5 of this chapter or has received an inspection for the issuance of an airworthiness certificate in accordance with Part 5 of this chapter. The 100-hour or six months limitation may be exceeded by not more than 10 hours or 18 days while en route to reach a place where the inspection can be done. The excess time used to reach a place where the inspection can be done must be included in computing the next 100 hours of time in service.

- (c) Paragraphs (a) and (b) of this section shall not apply to —
- (1) an aircraft that carries a flight permit;
 - (2) an aircraft which is subject to the requirements of paragraph (d) or (e) of this section; or
 - (3) a turbine-powered rotorcraft when the operator elects to inspect that rotorcraft in accordance with paragraph (e) of this section.
- (d) A registered owner or operator of an aircraft desiring to use a progressive inspection program shall submit a written request to the Authority, and shall provide the following —
- (1) an AMT, appropriately Type rated in accordance with Part 2, an AMO appropriately rated in accordance with Part 6, or the manufacturer of the aircraft to supervise or conduct

Civil Aviation (Flight Safety) Regulations

- the progressive inspection;
- (2) a current inspection procedures manual available and readily understandable to 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 will 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;
 - (3) enough housing and equipment for necessary disassembly and proper inspection of the aircraft; and
 - (4) appropriate current technical information for the aircraft.

Note: The frequency and detail of the progressive inspection shall provide for the complete inspection of the aircraft within each 12 calendar months and be consistent with the current manufacturer's recommendations, field service experience, and the kind of operation in which the aircraft is engaged. The progressive inspection schedule shall ensure that the aircraft, at all times, will be airworthy and will conform to all applicable aircraft specifications, type certificate data sheets, airworthiness directives, and other approved data acceptable to the Authority. If the progressive inspection is discontinued, the owner or operator shall immediately notify the Authority, in writing, of the discontinuance. After the discontinuance, the first annual inspection under Part 8 is due within 12 calendar months after the last complete inspection of the aircraft under the progressive inspection. The 100-hour inspection under 8.2.1.7(a)(2) is due within 100 hours or six months after that complete inspection. A complete inspection of the aircraft, for the purpose of determining when the annual and 100 hour

Civil Aviation (Flight Safety) Regulations

inspections are due, requires a detailed inspection of the aircraft and all its components in accordance with the progressive inspection. A routine inspection of the aircraft and a detailed inspection of several components is not considered to be a complete inspection.

- (e) A registered owner or operator of a large aeroplane, a turbojet multi-engine aeroplane, a turbo propeller-powered multi-engine aeroplane and a turbine-powered rotorcraft shall select and identify in the aircraft maintenance records, and use one of the following programs for the inspection of the aircraft —
 - (1) a current inspection program recommended by the manufacturer and approved by the Authority;
 - (2) a continuous maintenance program that is part of a continuous maintenance program for that make and model of aircraft currently approved by the Authority for use by an AOC holder; or
 - (3) any other inspection program established by the registered owner or operator of that aircraft and approved by the Authority.
- (f) An owner or an operator shall include in the program he selected above, the name and address of the person responsible for the scheduling of the inspections required by the programme and shall provide a copy of the program to the person performing inspection on the aircraft.
- (g) 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 the inspection programme selected.
- (h) A person who wishes to establish or change an approved inspection program shall submit the programme to the Authority for approval and shall include in writing —
 - (1) instructions and procedures for the conduct of inspections for the particular make and model aircraft, including necessary tests and checks. The instructions shall set forth in detail the parts and areas of the aeronautical products, including survival and emergency equipment required to be inspected; and

Civil Aviation (Flight Safety) Regulations

- (2) a schedule for the inspections that shall be performed, expressed in terms of time in service, calendar time, number of system operations or any combination of these.
 - (i) When an owner or an operator changes from one inspection program to another, the owner or operator shall apply the time in service, calendar times, or cycles of operation accumulated under the previous program, in determining time the inspection is due under the new program.

8.3.1.5 CHANGES TO AIRCRAFT MAINTENANCE PROGRAMS

- (a) Where the Authority finds that revisions to an approved inspection program are necessary for the continued adequacy of the program, the Authority shall notify the owner or operator of the aircraft to make the changes to the program deemed to be necessary.
- (b) The owner or operator may within thirty days after receipt of the notice, petition the Authority to reconsider the notice.
- (c) Except in the case of an emergency requiring immediate action in the interest of safety, the filing of the petition stays the notice pending a decision by the Authority.

8.3.1.6 INSPECTIONS: ALL OTHER AIRCRAFT

- (a) A person shall not operate other aircraft unless within the preceding 12 calendar months the aircraft has —
 - (1) been inspected in accordance with the Performance Rules of Part 5 and approved for return to service by an authorised person; and
 - (2) been issued an Airworthiness Certificate by a representative of the Authority.
- (b) A person shall not operate an aircraft for flight instruction, or for compensation or hire, unless within the preceding 100 hours or 6 months of time in service the aircraft has been inspected in accordance with the Performance Rules of Part 5 and approved for return to service by an authorised person as identified in Part 5.

*Civil Aviation (Flight Safety) Regulations***8.3.1.7 CONTENT, FORM, AND DISPOSITION OF MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING AND MODIFICATION RECORDS**

- (a) An owner or operator of an aircraft shall keep a maintenance record of —
- (1) the entire aircraft to include —
 - (i) total time in service (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, including methods of compliance.
 - (2) 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.
 - (3) instruments and equipment, the serviceability and operating life of which are determined by their time in service including —
 - (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.

*Civil Aviation (Flight Safety) Regulations***8.3.1.8 MAINTENANCE RECORDS RETENTION**

- (a) Except for records maintained by an AOC holder, a registered owner 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 —
- (1) 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 certificate number of the person approving the aircraft for return to service.
 - (2) 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 aeronautical products;
 - (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 program 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. If the Airworthiness Directive involves recurring action, the time and date when the next action is required;
 - (vi) copies of the forms prescribed by this chapter for each major modification to the airframe and currently installed engines, rotors, propellers, and appliances.

Civil Aviation (Flight Safety) Regulations

- (b) The records specified in paragraph (a) of this section shall be retained and transferred with the aircraft at the time the aircraft is sold or leased.
- (c) A list of defects shall be retained until the defects are repaired and the aircraft is approved for return to service.
- (d) The owner or operator of an aircraft shall make all maintenance records required by this subsection available for inspection by the Authority.

8.3.1.9 TRANSFER OF MAINTENANCE RECORDS

- (a) An owner or operator of an aircraft who sells or leases an aircraft registered in Saint Lucia shall transfer to the purchaser or to the lessor, at the time of sale or lease, the records identified in 8.3.1.8 of that aircraft, in plain language form or in coded form at the election of the purchaser or the lessor.
- (b) Pursuant to subsection (a), if the coded form is requested by the purchaser or the lessor, it shall provide for the preservation and retrieval of information in a manner that is acceptable to the Authority.

8.4 FLIGHT CREW REQUIREMENTS**8.4.1.1 COMPOSITION OF THE FLIGHT CREW**

The number and composition of a flight crew shall not be less than that specified in the flight manual or all other documents associated with the airworthiness certificate.

- (a) For operations under IFR an operator shall ensure that for all turbo-propeller aeroplanes with a maximum approved passenger seating configuration of more than 9 and, for all turbojet aeroplanes, the minimum flight crew is 2 pilots.
- (b) Aeroplanes other than those covered in (a) above, can be operated by a single pilot provided that the requirements of IS: 8.4.1.1 are satisfied. If the requirements of IS: 8.4.1.1 are not satisfied, the minimum flight crew shall be 2 pilots.

8.4.1.2 FLIGHT CREW QUALIFICATIONS

- (a) The operator 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 that the flight

Civil Aviation (Flight Safety) Regulations

crew members have maintained recency of experience.

- (b) The PIC 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 that the flight crew members have maintained recency of experience.
- (c) A person shall not operate a civil aircraft in commercial air transport or aerial work unless the person is qualified for the specific operation and in the specific type of aircraft to be used.

8.4.1.3 (RESERVED)

8.4.1.4 LICENCES REQUIRED

- (a) A person shall not act as a PIC or in any other capacity as a required flight crew member of a civil aircraft —
 - (1) registered in Saint Lucia, unless the person carries in his or her personal possession the appropriate and current licence for that flight crew position for that type of aircraft and a valid medical certificate;
 - (2) of a foreign registry, unless the person carries in his or her personal possession a valid and current licence for that type of aircraft issued to them by the State in which the aircraft is registered.

8.4.1.5 AIRMAN: LIMITATIONS ON USE OF SERVICES FOR COMMERCIAL AIR TRANSPORT

A person shall not serve as an airman, nor shall an AOC holder use an airman in any commercial air transport unless the person is otherwise qualified for the operations for which he or she is to be used.

Note: The qualifications for airman engaged in commercial air transport are provided in Subpart 8.10.

8.4.1.6 RATING REQUIRED FOR IFR OPERATIONS

- (a) A person shall not act as PIC or co-pilot of a civil aircraft under IFR or in weather conditions less than the minimums prescribed for VFR flight unless, in the case of —
 - (1) an aeroplane, the person holds an instrument rating and a commercial or an ATP licence with an appropriate

Civil Aviation (Flight Safety) Regulations

aeroplane category, class, and type rating for the aeroplane being flown;

- (2) a helicopter, the person holds a helicopter instrument rating and a commercial or an ATP licence for helicopters not limited to VFR operations.

8.4.1.7 SPECIAL Authorization REQUIRED FOR CATEGORY II/III OPERATIONS

- (a) Except as stated in paragraph (b), a person shall not act as a pilot crew member of a civil aircraft in a Category II/III operation unless in the case of —
 - (1) a PIC, he or she holds a current Category II or III pilot authorization for that type aircraft; or
 - (2) a co-pilot, he or she is authorised by the State of Registry to act as co-pilot in that aircraft in Category II/III operations.
- (b) An authorization shall not be required for individual pilots of an AOC holder which has operations specifications approving Category II or III operations.

8.4.1.8 PILOT LOGBOOKS

- (a) A pilot shall show the aeronautical training and experience used to meet the requirements for a licence or rating, or recency of experience, by a reliable record.
- (b) A PIC shall carry his or her logbook on all general aviation international flights.
- (c) A student pilot shall carry his or her logbook, including the proper flight instructor endorsements, on all solo cross-country flights.

Note: The acceptable methods of logging experience are outlined in Part 2 - Personnel Licensing.

8.4.1.9 PILOT CURRENCY: TAKEOFF AND LANDINGS

- (a) A person shall not act as a PIC or as a co-pilot of an aircraft carrying passengers unless, within the preceding 90 days he or she has —
 - (1) made 3 takeoffs and landings as the sole manipulator of the flight controls in an aircraft of the same category and

Civil Aviation (Flight Safety) Regulations

- class and if a type rating is required, of the same type;
- (2) for a tailwheel aeroplane, made the 3 takeoffs and landings in a tailwheel aeroplane with each landing to a full stop;
 - (3) for night operations, made the 3 takeoffs and landings required by paragraph (a)(1) at night.
- (b) A person who has not met the recency of experience for takeoffs and landings shall satisfactorily complete a requalification curriculum acceptable to the Authority.
 - (c) An AOC holder shall not assign a pilot to act in the capacity of cruise relief pilot in a type or variant of a type of an aeroplane unless, within the preceding 90 days that pilot has either —
 - i) operated as a pilot-in-command, co-pilot or cruise relief pilot on the same type of aeroplane; or
 - ii) carried out flying skill refresher training including normal, abnormal and emergency procedures specific to cruise flight on the same type of aeroplane 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.
 - (d) The requirements of paragraphs (a), (b) and (c) may be satisfied in a flight simulator approved by the Authority.

Note: When a PIC, a co-pilot or a cruise relief pilot is flying several variants of the same type of aeroplane or different types of aeroplane with similar characteristics in terms of operating procedures, systems and handling, the Authority shall decide under which conditions the requirements for each variant or each type of aeroplane can be combined

8.4.1.10 PILOT CURRENCY: IFR OPERATIONS

- (a) A person shall not act as a PIC or as a co-pilot under IFR, nor in IMC, unless he or she has, within the past 6 calendar months —
 - (1) logged at least 6 hours of instrument flight time including at least 3 hours in flight in the category of aircraft; and
 - (2) completed at least 6 instrument approaches.
- (b) A pilot who has completed an instrument proficiency check with an authorised representative of the Authority shall be deemed

Civil Aviation (Flight Safety) Regulations

to have retained currency for IFR operations for 6 calendar months following that check.

8.4.1.11 PILOT CURRENCY: GENERAL AVIATION OPERATIONS

- (a) A person shall not act as a PIC or as a co-pilot of an aircraft type certified for more than one pilot unless, since the beginning of the past 12 calendar months, he or she has passed a proficiency check with an authorised representative of the Authority, in an aircraft requiring more than one pilot.
- (b) A person shall not act as a PIC or as a co-pilot of an aircraft type certified for more than one pilot unless, since the beginning of the past 24 calendar months, he or she has passed a proficiency check in the type aircraft to be operated.
- (c) A person shall not act as a PIC of an aircraft type certified for a single pilot unless, since the beginning of the past 24 calendar months, he or she has passed a proficiency check with an authorised representative of the Authority.
- (d) The person conducting the proficiency checks shall ensure that each check duplicates the manoeuvres of the type rating practical test.

Note: Subsection 8.4.1.11 does not apply to pilots engaged in commercial air transport operations. Those requirements are outlined in 8.10.1.21.

8.4.1.12 PILOT PRIVILEGES AND LIMITATIONS

A pilot shall conduct operations only within the general privileges and limitations of each licence as specified in Part 2.

8.5 CREW MEMBER DUTIES AND RESPONSIBILITIES**8.5.1.1 AUTHORITY AND RESPONSIBILITY OF THE PIC**

- (a) A PIC shall be responsible for the safety of all crew members, passengers and cargo on board when the doors are closed. The pilot-in-command shall also be responsible for the operation and safety of the aircraft from the moment it 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 used as primary propulsion units are shut down.

Civil Aviation (Flight Safety) Regulations

- (b) A PIC of an aircraft shall have the final authority as to the operation of the aircraft while he or she is in command.
- (c) A PIC of an aircraft shall, whether manipulating the controls or not, be responsible for the operation of the aircraft in accordance with the rules of the air, except that the PIC may depart from these rules in emergency circumstances that render such departure absolutely necessary in the interests of safety.
- (d) A pilot that exercises his or her emergency authority shall notify the authority in writing within 10 days of the occurrence.

8.5.1.2 COMPLIANCE WITH LOCAL REGULATIONS

- (a) A PIC shall comply with the relevant laws, regulations and procedures of the States in which the aircraft is operated.
- (b) If an emergency situation which endangers the safety of the aircraft or persons necessitates the taking of action which involves a violation of local regulations or procedures, the PIC shall —
 - (1) notify the appropriate local authority without delay;
 - (2) submit a report of the circumstances, if required by the State in which the incident occurs; and
 - (3) submit a copy of this report to the State of Registry.
- (c) A PIC shall submit reports specified in paragraph (b) to the Authority within 10 days in the form prescribed.

8.5.1.3 NEGLIGENT OR RECKLESS OPERATIONS OF THE AIRCRAFT

A person shall not operate an aircraft in a negligent or reckless manner so as to endanger the life or property of others.

8.5.1.4 FITNESS OF FLIGHT CREW MEMBERS

- (a) A person shall not act as a PIC or in any other capacity as a required flight crew member if the person is aware of any decrease in his or her medical fitness which might render him or her unable to safely exercise the privileges of his or her licence.
- (b) A PIC shall be responsible for ensuring that a flight is not —

Civil Aviation (Flight Safety) Regulations

- (1) commenced if any flight crew member is incapacitated from performing duties by any cause such as injury, sickness, fatigue, the effects of alcohol or drugs; or
- (2) 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.

8.5.1.5 USE OF NARCOTICS, DRUGS OR INTOXICATING LIQUOR

- (a) A person shall not act or attempt to act as a crew member of a civil aircraft —
 - (1) within 8 hours after the consumption of any alcoholic beverage;
 - (2) while under the influence of alcohol; or
 - (3) while using any drug that affects the person's faculties in any way contrary to the safety requirements.
- (b) A crew member shall, up to 8 hours before or immediately after acting or attempting to act as a crew member, on the request of a law enforcement officer or the Authority, submit to a test to indicate the presence of alcohol or narcotic drugs.

Implementing Standard: See IS 8.5.1.5 for specific requirements pertaining to testing for alcohol or narcotics.

8.5.1.6 CREW MEMBER USE OF SEAT BELTS AND SHOULDER HARNESSSES

- (a) A crew member shall have his or her seat belts fastened during takeoff and landing and at all other times when seated at his or her station.
- (b) A crew member occupying a station equipped with a shoulder harness shall fasten that harness during takeoff and landing, except in the circumstances where the crew member cannot perform the required duties with the shoulder harness fastened.
- (c) 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 takeoff and landing and be able to properly perform his or her assigned duties.

Civil Aviation (Flight Safety) Regulations

- (d) A crew member shall ensure that the safety belt and shoulder harness of an unoccupied 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.

8.5.1.7 FLIGHT CREW MEMBERS AT DUTY STATIONS

- (a) A required flight crew member shall remain at the assigned duty station during take-off and landing and at the critical phases of flight.
- (b) A flight crew member shall remain at his or her station during all phases of flight unless —
 - (1) absence is necessary for the performance of his or her duties in connection with the operation;
 - (2) absence is necessary for physiological needs, provided one qualified pilot remains at the controls at all times; or
 - (3) the crew member is taking a rest period and a qualified relief crew member replaces him or her at the duty station.

Implementing Standard: IS 8.5.1.7 for specific requirement pertaining to qualified relief crew members.

8.5.1.8 REQUIRED CREW MEMBER EQUIPMENT

- (a) A crew member involved in night operations shall have a flashlight at his or her station.
- (b) A pilot crew member shall have at his or her station an aircraft checklist containing at least the pre-takeoff, after takeoff, before landing and emergency procedures.
- (c) A pilot crew member shall have at his or her station current and suitable charts to cover the route of the proposed flight and any route along which it is reasonable to expect that the flight may be diverted.
- (d) 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 performing as a required crew member in commercial air transport.

*Civil Aviation (Flight Safety) Regulations***8.5.1.9 COMPLIANCE WITH CHECKLISTS**

A PIC shall when operating an aircraft, ensure that the flight crew follows the approved checklist procedures.

8.5.1.10 SEARCH AND RESCUE INFORMATION

A PIC of all international flights shall have on board the aircraft essential information concerning the search and rescue services in the areas over which they intend to operate the aircraft.

8.5.1.11 PRODUCTION OF AIRCRAFT AND FLIGHT DOCUMENTATION

A PIC shall, within a reasonable time of being requested to do so by a person authorised by the Authority, produce to that person the documentation required to be carried on the aircraft.

8.5.1.12 LOCKING OF FLIGHT DECK COMPARTMENT DOOR: COMMERCIAL AIR TRANSPORT

A PIC shall ensure that the flight deck compartment door (if installed) is locked at all times during passenger-carrying commercial air transport operations, except as necessary to accomplish approved operations or to provide for emergency evacuation.

8.5.1.13 ADMISSION TO THE FLIGHT DECK: COMMERCIAL AIR TRANSPORT

- (a) A person shall not admit any person to the flight deck of an aircraft engaged in commercial air transport operations unless the person being admitted is —
- (1) an operating crew member;
 - (2) a representative of the authority responsible for certification, licensing or inspection, if this is required for the performance of his or her official duties; or
 - (3) permitted by and carried out in accordance with instructions contained in the Operations Manual.
- (b) A PIC shall ensure that—
- (1) in the interest of safety, admission on the flight deck does not cause distraction or interference with the flight's operations; and

Civil Aviation (Flight Safety) Regulations

- (2) all persons carried on the flight deck are made familiar with the relevant safety procedures.

8.5.1.14 ADMISSION OF INSPECTOR TO THE FLIGHT DECK

Whenever, in performing the duties of conducting an inspection, an inspector from the Authority presents his Inspector's Credential to the PIC, the PIC shall give the inspector free and uninterrupted access to the flight deck of the aircraft.

8.5.1.15 DUTIES DURING CRITICAL PHASES OF FLIGHT: COMMERCIAL AIR TRANSPORT

- (a) A flight crew member shall not perform any duties during a critical phase of flight except those required for the safe operation of the aircraft.
- (b) A PIC 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 their assigned duties.

8.5.1.16 MANIPULATION OF THE CONTROLS: COMMERCIAL AIR TRANSPORT

- (a) A PIC shall not allow an unqualified person to manipulate the controls of an aircraft during commercial air transport operations.
- (b) A person shall not manipulate the controls of an aircraft during commercial air transport operations unless he or she is qualified to perform the applicable crew member functions and is authorised by the AOC holder.

8.5.1.17 SIMULATED ABNORMAL SITUATIONS IN FLIGHT: COMMERCIAL AIR TRANSPORT

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

8.5.1.18 COMPLETION OF THE TECHNICAL LOGBOOK: COMMERCIAL AIR TRANSPORT

A PIC shall ensure that all portions of the technical logbook are handwritten in ink, at the appropriate points before, during and after flight operations.

*Civil Aviation (Flight Safety) Regulations***8.5.1.19 REPORTING MECHANICAL IRREGULARITIES**

A PIC shall ensure that all mechanical irregularities occurring during flight time are —

- (1) for general aviation operations —
 - (a) entered in the aircraft logbook and disposed of in accordance with the MEL or other approved or prescribed procedure;
 - (b) A Mandatory Occurrence Report shall be submitted to the Authority within 3 days if the failure, malfunction or defect is listed in Part 5.5.1.4
- (2) for commercial air transport operations —
 - (a) entered in the technical log of the aircraft at the end of that sector;
 - (b) A Mandatory Occurrence Report shall be submitted to the Operator, without delay, if the failure, malfunction or defect is listed in Part 5.5.1.4.

8.5.1.20 REPORTING OF FACILITY AND NAVIGATION AID INADEQUACIES

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 responsible for that facility or navigational aid.

8.5.1.21 REPORTING OF HAZARDOUS CONDITIONS

A PIC shall report to the appropriate ATC facility, without delay and with enough detail to be pertinent to the safety of other aircraft, any hazardous flight conditions encountered en route, including those associated with meteorological conditions.

8.5.1.22 REPORTING OF INCIDENTS

- (a) A PIC shall submit, without delay, an air traffic incident report whenever an aircraft in flight has been endangered by —
 - (1) a near collision with another aircraft or object;
 - (2) faulty air traffic procedures or lack of compliance with applicable procedures by ATC or by the flight crew; or

Civil Aviation (Flight Safety) Regulations

- (3) a failure of ATC facilities.
- (b) In the event a bird constitutes an in-flight hazard or an actual bird strike a PIC shall, without delay —
 - (1) inform the appropriate ground station whenever a potential bird hazard is observed; and
 - (2) submit a written bird strike report after landing.
- (c) A PIC shall inform the appropriate ATC facility, if the situation permits, when an in-flight emergency occurs involving dangerous goods on board.
- (d) A PIC shall submit a report to the local authorities and to the Authority, without delay, following an act of unlawful interference with the crew members on board an aircraft.

8.5.1.23 ACCIDENT NOTIFICATION

- (a) A PIC shall notify the nearest appropriate authority, by the quickest available means, of any accident involving his or her aircraft that results in serious injury or death of any person, or substantial damage to the aircraft or property.
- (b) A PIC shall submit a report to the Authority, by the quickest available means, of any accident which occurred while he or she was responsible for the flight.

8.5.1.24 OPERATION OF FLIGHT DECK VOICE AND FLIGHT DATA RECORDERS

- (a) A PIC shall ensure that whenever an aircraft has flight recorders installed, those recorders are operated continuously from the instant —
 - (1) for a flight data recorder, the aircraft begins its takeoff roll until it has completed the landing roll, and
 - (2) for a flight deck voice recorder, the initiation of the pre-start checklist until the end of the securing aircraft checklist.
- (b) A PIC shall not permit a flight data recorder or flight deck voice recorder to be disabled, switched off or erased during flight, unless necessary to preserve the data for an accident or incident investigation.
- (c) In the event of an accident or incident on an aircraft, a PIC shall act to preserve the recorded data for subsequent investigation.

*Civil Aviation (Flight Safety) Regulations***8.5.1.25 CREW MEMBER OXYGEN: MINIMUM SUPPLY AND USE**

- (a) A PIC shall ensure that breathing oxygen and masks are available to crew members in sufficient quantities for all flights at such altitudes where a lack of oxygen might result in impairment of the faculties of crew members.
- (b) In no case shall the minimum supply of oxygen on board the aircraft be less than that prescribed by the Authority.

Note: The requirements for oxygen supply and use are prescribed in Part 7, 7.1.8.12, Required Instruments and Equipment.

- (c) A PIC shall ensure that all flight crew members, when engaged in performing duties essential to the safe operation of an aircraft in flight, use breathing oxygen continuously at cabin altitudes exceeding 10,000 ft for a period in excess of 30 minutes and whenever the cabin altitude exceeds 13,000 ft.
- (d) At least one pilot at the controls of a pressurised aircraft in flight shall wear and use an oxygen mask —
 - (1) for general aviation operations, at flight levels above 350, if there is no other pilot at their duty station; and
 - (2) for commercial air transport operations, at flight levels above 250, if there is no other pilot at their duty station.

8.5.1.26 PORTABLE ELECTRONIC DEVICES

- (a) A PIC or SCA shall not permit a person to use and a person shall not use a portable electronic device on board an aircraft that may adversely affect the performance of aircraft systems and equipment unless —
 - (1) for IFR operations other than commercial air transport, the PIC allows such a device prior to its use; or
 - (2) for commercial air transport operations, the AOC holder makes a determination of acceptable devices and publishes that information in the Operations Manual for the crew members use; and
 - (3) the PIC informs passengers of the permitted use.

*Civil Aviation (Flight Safety) Regulations***8.6 FLIGHT PLANNING AND SUPERVISION****8.6.1 Flight Plans****8.6.1.1 SUBMISSION OF A FLIGHT PLAN**

- (a) A pilot shall file a VFR or IFR flight plan as applicable, prior to operating one of the following —
 - (1) any flight (or portion thereof) to be provided with air traffic control service;
 - (2) any IFR flight within advisory airspace;
 - (3) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATC authority to facilitate the provision of flight information, alerting and search and rescue services;
 - (4) any flight within or into designated areas, or along designated routes, when so required by the appropriate ATC authority to facilitate co-ordination with appropriate military units or with ATC facilities in adjacent states, in order to avoid the possible need for interception for the purpose of identification; and
 - (5) any flight across international borders.
- (b) A PIC shall submit a flight plan before departure or during flight, to the appropriate ATC facility, unless arrangements have been made for submission of repetitive flight plans.
- (c) Unless otherwise prescribed by the appropriate ATC authority, a pilot shall submit a flight plan to the appropriate ATC facility —
 - (1) at least sixty minutes before departure; or
 - (2) if submitted during flight, at a time which will ensure its receipt by the appropriate ATC facility at least ten minutes before the aircraft is estimated to reach —
 - (i) the intended point of entry into a control area or advisory area; or
 - (ii) the point of crossing an airway or advisory route.

*Civil Aviation (Flight Safety) Regulations***8.6.1.2 AIR TRAFFIC CONTROL FLIGHT PLAN:
COMMERCIAL AIR TRANSPORT**

A person shall not takeoff an aircraft in commercial air transport if an ATC flight plan has not been filed, except as authorised by the Authority.

8.6.1.3 CONTENTS OF A FLIGHT PLAN

- (a) A person filing an IFR or VFR flight plan shall include in it the following information —
- (1) aircraft identification;
 - (2) flight rules and type of flight;
 - (3) number and type(s) of aircraft and wake turbulence category;
 - (4) equipment;
 - (5) departure aerodrome and alternate (if required);
 - (6) estimated off-block time;
 - (7) cruising speed(s);
 - (8) cruising level(s);
 - (9) route to be followed;
 - (10) destination aerodrome and alternate (if required);
 - (11) fuel endurance;
 - (12) total number of persons on board;
 - (13) emergency and survival equipment; and
 - (14) any other information.

Note: Whatever the purpose for which it is submitted, a flight plan shall contain information, as applicable, on relevant items up to and including “alternate aerodrome(s)” regarding the whole route or the portion thereof for which the flight plan is submitted.

8.6.1.4 PLANNED RECLEARANCE

If a person determines during flight planning that there is a possibility, depending on fuel endurance, that a flight may be able to change destinations and still comply with minimum fuel supply planning requirements, that person shall notify the appropriate ATC facility of this possibility when the flight plan is submitted.

Civil Aviation (Flight Safety) Regulations

Note: The intent of this provision is to facilitate a new clearance to a revised destination, normally beyond the filed destination aerodrome.

8.6.1.5 CHANGES TO A FLIGHT PLAN

- (a) A pilot shall report as soon as practicable to the appropriate ATC Facility any change which occurs to a flight plan submitted for an IFR flight or a VFR flight operated as a controlled flight.
- (b) A pilot shall report as soon as practicable to the appropriate ATC Facility any significant changes for VFR flights other than those operated as controlled flight.
- (c) Operational instructions involving a change to the ATC flight plan shall be, when practicable, coordinated with the appropriate ATC facility before transmission to the aircraft.

Note: Information submitted prior to departure regarding fuel endurance or total number of persons carried on board, if incorrect at time of departure, constitutes a significant change and shall be reported.

8.6.1.6 CLOSING A FLIGHT PLAN

- (a) A PIC shall make a report of arrival either in person or by radio to the appropriate ATC facility at the earliest possible moment after landing at the destination aerodrome, unless ATC automatically closes a flight plan.
- (b) When a flight plan has been submitted for a portion of a flight, but not the arrival at destination, the pilot shall close that flight plan en route with the appropriate ATC facility.
- (c) When no ATC facility exists at the arrival aerodrome, the pilot shall contact the nearest ATC facility to close the flight plan as soon as practicable after landing and by the quickest means available.
- (d) A Pilot shall include the following elements of information in his or her arrival reports —
 - (1) aircraft identification;
 - (2) departure aerodrome;
 - (3) destination aerodrome (only in the case of a diversionary landing);
 - (4) arrival aerodrome; and

Civil Aviation (Flight Safety) Regulations

- (5) time of arrival.

8.6.2 Flight Planning and Preparation**8.6.2.1 AIRCRAFT AIRWORTHINESS AND SAFETY PRECAUTIONS**

- (a) A PIC shall not operate a civil aircraft in flight until he or she is satisfied that —
- (1) the aircraft is airworthy, duly registered and that appropriate certificates are aboard the aircraft;
 - (2) the instruments and equipment installed in the aircraft are appropriate, taking into account the expected flight conditions; and
 - (3) any necessary maintenance has been performed and a maintenance release, if applicable, has been issued in respect to the aircraft.
- (b) For commercial air transport operations, a PIC shall certify by signing the aircraft technical log that he or she is satisfied that the requirements of paragraph (a) have been met for a particular flight.
- (c) An AOC holder shall, at all times, have available in the Operations Department, for immediate communication to rescue coordination centres, lists containing information on the emergency and survival equipment carried on board any of their aircraft engaged in international air navigation. The 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 the emergency portable radio equipment.

8.6.2.2 ADEQUACY OF OPERATING FACILITIES

A person shall not commence a flight unless it has been determined by every reasonable means available that the ground or water areas and facilities available and communication facilities and navigation aids directly required for such flight and for the safe operation of the aircraft, are adequate.

Note: “Reasonable means” denotes use, at the point of departure, of information available to the PIC either through official information published by the aeronautical information services or readily obtainable in other sources.

*Civil Aviation (Flight Safety) Regulations***8.6.2.3 WEATHER REPORTS AND FORECASTS**

- (a) A PIC shall before commencing a flight, ensure that he is familiar with all available meteorological information appropriate to the intended flight.
- (b) A PIC shall include, during preparation for a flight away from the vicinity of the place of departure, and for every flight under the instrument flight rules —
 - (1) a study of available current weather reports and forecasts; and
 - (2) the planning of an alternative course of action to provide for the eventuality that the flight cannot be completed as planned, because of adverse weather conditions.

8.6.2.4 LIMITATIONS FOR VFR FLIGHTS

- (a) A person shall not commence a flight to be conducted in accordance with 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, allow VFR operations.
- (b) A person shall not conduct a flight in accordance with VFR during the period of darkness between half an hour after sunset and half an hour before sunrise.

8.6.2.5 IFR DESTINATION AERODROMES

A person shall not commence an IFR flight unless the available information indicates that the weather conditions at the aerodrome of intended landing and, if required, at least one suitable alternate at the estimated time of arrival, will be at or above the —

- (1) minimum ceiling and visibility values for the standard instrument approach procedure to be used; or
- (2) minimum operating altitude, if no instrument approach procedure is to be used, that would allow a VMC descent to the aerodrome.

Note: A partial exception is granted for commercial air transport IFR flight planning, to the effect that the weather at the destination does not have to be at or above the approach minima to release and commence a flight, as long as the designated alternate aerodrome meets the IFR weather selection criteria.

*Civil Aviation (Flight Safety) Regulations***8.6.2.6 IFR DESTINATION ALTERNATE REQUIREMENT**

- (a) A person shall not commence an IFR flight in an aircraft without at least one destination alternate aerodrome listed in the flight plan unless —
 - (1) there is a standard instrument approach procedure prescribed for the aerodrome of intended landing by the jurisdictional authorities; and
 - (2) there is available current meteorological information indicating that the following meteorological conditions will exist from two hours before to two hours after the estimated time of arrival —
 - (i) a cloud base of at least 300 m (1,000 ft) above the minimum associated with the instrument approach procedure; and
 - (ii) visibility of at least 5.5 km or of 4 km more than the minimum associated with the procedure.
- (b) The ceiling and visibility requirements of paragraph (a) may be reduced on approval of the Authority for —
 - (1) helicopters; or
 - (2) commercial air transport where no suitable destination alternate exists.

8.6.2.7 IFR ALTERNATE AERODROME SELECTION CRITERIA

- (a) If alternate minimums are published, a PIC shall not designate an alternate aerodrome in an IFR flight plan unless the current available forecast indicates that the meteorological conditions at that alternate at the ETA will be at or above those published alternate minimums.
- (b) If alternate minimums are not published, and if there is no prohibition against using the aerodrome as an IFR planning alternate, a PIC shall ensure that the meteorological conditions at that alternate at the ETA will be at or above —
 - (1) for a precision approach procedure, a ceiling of at least 200 meters (600 feet) and visibility of not less than 2 statute miles; or

Civil Aviation (Flight Safety) Regulations

- (2) for a non-precision approach procedure, a ceiling of at least 300 meters (800 feet) and visibility of not less than 2 statute miles.

8.6.2.8 OFF-SHORE ALTERNATES FOR HELICOPTER OPERATIONS

- (a) 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.

Note: The selection of offshore alternates should be exceptional cases, the details of which have been approved by the Authority, and should not include payload enhancement in IMC.

- (b) A person selecting an off-shore alternate landing site shall consider the following —
 - (1) until the point of no return, using an on-shore alternate. The offshore alternate may be used only after a point of no return;
 - (2) attaining one engine inoperative performance capability prior to arrival at the alternate;
 - (3) guaranteeing helideck availability;
 - (4) the weather information at the helideck shall be available from a source approved by the Authority;
 - (5) for IFR operations, an instrument approach procedure shall be prescribed and available.

Note: The landing technique specified in the flight manual following control system failure may preclude the selection of certain helidecks as alternate aerodromes. The mechanical reliability of critical control systems shall be taken into account when determining the suitability and necessity for an offshore alternate.

8.6.2.9 TAKEOFF ALTERNATE AERODROMES: COMMERCIAL AIR TRANSPORT OPERATIONS

- (a) A person shall not release or takeoff an aircraft without a suitable takeoff alternate specified in the flight release if it would not be possible to return to the aerodrome of departure.
- (b) A operator shall ensure that each takeoff alternate specified shall be located within —

Civil Aviation (Flight Safety) Regulations

- (1) for two-engine aircraft, one hour flight time at single-engine cruise speed unless the aircraft and crews are authorised for ETOPS; or
- (2) for three or four-engine aircraft, two hours flight time based on the one-engine-inoperative cruising speed.

Note: All calculations are based on the one-engine-inoperative cruising speed according to the AFM in still air conditions, based on the actual takeoff mass.

8.6.2.10 MAXIMUM DISTANCE FROM AN ADEQUATE AERODROME FOR TWO-ENGINED AEROPLANES WITHOUT AN ETOPS APPROVAL

- (a) Unless specifically approved by the Authority (ETOPS Approval), an AOC holder shall not operate a two engined aeroplane over a route which contains a point further from an adequate aerodrome than, in the case of —
 - (1) large, turbine engine powered aeroplanes the distance flown in 60 minutes at the one-engine-inoperative cruise speed determined in accordance with paragraph (b) with either —
 - (i) a maximum approved passenger seating configuration of 20 or more; or
 - (ii) a maximum take off mass of 45360kg or more,
 - (2) reciprocating engine powered aeroplanes —
 - (i) the distance flown in 120 minutes at the one-engine-inoperative cruise speed determined in accordance with paragraph (b); or
 - (ii) 300 nautical miles, whichever is less.
- (b) An AOC holder shall determine a speed for the calculation of the maximum distance to an adequate aerodrome for each two engined aeroplane type or variant operated, not exceeding V_{mo} based on the true airspeed that the aeroplane can maintain with one engine inoperative under the following conditions —
 - (1) international Standard Atmosphere;
 - (2) level flight:
 - (i) for turbine engined powered aeroplanes at —
 - (A) FL 170; or

Civil Aviation (Flight Safety) Regulations

- (B) 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 AFM, whichever is less.
 - (ii) for propeller driven aeroplanes —
 - (A) FL 80; or
 - (B) 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 AFM, whichever is less.
- (3) maximum continuous thrust or power on the remaining operating engine;
- (4) an aeroplane mass not less than that resulting from —
 - (i) 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 paragraph (a);
 - (ii) 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 subparagraph (a); and
 - (iii) 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 paragraph (a).
- (c) An AOC holder shall ensure that the following data, specific to each type or variant, is included in the Operations Manual —
 - (1) the one-engine-inoperative cruise speed determined in accordance with paragraph (b); and
 - (2) the maximum distance from an adequate aerodrome determined in accordance with paragraphs (a) and (b).
- (d) An AOC holder shall ensure that the maintenance procedures, operating practices, flight dispatch procedures and crew training programmes provide the overall level of safety intended by the provisions of Annexes 6 and 8 to the Chicago Convention, taking into account the routes to be flown, the anticipated operating conditions and the location of adequate en-route alternate aerodromes.

Civil Aviation (Flight Safety) Regulations

Note: The speeds and altitudes (flight levels) specified above are only intended to be used for establishing the maximum distance from an adequate aerodrome.

8.6.2.11 EXTENDED RANGE OPERATIONS WITH TWO-ENGINED AEROPLANES

- (a) An AOC holder shall not conduct operations beyond the threshold distance determined in accordance with 8.6.2.10 unless approved to do so by the Authority.
- (b) Prior to conducting an ETOPS flight, an AOC holder shall ensure that a suitable ETOPS enroute alternate is available, within either the approved diversion time or a diversion time based on MEL generated serviceability status of the aeroplane, whichever is shorter.

8.6.2.12 EN ROUTE ALTERNATE AERODROMES: ETOPS OPERATIONS

- (a) A PIC shall ensure that the required en route alternates for ETOPS are selected and specified in ATC and operational flight plans in accordance with the ETOPS diversion time approved by the Authority.
- (b) 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 will be at or above the planning minima prescribed in the table below, and in accordance with the operator's ETOPS approval.

Type of Approach	Planning Minima (RVR/visibility required & ceiling, if applicable)	
	Aerodrome with	
	at least 2 separate approach procedures based on 2 separate aids serving 2 separate runways (See note 1)	at least 2 separate approach procedures based on 2 separate aids serving 1 runway or, at least 1 approach procedure based on 1 aid serving 1 runway
Precision Approach Cat II, III (ILS, MLS)	Precision Approach Cat I Minima	Non-Precision Approach Minima
Precision Approach Cat I (ILS, MLS)	Non-Precision Approach Minima	Circling minima or, if not available, non-precision approach minima plus 200 ft/1000m
Non-Precision Approach	The lower of non-precision approach minima plus 200 ft/1000 m or circling minima	The higher of non-precision approach minima plus 200 ft/1000 m or circling minima
Circling Approach	Circling Minima	

Civil Aviation (Flight Safety) Regulations

Note: The forecast weather criteria used in the selection of alternate aerodromes for IFR flight will also be used for the selection of ETOPS alternates.

Note 1: Runways on the same aerodrome are considered to be separate runways when 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 each of the landing surfaces has a separate approach based on a separate aid.

8.6.2.13 FUEL, OIL, AND OXYGEN PLANNING AND CONTINGENCY FACTORS

- (a) A person shall not commence a flight unless he or she takes into account the fuel, oil, and oxygen needed, including any reserves to be carried for contingencies to ensure the safe completion of the flight.
- (b) A person computing the required minimum fuel supply shall ensure that additional fuel, oil, and oxygen are carried to provide for the increased consumption that would result from any of the following contingencies —
 - (1) expected winds or other meteorological conditions;
 - (2) possible variations in ATC routings;
 - (3) anticipated traffic delays;
 - (4) a complete instrument approach procedure and possible missed approach at destination;
 - (5) loss of pressurisation en route;
 - (6) loss of one power-unit en route; and
 - (7) any other conditions that may delay landing of the aircraft or increase fuel and oil consumption.
- (c) A person computing the required minimum fuel supply shall ensure that, for flights of more than 2,000 nm, the minimum fuel supply calculation includes an additional amount of fuel equal to that necessary to fly 10% of the total time for the flight from takeoff to destination.
- (d) A PIC shall not commence a flight to an aerodrome where no suitable alternate aerodrome is available because the destination

Civil Aviation (Flight Safety) Regulations

aerodrome is isolated, without enough reserve fuel for two additional hours flight at normal cruise consumption, at 1,500 feet above the aerodrome.

- (e) The Authority may grant specific approval for commercial air transport operations to isolated aerodromes without regard to consumption requirement of paragraph (d).

Note: If the Authority requires that fuel, in addition to any other requirement herein, is necessary on a particular route or flight operation in the interest of safety, this additional fuel will be included in the minimum fuel supply for that route.

8.6.2.14 MINIMUM FUEL SUPPLY FOR VFR FLIGHTS

- (a) A person shall not commence a flight in an aeroplane under VFR unless, considering the wind and forecast weather conditions, there is enough fuel to fly to the first point of intended landing and, assuming normal cruising speed —
 - (1) in a propeller-driven aeroplane, fuel for 45 minutes.
 - (2) in a turbojet or turbofan aeroplane, fuel for 30 minutes at holding speed at 450 m (1,500 ft) above the aerodrome, plus a reserve for contingencies specified by the operator and approved by the Authority.
 - (3) for international flights, for at least an additional 15% of the total flight time calculated for cruise flight.
- (b) A person shall not commence a flight in a helicopter under VFR unless (considering the wind and forecast weather conditions) there is enough fuel to fly to the first point of intended landing and, assuming normal cruising speed —
 - (1) for 20 minutes thereafter; or
 - (2) for international flights, for at least an additional 10% of the total flight time calculated.

8.6.2.15 MINIMUM FUEL SUPPLY FOR IFR FLIGHTS

- (a) A person shall not commence a flight under IFR unless there is enough fuel supply, considering weather reports and forecasts, to —
 - (1) fly to and execute an approach, and a missed approach, at the aerodrome to which the flight is planned, and thereafter;

Civil Aviation (Flight Safety) Regulations

- (2) fly from that aerodrome to the planned alternate aerodrome, if required; and
- (3) fly thereafter for a period of —
 - (i) in a propeller-driven aeroplane, for 45 minutes.
 - (ii) in a rotorcraft, turbojet or turboprop aeroplane, for 30 minutes at holding speed at 450 m (1,500 ft) above the aerodrome, plus a reserve for contingencies specified by the operator and approved by the Authority.
- (b) For IFR flights to isolated aerodromes, the 2-hour minimum reserve specified in 8.6.2.13 applies, except paragraph (e) shall not apply to commercial air transport operations unless specifically approved by the Authority.

8.6.2.16 FLIGHT PLANNING DOCUMENT DISTRIBUTION AND RETENTION: COMMERCIAL AIR TRANSPORT

- (a) A PIC shall ensure completion of and sign the following flight preparation documents prior to the departure for commercial operations —
 - (1) An operational flight plan (when required), including NOTAMs and weather pertinent to the flight planning decisions regarding minimum fuel supply, en route performance, and destination and alternate aerodromes.
 - (2) A load manifest, showing the distribution of the load, centre of gravity, takeoff and landing weights and compliance with maximum operating weight limitations, and performance analysis.
 - (3) An applicable technical log page, if mechanical irregularities were entered after a previous flight, maintenance or inspection functions were performed or a maintenance release was issued at the departure aerodrome.
- (b) A person shall not takeoff an aircraft in commercial air transport unless all flight release documents, signed by the PIC, are retained and available at the point of departure.
- (c) A PIC shall carry a copy of the documents specified in paragraph (a) on the aircraft to the destination aerodrome.
- (d) The records under this section shall be retained for a period of six months.

Civil Aviation (Flight Safety) Regulations

Note: These documents are in addition to those specified in Subpart 8.2 for all aircraft operations.

Note: The Authority may approve a different retention location where all documents can be available for subsequent review.

8.6.2.17 AIRCRAFT LOADING, MASS AND BALANCE

- (a) A person shall not operate an aircraft unless all loads carried on the aircraft are properly distributed and safely secured.
- (b) A person shall not operate an aircraft unless the calculations for the mass of the aircraft and centre of gravity location indicate that the flight can be conducted safely, taking into account the flight conditions expected. (See Note 1)
- (c) All weights used for the calculations for the mass of the aircraft must be of the same calibration standard. (See Note 2)
- (d) For commercial air transport operations, a PIC shall not commence a flight unless the PIC is satisfied that the loading and mass and balance calculations contained in the load manifest are accurate and comply with the aircraft limitations.

Note 1: When load masters, load planners or other qualified personnel are provided by the AOC holder in a commercial air transport operation, the PIC may delegate these responsibilities, but shall ascertain that proper loading procedures are followed.

Note 2: If fuel gauges are calibrated in pounds then the load manifest calculations shall be in pounds.

8.6.2.18 MAXIMUM ALLOWABLE WEIGHTS TO BE CONSIDERED ON ALL LOAD MANIFESTS

- (a) A PIC shall ensure that the maximum allowable weight for a flight does not exceed the maximum allowable takeoff weight —
 - (1) for the specific runway and conditions existing at the takeoff time; and
 - (2) considering anticipated fuel and oil consumption that allows compliance with applicable en route performance, landing weight, and landing distance limitations for destination and alternate aerodromes.

*Civil Aviation (Flight Safety) Regulations***8.6.2.19 FLIGHT RELEASE REQUIRED: COMMERCIAL AIR TRANSPORT**

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

8.6.2.20 OPERATIONAL FLIGHT PLAN: COMMERCIAL AIR TRANSPORT

- (a) A person shall not commence a flight in excess of 1 hour, unless the operational flight plan has been signed by the PIC.
- (b) A PIC shall sign the operational flight plan only when the PIC and the person authorised by the operator to exercise operational control have determined that the flight can be safely completed. Note: 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.
- (c) A PIC 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 aerodrome.
- (d) 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 6 hours.

8.7 AIRCRAFT OPERATING AND PERFORMANCE LIMITATIONS**8.7.1 All Aircraft****8.7.1.1 APPLICABILITY**

This Section prescribes the operating and performance limitations for all civil aircraft.

*Civil Aviation (Flight Safety) Regulations***8.7.1.2 GENERAL**

A person shall not operate an aircraft in a manner that —

- (1) exceeds its designed performance limitations for any operation, as established by the State of Registry; or
- (2) exceeds operating limitations contained in the aircraft's flight manual, or its equivalent.

8.7.1.3 AIRCRAFT PERFORMANCE CALCULATIONS

- (a) An operator of an aircraft shall ensure that the performance data contained in the AFM, RFM, or other authorised source is used to determine compliance with the appropriate requirements of Subpart 8.7.
- (b) 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.
- (c) Aircraft operating procedures for noise abatement should comply with the provisions of PANS-OPS (Doc 8168). Noise abatement procedures specified by an operator for any one aeroplane type should be the same for all aerodromes.

8.7.1.4 GENERAL WEIGHT AND OBSTRUCTION CLEARANCE LIMITATIONS

- (a) A person shall not takeoff an aircraft without ensuring that the maximum allowable weight for a flight does not exceed the maximum allowable takeoff or landing weight, or any applicable en route performance or landing distance limitations considering the —
 - (1) condition of the takeoff and landing areas to be used;
 - (2) gradient of runway to be used (landplanes only);
 - (3) pressure altitude;
 - (4) ambient temperature;
 - (5) current and forecast winds; and
 - (6) any know conditions (e.g., atmospheric and aircraft configuration) which may adversely affect performance.

Civil Aviation (Flight Safety) Regulations

- (b) A person shall not takeoff an aircraft at a weight 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.

8.7.2 Aircraft Used in Commercial Air Transport

8.7.2.1 APPLICABILITY

This Section prescribes aircraft performance and operating limitations for aircraft used in commercial air transport operations, except those aircraft holding a special authority or waiver by the Authority which exempt them from specific operating and performance limitations.

8.7.2.2 GENERAL

- (a) A person operating an aircraft engaged in commercial air transport shall comply with the provisions of Section 8.7.2.
- (b) The Authority may authorise deviations from the requirements of Section 8.7.2 if special circumstances make a literal observance of a requirement unnecessary for safety.
- (c) Where full compliance with the requirements of Section 8.7.2 cannot be shown due to specific design characteristics (e.g., 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 Section.
- (d) Single engine turbine aircraft shall only be operated in conditions of weather and light, and over such routes and diversions that permit a safe forced landing to be executed in the event of engine failure. Single engine piston aircraft may be operated with special approval from the Authority which will consider such factors as terrain and operating conditions. The Authority may also impose additional restrictions.
- (e) A person shall not operate a multiengine aircraft used for revenue passenger carrying operations that is unable to comply with any of the performance limitations of subsections 8.7.2.4 through 8.7.2.8 unless that aircraft is continually operated —
 - (1) in daylight;
 - (2) in VFR ; and
 - (3) at a weight that will allow it to climb, with the critical engine inoperative, at least 50 feet a minute when operating at the

Civil Aviation (Flight Safety) Regulations

MEAs of the intended route or any planned diversion, or at 5,000 feet MSL, whichever is higher.

- (f) A multiengine airplane that is unable to comply with paragraph (e)(3) is, for the purpose of this Section, considered to be a single engine aircraft and shall comply with the requirements of paragraph (d).
- (g) A helicopter intended to be flown over water shall be fitted with a permanent or rapidly deployable means of flotation so as to ensure a safe ditching of the helicopter when —
 - (i) flying over water at a distance from land corresponding to more than 10 minutes at normal cruise speed in the case of performance Class 1 or 2 helicopters; or
 - (ii) flying over water beyond autorotational or safe forced landing distance from land in the case of performance Class 3 helicopters.

Note. All helicopters on flights over water in accordance with 8.7.2.2 (g) shall be certificated for ditching. Sea state shall be an integral part of the ditching information.

8.7.2.3 AIRCRAFT PERFORMANCE CALCULATIONS

- (a) A person shall not takeoff an aircraft used in commercial air transport without ensuring that the applicable operating and performance limitations required for this Section can be accurately computed based on the AFM, RFM, or other data source approved by the Authority.
- (b) A person calculating performance and operating limitations for aircraft used in commercial air transport shall ensure that performance data used to determine compliance with this Section can, during any phase of flight, accurately account for —
 - (i) any reasonably expected adverse operating conditions that may affect aircraft performance;
 - (ii) one engine failure for aircraft having two engines, if applicable; and
 - (iii) two engine failures for aircraft having three or more engines, if applicable.
- (c) A person performing the calculations for the performance and limitation requirements of subsections 8.7.2.4 to 8.7.2.8 shall,

Civil Aviation (Flight Safety) Regulations

for all engines operating and for inoperative engines, accurately account for —

- (1) in all phases of flight —
 - (i) the effect of fuel and oil consumption on aircraft weight;
 - (ii) the effect of fuel consumption on fuel reserves resulting from changes in flight paths, winds, and aircraft configuration;
 - (iii) the effect of fuel jettisoning on aircraft weight and fuel reserves, if applicable and approved;
 - (iv) the effect of any ice protection system, if applicable and weather conditions require its use;
 - (v) ambient temperatures and winds along intended route and any planned diversion;
 - (vi) flight paths and minimum altitudes required to remain clear of obstacles.
- (2) during takeoff and landing —
 - (i) the condition of the takeoff runway or area to be used, including any contaminants (e.g., water, slush, snow, ice);
 - (ii) In determining the length of the runway available, account shall be taken of the loss, if any, of runway length due to alignment of the aeroplane prior to take-off
 - (iii) the gradient of runway to be used;
 - (iv) the runway length including clearways and stopways, if applicable;
 - (v) pressure altitudes at takeoff and landing sites;
 - (vi) current ambient temperatures and winds at takeoff;
 - (vii) forecast ambient temperatures and winds at each destination and planned alternate landing site;
 - (viii) the ground handling characteristics (e.g., braking action) of the type of aircraft; and
 - (ix) landing aids and terrain that may affect the takeoff path, landing path, and landing roll.

Civil Aviation (Flight Safety) Regulations

Note: 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.

Note: To allow for wind effect, takeoff data based on still air may be corrected by taking into account not more than 50 per cent of any reported headwind component and not less than 150 per cent of any reported tailwind component, and landing data based on.

8.7.2.4 TAKEOFF LIMITATIONS

- (a) Aeroplanes. A person shall not takeoff an aeroplane used in commercial air transport unless the following requirements are met when determining the maximum permitted take-off mass:
- (1) the takeoff run shall not be greater than the length of the runway;
 - (2) for turbine engine powered aeroplanes —
 - (i) the takeoff 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 1/2 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 takeoff until reaching V1.
 - (3) for reciprocating engine powered aeroplanes —
 - (i) the accelerate-stop distance shall not exceed the length of the runway at any time during takeoff until reaching V1;
 - (4) if the critical engine fails at any time after the aeroplane reaches V1, to continue the takeoff flight path 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

Civil Aviation (Flight Safety) Regulations

feet) horizontally after passing the boundaries, without banking more than 15 degrees at any point on the takeoff flight path.

- (5) The AOC holder shall take account of charting accuracy when assessing compliance with Part 8.7.2.4 (4)
- (b) Helicopters. A person shall not takeoff a helicopter used in commercial air transport that, in the event of a critical engine failure, cannot —
 - (1) for Class 1 helicopters—
 - (i) at or before the takeoff decision point, discontinue the takeoff and stop within the rejected takeoff area; or
 - (ii) after the takeoff decision point, continue the takeoff and then climb, clearing all obstacles along the flight path, until a suitable landing site is found.
 - (2) for Class 2 helicopters —
 - (i) before reaching a defined point after take-off, safely execute a forced landing within the rejected takeoff area; or
 - (ii) at any point after reaching a defined point after take-off, continue the takeoff and then climb, clearing all obstacles along the flight path, until a suitable landing site is found.
 - (3) Performance Class 3 helicopters shall only be operated 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.
 - (4) The operator shall take account of charting accuracy when assessing compliance with the above.
- (c) Only performance Class 1 helicopters shall be permitted to operate from elevated heliports in congested areas

8.7.2.5 EN ROUTE LIMITATIONS: ALL ENGINES OPERATING

A person shall not take off 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 V_{so}, (that is, the number of feet per minute obtained by multiplying the aircraft's minimum steady flight

Civil Aviation (Flight Safety) Regulations

speed by 6.9) 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.

8.7.2.6 EN ROUTE LIMITATIONS: ONE ENGINE INOPERATIVE

(a) Aeroplane. A person shall not take off an aeroplane used in commercial air transport having two engines unless that aeroplane can, in the event of a power failure at the most critical point en route, continue the flight to a suitable aerodrome where a landing can be made while allowing —

- (1) for reciprocating engine powered aeroplanes —
 - (i) at least a rate of climb of $0.079 - (0.106/\text{number of engines installed}) V_{so2}$ (when V_{so} is expressed in knots) at an altitude of 300 m (1,000 ft) above all terrain and obstructions within 9.3 km (5 sm), on each side of the intended track; and
 - (ii) a positive slope at an altitude of at least 450 m (1,500 ft) above the aerodrome where the aeroplane is assumed to land.
- (2) for turbine engine powered transport category aeroplanes —
 - (i) a positive slope at an altitude of at least 300 m (1,000 ft) above all terrain and obstructions within 9.3 km (5 sm), on each side of the intended track;
 - (ii) a net flight path from cruising altitude to the intended landing aerodrome that allows at least 600 m (2,000 ft) clearance above all terrain and obstructions within 9.3 km (5 sm), on each side of the intended track; and
 - (iii) a positive slope at an altitude of at least 450 m (1,500 ft) above the aerodrome where the aeroplane is assumed to land;

Note: The climb rate specified in paragraph (a)(1)(i) may be amended to $0.026 V_{so2}$ for large transport category aircraft issued a type certificate prior to 1953.

Note: The 9.3 km (5 sm) clearance margin stated in paragraph (a) shall be increased to 18.5 km (10 sm) if navigational accuracy does not meet the 95% containment level.

Civil Aviation (Flight Safety) Regulations

- (b) Helicopter. A person shall not takeoff a helicopter used in commercial air transport having two engines unless that helicopter can, in the event of the critical engine 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.

8.7.2.7 EN ROUTE LIMITATIONS: TWO ENGINES INOPERATIVE

- (a) Aeroplane. A person shall not takeoff 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 allowing —

- (1) for turbine engine powered aeroplanes —
- (i) a net flight path (considering the ambient temperatures anticipated along the track) clearing vertically by at least 2,000 feet all terrain and obstructions within five statute miles (4.34 nautical miles) on each side of the intended track;
 - (ii) a positive slope at 1,500 feet above the aerodrome of intended landing; and
 - (iii) enough fuel to continue to the aerodrome of intended landing, to arrive at an altitude of at least 1,500 feet directly over the aerodrome, and thereafter to fly for 15 minutes at cruise power.

Note: The consumption of fuel and oil after the engine failure is the same as the consumption that is allowed for in the net flight path data in the AFM.

- (2) for reciprocating engine powered aeroplanes —
- (i) A rate of climb at $0.013 V_{so2}$ feet per minute (that is, the number of feet per minute is obtained by multiplying the number of knots squared by 0.013) at an altitude of 1,000 feet above the highest ground or obstruction within 10 miles on each side of the intended

Civil Aviation (Flight Safety) Regulations

track, or at an altitude of 5,000 feet, which ever is higher; and

- (ii) enough fuel to continue to the aerodrome of intended landing and to arrive at an altitude of at least 300 m (1,000 ft) directly over that aerodrome.

Note: When the two engines of the reciprocating aeroplane are predicted to fail at an altitude above the prescribed minimum altitude, compliance with the prescribed rate of climb need not be shown during the descent from the cruising altitude to the prescribed minimum altitude, if those requirements can be met once the prescribed minimum altitude is reached, and assuming descent to be along a net flight path and the rate of descent to be 0.013 V_{so2} greater than the rate in the approved performance data.

Note: If fuel jettisoning is authorised (or planned), the aeroplane's weight at the point where the two engines fail is considered to be not less than that which would include enough fuel to proceed to an aerodrome and to arrive at an altitude of at least 300 m (1,000 ft) directly over that aerodrome.

- (b) Helicopters. A person shall not takeoff a Class 1 or 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.

8.7.2.8 LANDING LIMITATIONS

- (a) Aeroplane. A person shall not take off an aeroplane used in commercial operations unless its weight on arrival at either the intended destination aerodrome or any planned alternate aerodrome would allow a full stop landing from a point 50 feet above the intersection of the obstruction clearance plane and the runway, and within —
 - (1) for non propeller driven aeroplanes, 60 per cent of the effective length of each runway;
 - (2) for propeller driven aeroplanes, 70 per cent of the effective length of each runway.
- (b) For the purpose of determining the allowable landing weight at the destination aerodrome, each person determining the landing limit shall ensure that —

Civil Aviation (Flight Safety) Regulations

- (1) the aeroplane is landed on the most favourable runway and in the most favourable direction, in still air; or
- (2) 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.

Note: If the runway at the landing destination is reported or forecast to be wet or slippery, the landing distance available shall be at least 115 per cent of the required landing distance unless, based on a showing of actual operating landing techniques on wet or slippery runways, a shorter landing distance (but not less than that required by paragraph (a)) has been approved for a specific type and model aeroplane and this information is included in the AFM.

- (c) A turbine powered transport category aeroplane that would be prohibited from taking off because it could not meet the requirements of paragraph (a)(1), may take off if an alternate aerodrome is specified that meets all the requirements of paragraph (a).
- (d) Helicopters. No person may take off 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.
- (e) Helicopters. A person shall not take off 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, can —
 - (1) for Class 1 helicopters —
 - (i) before the landing decision point, clear all obstacles on the approach path and be able to land and stop within the landing distance available or to perform a balked landing and clear all obstacles in the flight path by an adequate margin; or
 - (ii) after the landing decision point, land and stop within the landing distance available.

Civil Aviation (Flight Safety) Regulations

- (2) for Class 2 and Class 3 helicopters —
 - (i) before reaching a defined point before landing, safely execute a forced landing within the landing distance available.

8.8 FLIGHT RULES**8.8.1 All Operations****8.8.1.1 OPERATION OF AIRCRAFT ON THE GROUND**

- (a) A person shall not taxi an aircraft on the movement area of an aerodrome unless the person at the controls —
 - (1) has been authorised by the owner, the lessee, or a designated agent;
 - (2) is fully competent to taxi the aircraft;
 - (3) is qualified to use the radio if radio communications are required; and
 - (4) has received instructions from a competent person in respect of aerodrome layout, and where appropriate, information on routes, signs, marking, lights, ATC signals and instructions, phraseology and procedures, and is able to conform to the operational standards required for safe aircraft movement at the aerodrome.
- (b) A person shall not cause a helicopter rotor to be turned under power unless there is a qualified pilot at the controls.

8.8.1.2 TAKEOFF CONDITIONS

Before commencing takeoff, a PIC shall ensure that —

- (1) according to the available information, the weather at the aerodrome and the condition of the runway intended to be used will allow for a safe takeoff and departure; and
- (2) the RVR or visibility in the takeoff direction of the aircraft is equal to or better than the applicable minimum.

8.8.1.3 FLIGHT INTO KNOWN OR EXPECTED ICING

- (a) A person shall not takeoff an aircraft or continue to operate an aircraft en route when icing conditions are expected or encountered, without ensuring that the aircraft is certified for

Civil Aviation (Flight Safety) Regulations

icing operations and has sufficient operational de-icing or anti-icing equipment.

- (b) A person shall not takeoff 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.
- (c) For commercial air transport operations, a person shall not takeoff an aircraft if conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless the procedures approved for the AOC holder by the Authority are followed to ensure ground de-icing and anti-icing is accomplished.

8.8.1.4 ALTIMETER SETTINGS

A person operating an aircraft shall maintain the cruising altitude or flight level by reference to an altimeter set —

- (1) below transition level to —
 - (i) the current reported altimeter setting of a station along the route and within 100 nautical miles of the aircraft;
 - (ii) the current reported altimeter setting of a nearby station, if there is not a station along the route; or
 - (iii) in the case of an aircraft not equipped with a radio, the elevation of the departure aerodrome or an appropriate altimeter setting available before departure; or
- (2) above transition altitude to 1013.2 hPa.

Implementing Standard: See IS 8.8.1.4 to determine the lowest usable flight level.

8.8.1.5 MINIMUM SAFE ALTITUDES: GENERAL

Except when necessary for takeoff or landing, no person may operate an aircraft below the following altitudes —

- (1) Anywhere. an altitude allowing, if a power unit fails, continuation of flight or an emergency landing without undue hazard to persons or property on the surface;
- (2) Over congested areas. over any congested area of a city, town, or settlement, or over any open-air assembly of persons, an altitude of 300m (1,000 feet) above the highest

Civil Aviation (Flight Safety) Regulations

obstacle within a horizontal radius of 600m (2,000 feet) of the aircraft;

- (3) Over other than congested areas. an altitude of 150m (500 feet) above the surface, except over open water or sparsely populated areas where the aircraft may not be operated closer than 150m (500 feet) to any person, vessel, vehicle, or structure;
- (4) Helicopters. pilots of helicopters are not subject to the proximity restrictions provided they are operate in a manner that is not hazardous to persons and property on the surface. The PIC of a helicopter shall comply with any routes or altitudes for the area that are prescribed for helicopters by the Authority.

8.8.1.6 MINIMUM SAFE VFR ALTITUDES: COMMERCIAL AIR TRANSPORT OPERATIONS

- (a) A person shall not operate an aeroplane in commercial air transport during the day, under VFR, at an altitude less than 1,000 feet above the surface or within 1,000 feet of any mountain, hill, or other obstruction to flight.
- (b) A person shall not operate an aircraft in commercial air transport at night, under VFR.

8.8.1.7 INSTRUMENT APPROACH OPERATING MINIMA

- (a) An Operator shall establish aerodrome operating minima for each aerodrome to be used, and the Authority shall approve the method of determination of such minima. Such minima shall not be lower than any that may be established for such aerodromes by the State in which the aerodrome is located, except when specifically approved by that State.
- (b) Category II and Category III instrument approach and landing operations shall not be authorized unless RVR information is provided.
- (c) For instrument approach and landing operations, aerodrome operating minima below 800 m visibility should not be authorized unless RVR information is provided.

*Civil Aviation (Flight Safety) Regulations***8.8.1.8 CATEGORY II AND III OPERATIONS: GENERAL OPERATING RULES**

- (a) A person shall not operate a civil aircraft in a Category II or III operation unless —
 - (1) the PIC and Co-Pilot of the aircraft hold the appropriate authorizations and ratings prescribed in 2.2.1.6.
 - (2) each flight crew member has adequate knowledge of, and familiarity with, the aircraft and the procedures to be used; and
 - (3) 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.
- (b) Unless otherwise authorised by the Authority, a person shall not operate a civil aircraft in a Category II or Category III operation unless each ground component required for that operation and the related airborne equipment is installed and operating.
- (c) When the approach procedure being used provides for and requires the use of a DH, the authorised DH is the highest of the following —
 - (1) the DH prescribed by the approach procedure;
 - (2) the DH prescribed for the PIC;
 - (3) the DH for which the aircraft is equipped.
- (d) Unless otherwise authorised by the Authority, a pilot operating an aircraft in a Category II or Category III approach that provides and requires use of a DH shall not continue the approach below the authorised decision height unless the following conditions are met —
 - (1) 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 will allow touchdown to occur within the touchdown zone of the runway of intended landing;
 - (2) at least one of the following visual references for the intended runway is distinctly visible and identifiable to the pilot —

Civil Aviation (Flight Safety) Regulations

- (i) the approach light system, except that the pilot may not descend below 100 feet 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;
 - (iii) the threshold markings;
 - (iv) the threshold lights;
 - (v) the touchdown zone or touchdown zone markings;
 - (vi) the touchdown zone lights.
- (e) Unless otherwise authorised by the Authority, a pilot operating an aircraft shall immediately execute an appropriate missed approach whenever, prior to touchdown, the requirements of paragraph (d) of this section are not met.
 - (f) A person operating an aircraft using a Category III approach without DH shall not land that aircraft except in accordance with the provisions of the letter of authorization issued by the Authority.
 - (g) Paragraphs (a) through (f) of this section shall not apply to operations conducted by AOC holders issued a certificate under Part 9.
 - (h) A person shall not operate a civil aircraft in a Category II or Category III operation conducted by an AOC holder unless the operation is conducted in accordance with that AOC holder's operations specifications.

8.8.1.9 CATEGORY II AND CATEGORY III MANUAL

- (a) Except as provided in paragraph (c) of this section, a person shall not operate a civil aircraft in a Category II or a Category III operation unless —
 - (1) there is available in the aircraft a current and approved Category II or Category III manual, as appropriate, for that aircraft;
 - (2) the operation is conducted in accordance with the procedures, instructions, and limitations in the appropriate manual; and

Civil Aviation (Flight Safety) Regulations

- (3) 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 program contained in the manual.
- (b) An operator shall keep a current copy of each approved manual at its principal base of operations and must make each manual available for inspection on request by the Authority.
- (c) Paragraphs (a) and (b) shall not apply to operations conducted by an AOC holder issued a certificate under Part 9.

Implementing Standard: See IS 8.8.1.9 for specific Category II manual requirements.

8.8.1.10 AUTHORIZATION FOR DEVIATION FROM CERTAIN CATEGORY II OPERATIONS

The Authority may authorise deviations from the requirements of 8.8.1.8 and 8.8.1.9 for the operation of small aircraft in Category II operations if the Authority finds that the proposed operation can be safely conducted.

Note: Such authorization does not permit operation of the aircraft carrying persons or property for compensation or hire.

8.8.1.11 DIVERSION DECISION

- (a) Except as provided in paragraph (b), the PIC 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.
- (b) If not more than one engine of an aeroplane having three or more engines fails, or its rotation is stopped, the PIC may proceed to an aerodrome if he or she decides that proceeding to that aerodrome is as safe as landing at the nearest suitable aerodrome after considering the —
 - (1) nature of the malfunction and the possible mechanical difficulties that may occur if the flight is continued;
 - (2) altitude, weight, and usable fuel at the time of engine stoppage;
 - (3) weather conditions en route and at possible landing points;
 - (4) air traffic congestion;

Civil Aviation (Flight Safety) Regulations

- (5) kind of terrain; and
- (6) familiarity with the aerodrome to be used.

8.8.1.12 OPERATING NEAR OTHER AIRCRAFT

- (a) A person shall not operate an aircraft so close to another aircraft as to create a collision hazard.
- (b) A person shall not operate an aircraft in formation flight except by arrangement with the PIC of each aircraft in the formation.
- (c) A person shall not operate an aircraft, carrying passengers for hire, in formation flight.

8.8.1.13 RIGHT-OF-WAY RULES: EXCEPT WATER OPERATIONS

- (a) General.
 - (1) A pilot shall maintain vigilance so as to see and avoid other aircraft;
 - (2) when a rule of this subsection gives another aircraft the right-of-way, the pilot shall give way to that aircraft and may not pass over, under, or ahead of it unless well clear.
- (b) In distress. An aircraft in distress has the right-of-way over all other air traffic.
- (c) Converging.
 - (1) When aircraft of the same category are converging at approximately the same altitude (except head-on, or nearly so), the aircraft to the other's right has the right-of-way;
 - (2) if the converging aircraft are of different categories —
 - (i) a balloon has the right-of-way over any other category of aircraft;
 - (ii) a glider has the right-of-way over an airship, aeroplane, or rotorcraft; and
 - (iii) an airship has the right-of-way over an aeroplane or rotorcraft.
- (d) Towing or refuelling. An aircraft towing or refuelling any other aircraft shall have the right-of-way over all other engine-driven aircraft, except aircraft in distress.

Civil Aviation (Flight Safety) Regulations

- (e) Approaching head-on. When two or more aircraft are approaching each other head-on, or nearly so, the pilot of each aircraft shall alter course to the right.
- (f) Overtaking. An aircraft that is being overtaken shall have the right-of-way and each pilot of an overtaking aircraft shall alter course to the right to pass well clear.
- (g) Landing. An aircraft, while on final approach to land or while landing, shall have the right-of-way over other aircraft in flight or operating on the surface.

Note: The PIC may not take advantage of this rule to force an aircraft off the runway surface which has already landed and is attempting to make way for an aircraft on final approach.

- (h) More than one landing aircraft. When two or more aircraft are approaching an aerodrome for the purpose of landing, the aircraft at the lower altitude shall have the right-of-way.

Note: The PIC will not take advantage of this rule to cut in front of another which is on final approach to land or to overtake that aircraft.

8.8.1.14 RIGHT-OF-WAY RULES: WATER OPERATIONS

- (a) General. A person operating an aircraft on the water shall, insofar as possible, keep clear of all vessels and avoid impeding their navigation, and shall give way to any vessel or other aircraft that is given the right-of-way by any rule of this subsection.
- (b) Crossing. When an aircraft, or an aircraft and a vessel, are on crossing courses, the aircraft or vessel to the other's right has the right-of-way.
- (c) Approaching head-on. When an aircraft, or an aircraft and a vessel, are approaching head-on, or nearly so, each shall alter its course to the right to keep well clear.
- (d) Overtaking. An aircraft or vessel that is being overtaken shall have the right-of-way, and the one overtaking shall alter course to keep well clear.
- (e) Special circumstances. When an aircraft, or an aircraft and a vessel, approach so as to involve risk of collision, the aircraft or the vessel shall proceed with care having regard to the existing circumstances, including the limitations of the respective craft.

*Civil Aviation (Flight Safety) Regulations***8.8.1.15 USE OF AIRCRAFT LIGHTS**

- (a) If an aircraft has red rotating beacon lights installed, the pilot shall switch the lights on prior to starting engines and shall display them at all times when the engines are running.
- (b) A person shall not operate an aircraft between the period from sunset to sunrise unless —
 - (1) it has lighted navigation lights; and
 - (2) if anticollision lights are installed, those lights are lighted.

Note: A pilot is permitted to switch off or reduce the intensity of any flashing lights if they do or are likely to adversely affect the satisfactory performance of duties or to subject an outside observer to harmful dazzle.

- (c) A person shall not park or move an aircraft at night in, or in a dangerous proximity to, a movement area of an aerodrome, unless the aircraft —
 - (1) is clearly illuminated;
 - (2) has lighted navigation lights, or
 - (3) is in an area that is marked by obstruction lights.
- (d) A person shall not anchor an aircraft unless that aircraft —
 - (1) has lighted anchor lights; or
 - (2) is in an area where anchor lights are not required on vessels.

8.8.1.16 SIMULATED INSTRUMENT FLIGHT

- (a) A person shall not operate an aircraft in simulated instrument flight unless —
 - (1) that aircraft has fully functioning dual controls;
 - (2) the other control seat is occupied by a safety pilot who holds at least a private pilot licence with category and class ratings appropriate to the aircraft being flown, and
 - (3) the safety pilot has adequate vision forward and to each side of the aircraft, or a competent observer in the aircraft adequately supplements the vision of the safety pilot.
- (b) A person shall not engage in simulated instrument flight conditions during commercial air transport operations.

*Civil Aviation (Flight Safety) Regulations***8.8.1.17 INFLIGHT SIMULATION OF ABNORMAL SITUATIONS**

A person shall not simulate an abnormal or emergency situation during commercial air transport operations.

8.8.1.18 DROPPING, SPRAYING, TOWING

Except under conditions prescribed by the Authority, a pilot shall not take the following actions —

- (1) dropping, dusting or spraying from an aircraft;
- (2) towing of aircraft or other objects; or
- (3) allowing parachute descents.

8.8.1.19 AEROBATIC FLIGHT

- (a) A person shall not operate an aircraft in aerobatic flight —
 - (1) over any city, town or settlement;
 - (2) over an open air assembly of persons;
 - (3) within the lateral boundaries of the surface areas of Class B, C, D or E airspace designated for an aerodrome;
 - (4) below an altitude of 1,500 feet above the surface; or
 - (5) when the flight visibility is less than 3 statute miles.
- (b) A person shall not operate an aircraft in manoeuvres exceeding a bank of 60 degrees or pitch of 30 degrees from level flight attitude unless all occupants of the aircraft are wearing parachutes packed by a qualified parachute rigger in the past 12 calendar months.

8.8.1.20 FLIGHT TEST AREAS

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

8.8.1.21 PROHIBITED AREAS AND RESTRICTED AREAS

A person shall not operate an aircraft in prohibited areas, or in restricted areas, the particulars of which have been duly published, except in accordance with the conditions of the restrictions or by permission of the State over whose territory the areas are established.

*Civil Aviation (Flight Safety) Regulations***8.8.1.22 OPERATIONS IN MNPS OR RVSM AIRSPACE**

- (a) A person shall not operate a civil aircraft of Saint Lucia registry in airspace designated as MNPS airspace or in airspace designated as RVSM without a written authorization issued by the Authority.
- (b) A person shall not operate an aircraft in MNPS or RVSM airspace, except in accordance with the following conditions —
 - (1) the vertical navigation performance capability of the aeroplane satisfies the requirements of MNPS/RVSM airspace;
 - (2) the operator has instituted appropriate procedures in respect of continued airworthiness (maintenance and repair) practices and programmes; and
 - (3) the operator has instituted appropriate flight crew procedures for operations in RVSM airspace.

Note – See 7.1.2.7 for requirements regarding navigation equipment for operations in MNPS/RVSM airspace.

8.8.1.23 OPERATIONS ON OR IN THE VICINITY OF AN UNCONTROLLED AERODROME

- (a) When approaching to land at an aerodrome without an operating control tower, a pilot of—
 - (1) an aeroplane shall make all turns of that aeroplane to the left; or to the right, if appropriately indicated by the authorities having jurisdiction over that aerodrome;
 - (2) a helicopter shall avoid the flow of aeroplanes.
- (b) When departing an aerodrome without an operating control tower, a pilot of an aircraft shall comply with any traffic patterns established by the authorities having jurisdiction over that aerodrome.
- (c) A pilot of an aircraft shall land and takeoff into the wind unless safety, the runway configurations, or traffic considerations determine that a different direction is preferable.

Implementing Standard: See IS 8.8.2.11 for the appropriate displays of light signals or visual markings.

Civil Aviation (Flight Safety) Regulations

**8.8.1.24 AERODROME TRAFFIC PATTERN ALTITUDES:
TURBOJET, TURBOFAN, OR LARGE AIRCRAFT**

- (a) When arriving at an aerodrome, the PIC of a turbojet, turbofan, or large aircraft shall enter the traffic pattern at least 1,500 feet AGL until further descent is required for landing.
- (b) When departing, the PIC of a turbojet, turbofan, or large aircraft shall climb to 1,500 AGL as rapidly as practicable.

**8.8.1.25 COMPLIANCE WITH VISUAL AND ELECTRONIC
GLIDE SLOPES**

- (a) The PIC of an aeroplane approaching to land on a runway served by a visual approach slope indicator shall maintain an altitude at or above the glide slope until a lower altitude is necessary for a safe landing.
- (b) The PIC of a turbojet, turbofan, or large aeroplane approaching to land on a runway served by an ILS shall fly that aeroplane at or above the glide slope from the point of interception to the middle marker.
- (c) An AOC holder shall establish operational procedures designed to ensure that an aircraft being used to conduct precision approaches crosses the threshold by a safe margin, with the aeroplane in the landing configuration and attitude.

**8.8.1.26 RESTRICTION OR SUSPENSION OF
OPERATIONS: COMMERCIAL AIR TRANSPORT**

If a PIC or an AOC holder knows of conditions, including aerodrome and runway conditions, that are a hazard to safe operations, the PIC or the AOC holder shall restrict or suspend all commercial air transport operations to such aerodromes and runways as necessary until those conditions are corrected.

**8.8.1.27 CONTINUATION OF FLIGHT WHEN DESTINATION
AERODROME IS TEMPORARILY RESTRICTED:
COMMERCIAL AIR TRANSPORT**

A PIC shall not allow a flight to continue toward any aerodrome of intended landing where commercial air transport operations have been restricted or suspended, unless —

Civil Aviation (Flight Safety) Regulations

- (1) in the opinion of the PIC, the conditions that are a hazard to safe operations may reasonably be expected to be corrected by the estimated time of arrival; or
- (2) there is no safer procedure.

8.8.1.28 INTERCEPTION

When intercepted by a military or government aircraft, a PIC shall comply with the international standards when interpreting and responding to visual signals as specified in the implementing standards.

Implementing Standard: See IS 8.8.2.11 for signals applicable to interception.

8.8.2 Control of Air Traffic**8.8.2.1 ATC CLEARANCES**

- (a) A PIC shall obtain an ATC clearance prior to operating a controlled flight, or a portion of a flight as a controlled flight.
- (b) A PIC shall request an ATC clearance through the submission of a flight plan to an ATC facility.
- (c) Whenever an aircraft has requested a clearance involving priority, a PIC shall submit a report explaining the necessity for such priority, if requested by the appropriate ATC facility.
- (d) A person operating an aircraft on a controlled aerodrome shall not taxi on the manoeuvring area or any runway without clearance from the aerodrome control tower.

8.8.2.2 ADHERENCE TO ATC CLEARANCES

- (a) When an ATC clearance has been obtained, no PIC may deviate from the clearance, except in an emergency, unless he or she obtains an amended clearance.

Note: A flight plan may cover only part of a flight, as necessary, to describe that portion of the flight or those manoeuvres which are subject to air traffic control. A clearance may cover only part of a current flight plan, as indicated in a clearance limit or by reference to specific manoeuvres such as taxiing, landing or taking off.

Civil Aviation (Flight Safety) Regulations

Note: Paragraph 8.8.2.2(a) does not prohibit a pilot from cancelling an IFR clearance when operating in VMC or cancelling a controlled flight clearance when operating in airspace that does not require controlled flight.

- (b) When operating in airspace requiring controlled flight, no PIC may operate contrary to ATC instructions, except in an emergency.
- (c) A PIC who deviates from an ATC clearance or instructions in an emergency, shall notify ATC of that deviation as soon as possible.

8.8.2.3 COMMUNICATIONS

A person operating an aircraft on a controlled flight shall maintain a continuous listening watch on the appropriate radio frequency of, and establish two-way communication as required with, the appropriate ATC facility.

Note: More specific procedures may be prescribed by the appropriate ATC authority in respect of aircraft forming part of aerodrome traffic at a controlled aerodrome.

Note: Automatic signalling devices may be used to satisfy the requirement to maintain a continuous listening watch, if authorised by the Authority.

8.8.2.4 ROUTE TO BE FLOWN

- (a) Unless otherwise authorised or directed by the appropriate ATC facility, the PIC of a controlled flight shall, in so far as practicable —
 - (1) when on an established ATC route, operate along the defined centre line of that route; or
 - (2) when on any other route, operate directly between the navigation facilities or points defining that route.
- (b) A PIC of a controlled flight operating along an ATC route defined by reference to VORs shall change over for primary navigation guidance from the facility behind the aircraft to that ahead of it at, or as close as operationally feasible to, the change-over point, where established.

Civil Aviation (Flight Safety) Regulations

Note: These requirements do not prohibit manoeuvring the aircraft to pass well clear of other air traffic or the manoeuvring of the aircraft in VFR conditions to clear the intended flight path both before and during climb or descent.

8.8.2.5 INADVERTENT CHANGES

A PIC shall take the following action in the event that a controlled flight inadvertently deviates from its current flight plan —

- (1) Deviation from track. If the aircraft is off track, the PIC shall adjust the heading of the aircraft to regain track as soon as practicable;
- (2) Variation in true airspeed. A PIC shall inform the appropriate ATC facility if the average true airspeed at cruising level between reporting points varies from that given in the flight plan or is expected to vary by plus or minus 5 per cent of the true airspeed;
- (3) Change in time estimate. A PIC shall notify the appropriate ATC facility and give a revised estimated time as soon as possible if the time estimate for a reporting point, flight information region boundary, or destination aerodrome, whichever comes first, is found to be in excess of three minutes from that notified to ATC, or such other period of time as is prescribed by the appropriate ATC authority or on the basis of air navigation regional agreements.

8.8.2.6 ATC CLEARANCE: INTENDED CHANGES

Any requests for flight plan changes shall include the following information —

- (1) Change of cruising level. Aircraft identification, requested new cruising level and cruising speed at this level, and revised time estimates, when applicable, at subsequent flight information region boundaries;
- (2) Change of route —
 - (i) Destination unchanged. Aircraft identification, flight rules; description of new route of flight including related flight plan data beginning with the position from which requested change of route is to commence; revised time estimates, and any other pertinent information;

Civil Aviation (Flight Safety) Regulations

- (ii) Destination change. Aircraft identification; flight rules; description of revised route of flight to revised destination aerodrome including related flight plan data, beginning with the position from which requested change of route is to commence; revised time estimates; alternate aerodrome; any other pertinent information.

8.8.2.7 POSITION REPORTS

- (a) A pilot of a controlled flight shall report to the appropriate ATC facility, as soon as possible, the time and level of passing each designated compulsory reporting point, together with any other required information, unless exempted from this requirement by the appropriate ATC authority.
- (b) A pilot of a controlled flight shall make position reports in relation to additional points or intervals when requested by the appropriate ATC facility.

8.8.2.8 OPERATIONS ON OR IN THE VICINITY OF A CONTROLLED AERODROME

- (a) A person shall not operate an aircraft to, from, through, or on an aerodrome having an operational control tower unless two-way communications are maintained between that aircraft and the control tower.
- (b) A PIC shall, on arrival, establish communications required by paragraph (a) prior to 4 nautical miles from the aerodrome when operating from the surface up to and including 2,500 feet.
- (c) A PIC shall, on departure, establish communications with the control tower prior to taxi.
- (d) Takeoff, landing, taxi clearance. A person shall not, at any aerodrome with an operating control tower, operate an aircraft on a runway or taxiway or takeoff or land an aircraft, unless an appropriate clearance has been received by ATC.

Note: A clearance to “taxi to” the takeoff runway is not a clearance to cross or taxi on to that runway. It does authorise the PIC to cross other runways during the taxi to the assigned runway. A clearance to “taxi to” any other point on the aerodrome is a clearance to cross all runways that intersect the taxi route to the assigned point.

Civil Aviation (Flight Safety) Regulations

- (e) Communications failure. If the radio fails or two-way communication is lost, a PIC may continue a VFR flight operation and land if —
 - (1) the weather conditions are at or above basic VFR minimums; and
 - (2) clearance to land is received by light signals.

Note: During IFR operations, the two-way communications failure procedures will apply.

8.8.2.9 UNLAWFUL INTERFERENCE

A PIC shall, when and if possible, notify the appropriate ATC facility when an aircraft is being subjected to unlawful interference, including —

- (1) any significant circumstances associated with the unlawful interference; and
- (2) any deviation from the current flight plan necessitated by the circumstances.

8.8.2.10 TIME CHECKS

- (a) A PIC shall use Co-ordinated Universal Time (UTC), expressed in hours and minutes of the 24-hour day beginning at midnight, in flight operations.
- (b) A PIC shall obtain a time check prior to operating a controlled flight and at such other times during the flight as may be necessary.

8.8.2.11 UNIVERSAL SIGNALS

- (a) On observing or receiving any of the designated universal aviation signals, a person operating an aircraft shall take such action as may be required by the interpretation of the signal.
- (b) Universal signals shall have only the meanings designated.
- (c) A person using universal signals in the movement of aircraft shall only use them for the purpose indicated.
- (d) A person shall not use signals likely to cause confusion with universal aviation signals.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS 8.8.2.11 for a list of universal aviation signals.

8.8.3 VFR Flight Rules

8.8.3.1 VISUAL METEOROLOGICAL CONDITIONS

A person shall not operate an aircraft under VFR when the flight visibility is less than, or at a distance from the clouds that is less than that prescribed, or the corresponding altitude and class of airspace in the following table —

Airspace and VMC Minimums				
Airspace Class	B	C D E	F G	
			Above 900m (3,000 ft) MSL or above 300m	At and below 900m (3,000 ft) MSL or 300m (1,000 ft) above terrain, whichever is the higher
Distance from cloud	Clear of cloud	1,500 m horizontally vertically	300m (1,000 ft)	Clear of cloud and in sight of the surface
Flight visibility	8km at and above 3,050 m (10,000 ft) AMSL 5km below 3,050m (10,000 ft) AMSL			5km
When the height of the transition altitude is lower than 3,050 m (10,000 ft) AMSL, FL 100 should be used in lieu of 10,000 ft.				

8.8.3.2 VFR WEATHER MINIMUMS FOR TAKEOFF AND LANDING

- (a) A person shall not enter the traffic pattern, land or takeoff an aircraft under VFR from an aerodrome located in Class B, Class C, Class D or Class E airspace unless the —
 - (1) reported ceiling is at least 1,500 feet; and
 - (2) reported ground visibility is at least 3 statute miles, if reported.
- (b) If the ground visibility is not reported, the pilot shall maintain 3 statute miles flight visibility.
- (c) Class G Airspace. A person shall not enter the traffic pattern, land or takeoff an aircraft under VFR from an aerodrome located in Class G airspace below 1,200 AGL unless —

Civil Aviation (Flight Safety) Regulations

- (1) For aeroplanes. the visibility is at least 1 statute mile and the aeroplane can be operated clear of clouds within one-half mile of the runway; or
- (2) For helicopters. the helicopter can be operated clear of clouds at a speed that allows the pilot adequate opportunity to see any air traffic or obstruction in time to avoid a collision.

Note: The only exception to the required weather minimums of this subsection is during a Special VFR operation.

8.8.3.3 SPECIAL VFR OPERATIONS

- (a) A person shall not conduct a Special VFR flight operation to enter the traffic pattern, land or takeoff an aircraft under Special VFR from an aerodrome located in Class B, Class C, Class D or Class E airspace unless —
 - (1) authorised by an ATC clearance;
 - (2) the aircraft remains clear of clouds; and
 - (3) the flight visibility is at least 1 statute mile.
- (b) A person shall not conduct a Special VFR flight operation in an aircraft between sunset and sunrise unless the —
 - (1) the PIC and co-pilot are current and qualified for IFR operations; and
 - (2) the aircraft is qualified to be operated for IFR flight.

8.8.3.4 VFR CRUISING ALTITUDES

A person operating an aircraft in level cruising flight under VFR at altitudes above 900 m (3,000 ft) from the ground or water, shall maintain —

- (1) for magnetic courses from zero degrees to 179 degrees, any odd thousand MSL altitude or flight level plus 500 feet (such as 3,500, 5,500 or FL 215);
- (2) for magnetic courses from 180 degrees to 359 degrees, any even thousand MSL altitude or flight level plus 500 feet (such as 4,500, 6,500 or FL 225).

Civil Aviation (Flight Safety) Regulations

Paragraphs (1) and (2) do not apply when otherwise authorised by ATC, when operating in a holding pattern, or during manoeuvring in turns.

8.8.3.5 ATC CLEARANCES FOR VFR FLIGHTS

A pilot of a VFR flight shall obtain and comply with ATC clearances and maintain a listening watch before and during operations —

- (1) within Classes B, C and D airspace;
- (2) as part of aerodrome traffic at controlled aerodromes; and
- (3) under Special VFR.

8.8.3.6 VFR FLIGHTS REQUIRING ATC Authorization

Unless authorised by the appropriate ATC authority, a pilot shall not operate in VFR flight—

- (1) above FL 200; or
- (2) at transonic and supersonic speeds.

Note: ATC authorization for VFR flights may not be granted in areas where a vertical separation minimum of only 300m (1,000 ft) applied above FL 290.

8.8.3.7 WEATHER DETERIORATION BELOW VMC

A pilot of a VFR flight operated as a controlled flight shall, when he or she finds that it is not practical or possible to maintain flight in VMC in accordance with the ATC flight plan—

- (1) request an amended clearance enabling the aircraft to continue in VMC to its destination or to an alternative aerodrome, or to leave the airspace within which an ATC clearance is required;
- (2) if no clearance can be obtained, continue to operate in VMC and notify the appropriate ATC facility of the action being taken either to leave the airspace concerned or to land at the nearest suitable aerodrome;
- (3) operating within a control zone, request authorization to operate as a special VFR flight; or
- (4) request clearance to operate in IFR, if currently rated for IFR operations.

*Civil Aviation (Flight Safety) Regulations***8.8.3.8 CHANGING FROM VFR TO IFR**

A pilot operating in VFR who wishes to change to IFR shall —

- (1) if a flight plan was submitted, communicate the necessary changes to be effected to its current flight plan; or
- (2) submit a flight plan to the appropriate ATC facility and obtain a clearance prior to proceeding IFR when in controlled airspace.

8.8.3.9 TWO-WAY RADIO COMMUNICATION FAILURE IN VFR

If radio failure occurs in VMC while under ATC control, or if VFMC is encountered after the failure, a pilot shall —

- (1) continue the flight under VFR;
- (2) land at the nearest suitable aerodrome; and
- (3) report arrival to ATC by the most expeditious means possible.

8.8.4 IFR Flight Rules**8.8.4.1 IFR IN CONTROLLED AIRSPACE**

A person shall not operate an aircraft in controlled airspace under IFR unless the person has —

- (1) filed an IFR flight plan; and
- (2) received an appropriate ATC clearance.

8.8.4.2 IFR FLIGHTS OUTSIDE CONTROLLED AIRSPACE

- (a) A PIC of an IFR flight operating outside controlled airspace but within or into areas, or along routes, designated by the appropriate ATC authority, shall maintain a listening watch on the appropriate radio frequency and establish two-way communication, as necessary, with the ATC facility providing flight information service.
- (b) A PIC of an IFR flight operating outside controlled airspace for which the appropriate ATC authority requires a flight plan, shall maintain a listening watch on the appropriate radio frequency and establish two-way communication, as necessary, with the ATC facility providing flight information service and shall report position as specified for controlled flights.

*Civil Aviation (Flight Safety) Regulations***8.8.4.3 IFR TAKEOFF MINIMUMS FOR COMMERCIAL AIR TRANSPORT**

Unless otherwise authorised by the Authority, a pilot operating an aircraft in commercial air transport operations shall not accept a clearance to take off from a civil aerodrome under IFR unless weather conditions are at or above —

- (1) for aircraft, other than helicopters, having two engines or less—1 statute mile visibility;
- (2) for aircraft having more than two engines — 1/2 statute mile visibility;
- (3) for helicopters—1/2 statute mile visibility.

8.8.4.4 MINIMUM ALTITUDES FOR IFR OPERATIONS

(a) Operation of aircraft at minimum altitudes. Except when necessary for takeoff or landing, a person shall not operate an aircraft under IFR below —

- (1) the applicable minimum altitudes prescribed by the authorities having jurisdiction over the airspace being overflown; or
- (2) if no applicable minimum altitude is prescribed by the authorities —
 - (i) over high terrain or in mountainous areas, at a level which is at least 600m (2,000 ft) above the highest obstacle located within 8 km of the estimated position of the aircraft; and
 - (ii) elsewhere than as specified in paragraph (a), at a level which is at least 300m (1,000 ft) above the highest obstacle located within 8 km of the estimated position of the aircraft.
- (3) if an MEA and a MOCA are prescribed for a particular route or route segment, a person may operate an aircraft below the MEA down to, but not below, the MOCA, when within 22 nautical miles of the VOR concerned.

(b) Climb for obstacle clearance.

- (1) if unable to communicate with ATC, each pilot shall climb to a higher minimum IFR altitude immediately after passing the point beyond which that minimum altitude applies;

Civil Aviation (Flight Safety) Regulations

- (2) if ground obstructions intervene, each pilot shall climb to a point beyond which that higher minimum altitude applies, at or above the applicable MCA.

8.8.4.5 MINIMUM ALTITUDES FOR USE OF AN AUTOPILOT

- (a) For en route operations, a person shall not use an autopilot at an altitude above the terrain that is less than 500 feet.

Note: If the maximum altitude loss specified in the AFM for a malfunction under cruise conditions when multiplied by two is more than 500 feet, then it becomes the controlling minimum altitude for use of the autopilot.

- (b) For instrument approach operations, a person shall not use an autopilot at an altitude above the terrain that is less than 50 feet below the MDA or DH.

Note: If the maximum altitude loss specified in the AFM for a malfunction under approach conditions when multiplied by two is more than 50 feet, then it becomes the controlling minimum altitude for use of the autopilot.

- (c) For Category III approaches, the Authority shall approve the use of a flight control guidance system with automatic capability to touchdown.

8.8.4.6 IFR CRUISING ALTITUDE OR FLIGHT LEVEL IN CONTROLLED AIRSPACE

A person operating an aircraft under IFR in level cruising flight in controlled airspace shall maintain the altitude or flight level assigned that aircraft by ATC.

8.8.4.7 IFR CRUISING ALTITUDE OR FLIGHT LEVEL IN UNCONTROLLED AIRSPACE

- (a) A person operating an aircraft in level cruising flight under IMC at altitudes above 900 m (3,000 ft) from the ground or water, shall maintain —
 - (1) for magnetic courses from zero degrees to 179 degrees, any odd thousand MSL altitude or flight level, such as 5,000, 7,000, or FL 210; and
 - (2) for magnetic courses from 180 degrees to 359 degrees, any even thousand MSL altitude or flight level, such as 4,000, 6,000 or FL 220.

Civil Aviation (Flight Safety) Regulations

- (b) A person may deviate from the cruising altitudes specified in paragraph (a) only when —
 - (1) authorised by ATC;
 - (2) operating in a holding pattern; or
 - (3) manoeuvring in turns.

Note: see IS 8.8.2.11(l)

8.8.4.8 IFR RADIO COMMUNICATIONS

A PIC of an aircraft operated under IFR in controlled airspace shall have a continuous watch maintained on the appropriate frequency and shall report by radio as soon as possible —

- (1) the time and altitude of passing each designated reporting point, or the reporting points specified by ATC, except that while the aircraft is under radar control, only the passing of those reporting points specifically requested by ATC need be reported;
- (2) any unforecast weather conditions encountered; and
- (3) any other information relating to the safety of flight, such as hazardous weather or abnormal radio station indications.

8.8.4.9 OPERATION UNDER IFR IN CONTROLLED AIRSPACE: MALFUNCTION REPORTS

- (a) A PIC of an aircraft operated in controlled airspace under IFR shall report as soon as practical to ATC any malfunctions of navigational, approach or communication equipment occurring in flight.
- (b) In each report specified in paragraph (a), the PIC shall include the —
 - (1) aircraft identification;
 - (2) equipment affected;
 - (3) degree to which the capability of the pilot to operate under IFR in the ATC system is impaired; and
 - (4) nature and extent of assistance desired from ATC.

*Civil Aviation (Flight Safety) Regulations***8.8.4.10 CONTINUATION OF IFR FLIGHT TOWARD A DESTINATION**

A pilot shall not continue an 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 will, at the expected time of arrival, be at or above the specified instrument approach minima.

8.8.4.11 INSTRUMENT APPROACH PROCEDURES AND IFR LANDING MINIMUMS

A person shall not make an instrument approach at an airport except in accordance with IFR weather minimums and instrument approach procedures set forth in the AOC holder's operations specifications.

For instrument approach and landing operations, heliport operating minima below 800m visibility should not be authorized unless RVR information or an accurate measurement or observation of visibility is provided.

8.8.4.12 COMMENCING AN INSTRUMENT APPROACH: COMMERCIAL AIR TRANSPORT

- (a) In commercial air transport operations, 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 —
 - (1) a source approved by the Authority issues a weather report for that aerodrome; and
 - (2) the latest weather report for that aerodrome reports the visibility to be equal to or more than the visibility minimums prescribed for that procedure.
- (b) 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 RVR falls below the specified minimum, the approach may be continued to DA/H or MDA/H. In any case, an aircraft shall not continue its approach-to-land beyond a point at which the limits of the aerodrome operating minima would be infringed.

Civil Aviation (Flight Safety) Regulations

Note: For the purpose of this subsection, the final approach segment begins at the final approach fix or facility prescribed in the instrument approach procedure. 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.

8.8.4.13 INSTRUMENT APPROACHES TO CIVIL AERODROMES

- (a) A person operating a civil aircraft shall use a standard instrument approach procedure prescribed by the authorities having jurisdiction over the aerodrome, unless otherwise authorised by the Authority.
- (b) Authorised DH or MDA. For the purpose of this section, when the approach procedure being used provides for and requires the use of a DH or MDA, the authorised DH or MDA is the highest of the following —
 - (1) the DH or MDA prescribed by the approach procedure;
 - (2) the DH or MDA prescribed for the PIC;
 - (3) the DH or MDA for which the aircraft is equipped.

8.8.4.14 OPERATION BELOW DH OR MDA

Where a DH or MDA is applicable, a pilot shall not operate a civil aircraft at any aerodrome or heliport below the authorised MDA, or continue an approach below the authorised DH unless —

- (1) 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;
- (2) for commercial air transport operations, a descent rate will allow touchdown to occur within the touchdown zone of the runway of intended landing;
- (3) the flight visibility is not less than the visibility prescribed in the standard instrument approach being used; and
- (4) at least one of the following visual references for the intended runway is distinctly visible and identifiable to the pilot —

Civil Aviation (Flight Safety) Regulations

- (i) the approach light system, except that the pilot may not descend below 100 feet 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;
- (iii) the threshold markings;
- (iv) threshold lights;
- (v) the runway end identifier lights;
- (vi) the visual approach slope indicator;
- (vii) the touchdown zone or touchdown zone markings;
- (viii) the touchdown zone lights;
- (ix) the runway or runway markings; or
- (x) the runway lights.

Note: These visual references do not apply to Category II and III operations. The required visual references under Category II and III operations are provided in the AOC holder's operations specifications or a special authorization prescribed by the Authority.

8.8.4.15 LANDING DURING INSTRUMENT METEOROLOGICAL CONDITIONS

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

8.8.4.16 EXECUTION OF A MISSED APPROACH PROCEDURE

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

- (1) whenever the required visual reference criteria is not met in the following situations —
 - (i) when the aircraft is being operated below MDA; or
 - (ii) on arrival at the missed approach point, including a DH where a DH is specified and its use is required, and at any time after that until touchdown.

Civil Aviation (Flight Safety) Regulations

- (2) 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.

8.8.4.17 CHANGE FROM IFR FLIGHT TO VFR FLIGHT

- (a) A pilot electing to change from IFR flight to VFR flight shall notify the appropriate ATC facility specifically that the IFR flight is cancelled and then communicate the changes to be made to his or her current flight plan.
- (b) When a pilot operating under IFR encounters VMC, he or she shall not cancel the IFR flight unless it is anticipated, and intended, that the flight will be continued for a reasonable period of time in uninterrupted VMC.

8.8.4.18 TWO-WAY RADIO COMMUNICATIONS FAILURE IN IFR

If two-way radio communication failure occurs in IMC, or if continued flight in VMC is judged not feasible, a pilot shall continue the flight according to the following —

- (1) route —
- (i) by the route assigned in the last ATC clearance received;
 - (ii) if being radar vectored, by the direct route from the point of radio failure to the fix, route, or airway specified in the vector clearance;
 - (iii) in the absence of an assigned route, by the route that ATC has advised may be expected in a further clearance; or
 - (iv) in the absence of an assigned route or a route that ATC has advised may be expected in a further clearance, by the route filed in the flight plan.
- (2) altitude. At the highest of the following altitudes or flight levels for the route segment being flown —
- (i) the altitude or flight level assigned in the last ATC clearance received;

Civil Aviation (Flight Safety) Regulations

- (ii) the minimum altitude (converted, if appropriate, to minimum flight level for IFR operations); or
 - (iii) the altitude or flight level ATC advised may be expected in a further clearance.
- (3) leave clearance limit.
- (i) when the clearance limit is at a fix from which an approach begins, commence descent or descent and approach —
 - (A) as close as possible to the expect-further-clearance time if one has been received, or
 - (B) if one has not been received, as close as possible to the estimated time of arrival as calculated from the filed or amended (with ATC) estimated time en route.
 - (ii) if the clearance limit is not a fix from which an approach begins—
 - (A) leave the clearance limit at the expect-further-clearance time if one has been received, or if none has been received, on arrival over the clearance limit,
 - (B) proceed to a fix from which an approach begins, and
 - (C) commence descent or descent and approach as close as possible to the ETA as calculated from the filed or amended with ATC estimated time en route.

8.9 PASSENGERS AND PASSENGER HANDLING**8.9.1 All Passenger Carrying Operations****8.9.1.1 UNACCEPTABLE CONDUCT**

- (a) A person on board an aircraft shall not interfere with a crew member in the performance of his or her duties.
- (b) A passenger shall fasten his or her seat belt and keep it fastened while the seat belt sign is lighted.
- (c) A person on board an aircraft shall not recklessly or negligently act or omit to act in such a manner as to endanger the aircraft or persons and property therein.

Civil Aviation (Flight Safety) Regulations

- (d) A person shall not secrete himself or herself or secrete any cargo on board an aircraft.
- (e) A person shall not smoke on an aircraft.
- (f) A person shall not smoke in any aircraft lavatory.
- (g) A person shall not tamper with, disable or destroy any smoke detector installed in any aircraft lavatory.

8.9.1.2 REFUELLING WITH PASSENGERS ON BOARD

- (a) A PIC shall not allow an aircraft to be refuelled when passengers are embarking, on board or disembarking unless —
 - (1) the aircraft is manned by qualified personnel ready to initiate and direct an evacuation; and
 - (2) two-way communication is maintained between the qualified personnel in the aircraft and the ground crew supervising the refuelling;
 - (3) the aircraft illuminated ‘NO SMOKING’ signs should be on together with sufficient interior lighting to enable emergency exits to be identified. Such lighting should remain on until fuelling operations have been completed;
 - (4) the ‘Fasten Seat Belts’ signs should be switched off and passengers should be briefed to unfasten their seat belts.
- (b) Helicopters. Unless specifically authorised by the Authority, a person shall not allow a helicopter to be refuelled when —
 - (1) passengers are embarking, on board, or disembarking; or
 - (2) the rotors are turning.

8.9.1.3 PASSENGER SEATS, SAFETY BELTS, AND SHOULDER HARNESES

- (a) A PIC shall ensure that a person on onboard an aircraft occupies an approved seat or berth with their own individual safety belt and shoulder harness (if installed) properly secured about them during takeoff and landing.
- (b) A passenger shall have his or her seatbelt securely fastened at any other time the PIC determines it is necessary for safety.

Civil Aviation (Flight Safety) Regulations

- (c) A safety belt provided for the occupant of a seat shall not be used during takeoff and landing by more than one person.

Note: When Cabin Crew are required in a commercial air transport operation, the PIC may delegate this responsibility, but shall ascertain that the proper briefing has been conducted prior to takeoff.

8.9.1.4 PASSENGER BRIEFING

- (a) A PIC 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, if appropriate —
- (1) seat belts;
 - (2) emergency exits;
 - (3) life jackets;
 - (4) oxygen dispensing equipment; and
 - (5) other emergency equipment provided for individual use, including passenger emergency briefing cards.
- (b) A PIC shall ensure that all persons on board are aware of the locations and general manner of use of the principal emergency equipment carried for collective use.

Note: For commercial air transport operations, the briefing shall contain all subjects approved by the Authority for the specific operations conducted as included in the pertinent Operations Manual.

Note: When Cabin Crew are required in a commercial air transport operation, the PIC may delegate this responsibility, but shall ascertain that the proper briefing has been conducted prior to takeoff.

8.9.1.5 INFLIGHT EMERGENCY INSTRUCTION

A PIC shall, in an emergency in flight, ensure that all persons on board the aircraft are instructed in such emergency action as may be appropriate to the circumstances.

Note: When Cabin Crew are required in a commercial air transport operation, the PIC may delegate this responsibility, but shall ascertain that the proper briefing has been conducted.

*Civil Aviation (Flight Safety) Regulations***8.9.1.6 PASSENGER OXYGEN: MINIMUM SUPPLY AND USE**

- (a) A PIC shall ensure that breathing oxygen and masks are available to all passengers in sufficient quantities for all flights at such altitudes where a lack of oxygen might harmfully effect passengers.
- (b) A PIC shall ensure that the minimum supply of oxygen prescribed by the Authority is on board the aircraft.

Note: The requirements for oxygen storage and dispensing apparatus are prescribed in Part 7.

- (c) A PIC shall require all passengers to use oxygen continuously at cabin pressure altitudes above 15,000 feet.

8.9.1.7 ALCOHOL OR DRUGS

A person shall not permit the boarding or serving of any person who appears to be intoxicated or who demonstrates, by manner or physical indications, that that person is under the influence of drugs (except a medical patient under proper care).

8.9.2 Commercial Air Transport Passenger Carrying Operations**8.9.2.1 PASSENGER COMPLIANCE WITH INSTRUCTIONS**

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

8.9.2.2 DENIAL OF TRANSPORTATION

An AOC holder may refuse to transport a passenger who —

- (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.

8.9.2.3 CARRIAGE OF PERSONS WITHOUT COMPLIANCE WITH THESE PASSENGER-CARRYING REQUIREMENTS

- (a) The passenger-carrying requirements of paragraph (b) shall not apply when carrying —

Civil Aviation (Flight Safety) Regulations

- (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 AOC holder's Operation Manual procedures, as approved by the Authority.
- (b) A person shall not be carried on an aircraft without compliance with 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.

8.9.2.4 CABIN CREW AT DUTY STATIONS

- (a) Cabin Crew shall, during taxi, take-off and landing and whenever the PIC so directs, remain at their duty stations with their safety belts and shoulder harness fastened except to perform duties related to the safety of the aircraft and its occupants.
- (b) Cabin Crew shall, during takeoff or landing, 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.
- (c) When passengers are on board a parked aircraft, Cabin Crew (or another person qualified in emergency evacuation procedures for the aircraft) shall be placed in the following manner —
 - (1) if only one qualified person is required, that person shall be located in accordance with the AOC holder's Operations Manual procedures;

Civil Aviation (Flight Safety) Regulations

- (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.

8.9.2.5 EVACUATION CAPABILITY

A PIC, SCA and any other person assigned by the AOC 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.

8.9.2.6 ARMING OF AUTOMATIC EMERGENCY EXITS

A person shall not cause an aircraft carrying passengers to be moved on the surface, takeoff or land unless each automatically deployable emergency evacuation assisting means installed on the aircraft is ready for evacuation.

8.9.2.7 ACCESSIBILITY OF EMERGENCY EXITS AND EQUIPMENT

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 takeoff or landing, or while passengers remain on board.

8.9.2.8 STOPS

- (a) At stops where passengers board, deplane or remain on board the aircraft, the PIC, the SCA, 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 AOC holder's Operations Manual procedures are followed.

*Civil Aviation (Flight Safety) Regulations***8.9.2.9 CARRIAGE OF PERSONS WITH REDUCED MOBILITY**

- (a) A person shall not 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.

8.9.2.10 EXIT ROW SEATING

A PIC or SCA shall not allow a passenger to sit in an emergency exit row if the PIC or SCA 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.

Implement Standard: See IS 8.9.2.10 for additional requirements pertaining to exit row seating.

8.9.2.11 PROHIBITION AGAINST CARRIAGE OF WEAPONS

A person shall not, 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.

Note: This section does not apply to officials or employees of the State who are authorised to carry weapons or crew members and other persons authorised by the AOC holder to carry arms.

8.9.2.12 OXYGEN FOR MEDICAL USE BY PASSENGERS

An AOC holder may allow a passenger to carry and operate equipment for the storage, generation or dispensing of medical oxygen only as prescribed by the Authority.

See IS: 8.9.2.12 for specific requirements pertaining to the carriage of oxygen for medical use by passengers

8.9.2.13 CARRY-ON BAGGAGE

- (a) A person shall not allow the boarding of carry-on baggage unless such baggage can be adequately and securely stowed in accordance with the AOC holder's Operations Manual procedures.

Civil Aviation (Flight Safety) Regulations

- (b) A person shall not allow aircraft passenger entry doors to be closed in preparation for taxi or pushback 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) A person shall not allow carry-on baggage to be stowed in a location that would cause that location to be loaded beyond its maximum placard weight limitation.

Note: 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.

8.9.2.14 CARRIAGE OF CARGO IN PASSENGER COMPARTMENTS

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

Implementing Standard: See IS 8.9.2.14 for specific requirements pertaining to carriage of cargo in passenger compartments.

8.9.2.15 PASSENGER INFORMATION SIGNS

A PIC shall turn on required passenger information signs during any movement on the surface, for each takeoff and each landing, and when otherwise considered to be necessary.

8.9.2.16 REQUIRED PASSENGER BRIEFINGS

- (a) A person shall not commence a takeoff of an aircraft unless the passengers are briefed prior to takeoff in accordance with the AOC holder's Operation Manual procedures on —
 - (1) smoking limitations and prohibitions;
 - (2) emergency exit location and use;
 - (3) use of safety belts;
 - (4) emergency floatation 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; and

Civil Aviation (Flight Safety) Regulations

- (7) the passenger briefing card.
- (b) Immediately before or immediately after turning the seat belt sign off, the PIC or SCA shall ensure that all passengers are briefed to keep their seat belts fastened while seated, even when the seat belt sign is off.
- (c) A PIC and SCA shall, before the takeoff of an aircraft, ensure that all 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.

8.9.2.17 PASSENGER BRIEFING: EXTENDED OVERWATER OPERATIONS

A person 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 inflating a life preserver.

8.9.2.18 PASSENGER SEAT BELTS

- (a) A 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) A passenger safety belt shall not be used by more than one occupant during takeoff and landing.
- (c) At each unoccupied seat, the safety belt and shoulder harness, if installed, shall be secured so as not to interfere with the other crew members in the performance of their duties or with the rapid egress of occupants in an emergency.

Note 1: A person who has not reached his or her second birthday may be held by an adult who is occupying a seat or berth only when secured by a supplementary loop belt or other restraint device.

Note 2: 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.

*Civil Aviation (Flight Safety) Regulations***8.9.2.19 PASSENGER SEAT BACKS**

A PIC or SCA shall not allow the takeoff or landing of an aircraft unless each passenger seat back is in the upright position.

Note: Exceptions may only be made in accordance with procedures in the AOC holder's Operations Manual provided the seat back does not obstruct any passenger's access to the aisle or to any emergency exit.

8.9.2.20 STOWAGE OF FOOD, BEVERAGE AND PASSENGER SERVICE

A PIC or SCA shall not allow the movement of an aircraft on the surface, takeoff or landing —

- (1) when any food, beverage or tableware furnished by the AOC holder is located at any passenger seat; and
- (2) unless each food and beverage tray and seat back tray table is in the stowed position.

8.9.2.21 SECURING OF ITEMS OF MASS IN PASSENGER COMPARTMENT

- (a) A person shall not allow the takeoff 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, takeoff and landing and during turbulent weather conditions.
- (b) A person shall not allow an aircraft to move on the surface, takeoff or land unless each passenger serving cart is secured in its stowed position.

8.9.2.22 PROHIBITION AGAINST SMOKING IN AN AIRCRAFT

A person shall not, while on board an aircraft being operated in commercial air transport, be allowed to smoke cigarettes, cigars or pipes.

8.10 CREW MEMBER AND FLIGHT OPERATIONS OFFICER QUALIFICATIONS: COMMERCIAL AIR TRANSPORT

*Civil Aviation (Flight Safety) Regulations***8.10.1.1 AGE 65 RESTRICTION**

- (a) A person shall not serve nor shall an AOC holder use a person as a required pilot flight crew member on an aircraft engaged in commercial air transport operations if that person has attained his or her 65th birthday unless in accordance with IS: 8.10.1.1
- (b) A check airman who has attained his or her 65th birthday may in accordance with IS: 8.10.1.1 continue to be a check airman. A check airman who does not hold an appropriate medical certificate may continue his or her check airman functions, but shall not serve as or occupy the position of a required pilot flight crew member on an aircraft engaged in international commercial air transport operations.

Implementing Standard: See IS: 8.10.1.1 for guidance material

8.10.1.2 PIC Licence REQUIREMENTS: TURBOJET, TURBOFAN, OR LARGE AIRCRAFT

A pilot shall not act as PIC of a turbojet, turboprop, or large aircraft in commercial air transportation operations unless he or she holds an ATP licence and a type rating for that aircraft.

8.10.1.3 PIC LICENCE REQUIREMENTS: NON TURBOJET OR TURBOFAN SMALL AIRCRAFT

A pilot shall not act as PIC of a non-turbojet or turboprop small aircraft in commercial air transport during —

- (1) IFR operations unless he or she holds a commercial pilot licence with appropriate category, class and type ratings for the aircraft operated, and an instrument rating and meets the experience requirements for the operation, or
- (2) day VFR operations unless he or she holds a commercial pilot licence with appropriate category, class and type ratings for the aircraft operated.

8.10.1.4 PIC AERONAUTICAL EXPERIENCE: SMALL AIRCRAFT

A pilot shall not act as PIC of a small aircraft in commercial air transport during —

- (1) IFR operations unless he or she meets the minimum aeronautical experience requirements necessary to qualify for the ATP licence; or

Civil Aviation (Flight Safety) Regulations

- (2) VFR operations unless he or she has logged a minimum of 500 hours of time as a pilot, including at least 100 hours of cross-country flight time including 25 hours of which were at night.

8.10.1.5 CO-PILOT LICENCE REQUIREMENTS

A pilot shall not act as Co-pilot of an aircraft in commercial air transport operations unless he or she —

- (1) holds a commercial pilot licence with appropriate category, class and type ratings for the aircraft operated; and
- (2) holds an instrument rating.

8.10.1.6 FE LICENCE REQUIREMENTS

A person shall not act as the flight engineer of an aircraft unless he or she holds a flight engineer licence with the appropriate class rating.

8.10.1.7 ONE PILOT QUALIFIED TO PERFORM FE FUNCTIONS

An AOC 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 FE duties in the event the FE becomes incapacitated.

8.10.1.8 PERSONS QUALIFIED TO FLIGHT RELEASE

A person shall not act as a flight operations officer in releasing a scheduled passenger-carrying commercial air transport operation unless the person is currently qualified with the AOC holder for the operation and type of aircraft used.

8.10.1.9 COMPANY PROCEDURES INDOCTRINATION

A person shall not serve nor may any AOC holder use a person as a crew member or flight operations officer or flight dispatcher 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.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS 8.10.1.9 for knowledge area and programme hour requirements.

8.10.1.10 INITIAL DANGEROUS GOODS TRAINING

A person shall not serve nor shall an AOC holder use a person as a crew member or flight operations officer unless he or she has completed the appropriate initial dangerous goods curriculum approved by the Authority.

Implementing Standard: See IS 8.10.1.10 for specific course curriculum requirements.

8.10.1.11 INITIAL SECURITY TRAINING

A person shall not serve nor may any AOC holder use a person as a crew member unless he or she has completed the initial security curriculum approved by the Authority.

8.10.1.12 INITIAL CREW RESOURCE MANAGEMENT

A person shall not serve nor shall an AOC holder use a person as a flight operations officer or crew member unless the person has completed the initial CRM curriculum approved by the Authority.

Implementing Standard: IS 8.10.1.12 for course curriculum topics.

8.10.1.13 INITIAL EMERGENCY EQUIPMENT DRILLS

A person shall not serve nor shall an AOC 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.

Implementing Standard: See IS 8.10.1.13 for course curriculum requirements.

8.10.1.14 INITIAL AIRCRAFT GROUND TRAINING

- (a) A person shall not serve nor may an AOC holder use a person as a crew member or flight operations officer unless he or she has completed the initial ground training approved by the Authority for the aircraft type.
- (b) Initial aircraft ground training for flight crew members shall include the pertinent portions of the operations manuals relating

Civil Aviation (Flight Safety) Regulations

to aircraft-specific performance, mass and balance, operational policies, systems, limitations, normal, abnormal and emergency procedures on the aircraft type to be used.

Implementation Standard: See IS 8.10.1.14(b) for specific course curriculum requirements for flight crew members.

Note: The AOC 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.

- (c) For Cabin Crew, initial aircraft ground training 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.

Implementation Standard: See IS 8.10.1.14(c) for specific course curriculum requirements for Cabin Crew.

- (d) For flight operations officers, aircraft initial ground training shall include the pertinent portions of the operations manuals relating to aircraft-specific flight preparation procedures, performance, mass and balance, systems, limitations for the aircraft types within the fleet.

Implementation Standard: See IS 8.10.1.14(d) for specific course curriculum requirements for flight operations officers.

8.10.1.15 INITIAL AIRCRAFT FLIGHT TRAINING

- (a) A person shall not serve nor shall an AOC holder use a person as a flight crew member unless he or she has completed the initial flight training approved by the Authority for the aircraft type.
- (b) All initial flight training shall focus on the manoeuvring and safe operation of the aircraft in accordance with AOC holder's normal, abnormal and emergency procedures.
- (c) An AOC holder may have separate initial flight training curricula which recognise the experience levels of flight crew members approved by the Authority.

Implementing Standard: See IS 8.10.1.15 for specific flight curriculum.

*Civil Aviation (Flight Safety) Regulations***8.10.1.16 INITIAL SPECIALISED OPERATIONS TRAINING**

- (a) A person shall not serve nor shall an AOC holder use a person as a flight crew member unless he or she has completed the appropriate initial specialised operations training curriculum approved by the Authority.
- (b) Specialised operations for which initial training curricula shall be developed shall include —
 - (1) low minimums operations, including low visibility takeoffs and Category II and III operations;
 - (2) extended range operations;
 - (3) specialised navigation; and
 - (4) PIC right seat qualification.

Implementing Standard: See IS 8.10.1.16 for specific initial specialised operations training curriculum.

8.10.1.17 AIRCRAFT DIFFERENCES

A person shall not serve nor shall an AOC holder use a person as a flight operations officer or crew member on an aircraft of a type for which a differences curriculum is included in the AOC holder's approved training program, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that aircraft.

Implementing Standard: See IS 8.10.1.17 for aircraft differences training pertaining to flight operations officers.

8.10.1.18 USE OF SIMULATORS

An aircraft simulator and any other training device that is used for flight crew member qualification shall —

- (1) be specifically approved by the Authority for —
 - (i) the AOC holder;
 - (ii) the type aircraft, including type variations, for which the training or check is being conducted;
 - (iii) the particular manoeuvre, procedure, or crew member function involved;

Civil Aviation (Flight Safety) Regulations

- (2) maintain the performance, functional, and other characteristics that are required for approval;
- (3) 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;
- (4) be given a daily functional pre-flight check before use; and
- (5) have a daily discrepancy log kept by the appropriate instructor or check airman at the end of each training or check flight.

8.10.1.19 INTRODUCTION OF NEW EQUIPMENT OR PROCEDURES

A person shall not serve nor shall an AOC 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 AOC holder's approved training program, unless that person has satisfactorily completed that curriculum, with respect to both the crew member position and the particular variant of that aircraft.

8.10.1.20 AIRCRAFT AND INSTRUMENT PROFICIENCY CHECKS

- (a) A person shall not serve nor shall an AOC holder use a person as a pilot flight crew member unless since the the beginning of the sixth calendar month before that service, that person has passed the proficiency check demonstrating his competence in carrying out normal, abnormal and emergency procedures as prescribed by the Authority, in the make and model aircraft on which their services are required.
- (b) A person shall not serve nor shall an AOC holder use a person as a pilot in IFR operations unless the proficiency check in (a) above, is conducted without external visual reference.
- (c) A pilot may complete the requirements of paragraphs (a) and (b) simultaneously in a specific aircraft type.
- (d) The validity of a proficiency check shall be 6 consecutive months in addition to the remainder of the month of issue.
- (e) Any 2 such checks which are similar and which occur within 4 consecutive months shall alone not satisfy this requirement.

Civil Aviation (Flight Safety) Regulations

Implementing Standard: See IS 8.10.1.20 for specific operation and procedures pertaining to the proficiency checks.

8.10.1.21 RE-ESTABLISHING RECENCY OF EXPERIENCE: PILOT

- (a) In addition to meeting all applicable training and checking requirements, a required pilot flight crew member who, in the preceding 90 days has not made at least three takeoffs and landings in the type aircraft in which that person is to serve, shall, under the supervision of a check airman, re-establish recency of experience as follows —
 - (1) make at least three takeoffs and landings in the type aircraft in which that person is to serve or in a qualified simulator;
 - (2) make at least one takeoff with a simulated failure of the most critical powerplant, one landing from the minimum ILS authorised for the AOC holder, and one landing to a full stop.
- (b) When using a simulator to accomplish any of the takeoff and landing training requirements necessary to re-establish recency of experience, a required flight crew member position shall be occupied by an appropriately qualified person and the simulator shall be operated as if in a normal in-flight environment without use of the repositioning features of the simulator.
- (c) A check airman who observes the takeoffs and landings of a pilot flight crew member shall certify that the person being observed is proficient and qualified to perform flight duty in operations and may require any additional manoeuvres that are determined necessary to make this certifying statement.

8.10.1.22 PAIRING OF LOW EXPERIENCE CREW MEMBERS

- (a) If a co-pilot has fewer than 100 hours of flight time in the type aircraft being flown in commercial air transport, and the PIC is not an appropriately qualified check pilot, the PIC shall make all takeoffs and landings in situations designated as critical by the Authority.
- (b) A PIC or a co-pilot shall not conduct any operations for a type aircraft in commercial air transport unless either pilot has at least 75 hours of line operating flight time, either as PIC or co-pilot.

Civil Aviation (Flight Safety) Regulations

- (c) The Authority may, on application by the AOC holder, authorise deviations from paragraph (b) by an appropriate amendment to the operations specifications in any of the circumstances identified in IS 8.10.1.22.

Implementing Standard: See IS 8.10.1.22 for those situations designated as critical by the Authority and for circumstances authorising a deviation from paragraph (b).

8.10.1.23 FLIGHT ENGINEER PROFICIENCY CHECKS

A person shall not serve nor shall an AOC holder use a person as a flight engineer on an aeroplane unless within the preceding 6 calendar months he or she has had a proficiency check in accordance with the requirements prescribed by the Authority.

Implementing Standard: See IS 8.10.1.21 for specific procedures used in FE proficiency checks.

8.10.1.24 COMPETENCE CHECKS: CABIN CREW

A person shall not serve nor shall an AOC holder use a person as a Cabin Crew unless, since the beginning of the 12th calendar month before that service, that person has passed the competency check prescribed by the Authority performing the emergency duties appropriate to that person's assignment.

Implementing Standard: See IS 8.10.1.24 for specific procedures used in Cabin Crew competence checks.

8.10.1.25 COMPETENCE CHECKS: FLIGHT OPERATIONS OFFICERS

A person shall not serve nor shall an AOC holder use a person as a flight operations officer unless, since the beginning of the 12th calendar month before that service, that person has passed the competency check, prescribed by the Authority, performing the flight preparation and subsequent duties appropriate to that person's assignment.

Implementing Standard: See IS 8.10.1.25 for specific procedures used in flight operation officer competence checks.

*Civil Aviation (Flight Safety) Regulations***8.10.1.26 SUPERVISED LINE FLYING: PILOTS**

Unless otherwise determined by the Authority —

- (a) A pilot initially qualifying as a PIC shall complete a minimum of 10 flights performing the duties of a PIC under the supervision of a check airman.
- (b) A PIC transitioning to a new aircraft type shall complete a minimum of 5 flights performing the duties of a PIC under the supervision of a check airman.
- (c) A pilot qualifying for duties other than PIC shall complete a minimum of 5 flights performing those duties under the supervision of a check airman.
- (d) During the time that a qualifying PIC is acquiring operating experience, a check pilot who is also serving as the PIC shall occupy a pilot station.
- (e) In the case of a transitioning PIC, the check pilot serving as PIC may occupy the observer's seat if the transitioning pilot has made at least two takeoffs and landings in the type of aircraft used, and has satisfactorily demonstrated to the check pilot that he is qualified to perform the duties of a PIC for that type of aircraft.

8.10.1.27 SUPERVISED LINE FLYING: FLIGHT ENGINEERS

A person qualifying as a flight engineer for an aircraft type shall perform those functions for a minimum of five flights under the supervision of a check airman or a qualified flight engineer.

8.10.1.28 SUPERVISED LINE EXPERIENCE: CABIN CREW

A person qualifying as a Cabin Crew shall perform those functions for a minimum of two flights under the supervision of a senior Cabin Crew.

Note: While qualifying, this person may not be a required crew member.

8.10.1.29 LINE OBSERVATIONS: FLIGHT OPERATIONS OFFICERS

A person shall not serve nor shall an AOC holder use a person as a flight operations officer unless, since the beginning

Civil Aviation (Flight Safety) Regulations

of the 12th calendar month before that service, that person has observed, on the flight deck, the conduct of two complete flights over routes representative of those for which that person is assigned duties.

8.10.1.30 ROUTE AND AREA CHECKS: PILOT QUALIFICATION

- (a) A person shall not serve nor shall an AOC holder use a person as a pilot unless, within the preceding 12 calendar months, that person has passed a route check in which he or she satisfactorily performed their assigned duties in one of the types of aircraft they are to fly.
- (b) A person shall not perform any PIC duties over a designated special operational area that requires a special navigation system or procedures or in ETOPS operations unless his or her competency with the system and procedures has been demonstrated to the AOC holder within the past 12 calendar months.
- (c) A PIC shall demonstrate special operational competency by navigation over the route or area as PIC under the supervision of a check airman and, on a continuing basis, by flights performing PIC duties.
- (d) The validity of the route and area checks shall be 12 calendar months in addition to the remainder of the month of issue.

8.10.1.31 PIC Low Minimums Authorization

- (a) Until a PIC has 15 flights performing PIC duties in the aircraft type (which included 5 approaches to landing using Category I or II procedures), he or she shall not plan for or initiate an instrument approach when the ceiling is less than 300 feet and the visibility less than one mile.
- (b) Until a PIC has 20 flights performing PIC duties in the aircraft type (which included 5 approach and landing using Category III procedures), he or she shall not plan for or initiate an approach when the ceiling is less than 100 feet or the visibility is less than 1200 RVR.

*Civil Aviation (Flight Safety) Regulations***8.10.1.32 DESIGNATED SPECIAL AERODROMES AND HELIPORTS: PIC QUALIFICATION**

- (a) A person shall not serve nor shall an AOC holder use a person as PIC for operations at designated special aerodromes and heliports unless within the preceding 12 calendar months —
 - (1) the PIC has been qualified by the AOC holder through a pictorial means acceptable to the Authority for that aerodrome; or
 - (2) the PIC or the assigned co-pilot has made a takeoff and landing at that aerodrome while serving as a flight crew member for the AOC holder.
- (b) Designated special aerodrome and heliport limitations are not applicable if the operation will occur —
 - (1) during daylight hours;
 - (2) when the visibility is at least 3 miles; and
 - (3) when the ceiling at that aerodrome is at least 1000 feet above the lowest initial approach altitude prescribed for an instrument approach procedure.

8.10.1.33 RECURRENT TRAINING: FLIGHT CREW MEMBERS

- (a) A person shall not serve nor shall an AOC holder use a person as a flight crew member unless within the preceding 12 calendar months that person has completed the recurrent ground and flight training curricula approved by the Authority. The recurrent ground training shall include training on—
 - (1) aircraft systems and limitations and normal, abnormal and emergency procedures;
 - (2) emergency equipment and drills;
 - (3) crew resource management;
 - (4) security training
- (b) Recurrent ground training shall include training within the preceding 24 calendar months on recognition and transportation of dangerous goods.

Civil Aviation (Flight Safety) Regulations

- (c) The recurrent flight training curriculum shall include —
- (1) manoeuvring and safe operation of the aircraft in accordance with AOC holder's normal, abnormal and emergency procedures;
 - (2) manoeuvres and procedures necessary for avoidance of in-flight hazards; and
 - (3) for authorised pilots, at least one low visibility takeoff to the lowest applicable minimum LVTO and two approaches to the lowest approved minimums for the AOC holder, one of which is to be a missed approach Implementing Standard: See IS 8.10.1.33 for detailed recurrent training requirements.

Note: Satisfactory completion of a proficiency check with the AOC holder for the type aircraft and operation to be conducted may be used in lieu of recurrent flight training.

8.10.1.34 RECURRENT TRAINING: CABIN CREW

- (a) A person shall not serve nor shall an AOC holder use a person as a Cabin Crew unless within the preceding 12 calendar months that person has completed the recurrent ground curricula approved by the Authority. The recurrent ground training shall include training on —
- (1) aircraft-specific configuration, equipment and procedures;
 - (2) emergency and first aid equipment and drills;
 - (3) crew resource management;
 - (4) security training.
- (b) Recurrent ground training shall include training within the preceding 24 calendar months on recognition and transportation of dangerous goods.

Implementing Standard: See IS 8.10.1.34 for specific emergency program training requirements for Cabin Crew.

8.10.1.35 RECURRENT TRAINING: FLIGHT OPERATIONS OFFICERS

- (a) A person shall not serve nor shall an AOC holder use a person as a flight operations officer unless that person has completed the recurrent ground curricula approved by the Authority.

Civil Aviation (Flight Safety) Regulations

- (b) The recurrent ground training shall include training within the preceding 12 calendar months on —
 - (1) aircraft-specific flight preparation;
 - (2) crew resource management; and
- (c) The recurrent ground training shall include training within the preceding 24 calendar months on — Recognition or transportation of dangerous goods.

Implementing Standard: See IS 8.10.1.35 for specific program training requirements for flight operations officers.

8.10.1.36 CHECK AIRMAN TRAINING

A person shall not serve nor shall an AOC holder use a person as a check airman unless he or she has completed the curricula approved by the Authority for those functions for which they are to serve.

Implementing Standard: See IS 8.10.1.36 for specific training program requirements for check airmen.

8.10.1.37 FLIGHT INSTRUCTOR TRAINING

A person shall not serve nor shall an AOC holder use a person as an instructor unless he or she has completed the curricula approved by the Authority for those functions for which they are to serve.

Implementing Standard: See IS 8.10.1.37 for specific training program requirements for instructor.

8.10.1.38 FLIGHT INSTRUCTOR QUALIFICATIONS

An AOC holder shall not use a person nor shall a person serve as a flight instructor in an established training program unless, with respect to the aircraft type involved, that person —

- (1) holds the airman licences and rating required to serve as a PIC, a flight engineer, or a flight navigator, as applicable;
- (2) has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as a PIC, flight engineer, or flight navigator, as applicable;
- (3) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a PIC, flight engineer, or flight navigator, as applicable;

Civil Aviation (Flight Safety) Regulations

- (4) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check; and
- (5) holds at least a Class III medical certificate unless serving as a required crew member, in which case holds a Class I or a Class II medical certificate as appropriate.

8.10.1.39 CHECK AIRMAN PILOT QUALIFICATIONS

An AOC holder shall not use a person, nor shall an person serve as a check airman in an established training program unless, with respect to the aircraft type involved, that person —

- (1) holds the airman licences and ratings required to serve as a PIC, a flight engineer, or a flight navigator, as applicable;
- (2) has satisfactorily completed the appropriate training phases for the aircraft, including recurrent training, that are required to serve as a PIC, flight engineer, or flight navigator, as applicable;
- (3) has satisfactorily completed the appropriate proficiency, competency and recency of experience checks that are required to serve as a PIC, flight engineer, or flight navigator, as applicable;
- (4) has satisfactorily completed the applicable initial or transitional training requirements and the Authority-observed in-flight competency check;
- (5) holds at least a Class III medical certificate unless serving as a required crew member, in which case holds a Class I or Class II medical certificate as appropriate; and
- (6) has been approved by the Authority for the check airman duties involved.

8.10.1.40 CHECK AIRMAN DESIGNATION

A person shall not serve nor shall an AOC holder use a person as a check airman for any flight check unless that person has been designated by name, approved and observed by the Authority within the preceding 12 calendar months.

*Civil Aviation (Flight Safety) Regulations***8.10.1.41 CHECK AIRMAN LIMITATIONS**

A person shall not serve nor shall an AOC holder use a person as a check airman for any check —

- (1) in an aircraft as a required pilot flight crew member, unless that person holds the required airman licences and ratings and has completed for the AOC holder all applicable training, qualification and currency requirements of this Part applicable to the crew position and the flight operations being checked;
- (2) in an aircraft as an observer check airman, unless that person holds the airman licences and ratings and has completed all applicable training, qualification and line observation requirements of this Part applicable to the position and the flight operations being checked; or
- (3) in a simulator unless that person has completed or observed with the AOC holder all training, qualification and line observation requirements of this Part applicable to the position and flight operations being checked.

8.10.1.42 SUBSTITUTION OF SIMULATOR EXPERIENCE

- (a) An AOC holder shall not use a simulator for training or checking unless that simulator has been specifically approved for the AOC holder in writing by the Authority.
- (b) An AOC holder shall not use a simulator for any purpose other than that specified in the Authority's approval.

8.10.1.43 LINE QUALIFICATION: CHECK AIRMAN AND INSTRUCTOR

A person shall not serve nor shall an AOC holder use a person as a check airman or simulator instructor unless, since the beginning of the 12th calendar month before that service, that person has —

- (1) flown at least 5 flights as a required crew member for the type of aircraft involved; or
- (2) observed, on the flight deck, the conduct of 2 complete flights in the aircraft type to which the person is assigned.

*Civil Aviation (Flight Safety) Regulations***8.10.1.44 TERMINATION OF A PROFICIENCY, COMPETENCE OR LINE CHECK**

If it is necessary to terminate a check as a result of flight crew proficiency, the AOC holder shall not use the crew member or flight operations officer in commercial air transport operations until the completion of a satisfactory recheck.

8.10.1.45 RECORDING OF CREW MEMBER QUALIFICATIONS

- (a) An AOC holder shall record in its records maintained for each crew member and flight operations officer, the completion of each of the qualifications required by this Part.
- (b) A pilot may complete the curricula required by this Part concurrently or intermixed with other required curricula, but completion of each of these curricula shall be recorded separately.

8.10.1.46 MONITORING OF TRAINING AND CHECKING ACTIVITIES

- (a) To enable adequate supervision of its training and checking activities, the AOC holder shall forward to the Authority at least 7 days prior to the scheduled activity the dates, report times and report location of all —
 - (1) training for which a curriculum is approved in the AOC holder's training program; and
 - (2) proficiency, competence and line checks.
- (b) Failure to provide the information required by paragraph (a) may invalidate the training or check and the Authority may require that it be repeated for observation purposes.

8.10.1.47 ELIGIBILITY PERIOD

- (a) All crew members who are required to take a proficiency check, a test or competency check, or recurrent training to maintain qualification for commercial air transport operations may complete those requirements at any time during the eligibility period.
- (b) The eligibility period is defined as the final 3 calendar months of the validity of the previous check. If any of the checks and

Civil Aviation (Flight Safety) Regulations

or training required in paragraph (a) are completed during the eligibility period, they shall be considered as if completed in the month-due, for the purpose of calculating the next due date.

8.10.1.48 REDUCTIONS IN REQUIREMENTS

- (a) The Authority may authorize reductions in, or waive, certain portions of the training requirements of this subpart, taking into account the previous experience of the crew members.
- (b) An AOC holder's request for reduction or waiver shall be made in writing and outline the basis under which the request is made.
- (c) If the request was for a specific crew member, the correspondence from the Authority authorizing the reduction and the basis for it shall be filed in the record the AOC holder maintains for that crew member.
- (d) A person who progresses successfully through flight training, is recommended by their instructor or a check airman, and successfully completes the appropriate flight check for a check airman, or is permitted by the Authority, to complete a course in less than programmed time, need not complete the programmed hours of flight training for the particular aircraft.

Note: Whenever the Authority finds that 20 per cent of the flight checks given at a particular training base during the previous 6 months are unsuccessful, this method of approval will not be used by the AOC holder at that base until the Authority finds that the effectiveness of the flight training there has improved.

**8.11 REST PERIODS, DUTY, AND FLIGHT TIME:
COMMERCIAL AIR TRANSPORT****8.11.1.1 APPLICABILITY**

This scheme shall apply in relation to any duty carried out at the behest of the AOC holder by both flight crew and cabin crew. AOC holders are given the option of omitting paragraph(s) where this symbol '¶' is annotated.

8.11.1.2 PURPOSE

The purpose of the scheme is to interpret the requirements of the relevant sections of the Civil Aviation Regulations as they apply to the regulation of flight times and the avoidance of fatigue in aircrew

*Civil Aviation (Flight Safety) Regulations***8.11.1.3 RESPONSIBILITIES**

- (a) An AOC holder shall publish rosters in advance so that operating crews can plan adequate pre-flight rest.
- (b) All crew members shall be given at least 7 days notice of days off.
- (c) Before the start of the roster year, the start and finish dates of each roster period, plus the expected publication date, shall be issued to crewmembers.
- (d) Responsibility for the proper control of flight and duty time does not rest wholly with the AOC holder. All crew members shall have a responsibility to make optimum use of the opportunities and facilities for rest provided.
- (e) All crew members shall be responsible for planning and using their rest periods properly in order to minimize incurring fatigue.
- (f) A crew member shall not act as operating crew if he or she knows, or suspects that his or her physical or mental condition renders him or her unfit to operate and he or she shall not fly if he or she knows that he or she is, or are likely to be, in breach of this scheme.

8.11.1.4 DEFINITIONS

Definitions in the flight duty scheme shall have the meanings defined in IS: 8.11.1.4.

8.11.1.5 FLIGHT DUTY PERIOD

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.5.

8.11.1.6 FLIGHT DUTY PERIOD TABLES

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.6.

8.11.1.7 LIMITS ON TWO FLIGHT CREW LONG RANGE OPERATIONS

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.7.

*Civil Aviation (Flight Safety) Regulations***8.11.1.8 EXTENSION OF FLYING DUTY PERIOD BY IN-FLIGHT RELIEF**

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.8.

8.11.1.9 CALCULATION OF DELAY REPORTING TIMES IN A SINGLE FDP

Delayed reporting times in a single flight duty period prior to leaving a place of rest shall be calculated as prescribed in IS: 8.11.1.9.

8.11.1.10 PILOT-IN-COMMAND'S DISCRETION TO EXTEND A FDP

An PIC 's discretion to extend a flight duty period shall be as prescribed in IS: 8.11.1.10.

8.11.1.11 SPLIT DUTY EXTENSIONS

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.11.

8.11.1.12 REPORTING EXERCISE OF DISCRETION TO AN EXTENSION OF A FDP

- (i) Whenever a PIC extends an FDP it shall be reported to (Specify reporting point, i.e. Operations Manager) on a Discretion Report Form, in the format of (Specify Company form).
- (ii) If the extension under subsection (i) is greater than 2 hours, then the company shall submit the commander's written report, together with the AOC holder's comments, to the Authority, within 14 days of the aircraft's return to base.

8.11.1.13 LATE FINISHES/EARLY STARTS

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.13.

8.11.1.14 STANDBY DUTY

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.14.

*Civil Aviation (Flight Safety) Regulations***8.11.1.15 MIXED DUTIES**

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.15.

8.11.1.16 DEADHEADING

Travelling time shall be interpreted as prescribed in IS: 8.11.1.16.

8.11.1.17 TRAVELLING TIME

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.17.

8.11.1.18 REST PERIODS

An AOC holder shall not schedule rest periods except as prescribed in IS: 8.11.1.18.

8.11.1.19 PILOT IN COMMAND'S DISCRETION TO REDUCE A REST PERIOD

An aircraft commander's discretion to reduce a rest period shall be as prescribed in IS: 8.11.1.19.

8.11.1.20 REPORTING EXERCISE OF DISCRETION TO REDUCE A REST PERIOD

Whenever PIC reduces a rest period, it shall be reported as prescribed in IS 8.11.1.20.

8.11.1.21 DAYS OFF

An AOC holder shall not schedule a crewmember except as prescribed in IS: 8.11.1.21.

8.11.1.22 ABSOLUTE LIMIT ON FLYING HOURS

Absolute limit on flying hours shall be as prescribed in IS: 8.11.1.22.

8.11.1.23 CUMULATIVE DUTY HOURS

Crew members cumulative duty hours shall be as prescribed in IS: 8.11.1.23.

*Civil Aviation (Flight Safety) Regulations***8.11.1.24 CALCULATION OF CUMULATIVE DUTY HOURS**

Calculation of cumulative duty hours shall be as prescribed in IS: 8.11.1.24.

8.11.1.25 RECORDS TO BE MAINTAINED

Records for flight and duty time and rest periods of all flying staff shall be as prescribed in IS: 8.11.1.25.

8.12 FLIGHT RELEASE: COMMERCIAL AIR TRANSPORT**8.12.1.1 APPLICABILITY**

This Subpart is applicable to an AOC holder and the person designated by the AOC holder to issue a flight release.

8.12.1.2 QUALIFIED PERSONS REQUIRED FOR OPERATIONAL CONTROL FUNCTIONS

- (a) A qualified person shall be designated by the AOC holder to exercise the functions and responsibilities for operational control of each flight in commercial air transport.
- (b) For passenger-carrying flights conducted on a published schedule, a licenced and qualified flight operations officer or an equivalently qualified person shall be on-duty at an operations base to perform the operational control functions.
- (c) 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.
- (d) For all flights, a PIC shall share in the responsibility for operational control of the aircraft and shall have the situational authority to make decisions regarding operational control issues in-flight.
- (e) Where a decision of the PIC differs from that recommended, the person making the recommendation shall make a record of the associated facts.

8.12.1.3 FUNCTIONS ASSOCIATED WITH OPERATIONAL CONTROL

The person exercising responsibility for operational control for an AOC holder shall —

Civil Aviation (Flight Safety) Regulations

- (1) authorise the specific flight operation;
- (2) ensure that an airworthy aircraft properly equipped for the flight is available;
- (3) ensure that qualified personnel and adequate facilities are available to support and conduct the flight;
- (4) ensure that proper flight planning and preparation is made;
- (5) ensure that flight locating and flight following procedures are followed; and
- (6) 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; and
- (7) ensure that a flight shall not be continued towards the heliport of intended landing unless the latest available meteorological information indicates that conditions at that heliport, or at least one alternate heliport, will, at the estimated time of arrival, be at or above the specified heliport operating minima.

8.12.1.4 OPERATIONAL CONTROL DUTIES

- (a) For passenger-carrying flights conducted on a published schedule, the qualified person performing the duties of a flight operations officer shall —
 - (1) assist the PIC in flight preparation and provide the relevant information required;
 - (2) assist the PIC in preparing the operational and ATC flight plans;
 - (3) sign the dispatch copy of the flight release;
 - (4) furnish the PIC while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and
 - (5) in the event of an emergency, initiate the applicable procedures contained in the AOC holder's operations manual.
- (b) If an emergency situation which endangers the safety of the aircraft or persons becomes known first to the flight operations officer or flight dispatcher, action by that person shall include, where necessary, notification to the appropriate authorities of the nature of the situation without delay, and requests for assistance if required.

Civil Aviation (Flight Safety) Regulations

- (c) A qualified person performing the operational control duties shall avoid taking any action that would conflict with the procedures established by —
 - (1) air traffic control;
 - (2) the meteorological service;
 - (3) the communications service; or
 - (4) AOC holder.

8.12.1.5 CONTENTS OF A FLIGHT RELEASE

The flight release shall contain at least the following information concerning each flight —

- (1) company or organisation name;
- (2) make, model, and registration number of the aircraft being used;
- (3) flight or trip number, and date of flight;
- (4) name of each flight crew member, Cabin Crew, and PIC;
- (5) departure aerodrome, destination aerodromes, alternate aerodromes, and route;
- (6) minimum fuel supply (in gallons or pounds);
- (7) a statement of the type of operation (e.g., IFR, VFR);
- (8) the latest available weather reports, and forecasts for the destination aerodrome and alternate aerodromes;
- (9) any additional available weather information that the PIC considers necessary.

8.12.1.6 FLIGHT RELEASE: AIRCRAFT REQUIREMENTS

- (a) A person shall not issue a flight release for a commercial air transport operation unless the aircraft is airworthy and properly equipped for the intended flight operation
- (b) A person shall not issue a flight release for a commercial air transport operation using an aircraft with inoperative instruments and equipment installed, except as specified in the Minimum Equipment List approved for the AOC holder for that type aircraft.

*Civil Aviation (Flight Safety) Regulations***8.12.1.7 FLIGHT RELEASE: FACILITIES AND NOTAMS**

- (a) 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 necessary to conduct the flight safely.
- (b) The flight operations officer shall ensure that the PIC is provided all available current reports or information on aerodrome conditions and irregularities of navigation facilities that may effect the safety of the flight.

Note: For their review of the operational flight plan, the PIC will be provided with all available NOTAMs with respect to the routing, facilities and aerodromes.

8.12.1.8 FLIGHT RELEASE: WEATHER REPORTS AND FORECASTS

- (a) A person shall not release a flight unless he or she is thoroughly familiar with reported and forecast weather conditions on the route to be flown.
- (b) A person shall not release a flight unless he or she has communicated all information and reservations they may have regarding weather reports and forecasts to the PIC.

8.12.1.9 FLIGHT RELEASE IN ICING CONDITIONS

- (a) A person shall not release an aircraft, when in their opinion or that of the PIC, the icing conditions that may be expected or are met, exceed that for which the aircraft is certified and has sufficient operational de-icing or anti-icing equipment.
- (b) A person shall not release an aircraft any time if the conditions are such that frost, ice or snow may reasonably be expected to adhere to the aircraft, unless there is the available to the PIC at the aerodrome of departure adequate facilities and equipment to accomplish the procedures approved for the AOC holder by the Authority for ground de-icing and anti-icing.

8.12.1.10 FLIGHT RELEASE UNDER VFR OR IFR

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 release.

*Civil Aviation (Flight Safety) Regulations***8.12.1.11 FLIGHT RELEASE: MINIMUM FUEL SUPPLY**

A person shall not issue a flight release for a commercial air transport operation unless the fuel supply specified in the release is equivalent to or greater than the minimum flight planning requirements of this Part, including anticipated contingencies.

8.12.1.12 FLIGHT RELEASE: AIRCRAFT LOADING AND PERFORMANCE

A person shall not issue a flight release unless he or she is familiar with the anticipated loading of the aircraft and is reasonably certain that the proposed operation will not exceed the —

- (1) centre of gravity limits;
- (2) aircraft operating limitations; and
- (3) minimum performance requirements.

8.12.1.13 FLIGHT RELEASE: AMENDMENT OR RE-RELEASE EN ROUTE

- (a) A person who amends a flight release while the flight is en route shall record that amendment.
- (b) 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.
- (c) 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.

8.12.1.14 FLIGHT RELEASE WITH AIRBORNE WEATHER RADAR EQUIPMENT

A person shall not release a large aeroplane carrying passengers 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.

*Civil Aviation (Flight Safety) Regulations***CONTENTS****PART 9 - AIR OPERATOR CERTIFICATION AND ADMINISTRATION**

- 9.1 AIR OPERATOR CERTIFICATE
 - 9.1.1.1 Applicability
 - 9.1.1.2 Definitions
 - 9.1.1.3 Acronyms
 - 9.1.1.4 Compliance with an Air Operator Certificate
 - 9.1.1.5 Application for an Air Operator Certificate
 - 9.1.1.6 Issuance or Denial of Air Operator Certificate
 - 9.1.1.7 Contents of Air Operator Certificate
 - 9.1.1.8 Duration of an Air Operator Certificate
 - 9.1.1.9 Amendment of an Air Operator Certificate
 - 9.1.1.10 Access for Inspection
 - 9.1.1.11 Conducting Tests and Inspections
- 9.2 AIR OPERATOR CERTIFICATION AND CONTINUED VALIDITY
 - 9.2.1.1 Applicability
 - 9.2.2 Administration
 - 9.2.2.1 Base of Operations
 - 9.2.2.2 Management Personnel Required for Commercial Air Transport Operations
 - 9.2.2.3 Quality System
 - 9.2.2.4 Submission and Revision of Policy and Procedure Manuals
 - 9.2.2.5 Retention and Maintenance of Personnel Records
 - 9.2.2.6 Flight Deck Voice and Flight Data Recorder Records
 - 9.2.2.7 (RESERVED)
 - 9.2.2.8 AOC Holder's Aircraft Technical Log
 - 9.2.2.9 Company Procedures Indoctrination
 - 9.2.3 Aircraft
 - 9.2.3.1 Authorised Aircraft
 - 9.2.3.2 Dry Leasing of Foreign Registered Aircraft
 - 9.2.3.3 Aircraft Interchange
 - 9.2.3.4 Wet-Leasing
 - 9.2.3.5 Emergency Evacuation Demonstration
 - 9.2.3.6 Demonstration Flights
 - 9.2.4 Facilities and Operations Schedules
 - 9.2.4.1 Facilities
 - 9.2.4.2 Operations Schedules
- 9.3 AOC FLIGHT OPERATIONS MANAGEMENT
 - 9.3.1.1 Applicability

Civil Aviation (Flight Safety) Regulations

- 9.3.1.2 Operations Manual
- 9.3.1.3 Training Programme
- 9.3.1.4 Aircraft Operating Manual
- 9.3.1.5 AOC Holder's Aircraft Technical Log – Journey Records Section
- 9.3.1.6 Designation of PIC for Commercial Air Transport
- 9.3.1.7 Required Cabin Crews
- 9.3.1.8 Carriage of Special Situation Passengers
- 9.3.1.9 Crew Member Checking and Standardisation Programme
- 9.3.1.10 Training to Proficiency: Pilots
- 9.3.1.11 Cockpit Check Procedure
- 9.3.1.12 Minimum Equipment List and Configuration Deviation List
- 9.3.1.13 Performance Planning Manual
- 9.3.1.14 Performance Data Control System
- 9.3.1.15 Aircraft Loading and Handling Manual
- 9.3.1.16 Mass and Balance Data Control System
- 9.3.1.17 Cabin Crew Manual
- 9.3.1.18 Passenger Briefing Cards
- 9.3.1.19 Aeronautical Data Control System
- 9.3.1.20 Route Guide
- 9.3.1.21 Weather Reporting Sources
- 9.3.1.22 De-icing and Anti-icing Programme
- 9.3.1.23 Flight Supervision and Monitoring System
- 9.3.1.24 Flight Following System
- 9.3.1.25 Communications Facilities
- 9.3.1.26 Routes and Areas of Operation.
- 9.3.1.27 Navigational Accuracy
- 9.4 AOC MAINTENANCE REQUIREMENTS
- 9.4.1.1 Applicability
- 9.4.1.2 Maintenance Responsibility
- 9.4.1.3 Approval and Acceptance of AOC Maintenance Systems and Programmes
- 9.4.1.4 Maintenance Control Manual
- 9.4.1.5 Maintenance Management
- 9.4.1.6 Quality System
- 9.4.1.7 Aircraft Technical Log Entries: AOC Holders
- 9.4.1.8 Maintenance Records
- 9.4.1.9 AOC Holder's Aircraft Technical Log - Maintenance Record Section
- 9.4.1.10 Release to Service or Maintenance Section Records of the Technical Log
- 9.4.1.11 Modification and Repairs.

Civil Aviation (Flight Safety) Regulations

- 9.4.1.12 Aircraft Maintenance Programme
- 9.4.1.13 RESERVED
- 9.4.1.14 Authority to Perform and Approve Maintenance, Preventive Maintenance and Modifications
- 9.4.1.15 RESERVED
- 9.4.1.16 Rest and Duty Limitations for Persons Performing Maintenance Functions on AOC Holder Aircraft
- 9.5 AOC SECURITY MANAGEMENT
 - 9.5.1.1 Applicability
 - 9.5.1.2 Security Requirements
 - 9.5.1.3 Security Training Programmes
 - 9.5.1.4 Reporting Acts of Unlawful Interference
 - 9.5.1.5 Aircraft Search Procedure Checklist
 - 9.5.1.6 Flight Crew Compartment Security
- 9.6 AOC DANGEROUS GOODS MANAGEMENT
 - 9.6.1.1 Applicability
 - 9.6.1.2 Approval to Transport Dangerous Goods
 - 9.6.1.3 Scope
 - 9.6.1.4 Limitations on The Transport of Dangerous Goods
 - 9.6.1.5 Classification.
 - 9.6.1.6 Packing
 - 9.6.1.7 Labelling and Marking
 - 9.6.1.8 Dangerous Goods Transport Document
 - 9.6.1.9 Acceptance of Dangerous Goods
 - 9.6.1.10 Inspection for Damage, Leakage or Contamination
 - 9.6.1.11 Removal of Contamination
 - 9.6.1.12 Loading Restrictions
 - 9.6.1.13 Provision of Information
 - 9.6.1.14 Training programmes..
 - 9.6.1.15 Dangerous Goods Incident and Accident Reports

9.1 AIR OPERATOR CERTIFICATE

9.1.1.1 APPLICABILITY

- (a) This Part applies to the carriage of passengers, cargo or mail for remuneration or hire by persons whose principal place of business or permanent residence is located in Saint Lucia.
- (b) This Part prescribes requirements for the original certification and continued validity of air operator certificates (AOC) issued by Saint Lucia.
- (c) Except where specifically noted, this Part applies to all commercial air transport operations by AOC holders for which

Civil Aviation (Flight Safety) Regulations

Saint Lucia is the State of the Operator under the definitions provided in Annex 6 to the Chicago Convention.

9.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

9.1.1.3 ACRONYMS

The following acronyms are used in this Part.

- (1) AOC – Air Operator Certificate
- (2) AMO – Approved Maintenance Organisation
- (3) ATP – Air Transport Pilot
- (4) CDL – Configuration Deviation List
- (5) MEL – Minimum Equipment List
- (6) UN – United Nations.

9.1.1.4 COMPLIANCE WITH AN AIR OPERATOR CERTIFICATE

- (a) An operator shall not operate an aircraft in commercial air transport unless that operator holds an AOC for the operations being conducted.
- (b) A person shall not operate an aircraft in commercial air transport operations which are not authorised by the terms and conditions of its AOC.
- (c) An AOC holder shall, at all times, continue in compliance with the AOC terms, conditions of issuance, and maintenance requirements in order to hold that certificate.
- (d) Failure to comply with paragraphs (a) to (c) may result in the revocation or suspension of the AOC.

9.1.1.5 APPLICATION FOR AN AIR OPERATOR CERTIFICATE

- (a) An operator applying to the Authority for an AOC shall submit an application —

Civil Aviation (Flight Safety) Regulations

- (1) in a form and manner prescribed by the Authority; and
 - (2) containing any information the Authority requires the applicant to submit.
- (b) An applicant shall make the application for an initial issue of an AOC at least 90 days before the date of intended operation, except the Operations Manual specified in 9.3.1.4 and Maintenance Control Manual specified in 9.4.1.4 which may be submitted later than but not less than 60 days before the date of intended operation.

9.1.1.6 ISSUANCE OR DENIAL OF AIR OPERATOR CERTIFICATE

- (a) The Authority may issue an AOC if, after investigation, the Authority is satisfied that the applicant —
- (1) is a citizen of the Saint Lucia;
 - (2) has its principal place of business and its registered office, if any, located in Saint Lucia;
 - (3) meets the applicable regulations and standards for the holder of an AOC;
 - (4) is properly and adequately equipped for safe operations in commercial air transport and maintenance of the aircraft; and
 - (5) has submitted proof in writing from the Minister Responsible for Civil Aviation signifying that he does not object to the application.
- (b) The Authority may deny application for an AOC if the Authority determines that —
- (1) the applicant is not properly or adequately equipped or is not able to conduct safe operations in commercial air transport;
 - (2) the person is unfit, having regard in particular to his previous conduct, or if there is evidence of unlawful conduct in aviation or previous breaches of aviation regulations;
 - (3) the applicant previously held an AOC which was revoked; or
 - (4) an individual that contributed to the circumstances causing

Civil Aviation (Flight Safety) Regulations

the revocation process of an AOC obtains a substantial ownership or is employed in a position required by this regulation.

9.1.1.7 CONTENTS OF AIR OPERATOR CERTIFICATE

- (a) The AOC will consist of two documents —
 - (1) a one-page certificate for public display signed by the Authority, and
 - (2) multi-page AOC specific operating provisions containing the terms and conditions applicable to the AOC holder's certificate.
- (b) The Authority will issue an AOC which will contain —
 - (1) the name and location (main place of business) of the AOC holder;
 - (2) the date of issue and period of validity for each page issued;
 - (3) a description of the type of operations authorised;
 - (4) the type(s) of aircraft(s) authorised for use;
 - (5) the authorised areas of operations or destinations;
 - (6) other Special authorizations, approvals and limitations issued by the Authority in accordance with the standards which are applicable to the operations and maintenance conducted by the AOC holder.

9.1.1.8 DURATION OF AN AIR OPERATOR CERTIFICATE

An AOC, or any portion of the AOC, issued by the Authority is effective until —

- (1) the Authority amends, suspends, revokes or otherwise terminates the certificate;
- (2) the AOC holder surrenders it to the Authority; or
- (3) the AOC holder suspends operations for more than 60 days; or
- (4) one year from the date of its issue or renewal.

*Civil Aviation (Flight Safety) Regulations***9.1.1.9 AMENDMENT OF AN AIR OPERATOR CERTIFICATE**

- (a) The Authority may amend any AOC if —
 - (1) the Authority determines that safety in commercial air transport and the public interest require the amendment; or
 - (2) the AOC holder applies for an amendment, and the Authority determines that safety in commercial air transport and the public interest allows the amendment.
- (b) If the Authority stipulates in writing that an emergency exists requiring immediate amendment in the public interest with respect to safety in commercial air transportation, such an amendment is effective without stay on the date the AOC holder receives notice.
- (c) An AOC holder may appeal the amendment, but shall operate in accordance with it, unless it is subsequently withdrawn.
- (d) Amendments proposed by the Authority, other than emergency amendments, become effective 30 days after notice to the AOC holder, unless the AOC holder appeals the proposal in writing prior to the effective date. The filing of an appeal stays the effective date until the appeal process is completed.
- (e) Amendments proposed by the AOC holder shall be made at least 30 days prior to the intended date of any operation under that amendment.
- (f) A person shall not perform a commercial air transport operation for which an AOC amendment is required, unless it has received notice of the approval from the Authority.

9.1.1.10 ACCESS FOR INSPECTION

- (a) To determine continued compliance with the applicable regulations, the AOC holder shall —
 - (1) grant the Authority access to and co-operation with any of its organisations, facilities and aircraft;
 - (2) ensure that the Authority is granted access to and co-operation with any organisation or facilities that it has contracted for services associated with commercial air transport operations and maintenance for services; and

Civil Aviation (Flight Safety) Regulations

- (3) grant the Authority free and uninterrupted access to the flight deck of the aircraft during flight operations.
- (b) An AOC holder shall provide to the Authority a forward observer's seat on the AOC holder's aircraft from which the flight crew's actions and conversations may be easily observed.

Note: The suitability of the seat location and the ability to monitor crewmember actions, conversations and radio communications is determined by the Authority.

9.1.1.11 CONDUCTING TESTS AND INSPECTIONS

- (a) The Authority will conduct on-going validation of the AOC holder's continued eligibility to hold its AOC and associated approvals.
- (b) The AOC holder shall allow the Authority to conduct tests and inspections, at any time or place, to determine whether an AOC holder is complying with the applicable laws, regulations and AOC terms and conditions.
- (c) The AOC holder shall make available at its principal base of operations —
 - (1) all portions of its current Air Operator Certificate;
 - (2) all portions of its Operations and Maintenance Manuals; and
 - (3) a current listing that includes the location and individual positions responsible for each record, document and report required to be kept by the AOC holder under the applicable aviation law, regulations or standards.
- (d) Failure by any AOC holder to make available to the Authority on request, all portions of the AOC, Operations and Maintenance Manuals and any required record, document or report is grounds for suspension of all or part of the AOC.

9.2 AIR OPERATOR CERTIFICATION AND CONTINUED VALIDITY**9.2.1.1 APPLICABILITY**

Subpart 9.2 provides requirements applicable to the certification and continued validity of all AOC holders.

*Civil Aviation (Flight Safety) Regulations***9.2.2 Administration****9.2.2.1 BASE OF OPERATIONS**

- (a) An AOC holder shall maintain a principal base of operations in Saint Lucia.
- (b) An AOC holder shall provide written notification of intent to the Authority at least 30 days before it proposes to establish or change the location of its base.

9.2.2.2 MANAGEMENT PERSONNEL REQUIRED FOR COMMERCIAL AIR TRANSPORT OPERATIONS

- (a) An AOC holder shall have an accountable manager, acceptable to the Authority, who has corporate authority for ensuring that all flight operations and maintenance activities can be financed and carried out to the highest degree of safety standards required by the Authority.
- (b) When conducting commercial air transport operations, the AOC holder shall have qualified personnel, with proven competency in civil aviation, available and serving in the following positions or their equivalent —
 - (1) Director of Operations.
 - (2) Chief Pilot.
 - (3) Director of Safety.
 - (4) Director of Maintenance
 - (5) Quality Manager.
- (c) The Authority may approve positions or numbers of positions, other than those listed, if the AOC holder is able to show that it can perform the operation with the highest degree of safety under the direction of fewer or different categories of management personnel due to the —
 - (1) the kind of operations involved;
 - (2) the number of aircraft used; and
 - (3) the area of operation.

Implementing Standard: See IS: 9.2.2.2 for additional management personnel requirements.

*Civil Aviation (Flight Safety) Regulations***9.2.2.3 QUALITY SYSTEM**

- (a) An AOC holder, depending on the scope of the operation, shall establish a quality system and designate a quality manager to monitor compliance with, and adequacy of, procedures required to ensure safe operational practices and airworthy aircraft. Compliance monitoring shall include a feedback system to the accountable manager to ensure corrective action as necessary.
- (b) An AOC holder shall ensure that each quality system includes a quality assurance programme that contains procedures designed to verify that all operations are being conducted in accordance with all applicable requirements, standards and procedures.
- (c) The quality system, and the quality manager, shall be acceptable to the Authority.
- (d) An AOC holder shall describe the quality system in relevant documentation.

9.2.2.4 SUBMISSION AND REVISION OF POLICY AND PROCEDURE MANUALS

- (a) An AOC holder shall establish a flight safety documents system, for the use and guidance of operational personnel as part of its safety management system.
- (b) A manual required by this Part must —
 - (1) include instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety;
 - (2) be in a form that is easy to revise and contains a system which allows personnel to determine the current revision status of A manual;
 - (3) have a date and revision number of the last revision on each page concerned;
 - (4) not be contrary to any applicable Saint Lucia regulation and the AOC holder's specific operating provisions; and
 - (5) include a reference to appropriate civil aviation regulations.
- (c) A person shall not cause the use of any policy and procedure for flight operations or airworthiness function prior to co-ordination with the Authority.
- (d) An AOC holder shall submit the proposed policy or procedure to the Authority at least 30 days prior to the date of intended implementation.

*Civil Aviation (Flight Safety) Regulations***9.2.2.5 RETENTION AND MAINTENANCE OF PERSONNEL RECORDS**

- (a) An AOC holder shall maintain current records which detail the qualifications and training of all its employees, and contract employees, involved in the operational control, flight operations, ground operations and maintenance of the air operator.
- (b) An AOC holder shall maintain records for those employees performing crew member or flight operations officer duties in sufficient detail to determine whether the employee meets the experience and qualification for duties in commercial air transport operations.
- (c) An AOC holder shall retain the following records —
 - (1) flight and duty records;
 - (2) flight crew records;
 - (3) fuel and oil records.

9.2.2.6 FLIGHT DECK VOICE AND FLIGHT DATA RECORDER RECORDS

- (a) An AOC holder shall retain —
 - (1) the most recent flight data recorder calibration, including the recording medium from which this calibration is derived; and
 - (2) the flight data recorder correlation for one aircraft of any group of aircraft operated by the AOC holder —
 - (i) that are of the same type;
 - (ii) on which the model flight recorder and its installation are the same; and
 - (iii) on which there is no difference in type design with respect to the original installation of instruments associated with the recorder.
- (b) In the event of an accident or occurrence requiring immediate notification of the Authority, the AOC holder shall remove and keep recorded information from the flight deck voice recorder and flight data recorder for at least 60 days or, if requested by the Authority, for a longer period.

*Civil Aviation (Flight Safety) Regulations***9.2.2.7 (RESERVED)****9.2.2.8 AOC HOLDER'S AIRCRAFT TECHNICAL LOG**

An AOC holder shall have an aircraft technical log that is carried on the aircraft that contains a journey records section and an aircraft maintenance record section. The journey records section is further described in 9.3.1.5 and the aircraft maintenance record section is further described in 9.4.1.9.

9.2.2.9 COMPANY PROCEDURES INDOCTRINATION

A person shall not serve nor may any AOC holder use a person as a Quality Manager or the Director of Maintenance 9.4.1.2 unless that person has completed the company indoctrination curriculum approved by the Authority, which shall include a complete review of the operations manual and maintenance control manual procedures pertinent to their duties.

Implementing Standard: See IS: 9.2.2.9 for additional company procedures training requirements

9.2.3 Aircraft**9.2.3.1 AUTHORISED AIRCRAFT**

- (a) A person shall not operate an aircraft in commercial air transport unless that aircraft has an appropriate current airworthiness certificate, is in an airworthy condition, and meets the applicable airworthiness requirements for these operations, including those related to identification and equipment.
- (b) A person shall not operate any specific type of aircraft in commercial air transport until it has completed satisfactory initial certification, which includes the issuance of an AOC listing that type of aircraft.
- (c) A person shall not operate additional or replacement aircraft of a type for which it is currently authorised unless it can show that an aircraft has completed an evaluation process for inclusion in the AOC holder's fleet.

9.2.3.2 DRY LEASING OF FOREIGN REGISTERED AIRCRAFT

- (a) An AOC holder may dry-lease a foreign-registered aircraft for commercial air transport as authorised by the Authority.

Civil Aviation (Flight Safety) Regulations

- (b) A person shall not operate a foreign registered aircraft unless —
- (1) there is in existence a current agreement between the Authority and the State of Registry that, while the aircraft is operated by the Saint Lucia AOC holder, the operations regulations of Saint Lucia are applicable;
 - (2) there is in existence a current agreement between the Authority and the State of Registry that —
 - (i) while the aircraft is operated by the AOC holder, the airworthiness regulations of the State of Registry are applicable; or,
 - (ii) if the State of Registry agrees to transfer some or all of the responsibility for airworthiness to the Authority under Article 83 bis of the Chicago Convention, the airworthiness regulations of Saint Lucia shall apply to the extent agreed on by the Authority and State of Registry.
 - (3) the agreement acknowledges that the Authority shall have free and uninterrupted access to the aircraft at any place and any time.

Implementing Standard: See IS: 9.2.3.2 for additional requirements for dry leasing of foreign-registered aircraft.

9.2.3.3 AIRCRAFT INTERCHANGE

A person shall not interchange aircraft with another AOC holder without the approval of the Authority.

Implementing Standard: See IS: 9.2.3.3 for requirements pertaining to aircraft interchange agreements approved by the Authority.

9.2.3.4 WET-LEASING

- (a) A person shall not conduct wet-lease operations on behalf of another air operator except in accordance with the applicable laws and regulations of the country in which the operation occurs and the restrictions imposed by the Authority.
- (b) A person shall not allow another entity or air operator to conduct wet-lease operations on its behalf unless —
 - (1) that air operator holds an AOC or its equivalent from a Contracting State that authorises those operations; and

Civil Aviation (Flight Safety) Regulations

- (2) the AOC holder advises the Authority of such operations and provides a copy of the AOC under which the operation was conducted.

Implementing Standard: See IS: 9.2.3.4 for additional requirements when wet leasing aircraft.

9.2.3.5 EMERGENCY EVACUATION DEMONSTRATION

- (a) A person shall not use an aircraft type and model in commercial air transport passenger-carrying operations unless it has first conducted, for the Authority, an actual full capacity emergency evacuation demonstration for the configuration in 90 seconds or less.
- (b) The full capacity actual demonstration may not be required, if the AOC holder provides a written petition for deviation with evidence that —
 - (1) a satisfactory full capacity emergency evacuation for the aircraft to be operated was demonstrated during the aircraft type certification or during the certification of another air operator; and
 - (2) there is an engineering analysis, which shows that an evacuation is still possible within the 90-second standard, if the AOC holder's aircraft configuration differs with regard to number of exits or exit type or number of Cabin Crews or location of the attendants.
- (c) If a full capacity demonstration is not required, A person shall not use an aircraft type and model in commercial air transport passenger-carrying operations unless it has first demonstrated to the Authority that its available personnel, procedures and equipment could provide sufficient open exits for evacuation in 15 seconds or less.
- (d) A person shall not use a land plane in extended overwater operations unless it has first demonstrated to the Authority that it has the ability and equipment to efficiently carry out its ditching procedures.

Implementing Standard: See IS: 9.2.3.5 for additional requirements concerning emergency evacuation demonstrations.

*Civil Aviation (Flight Safety) Regulations***9.2.3.6 DEMONSTRATION FLIGHTS**

- (a) A person shall not operate an aircraft type in commercial air transport unless it first conducts satisfactory demonstration flights for the Authority in that aircraft type on its scheduled routes.
- (b) A person shall not operate an aircraft in a designated special area, or using a specialised navigation system, unless it conducts a satisfactory demonstration flight for the Authority.
- (c) Demonstration flights required by paragraph (a) shall be conducted in accordance with the regulations applicable to the type of operation and aircraft type used.
- (d) The Authority may authorise deviations from this section if the Authority finds that special circumstances make full compliance with this section unnecessary.

Implementing Standard: See IS: 9.2.3.6 for additional requirements concerning demonstration flights.

9.2.4 Facilities and Operations Schedules**9.2.4.1 FACILITIES**

- (a) An operator shall maintain operational and airworthiness support facilities at the main operating base, appropriate for the area and type of operation.
- (b) An AOC holder shall arrange appropriate ground handling facilities at each airport used to ensure the safe servicing and loading of its flights.

9.2.4.2 OPERATIONS SCHEDULES

In establishing flight operations schedules, an AOC holder conducting scheduled operations shall allow enough time for the proper servicing of aircraft at intermediate stops, and shall consider the prevailing winds en route and cruising speed for the type of aircraft. This cruising speed may not be more than that resulting from the specified cruising output of the engines.

9.3 AOC FLIGHT OPERATIONS MANAGEMENT

*Civil Aviation (Flight Safety) Regulations***9.3.1.1 APPLICABILITY**

Subpart 9.3 provides those certification requirements that apply to management of flight operations personnel and their functions.

9.3.1.2 OPERATIONS MANUAL

- (a) An AOC holder shall issue to the crewmembers and persons assigned operational control functions, an Operations Manual acceptable to the Authority.
- (b) The Operations Manual shall contain the overall (general) company policies and procedures regarding the flight operations it conducts.
- (c) An AOC holder shall prepare and keep current an Operations Manual which contains the AOC procedures and policies for the use and guidance of its personnel.
- (d) An AOC holder shall issue the Operations Manual, or pertinent portions, together with all amendments and revisions to all personnel that are required to use it.
- (e) A person shall not provide for use of its personnel in commercial air transport, any Operations Manual or portion of this manual which has not been reviewed and found acceptable or approved for the AOC holder by the Authority.
- (f) An AOC holder shall ensure that the contents of the Operations Manual includes at least those subjects designated by the Authority that are applicable to the AOC holder's operations.
- (g) Unless otherwise acceptable to the Authority, an AOC holder shall provide an Operations Manual containing information on operations administration and supervision, safety management systems, personnel training, flight crew and Cabin Crew fatigue and flight time limitations, flight operations, aircraft performance, routes, guides and charts, minimum flight altitudes, aerodrome operating minima, search and rescue, dangerous goods, navigation, communications, security, and human factors. The operations manual shall encompass the matters set forth above. The operations manual may be published in parts, as a single document, or as a series of volumes. Subjects presented with reference to a specific section shall be addressed in accordance with the requirements of the referenced section. Specific subjects are listed below —

Civil Aviation (Flight Safety) Regulations

- (1) Flight dispatching and operational control. (9.3.1.23).
- (2) Flight crew succession of command. (9.3.1.6).
- (3) Procedures for operating in adverse weather. (8.6.2.3).
- (4) Procedures for refuelling. (8.9.1.2).
- (5) Pilot and dispatcher route and airport qualification procedures. (8.10.1.29 & 8.10.1.30).
- (6) Organisation and maintenance arrangements. (Part 6).
- (7) Airworthiness release and aircraft log entry procedures (5.6.1.4, 8.6.2.19).
- (8) Aircraft Operating Manual (9.3.1.4).
- (9) Minimum Equipment List and Configuration Deviation List (9.3.1.12).
- (10) Training Programme (9.3.1.3).
- (11) Aircraft Performance Planning Manual (9.3.1.13).
- (12) Route Guide (9.3.1.20).
- (13) Dangerous Goods Procedures.
- (14) Accident Reporting Procedures.
- (15) Security Procedures.
- (16) Aircraft Loading and Handling Manual (9.3.1.15)
- (17) Cabin Crew Manual (if required) (9.3.1.17).
- (18) Cargo Manual (if required).

Implementing Standard: See IS: 9.3.1.2 for a sample Operations Manual.

9.3.1.3 TRAINING PROGRAMME

- (a) An AOC holder shall ensure that all operations personnel are properly instructed in their duties and responsibilities and the relationship of such duties to the operation as a whole.
- (b) An AOC holder shall have a training programme manual approved by the Authority containing the general training, checking and record keeping policies.

Civil Aviation (Flight Safety) Regulations

- (c) An AOC holder shall have approval of the Authority prior to using a training curriculum for the purpose of qualifying a crewmember, or person performing operational control functions, for duties in commercial air transport.
- (d) An AOC holder shall submit to the Authority any revision to an approved training programme, and shall receive written approval from the Authority before that revision can be used.

Implementing Standard: See IS 9.3.1.3 for a training program manual outline.

9.3.1.4 AIRCRAFT OPERATING MANUAL

- (a) An AOC holder or applicant shall submit proposed aircraft operating manuals for each type and variant of aircraft operated, containing the normal, abnormal and emergency procedures relating to the operation of the aircraft for approval by the Authority.
- (b) An Aircraft Operating Manual shall be based on the aircraft manufacturer's data for the specific aircraft type and variant operated by the AOC holder and shall include specific operating parameters, details of the aircraft systems and of the check lists to be used applicable to the operations of the AOC that are approved by the Authority. The design of the manual shall observe human factors principles.
- (c) The Aircraft Operating Manual shall be issued to the flight crewmembers and persons assigned operational control functions to each aircraft operated by the AOC.

Note: Implementing Standard IS: 9.3.1.4 presents an outline for an Aircraft Operating Manual that combines numerous manual requirements.

9.3.1.5 AOC HOLDER'S AIRCRAFT TECHNICAL LOG – JOURNEY RECORDS SECTION

An AOC holder shall use an aircraft technical log containing a journey records section which includes the following information for each flight. (See 9.4.1.9 for maintenance section of the aircraft technical log) —

- (1) aircraft nationality and registration;

Civil Aviation (Flight Safety) Regulations

- (2) date;
- (3) names of crewmembers;
- (4) duty assignments of crewmembers;
- (5) place of departure;
- (6) place of arrival;
- (7) time of departure;
- (8) time of arrival;
- (9) hours of flight;
- (10) nature of flight (private, aerial work, scheduled, non-scheduled);
- (11) fuel and oil records;
- (12) incidents, observations, if any; and
- (13) signature of person in charge.

9.3.1.6 DESIGNATION OF PIC FOR COMMERCIAL AIR TRANSPORT

An AOC holder shall, for each commercial air transport operation, designate in writing one pilot as the PIC and shall establish a procedure for the succession of command.

9.3.1.7 REQUIRED CABIN CREWS

- (a) The AOC holder shall schedule, and the PIC shall ensure that the minimum number of required Cabin Crews are on board passenger-carrying flights.
- (b) The number of Cabin Crews may not be less than the minimum prescribed by the Authority in the AOC holders' operations provisions or the following, whichever is greater —
 - (1) For a seating capacity of 20 to 50 passengers: 1 Cabin Crew; and
 - (2) One additional Cabin Crew for each unit, or part of a unit of 50 passenger seat capacity.
- (c) When passengers are on board a parked aircraft, the minimum number of Cabin Crews shall be one-half that required for the flight operation, but never less than one Cabin Crew (or another person qualified in the emergency evacuation procedures for the aircraft).

Civil Aviation (Flight Safety) Regulations

Note: Where one-half would result in a fractional number, it is permissible to round down to the next whole number.

9.3.1.8 CARRIAGE OF SPECIAL SITUATION PASSENGERS

An AOC holder shall not allow the transportation of special situation passengers except —

- (1) As provided in the AOC holder's Operations Manual procedures; and
- (2) With the knowledge and concurrence of the PIC.

9.3.1.9 CREW MEMBER CHECKING AND STANDARDISATION PROGRAMME

An AOC holder shall have a programme of checking and standardisation of crewmembers approved by the Authority.

9.3.1.10 TRAINING TO PROFICIENCY: PILOTS

An AOC holder may train its pilots to proficiency on those manoeuvres and procedures that are prescribed by the Authority for pilot proficiency checks, during every other proficiency check following the initial check.

Implementing Standard: See IS: 9.3.1.10 for requirements pertaining to aircraft simulator training used in a proficiency check.

9.3.1.11 COCKPIT CHECK PROCEDURE

- (a) An AOC holder shall issue to the flight crews and make available on each aircraft, the flight deck condensed checklist procedures approved by the Authority and appropriate for the type and variant of aircraft.
- (b) An AOC holder shall ensure that approved procedures include each item necessary for flight crew members to check for safety before starting engines, taking off, or landing, and for engine and systems abnormalities and emergencies.
- (c) An AOC holder shall ensure that the design and utilization of checklists shall observe Human Factors principles.
- (d) An AOC holder shall make the approved procedures readily useable in the cockpit of each aircraft and the flight crew shall be required to follow them when operating the aircraft.

*Civil Aviation (Flight Safety) Regulations***9.3.1.12 MINIMUM EQUIPMENT LIST AND CONFIGURATION DEVIATION LIST**

- (a) An AOC holder shall provide for the use of the flight crewmembers, maintenance personnel and persons assigned operational control function during the performance of their duties, an MEL approved by the Authority.
- (b) The MEL shall be specific to the aircraft type and variant which contains the circumstances, limitations and procedures for release or continuance of flight of the aircraft with inoperative components, equipment or instruments.
- (c) An AOC holder may provide for the use of flight crew, maintenance personnel and persons assigned operational control functions during the performance of their duties a Configuration Deviation List (CDL) specific to the aircraft type if one is provided and approved by the State of Design. An AOC Holder operations manual shall contain those procedures acceptable to the Authority for operations in accordance with the CDL requirements.

9.3.1.13 PERFORMANCE PLANNING MANUAL

- (a) An AOC holder shall provide for the use of the flight crewmembers and persons assigned operational control functions during the performance of their duties, a performance planning manual acceptable to the Authority.
- (b) The performance planning manual shall be specific to aircraft type and variant which contains adequate performance information to accurately calculate the performance in all normal phases of flight operation.

9.3.1.14 PERFORMANCE DATA CONTROL SYSTEM

- (a) An AOC holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current performance data for each aircraft, route and airport that it uses.
- (b) The system approved by the Authority shall provide current obstacle data for departure and arrival performance calculations.

*Civil Aviation (Flight Safety) Regulations***9.3.1.15 AIRCRAFT LOADING AND HANDLING MANUAL**

- (a) An AOC holder shall provide for the use of the flight crewmembers, ground handling personnel and persons assigned operational control functions during the performance of their duties, an aircraft handling and loading manual acceptable to the Authority.
- (b) This manual shall be specific to the aircraft type and variant which contains the procedures and limitations for servicing and loading of the aircraft.

9.3.1.16 MASS AND BALANCE DATA CONTROL SYSTEM

An AOC holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current information regarding the mass and balance of each aircraft operated.

9.3.1.17 CABIN CREW MANUAL

- (a) The AOC holder shall issue to the Cabin Crews a Cabin Crew manual acceptable to the Authority and provide applicable excerpts to passenger agents during the performance of their duties.
- (b) The Cabin Crew manual shall contain those operational policies and procedures applicable to Cabin Crews and the carriage of passengers.
- (c) The AOC holder shall issue to the Cabin Crews, a manual specific to the aircraft type and variant which contains the details of their normal, abnormal and emergency procedures and the location and operation of emergency equipment.

Note: These manuals may be combined into one manual for use by the Cabin Crews.

9.3.1.18 PASSENGER BRIEFING CARDS

- (a) An AOC holder shall carry on each passenger carrying aircraft, in convenient locations for the use of each passenger, printed cards supplementing the oral briefing and containing —
 - (1) diagrams and methods of operating the emergency exits;
 - (2) other instructions necessary for use of the emergency equipment, and

Civil Aviation (Flight Safety) Regulations

- (3) information regarding the restrictions and requirements associated with sitting in an exit seat row.
- (b) An AOC holder shall ensure that a card contains information that is pertinent only to the type and variant of aircraft used for that flight.

Implementing Standard: See IS: 9.3.1.18 for specific information to be included on passenger information cards.

9.3.1.19 AERONAUTICAL DATA CONTROL SYSTEM

An AOC holder shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current aeronautical data for each route and airport that it uses.

Implementing Standard: See IS: 9.3.1.19 for the specific airport information to be contained in the aeronautical data control system.

9.3.1.20 ROUTE GUIDE

- (a) An AOC holder shall provide for the use of the flight crewmembers and persons assigned operational control functions during the performance of their duties, a route guide and aeronautical charts approved by the Authority.
- (b) The route guide and aeronautical charts shall be current and appropriate for the proposed types and areas of operations to be conducted by the AOC holder.

9.3.1.21 WEATHER REPORTING SOURCES

- (a) An AOC holder shall use sources approved the Authority for the weather reports and forecasts used for decisions regarding flight preparation, routing and terminal operations.
- (b) For passenger carrying operations on a published schedule, the AOC holder shall have an approved system for obtaining forecasts and reports of adverse weather phenomena that may affect safety of flight on each route to be flown and airport to be used.

Implementing Standard: See IS: 9.3.1.21 for sources of weather reports satisfactory for flight planning or controlling flight movement.

*Civil Aviation (Flight Safety) Regulations***9.3.1.22 DE-ICING AND ANTI-ICING PROGRAMME**

An AOC holder planning to operate an aircraft in conditions where frost, ice, or snow may reasonably be expected to adhere to the aircraft shall —

- (1) use only aircraft adequately equipped for such conditions;
- (2) ensure flight crew is adequately trained for such conditions; and
- (3) have an approved ground de-icing and anti-icing programme.

Implementing Standard: See IS: 9.3.1.22 for detailed requirements pertaining to the AOC holder's de-icing programme.

9.3.1.23 FLIGHT SUPERVISION AND MONITORING SYSTEM

- (a) For operations on a published schedule, an AOC holder shall have an adequate system approved by the Authority for proper dispatch and monitoring of the progress of the scheduled flights.
- (b) The dispatch and monitoring system shall have enough dispatch centres, adequate for the operations to be conducted, located at points necessary to ensure adequate flight preparation, dispatch and in-flight contact with the scheduled flight operations.
- (c) For scheduled operations, an AOC holder shall provide enough qualified flight operations officers at a dispatch centre to ensure proper operational control of each flight.

9.3.1.24 FLIGHT FOLLOWING SYSTEM

- (a) For charter flight operations, an AOC holder shall have a system for providing flight preparation documents and determining the departure and arrival times of its flights at all airports approved by the Authority.
- (b) The system described in paragraph (a) shall have a means of communication by private or available public facilities to monitor the departure and arrival at all airports, including flight diversions.

Implementing Standard: See IS: 9.3.1.24.

*Civil Aviation (Flight Safety) Regulations***9.3.1.25 COMMUNICATIONS FACILITIES**

- (a) An AOC holder's flights shall be able to have two-way radio communications with all ATC facilities along the routes and alternate routes to be used.
- (b) For passenger carrying operations on a published schedule, an AOC holder shall be able to have rapid and reliable radio communications with all flights over the AOC's entire route structure under normal operating conditions.

9.3.1.26 ROUTES AND AREAS OF OPERATION

- (a) An AOC holder may conduct operations only along such routes and within such areas for which —
 - (1) ground facilities and services, including meteorological services, are provided which are adequate for the planned operation;
 - (2) the performance of the aircraft intended to be used is adequate to comply with minimum flight altitude requirements;
 - (3) the equipment of the aircraft intended to be used meets the minimum requirements for the planned operation;
 - (4) appropriate and current maps and charts are available;
 - (5) if two-engine aircraft are used, adequate airports are available with the time or distance limitations; and
 - (6) if single-engine aircraft are used, surfaces are available which permit a safe forced landing to be executed.
- (b) A person shall not conduct commercial air transport operations on any route or area of operation unless those operations are in accordance with any restrictions imposed by the Authority.

9.3.1.27 NAVIGATIONAL ACCURACY

- (a) An AOC holder shall have, for each proposed route or area, navigational systems and facilities capable of navigating the aircraft —
 - (1) within the degree of accuracy required for ATC; and
 - (2) to the airports in the operational flight plan within the degree of accuracy necessary for the operation involved.

Civil Aviation (Flight Safety) Regulations

- (b) In situations without adequate navigation systems reference, the Authority may authorise day VFR operations that can be conducted safely by pilotage because of the characteristics of the terrain.
- (c) Except for those navigational aids required for routes to alternate airports, the Authority will list in the AOC holder's operations specifications, non-visual ground aids required for approval of routes outside of controlled airspace.
- (d) Non-visual ground aids are not required for night VFR operations on routes that the certificate holder shows have reliably lighted landmarks adequate for safe operation.
- (e) Operations on route segments where celestial or other specialised means of navigation are used shall be approved by the Authority.

9.4 AOC MAINTENANCE REQUIREMENTS**9.4.1.1 APPLICABILITY**

This Subpart provides those certification and maintenance requirements that apply to an AOC holder utilising an AMO.

9.4.1.2 MAINTENANCE RESPONSIBILITY

- (a) An AOC holder shall ensure the airworthiness of the aircraft and the serviceability of both operational and emergency equipment by —
 - (1) assuring the accomplishment of preflight inspections;
 - (2) assuring the correction of any defect or damage affecting safe operation of an aircraft to an approved standard, taking into account the MEL and CDL if available for the aircraft type;
 - (3) assuring the accomplishment of all maintenance in accordance with the operator's aircraft maintenance programme approved by the Authority;
 - (4) the analysis of the effectiveness of the AOC holder's approved aircraft maintenance programme;
 - (5) assuring the accomplishment of any operational directive, airworthiness directive and any other continued airworthiness requirement made mandatory by the Authority; and
 - (6) assuring the accomplishment of modifications in accordance

Civil Aviation (Flight Safety) Regulations

with an approved standard and, for non-mandatory modifications, the establishment of an embodiment policy.

- (b) An AOC holder shall ensure that the Certificate of Airworthiness for each aircraft operated remains valid in respect to —
 - (1) the requirements in paragraph (a);
 - (2) the expiration date of the Certificate; and
 - (3) any other maintenance condition specified in the Certificate.
- (c) An AOC holder shall ensure that the requirements specified in paragraph (a) are performed in accordance with procedures approved by or acceptable to the Authority.
- (d) An AOC holder shall ensure that the maintenance, preventive maintenance, and modification of its aircraft/aeronautical products are performed in accordance with its maintenance control manual or current instructions for continued airworthiness, and applicable aviation regulations.
- (e) An AOC holder may make an arrangement with another person or entity for the performance of any maintenance, preventive maintenance, or modifications; but shall remain responsible for all work performed under such arrangement.

9.4.1.3 APPROVAL AND ACCEPTANCE OF AOC MAINTENANCE SYSTEMS AND PROGRAMMES

- (a) An AOC holder shall not operate an aircraft, except for pre-flight inspections, unless it is maintained and released to service by an AMO or equivalent system of maintenance that is approved by the State of Registry and is acceptable to the Authority.
- (b) For aircraft registered in Saint Lucia, an AMO or an equivalent system of maintenance shall be approved by the Authority.
- (c) For aircraft not registered in Saint Lucia, an AMO or an equivalent system of maintenance will be approved by the State of Registry of the aircraft, and such approval will be accepted by the Authority.
- (d) When the Authority or the State of Registry accepts an equivalent system of maintenance, the persons designated to sign a maintenance release or airworthiness release shall be licenced in accordance with the regulations of the State of Registry.

*Civil Aviation (Flight Safety) Regulations***9.4.1.4 MAINTENANCE CONTROL MANUAL**

- (a) An Saint Lucia AOC holder shall provide to the Authority, and to the State of Registry of the aircraft, if different from the Authority, an AOC holder's maintenance control manual and subsequent amendments, for the use and guidance of maintenance and operational personnel concerned, containing details of the organisation's structure including —
- (1) the accountable manager and designated person(s) responsible for the maintenance system as required by 9.2.2.2;
 - (2) procedures to be followed to satisfy the maintenance responsibility of 9.4.1.2, except where the AOC holder is an AMO, and the quality functions of 9.4.1.6. Such procedures may be included in the AMO procedures manual;
 - (3) procedures for the reporting of failures, malfunctions, and defects in accordance with 5.5.1.4, to the Authority, State of Registry and the State of Design within 72 hours of discovery; in addition, items that warrant immediate notification to the Authority by telephone/telex/fax, with a written follow-on report as soon as possible but no later than within 72 hours of discovery, 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.
- (b) The AOC holder's maintenance control manual shall contain the following information which may be issued in separate parts —
- (1) a description of the administrative agreements between the AOC holder and the AMO, or a description of the maintenance procedures and the procedures for completing and signing a maintenance release when maintenance is based on a system other than that of an AMO;
 - (2) a description of the procedures to ensure each aircraft they operate is in an airworthy condition;

Civil Aviation (Flight Safety) Regulations

- (3) a description of the procedures to ensure the operational emergency equipment for each flight is serviceable;
 - (4) 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;
 - (5) a reference to the maintenance programme required in 9.4.1.12;
 - (6) a description of the methods for completion and retention of the operator's maintenance records required by 9.4.1.8;
 - (7) a description of the procedures for monitoring, assessing and reporting maintenance and operational experience for all aircraft over 5,700 kg maximum certificated take-off mass;
 - (8) a description of the procedures for obtaining and assessing continued airworthiness information and implementing any resulting actions for all aircraft over 5,700 kg maximum certificated take-off mass, from the organisation responsible for the type design, and implementing such actions considered necessary by the State of Registry;
 - (9) a description of the procedures for implementing mandatory continuing airworthiness information as required in 9.4.1.2(a)(5);
 - (10) 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;
 - (11) a description of aircraft types and models to which the manual applies;
 - (12) a description of procedures for ensuring that unserviceabilities affecting airworthiness are recorded and rectified; and
 - (13) a description of the procedures for advising the State of Registry of significant in-service occurrences.
- (c) A person shall not provide for use of its personnel in commercial air transport any Maintenance Control Manual or portion of this manual which has not been reviewed and approved for the AOC holder by the Authority.

Civil Aviation (Flight Safety) Regulations

Note: See IS: 9.4.1.4 for an outline of specific subjects to be contained as appropriate in the AOC holder's maintenance control manual.

9.4.1.5 MAINTENANCE MANAGEMENT

- (a) The AOC holder, approved as an AMO, may carry out the requirements specified in 9.4.1.2 (a)(2),(3),(5)and (6).
- (b) If the AOC holder is not an AMO, the AOC holder shall meet its responsibilities under in 9.4.1.2 (a)(2),(3),(5)and (6) —
 - (1) Through an arrangement with an AMO with a written maintenance contract agreed between the AOC holder and the contracting AMO and approved by the Authority, detailing the required maintenance functions and defining the support of the quality functions approved or accepted by the Authority.
- (c) An AOC holder shall employ a person or group of persons, acceptable to the Authority, to ensure that all maintenance is carried out to an approved standard such that the maintenance requirements of 9.4.1.2 and requirements of the AOC holder's maintenance control manual are satisfied, and to ensure the functioning of the quality system.
- (d) An AOC holder shall provide suitable office accommodation at appropriate locations for the personnel specified in paragraph (c).

9.4.1.6 QUALITY SYSTEM

- (a) For maintenance purposes, an AOC holder's quality system required by 9.2.2.3 shall additionally include at least the following functions —
 - (1) monitoring that the activities of 9.4.1.2 are being performed in accordance with the accepted procedures;
 - (2) ensure that all contracted maintenance is carried out in accordance with the contract;
 - (3) monitoring the continued compliance with the requirements of Subpart 9.4; and
- (b) For maintenance purposes, an AOC holder's quality system required by 9.2.2.3 shall include a quality assurance programme that contains procedures designed to verify that all maintenance

Civil Aviation (Flight Safety) Regulations

operations are being conducted in accordance with all applicable requirements, standards and procedures.

- (c) Where the AOC holder is also an AMO, the AOC holder's quality management system may be combined with the requirements of an AMO and submitted for acceptance to the Authority, and State of Registry for aircraft not registered in Saint Lucia.

Implementing Standard: See IS: 9.4.1.6 for additional quality system requirements for maintenance activities.

9.4.1.7 AIRCRAFT TECHNICAL LOG ENTRIES: AOC HOLDERS

- (a) A person who takes action in the case of a reported or observed failure or malfunction of an aircraft/ aeronautical product, that is critical to the safety of flight shall make, or have made, a record of that action in the maintenance section of the aircraft technical log.
- (b) An AOC holder shall have a procedure for keeping adequate copies of required records to be carried aboard, in a place readily accessible to each flight crewmember and shall put that procedure in the AOC holder's operations manual.

9.4.1.8 MAINTENANCE RECORDS

- (a) An AOC holder shall ensure that a system has been established to keep, in a form acceptable to the Authority, the following records —
 - (1) the total time in service (hours, calendar time and cycles, as appropriate) of the aircraft and all life-limited components;
 - (2) the current status of compliance with all mandatory continuing airworthiness information;
 - (3) appropriate details of modifications and repairs to the aircraft and its major components;
 - (4) the time in service (hours, calendar time and cycles, as appropriate) since last overhaul of the aircraft or its components subject to mandatory overhaul life;
 - (5) the current aircraft status of compliance with the maintenance programme; and

Civil Aviation (Flight Safety) Regulations

- (6) the detailed maintenance records to show that all requirements for signing of a maintenance release and airworthiness release have been met.
- (b) An AOC holder shall ensure that items in (a)(1-5) shall be kept for a minimum of 90 days after the unit to which they refer has been permanently withdrawn from service, and the records in (a)(6) shall be kept for a minimum of one year after the signing of the maintenance release or airworthiness release.
- (c) An AOC holder shall ensure that in the event of temporary change of operator, the records specified in paragraph (a) shall be made available to the new operator.
- (d) An AOC holder shall ensure that when an aircraft is permanently transferred from one operator to another operator, the records specified in paragraph (a) are also transferred.

9.4.1.9 AOC HOLDER'S AIRCRAFT TECHNICAL LOG - MAINTENANCE RECORD SECTION

- (a) An AOC holder shall use an aircraft technical log which includes an aircraft maintenance record section containing the following information for each aircraft (See 9.3.1.5 for operations section of the aircraft technical log) —
 - (1) information about each previous flight necessary to ensure continued flight safety;
 - (2) the current aircraft maintenance release or an airworthiness release;
 - (3) The current inspection status of the aircraft, to include inspections due to be performed on an established schedule and inspections that are due to be performed that are not on an established schedule, except that the Authority may agree to the maintenance statement being kept elsewhere;
 - (4) the current maintenance status of the aircraft, to include maintenance due to be performed on an established schedule and maintenance that is due to be performed that is not on an established schedule, except that the Authority may agree to the maintenance statement being kept elsewhere;
 - (5) all deferred defects that affect the operation of the aircraft.

Note: Defects which are not airworthiness items may be deferred to a later date for rectification. When this is done, there must be

Civil Aviation (Flight Safety) Regulations

a method of recording such a deferral, and normally the aircraft technical log has a section solely for this purpose. Some operators have a system of classifying deferred defects so as to allow different lengths of time, either in hours flown, number of sectors, or on return to a maintenance base, until a defect must be rectified before further flight.

- (b) The aircraft technical log and any subsequent amendment shall be approved by the Authority.

9.4.1.10 RELEASE TO SERVICE OR MAINTENANCE SECTION RECORDS OF THE TECHNICAL LOG

- (a) An AOC holder shall not operate an aircraft unless it is maintained and released to service by an organisation approved in accordance with Part 6.
- (b) An AOC holder using an AMO shall not operate an aircraft after release under subparagraph (a) unless an appropriate entry is made in accordance with the AOC maintenance control manual procedures acceptable to the Authority.
- (c) The AOC holder shall ensure that a maintenance release or airworthiness release is made in the maintenance section of the aircraft technical log.

9.4.1.11 MODIFICATION AND REPAIRS

- (a) All modifications and repairs shall comply with airworthiness requirements acceptable to the State of Registry. Procedures shall be established to ensure that the substantiating data supporting compliance with the airworthiness requirements are retained. However, in the case of a major repair or major modification, the work must have been done in accordance with technical data approved by the Authority.
- (b) An AOC holder shall, promptly on its completion, prepare a report of each major modification or major repair of an airframe, aircraft engine, propeller, or appliance of an aircraft operated by it.
- (c) The AOC holder shall submit a copy of each report of a major modification to the Authority, and shall keep a copy of each report of a major repair available for inspection.

*Civil Aviation (Flight Safety) Regulations***9.4.1.12 AIRCRAFT MAINTENANCE PROGRAMME**

- (a) An AOC holder's aircraft maintenance programme and any subsequent amendment shall be submitted to the State of Registry for approval; acceptance by the Authority will be conditioned on prior approval by the State of Registry, or where appropriate, on the AOC holder complying with recommendations provided by the State of Registry.
- (b) The Authority will require an operator to include a reliability programme when the Authority determines that such a reliability programme is necessary. When such a determination is made by the Authority the AOC holder shall provide such procedures and information in the AOC holder's maintenance control manual
- (c) An AOC holder shall ensure that each aircraft is maintained in accordance with the AOC holder's aircraft approved maintenance programme as required by 9.4.1.3 which shall include —
 - (1) maintenance tasks and the intervals in which these are to be performed, taking into account the anticipated utilisation of the aircraft;
 - (2) when applicable, a continuing structural integrity programme;
 - (3) procedures for changing or deviating from subparagraphs (c)(1) and (c)(2); and
 - (4) when applicable, condition monitoring and reliability programmes, descriptions for aircraft systems, components, and powerplants.
- (d) Repetitive maintenance tasks that are specified in mandatory intervals as a condition of approval of the type design shall be identified as such.

Note: The maintenance programme should be based on maintenance programme information made available by the State of Design or by the organisation responsible for the type design, and any additional applicable experience.

- (e) 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 AOC holder by the Authority.

Civil Aviation (Flight Safety) Regulations

- (f) Approval by the Authority of an AOC holder's maintenance programme and any subsequent amendments shall be noted in the AOC certificate pursuant to 9.1.1.7(b)(6).
- (g) An AOC holder shall have an inspection programme and a programme covering other maintenance, preventive maintenance, and modifications to ensure that —
 - (1) maintenance, preventive maintenance, and modifications, are performed in accordance with the AOC holder's maintenance control manual;
 - (2) each aircraft released to service is airworthy and has been properly maintained for operation.
- (h) The Authority may amend any specifications issued to an AOC holder to permit deviation from those provisions of this Subpart that would prevent the return to service and use of airframe components, powerplants, appliances, and spare parts thereof because those items have been maintained, altered, or inspected by persons employed outside Saint Lucia who do not hold a Saint Lucia technician's licence. An AOC holder who is granted authority under this deviation shall provide for surveillance of facilities and practices to assure that all work performed on these parts is accomplished in accordance with the AOC holder's maintenance control manual.

See Implementing Standard 9.4.1.12 for the requirements for an Approved Continuous Maintenance Programme.

9.4.1.13 RESERVED**9.4.1.14 AUTHORITY TO PERFORM AND APPROVE MAINTENANCE, PREVENTIVE MAINTENANCE AND MODIFICATIONS**

An AOC holder shall make arrangements with an AMO (appropriately rated) 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.

9.4.1.15 RESERVED

*Civil Aviation (Flight Safety) Regulations***9.4.1.16 REST AND DUTY LIMITATIONS FOR PERSONS PERFORMING MAINTENANCE FUNCTIONS ON AOC HOLDER AIRCRAFT**

A person shall not assign, or perform maintenance functions for aircraft certified for commercial air transport, unless that person has complied with the rest and duty limitations of Part 6.4.1.2 of the regulations.

9.5 AOC SECURITY MANAGEMENT**9.5.1.1 APPLICABILITY**

This Subpart provides those certification requirements that apply to the AOC holder's protection of aircraft, facilities and personnel from unlawful interference.

9.5.1.2 SECURITY REQUIREMENTS

An AOC holder shall ensure that all appropriate personnel are familiar, and comply with, the relevant requirements of the Civil Aviation (Security) Regulations and national security programmes of Saint Lucia.

9.5.1.3 SECURITY TRAINING PROGRAMMES

An AOC holder shall establish and maintain an approved security training programme which ensures all relevant persons act in the most appropriate manner to minimize the consequences of acts of unlawful interference.

See IS 9.5.1.3 for requirements of a security training programme.

The AOC holder shall also establish and maintain a recurrent training programme (every 12 months) to reacquaint all relevant persons with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aircraft so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.

9.5.1.4 REPORTING ACTS OF UNLAWFUL INTERFERENCE

Following an act of unlawful interference on board an aircraft the PIC or, in his absence, the AOC holder shall submit, without delay, a report of such an act to the designated local authority and the Authority in the State of the operator.

*Civil Aviation (Flight Safety) Regulations***9.5.1.5 AIRCRAFT SEARCH PROCEDURE CHECKLIST**

An operator shall ensure that there is on board a checklist of the procedures to be followed in searching for a bomb in case of suspected sabotage and for inspecting aeroplanes for concealed weapons, explosives or other dangerous devices when a well-founded suspicion exists that the aeroplane may be the object of an act of unlawful interference. The checklist shall be supported by guidance on the appropriate course of action to be taken should a bomb or suspicious object be found and information on the least-risk bomb location specific to the aeroplane.

9.5.1.6 FLIGHT CREW COMPARTMENT SECURITY

If installed, the flight crew compartment door on aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorised access and means shall be provided by which the cabin crew can discretely notify the flight crew in the event of suspicious activity or security breaches in the cabin.

9.6 AOC DANGEROUS GOODS MANAGEMENT**9.6.1.1 APPLICABILITY**

Subpart 9.6 provides those certification requirements that apply to management of flight operations personnel and their functions.

9.6.1.2 APPROVAL TO TRANSPORT DANGEROUS GOODS

An AOC holder shall not transport dangerous goods unless approved to do so by the Authority.

9.6.1.3 SCOPE

- (a) An AOC holder shall comply with the provisions contained in the ICAO Technical Instructions for the Safe Transport of Dangerous Goods By Air, ICAO Doc. 9284 (Technical Instructions) on all occasions when dangerous goods are carried, irrespective of whether the flight is wholly or partly within or wholly outside the territory of Saint Lucia. Where dangerous goods are to be transported outside the territory of Saint Lucia, the AOC holder shall review and comply with the appropriate variations noted by contracting states contained in Attachment 3 to the Technical Instructions.

Civil Aviation (Flight Safety) Regulations

- (b) Articles and substances which would otherwise be classed as dangerous goods are excluded from the provisions of Subpart 9.6, to the extent specified in the Technical Instructions, provided they are —
- (1) required to be aboard the aircraft for operating reasons;
 - (2) carried as catering or cabin service supplies;
 - (3) carried for use in flight as veterinary aid or as a humane killer for an animal; or
 - (4) carried for use in flight for medical aid for a patient, provided that —
 - (i) gas cylinders have been manufactured specifically for the purpose of containing and transporting that particular gas;
 - (ii) drugs, medicines and other medical matter are under the control of trained personnel during the time when they are in use in the aircraft;
 - (iii) equipment containing wet cell batteries is kept and, when necessary secured, in an upright position to prevent spillage of the electrolyte; and
 - (iv) proper provision is made to stow and secure all the equipment during take-off and landing and at all other times when deemed necessary by the PIC in the interests of safety; or
 - (v) they are carried by passengers or crewmembers.
- (c) Articles and substances intended as replacements for those in paragraph (b)(1) may be transported on an aircraft as specified in the Technical Instructions.

9.6.1.4 LIMITATIONS ON THE TRANSPORT OF DANGEROUS GOODS

- (a) An AOC holder shall take all reasonable measures to ensure that articles and substances that are specifically identified by name or generic description in the Technical Instructions as being forbidden for transport under any circumstances, are not carried on any aircraft.

Civil Aviation (Flight Safety) Regulations

- (b) An AOC holder shall take all reasonable measures to ensure that articles and substances or other goods that are identified in the Technical Instructions as being forbidden for transport in normal circumstances are transported only when—
 - (1) they are exempted by the States concerned under the provisions of the Technical Instructions; or
 - (2) the Technical Instructions indicate they may be transported under an approval issued by the State of Origin.

9.6.1.5 CLASSIFICATION

An AOC holder shall take all reasonable measures to ensure that articles and substances are classified as dangerous goods as specified in the Technical Instructions.

9.6.1.6 PACKING

An AOC holder shall take all reasonable measures to ensure that dangerous goods are packed as specified in the Technical Instructions.

9.6.1.7 LABELLING AND MARKING

- (a) An AOC holder shall take all reasonable measures to ensure that packages, overpacks and freight containers are labelled and marked as specified in the Technical Instructions.
- (b) Where dangerous goods are carried on a flight which takes place wholly or partly outside the territory of Saint Lucia, the AOC holder shall ensure that labelling and marking are in the English language in addition to any other language requirements.

9.6.1.8 DANGEROUS GOODS TRANSPORT DOCUMENT

- (a) An AOC holder shall ensure that, except when otherwise specified in the Technical Instructions, dangerous goods are accompanied by a dangerous goods transport document.
- (b) Where dangerous goods are carried on a flight which takes place wholly or partly outside the territory of a State, the AOC holder shall ensure that the English language is used for the dangerous goods transport document in addition to any other language requirements.

*Civil Aviation (Flight Safety) Regulations***9.6.1.9 ACCEPTANCE OF DANGEROUS GOODS**

- (a) An AOC holder shall not accept dangerous goods for transport until the package, overpack or freight container has been inspected in accordance with the acceptance procedures in the Technical Instructions.
- (b) An AOC holder, or its handling agent, shall use an acceptance check list which —
 - (1) shall allow for all relevant details to be checked; and
 - (2) shall be in such form as will allow for the recording of the results of the acceptance check by manual, mechanical or computerised means.

9.6.1.10 INSPECTION FOR DAMAGE, LEAKAGE OR CONTAMINATION

An AOC holder shall ensure that —

- (1) packages, overpacks and freight containers are inspected for evidence of leakage or damage immediately prior to loading on an aircraft or into a unit load device, as specified in the Technical Instructions;
- (2) a unit load device is not loaded on an aircraft unless it has been inspected as required by the Technical Instructions and found free from any evidence of leakage from, or damage to, the dangerous goods contained therein;
- (3) leaking or damaged packages, overpacks or freight containers are not loaded on an aircraft;
- (4) any package of dangerous goods found on an aircraft and which appears to be damaged or leaking is removed or arrangements made for its removal by an appropriate authority or organisation.
- (5) after removal of any leaking or damaged goods, the remainder of the consignment is inspected to ensure it is in a proper condition for transport and that no damage or contamination has occurred to the aircraft or its load; and
- (6) packages, overpacks and freight containers are inspected for signs of damage or leakage on unloading from an aircraft or from a unit load device and, if there is evidence of damage or leakage, the area where the dangerous goods were stowed is inspected for damage or contamination.

*Civil Aviation (Flight Safety) Regulations***9.6.1.11 REMOVAL OF CONTAMINATION**

An AOC holder shall ensure that —

- (1) any contamination found as a result of the leakage or damage of dangerous goods is removed without delay; and
- (2) an aircraft which has been contaminated by radioactive materials is immediately taken out of service and not returned until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

9.6.1.12 LOADING RESTRICTIONS

- (a) Passenger Cabin and Flight Deck. An AOC holder shall ensure that dangerous goods are not carried in an aircraft cabin occupied by passengers or on the flight deck, unless otherwise specified in the Technical Instructions.
- (b) Cargo Compartments. An AOC holder shall ensure that dangerous goods are loaded, segregated, stowed and secured on an aircraft as specified in the Technical Instructions.
- (c) Dangerous Goods Designated for Carriage Only on Cargo Aircraft. An AOC holder shall ensure that packages of dangerous goods bearing the “Cargo Aircraft Only” label are carried on a cargo aircraft and loaded as specified in the Technical Instructions.

9.6.1.13 PROVISION OF INFORMATION

- (a) Information to Ground Staff. An AOC holder shall ensure that —
 - (1) information is provided to enable ground staff to carry out their duties with regard to the transport of dangerous goods, including the actions to be taken in the event of incidents and accidents involving dangerous goods; and
 - (2) where applicable, the information referred to in paragraph (a)(1) is also provided to the handling agent.
- (b) Information to Passengers. An AOC holder shall ensure that information is promulgated as required by the Technical Instructions so that passengers are warned as to the types of goods which they are forbidden from transporting aboard an aircraft.

Civil Aviation (Flight Safety) Regulations

- (c) Information to Acceptance Points Personnel. An AOC holder and, where applicable, the handling agent shall ensure that notices are provided at acceptance points for cargo giving information about the transport of dangerous goods.
- (d) Information to Crew Members. An AOC holder shall ensure that information is provided in the Operations Manual to enable crew members to carry out their responsibilities in regard to the transport of dangerous goods, including the actions to be taken in the event of emergencies arising involving dangerous goods.
- (e) Information to the PIC. An AOC holder shall ensure that the PIC is provided with written information, as specified in the Technical Instructions.
- (f) Information in the Event of an Aircraft Incident or Accident. An AOC holder which is involved in an aircraft incident shall —
 - (1) as soon as possible, inform the appropriate authority of the State in which the aircraft accident occurred of any dangerous goods carried; and
 - (2) on request, provide any information required to minimise the hazards created by any dangerous goods carried.

9.6.1.14 TRAINING PROGRAMMES

- (a) An AOC holder shall establish, maintain, and have approved by the Authority, staff training programmes, as required by the Technical Instructions.
- (b) An AOC holder not holding a permanent approval to carry dangerous goods shall ensure that —
 - (1) staff who are engaged in general cargo handling have received training to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column I of Table I to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods and how to identify such goods;
 - (2) crew members, passenger handling staff, and security staff employed by the AOC holder who deal with the screening of a passengers and their baggage, have received training which covers as a minimum, the areas identified in Column 2 of Table I to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods,

Civil Aviation (Flight Safety) Regulations

how to identify them and what requirements apply to the carriage of such goods by passengers.

TABLE 1

Areas of Training	1	2
General philosophy	X	X
Limitations on dangerous goods in air transport	X	X
Package marking and labelling	X	X
Dangerous goods in passengers baggage		X
Emergency procedures	X	X

Note: 'X' indicates an area to be covered.

- (c) An AOC holder holding a permanent approval to carry dangerous goods shall ensure that —
- (1) staff who are engaged in the acceptance of dangerous goods have received training and are qualified to carry out their duties which covers as a minimum, the areas identified in Column I of Table 2 to a depth sufficient to ensure the staff can take decisions on the acceptance or refusal of dangerous goods offered for carriage by air;
 - (2) staff who are engaged in ground handling, storage and loading of dangerous goods have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 2 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and how to handle and load them.
 - (3) staff who are engaged in general cargo handling have received training to enable them to carry out their duties in respect of dangerous goods which covers as a minimum, the areas identified in Column 3 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods, how to identify such goods and how to handle and load them.
 - (4) flight crew members have received training which covers as a minimum, the areas identified in Column 4 of Table 2

Civil Aviation (Flight Safety) Regulations

to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods and how they should be carried on an aircraft.

- (5) passenger handling staff; security staff employed by the operator who deal with the screening of passengers and their baggage; and crew members other than flight crew members, have received training which covers as a minimum, the areas identified in Column 5 of Table 2 to a depth sufficient to ensure that an awareness is gained of the hazards associated with dangerous goods and what requirements apply to the carriage of such goods by passengers or, more generally, their carriage on an aircraft.
- (d) An AOC holder shall ensure that all staff who require dangerous goods training receive recurrent training at intervals of not longer than 2 years.
- (e) An AOC holder shall ensure that records of dangerous goods training are maintained for all staff trained in accordance with paragraph (d).
- (f) An AOC holder shall ensure that its handling agent's staff are trained in accordance with the applicable column of Table I or Table 2.

Table 2

Areas Of Training	1	2	3	4	5
General philosophy	X	X	X	X	X
Limitations on dangerous goods in the air transport	X	X	X	X	X
Classification and list of dangerous goods	X	X		X	
General packing requirements and packing instructions	X				
Packaging specifications marking	X				
Package marking and labelling	X	X	X	X	X
Documentation from the shipper	X				
Acceptance of dangerous good, including the use of a checklist	X				
Loading, restrictions on loading and segregation	X	X	X	X	

Civil Aviation (Flight Safety) Regulations

Inspections for damage or leakage and decontamination procedures	X	X			
Provision of information to the PIC	X	X		X	
Dangerous goods in passengers' baggage	X			X	X
Emergency procedures	X	X		X	X

Note: x indicates an area to be covered.

9.6.1.15 DANGEROUS GOODS INCIDENT AND ACCIDENT REPORTS

An AOC holder shall report dangerous goods incidents and accidents to the Authority within 72 hours of the event, unless exceptional circumstances prevent this.

CONTENTS

PART 10 - COMMERCIAL AIR TRANSPORT BY FOREIGN AIR OPERATORS

- 10.1 GENERAL
 - 10.1.1.1 Applicability
 - 10.1.1.2 Definitions
 - 10.1.1.3 Compliance
 - 10.1.1.4 Authority to Inspect
 - 10.1.1.5 Operations Specifications
 - 10.1.1.6 Reserved
 - 10.1.2 Documents
 - 10.1.2.1 Foreign air operator's Aircraft Technical Log
 - 10.1.2.2 Air Operator Manuals to be Carried
 - 10.1.2.3 Additional Information and Forms to be Carried
 - 10.1.2.4 Production of Documentation, Manuals and Records
 - 10.1.2.5 Preservation, Production and Use of Flight Recorder Recordings
 - 10.1.3 Performance
 - 10.1.3.1 Computation of Passenger and Baggage Weights
 - 10.1.3.2 Single-Engine Aircraft
 - 10.1.3.3 Single Engine Operations under IFR or at Night
 - 10.1.3.4 Flight Rules
- 10.2 FLIGHT CREW MEMBER QUALIFICATIONS
 - 10.2.1.1 General
 - 10.2.1.2 Age limitations

Civil Aviation (Flight Safety) Regulations

- 10.2.1.3 Language Proficiency
- 10.3 SECURITY
- 10.3.1.1 Aircraft Security
- 10.3.1.2 Unauthorized Carriage
- 10.4 DANGEROUS GOODS
- 10.4.1.1 Offering Dangerous Goods for Transport by Air
- 10.4.1.2 Carriage of Weapons of War and Munitions of War
- 10.4.1.3 Carriage of Sporting Weapons and Ammunition

10.1 GENERAL**10.1.1.1 APPLICABILITY**

This Part prescribes requirements applicable to the operation of any civil aircraft for the purpose of commercial air transportation operations by any air operator whose Air Operator Certificate is issued and controlled by a civil aviation authority other than the Authority]. This Part does not apply to aircraft when used by military, customs, and police services, which are not used for compensation or hire.

10.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

10.1.1.3 COMPLIANCE

- (a) A foreign air operator may not operate an aircraft in commercial air transport unless that operator holds an AOC, issued by the State of the operator, for the operations being conducted.
- (b) A foreign air operator may not operate an aircraft in commercial air transportation operations contrary to the requirements of —
 - (1) This Part;
 - (2) The applicable paragraphs of Parts 7 and 8;
 - (3) The standards contained in the Annexes to the Chicago Convention applicable to the operation being conducted;
 - (4) The Civil Aviation (Security) Regulations; and
 - (5) Any other requirements that the Authority may specify.

Civil Aviation (Flight Safety) Regulations

- (c) Parts (a) and (b) apply also to any person who engages in an operation governed by this Part without the appropriate certificate and operations specification or similar document required as part of the certification.
- (d) Foreign operators shall comply with the applicable sections of Parts 5.5.1.4 and 6.5.1.9 when in the airspace of Saint Lucia.

10.1.1.4 AUTHORITY TO INSPECT

- (a) A foreign air operator shall ensure that any person authorized by the Authority, will be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Saint Lucia —
 - (1) to inspect the documents and manuals required by this Part;
 - (2) to conduct an inspection of the aircraft; or
 - (3) to take appropriate action when necessary to preserve safety.
- (b) When the Authority identifies a case of non-compliance or suspected non-compliance by a original operator with laws, regulations and procedures applicable within that State's territory, or a similar serious safety issue with that operator, the Authority shall immediately notify the operator and, if the issue warrants it, the State of the Operator. Where the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.
- (c) In the case of notification to States as Specified in subpart (b), if the issue and its resolution warrant it Saint Lucia shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

10.1.1.5 OPERATIONS SPECIFICATIONS

- (1) Prior to commencing commercial air operations to Saint Lucia the Air Transport Licensing Board shall submit the following information to the Authority on behalf of the foreign operator —
 - (a) The operator's AOC;

Civil Aviation (Flight Safety) Regulations

- (b) The following information from the Operating Specifications —
 - (i) Aircraft Authorizations;
 - (ii) Operational Control;
 - (iii) Aircraft lease arrangements (if applicable)
 - (iv) Traffic Alert and Collision Avoidance System (TCAS)
 - (v) Aircraft Radio Equipment;
 - (vi) Authorized areas of en route operations, limitations and provisions;
 - (vii) Basic Instrument Procedure Approach Authorizations for all airports;
 - (c) Information on Cockpit Voice Recorders and Flight Data Recorders installed on the aircraft;
 - (d) Flight Crew composition;
 - (e) Current Insurance coverage for the period of the requested permit;
- (2) The Authority shall advise the Air Transport Licensing Board whether the proposed operation would be operated safely, in accordance with the applicable laws of Saint Lucia and the standards contained in the relevant annexes to the Convention on International Civil Aviation.

10.1.1.6 Operation of Foreign Registered Aircraft

- (1) No person may operate a foreign registered aircraft in [STATE] other than for commercial air transport operations in accordance with this Part for more than 30 days in any twelve month period unless approved by the Authority. An application for such approval shall be made in writing and contain the following information —
 - (1) aircraft registration number;
 - (2) aircraft make, model and series;
 - (3) aircraft serial number;
 - (4) airport where the aircraft is based;
 - (5) operator name, address and telephone contact numbers;
 - (6) a current copy of the aircraft insurance papers;

Civil Aviation (Flight Safety) Regulations

- (7) a current copy of the aircraft Certificate of Airworthiness; and
 - (8) a current copy of the aircraft Certificate of Registration.
- (2) The Authority may —
- (a) grant such approval for a period not to exceed six months in each instance and subject to such conditions as the Authority may specify in writing;
 - (b) refuse such application and direct that the aircraft be registered in Saint Lucia if it is eligible to be so registered in order to continue operations; or
 - (c) prohibit the aircraft from flying if its operation would be in contravention of the Act and these Regulations or not in the interests of safety.

10.1.2 Documents

10.1.2.1 FOREIGN AIR OPERATOR'S AIRCRAFT TECHNICAL LOG

A foreign air operator shall maintain an aircraft technical log system containing the following information for each aircraft —

- (1) information about each flight necessary to ensure continued flight safety;
- (2) the current aircraft certificate of release to service;
- (3) the current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere;
- (4) all outstanding deferred defects that affect the operation of the aircraft, and
- (5) any necessary guidance instructions on maintenance support.

10.1.2.2 AIR OPERATOR MANUALS, DOCUMENTS AND FLIGHT CREW LICENCES TO BE CARRIED

- (a) A foreign air operator shall ensure that the following manuals, documents and licences are carried on flights into Saint Lucia —

Civil Aviation (Flight Safety) Regulations

- (1) A certified true copy of the air operator certificate and associated operations specifications all of which shall be in the English language;
- (2) The current parts of the Operations Manual relevant to the duties of the crew are carried on each flight;
- (3) Those parts of the Operations Manual, which are required for the conduct of a flight and are easily accessible to the crew on board the aircraft on each flight, such as the MEL; and information and instructions relating to the interception of aircraft;
- (4) The current AFM or RFM approved by the State of Registry, or AOM approved by the State of Operator is carried on the aircraft on each flight. The AFM or RFM shall be updated by implementing changes made mandatory by the State of Registry received from the State of Design;
- (5) The current certificate of registration, and airworthiness certificate in force in respect of that aircraft;
- (6) The appropriate licences of the members of the flight crew and cabin crew, if a cabin crew licence is required by the Foreign Authority;

10.1.2.3 ADDITIONAL INFORMATION AND FORMS TO BE CARRIED

- (a) A foreign air operator shall ensure that, in addition to the documents and manuals described in 10.1.2.1 and 10.1.2.2, the following forms, relevant to the type and area of operation, are carried on each flight —
 - (1) operational Flight Plan;
 - (2) aircraft Technical Log containing at least the information required in 10.1.2.1(a);
 - (3) appropriate NOTAM/AIS briefing documentation;
 - (4) appropriate meteorological information;
 - (5) mass and balance documentation;
 - (6) copy of applicable Specific Operating Provisions required under this Part;
 - (7) notification of special loads including any dangerous goods;

Civil Aviation (Flight Safety) Regulations

and

(8) current maps and charts for the area of operation.

- (b) The Authority may authorize the information detailed in subparagraph (a) above, or parts thereof, to be presented in a form other than on printed paper provided the information is accessible for inspection.

10.1.2.4 PRODUCTION OF DOCUMENTATION, MANUALS AND RECORDS

- (a) A foreign air operator shall —
- (1) provide any person authorized by the Authority access to any documents, manuals and records which are related to flight operations and maintenance; and
 - (2) produce on request all such documents, manuals and records, when requested to do so by the Authority, within a reasonable period of time.
- (b) The pilot in command shall, within a reasonable time of being requested to do so by a person authorized by the Authority, produce to that person the documentation, manuals and records required to be carried on board.

10.1.2.5 PRESERVATION, PRODUCTION AND USE OF FLIGHT RECORDER RECORDINGS

Following an accident, incident, or when the Authority so directs, the operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of 60 days unless otherwise directed by the investigating authority.

10.1.3 Operations and Performance**10.1.3.1 COMPUTATION OF PASSENGER AND BAGGAGE WEIGHTS**

- (a) A foreign air operator shall compute the mass of passengers and checked baggage using —
- (1) The actual weighed mass of each person and the actual weighed mass of baggage; or
 - (2) The standard mass values specified by the foreign Authority.

Civil Aviation (Flight Safety) Regulations

- (b) The Authority may require a foreign air operator to produce evidence validating any standard mass values used.

10.1.3.2 SINGLE-ENGINE AIRCRAFT

- (a) A foreign air operator shall not operate a single-engine piston aircraft for the purpose of commercial air transportation operations.
- (b) A foreign air operator may operate a single-engine turbine aircraft at night and in IMC conditions provided the State of the Operator has ensured —
 - (1) The reliability of the turbine engine;
 - (2) The foreign operator's maintenance procedures, operating practices, flight dispatch procedures and crew training programmes are adequate;
 - (3) The aeroplane is appropriately equipped for flight at night and in IMC;
 - (4) For aeroplanes issued a certificate of airworthiness before 1 January 2005—an engine trend monitoring system; and
 - (5) For aeroplanes issued a certificate of airworthiness after 1 January 2005—an automatic trend monitoring system.

10.1.3.3 SINGLE PILOT OPERATIONS UNDER IFR OR AT NIGHT

- (a) A foreign air operator shall not operate an aeroplane under IFR or at night by a single pilot unless approved by the State of the Operator and the aeroplane meets the following conditions —
 - (1) The flight manual does not require a flight crew of more than one pilot;
 - (2) The aeroplane is propeller-driven;
 - (3) The maximum approved passenger seating configuration is not more than nine;
 - (4) The maximum certificated take-off mass does not exceed 5,700 kg;
 - (5) The aeroplane is equipped with —

Civil Aviation (Flight Safety) Regulations

- (i) A serviceable autopilot that has at least altitude hold and heading select modes;
 - (ii) A headset with a boom microphone or equivalent; and
 - (iii) A means of displaying charts that enables them to be readable in all ambient light conditions.
- (6) The PIC has satisfied the requirements of experience, training, checking and recency.

10.1.3.4 FLIGHT RULES

- (b) Within the territorial boundaries of Saint Lucia, a foreign air operator shall comply with the flight rules and limitations contained in Part 8.
- (c) Foreign air operators shall ensure that their flight crew have available and have become familiar with the flight rules in Part 8 of this regulation.

10.2 FLIGHT CREW MEMBER QUALIFICATIONS**10.2.1.1 GENERAL**

- (a) Foreign air operators shall ensure that their flight crews have the appropriate licences and ratings for the operations to be conducted in Saint Lucia.

10.2.1.2 AGE LIMITATIONS

- (a) Foreign air operators shall ensure that the required PIC engaged in single pilot operations on aircraft operating in Saint Lucia shall not be less than 65 years of age.
- (b) Foreign air operators shall ensure, for aircraft engaged in operations in Saint Lucia requiring more than one pilot as flight crew members, that if one pilot is between the age of 60 and up to age 65, the other pilot shall be less than age 60.

10.2.1.3 LANGUAGE PROFICIENCY

- (a) A foreign air operator shall ensure that flight crew operating aircraft in Saint Lucia meet the language proficiency requirement of least the operational level 4 as contained in ICAO Annex 1 for the English language and that such proficiency is endorsed on the licence.

*Civil Aviation (Flight Safety) Regulations***10.3 SECURITY****10.3.1.1 AIRCRAFT SECURITY**

A foreign air operator shall —

- (1) ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national civil aviation security programme and other security programmes of Saint Lucia;
- (2) establish, maintain and conduct approved training programs which enable the operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimize the consequences of such events should they occur;
- (3) following an act of unlawful interference on board an aircraft the commander or in his absence the operator, shall submit, without delay, a report of such an act to the Coordinator;
- (4) ensure that all aircraft carry a checklist of the procedures to be followed for that type in searching for concealed weapons, explosives or other dangerous devices; and
- (5) if installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access.

10.3.1.2 UNAUTHORIZED CARRIAGE

A foreign air operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.

10.4 DANGEROUS GOODS**10.4.1.1 OFFERING DANGEROUS GOODS FOR TRANSPORT BY AIR**

- (a) A foreign air operator may accept dangerous goods for transport by air in Saint Lucia only if the foreign air operator —
 - (1) has been authorized to do so by the foreign Authority;
 - (2) has conducted the required personnel training.

Civil Aviation (Flight Safety) Regulations

- (b) The foreign air operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods programme as approved by the foreign Authority.
- (c) The foreign air operator shall state in the Specific Operating Provisions required in 10.1.1.5 whether or not that operator has been authorised to accept dangerous goods by the foreign Authority.
- (d) Where the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods programme authorised by the foreign Authority, the foreign operator shall submit a copy of its dangerous goods program to the Authority.

10.4.1.2 CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR

A foreign air operator conducting commercial air transportation operations to Saint Lucia shall —

- (1) not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned;
- (2) ensure that weapons of war and munitions of war are —
 - (i) stowed in the aircraft in a place which is inaccessible to passengers during flight; and
 - (ii) in the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this subparagraph;
- (3) ensure that the pilot in command is notified before the flight begins of the details and location on board the aeroplane or helicopter of any weapons of war and munitions of war that are intended to be carried.

10.4.1.3 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION

- (a) A foreign air operator conducting commercial air transportation operations to Saint Lucia shall take all measures necessary to

Civil Aviation (Flight Safety) Regulations

ensure that any sporting weapons intended to be carried by air are reported.

- (b) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are —
 - (1) stowed in the aircraft in a place which is inaccessible to passengers during flight unless the Authority has determined that compliance is impracticable and has approved other procedures, and
 - (2) in the case of firearms or other weapons that can contain ammunition, unloaded.
- (c) A foreign air operator may allow a passenger to carry ammunition for sporting weapons in passenger's checked baggage, as approved by the Authority.

CONTENTS**PART 11 - AERIAL WORK**

- 11.1 GENERAL
 - 11.1.1.1 Applicability.
 - 11.1.1.2 Definitions
 - 11.1.1.3 Acronyms
- 11.2 AGRICULTURAL AIRCRAFT OPERATIONS
 - 11.2.1 General
 - 11.2.1.1 Applicability
 - 11.2.2 Certification Rules
 - 11.2.2.1 Certificate Required
 - 11.2.2.2 Application for Certificate
 - 11.2.2.3 Amendment of Certificate
 - 11.2.2.4 Certification Requirements
 - 11.2.2.5 Duration of Certificate
 - 11.2.3 Operating Rules
 - 11.2.3.1 General
 - 11.2.3.2 Carrying of Certificate
 - 11.2.3.3 Limitations on Private Agricultural Aircraft Operator
 - 11.2.3.4 Manner of Dispensing
 - 11.2.3.5 Economic Poison Dispensing
 - 11.2.3.6 Personnel
 - 11.2.3.7 Operations in Controlled Airspace Designated for an Airport
 - 11.2.3.8 Operation Over Congested Areas: General
 - 11.2.3.9 Operation Over Congested Areas: Pilots and Aircraft

Civil Aviation (Flight Safety) Regulations

- 11.2.3.10 Availability of Certificate
- 11.2.4 Records and Reports
 - 11.2.4.1 Records: Commercial Agricultural Aircraft Operator
 - 11.2.4.2 Change of Address
 - 11.2.4.3 Termination of Operations
- 11.3 HELICOPTER EXTERNAL LOADS
 - 11.3.1.1 Applicability
 - 11.3.2 Certification Rules
 - 11.3.2.1 Certificate Required
 - 11.3.2.2 Limitations on Private Agricultural Aircraft Operator
 - 11.3.2.3 Duration of Certificate
 - 11.3.2.4 Application for Certificate Issuance or Renewal
 - 11.3.2.5 Requirements for Issuance of a Rotorcraft External-Load Operator Certificate
 - 11.3.2.6 Rotorcraft
 - 11.3.2.7 Personnel.
 - 11.3.2.8 Amendment of Certificate
 - 11.3.2.9 Availability, Transfer, and Surrender of Certificate
 - 11.3.3 Operating Rules and Related Requirements
 - 11.3.3.1 Operating Rules
 - 11.3.3.2 Carriage of Persons
 - 11.3.3.3 Crewmember Training, Currency, and Testing Requirements.
 - 11.3.4 Airworthiness Requirements
 - 11.3.4.1 Flight Characteristics Requirements
 - 11.3.4.2 Structures and Design
 - 11.3.4.3 Operating Limitations
 - 11.3.4.4 Rotorcraft-Load Combination Flight Manual
 - 11.3.4.5 Markings and Placards
 - 11.3.4.6 Airworthiness Certification
- 11.4 GLIDER TOWING
 - 11.4.1.1 Applicability
 - 11.4.1.2 Certificate Required
 - 11.4.1.3 Aircraft Requirements
 - 11.4.1.4 Experience and Training Requirements
- 11.5 BANNER TOWING
 - 11.5.1.1 Applicability
 - 11.5.1.2 Certificate or Authorization Required
 - 11.5.1.3 Aircraft Requirements
 - 11.5.1.4 Experience and Training Requirements
 - 11.5.1.5 Operating Rules
- 11.6 TV AND MOVIE OPERATIONS
 - 11.6.1.1 Applicability

Civil Aviation (Flight Safety) Regulations

- 11.6.1.2 Certificate or Authorization Required.
- 11.6.1.3 Aircraft Requirement
- 11.6.1.4 Experience and Training Requirements
- 11.6.1.5 Waiver Requirements
- 11.6.1.6 Contents of a Motion Picture and Television Flight Operations Manual
- 11.7 SIGHT-SEEING FLIGHTS
 - 11.7.1.1 Applicability
 - 11.7.1.2 Certificate or Authorization Required
 - 11.7.1.3 Experience and Training Requirements
 - 11.7.1.4 Operating Rules
- 11.8 FISH SPOTTING
 - 11.8.1.1 Applicability
 - 11.8.1.2 Certificate or Authorization Required
 - 11.8.1.3 Operating Rules.
- 11.9 TRAFFIC REPORTING
 - 11.9.1.1 Applicability.
 - 11.9.1.2 Certificate or Authorization Required
 - 11.9.1.3 Operating Rules
 - 11.9.1.4 Experience and Training Requirements

11.1 GENERAL

11.1.1.1 APPLICABILITY

- (a) This part contains the requirements for those operators and operations that are considered to be aerial work in Saint Lucia.
- (b) All persons who conduct aerial work in Saint Lucia must comply with certification requirements of this Part.
- (c) All persons who conduct aerial work in Saint Lucia must comply with the applicable airworthiness and operational requirements of this Part, except where this Part grants relief from those requirements or specifies additional requirements.

11.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

11.1.1.3 ACRONYMS

The following acronyms are used in this Part —

Civil Aviation (Flight Safety) Regulations

- (1) AGL - Above Ground Level
- (2) PIC - Pilot In Command (Part 1)
- (3) IFR – Instrument Flight Rules.

11.2 AGRICULTURAL AIRCRAFT OPERATIONS

11.2.1 General

11.2.1.1 APPLICABILITY

- (a) This Part contains the rules governing —
 - (1) agricultural aircraft operations within Saint Lucia; and
 - (2) the issue of commercial and private agricultural aircraft operator certificates for those operations.
- (b) In a public emergency, a person conducting agricultural aircraft operations under this Part may, to the extent necessary, deviate from the operating rules of this Part for relief and welfare activities approved by an agency of the Government.
- (c) A person who, under the authority of this section, deviates from a rule of this Part shall, within 10 days after the deviation send to the Authority a detailed report of the aircraft’s operation which shall include a description of the operation and the reasons for it.

11.2.2 Certification Rules

11.2.2.1 CERTIFICATE REQUIRED

- (a) Except as provided in paragraphs (c) and (d) of this section, a person shall not conduct agricultural aircraft operations without, or in violation of, an agricultural aircraft operator certificate issued under this Part.
- (b) An operator may, if it complies with this Subpart, conduct agricultural aircraft operations with a rotorcraft with external dispensing equipment in place without a rotorcraft external-load operator certificate.
- (c) A government agency conducting agricultural aircraft operations with a public aircraft need not comply with this Subpart.
- (d) The holder of a rotorcraft external-load operator certificate under this Part may conduct an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means.

*Civil Aviation (Flight Safety) Regulations***11.2.2.2 APPLICATION FOR CERTIFICATE**

A person who wishes to obtain an agricultural aircraft operator certificate shall apply in a form and in a manner prescribed by the Authority.

11.2.2.3 AMENDMENT OF CERTIFICATE

- (a) An agricultural aircraft operator certificate may be amended —
 - (1) on the Authority's own initiative, under applicable laws and regulations; or
 - (2) on application by the holder of that certificate.
- (b) The holder of an air operator certificate shall submit an application to amend the certificate in a form and in a manner prescribed by the Authority at least 15 days before the date that it proposes the amendment become effective, unless the Authority direct otherwise.
- (c) The Authority shall grant a request to amend a certificate if it determines that safety in air commerce and the public interest so allow.
- (d) Within 30 days after receiving a refusal to amend a certificate under 11.2.2.3, the holder of the certificate may petition the Authority to reconsider the refusal.

11.2.2.4 CERTIFICATION REQUIREMENTS

- (a) General.

Except as provided by paragraph (a)(3) of this section —

- (1) the Authority may issue a private agricultural aircraft operator certificate to an applicant who meets the requirements of this Subpart for that certificate;
- (2) the Authority may issue a commercial agricultural aircraft operator certificate to an applicant who meets the requirements of this Subpart for that certificate;
- (3) an applicant who applies for an agricultural aircraft operator certificate containing a prohibition against the dispensing of economic poisons shall not be required to demonstrate knowledge specific to economic poisons.

Civil Aviation (Flight Safety) Regulations

- (b) Pilots.
 - (1) A private operator-pilot applicant shall be required to hold a current Saint Lucia private, commercial, or airline transport pilot certificate and be properly rated for the aircraft to be used.
 - (2) A commercial operator-pilot applicant shall be required to hold, or have available the services of at least one pilot who holds a current commercial or airline transport pilot certificate issued by the Authority and who is properly rated for the aircraft to be used.
- (c) Aircraft. The applicant shall have at least one certified and airworthy aircraft, equipped for agricultural operation.
- (d) Knowledge and skill tests. The applicant shall show that he or she has satisfactory knowledge and skill of the following agricultural aircraft operations.
 - (1) Knowledge:
 - (i) steps to be taken before starting operations, including a survey of the area to be worked;
 - (ii) safe handling of economic poisons and the proper disposal of used containers for those poisons;
 - (iii) the general effects of economic poisons and agricultural chemicals on plants, animals, and persons, and the precautions to be observed in using poisons and chemicals;
 - (iv) primary symptoms of poisoning of persons from economic poisons, the appropriate emergency measures to be taken, and the location of poison control centres;
 - (v) performance capabilities and operating limitations of the aircraft to be used;
 - (vi) safe flight and application procedures.
 - (2) Skill in the following manoeuvres, demonstrated at the aircraft's maximum certified take-off weight, or the maximum weight established for the special purpose load, whichever is greater —
 - (i) short-field and soft-field takeoffs (aeroplanes and gyroplanes only);

Civil Aviation (Flight Safety) Regulations

- (ii) approaches to the working area;
- (iii) flare-outs;
- (iv) swath runs;
- (v) pullups and turnarounds;
- (vi) rapid deceleration (quick stops) in helicopters only.

11.2.2.5 DURATION OF CERTIFICATE

An agricultural aircraft operator certificate is effective as prescribed in IS: 11.2.2.5

11.2.3 Operating Rules**11.2.3.1 GENERAL**

- (a) Except as provided in paragraph (c) of this section, this section prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under this Part.
- (b) The holder of an agricultural aircraft operator certificate may deviate from the provisions of Part 9 without a certificate of waiver when conducting aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating rules of this section.
- (c) The operating rules of this Subpart apply to Rotorcraft External load certificate holders conducting agricultural aircraft operations involving only the dispensing of water on forest fires by rotorcraft external-load means.

11.2.3.2 CARRYING OF CERTIFICATE

- (a) A person shall not operate an aircraft unless a copy of the agricultural aircraft operator certificate is carried on that aircraft.
- (b) The registration and airworthiness certificates issued for the aircraft need not be carried in the aircraft provided that those certificates not carried in the aircraft shall be kept available for inspection at the base from which the dispensing operation is conducted.

*Civil Aviation (Flight Safety) Regulations***11.2.3.3 LIMITATIONS ON PRIVATE AGRICULTURAL AIRCRAFT OPERATOR**

A person shall not conduct an agricultural aircraft operation under the authority of a private agricultural aircraft operator certificate —

- (1) for compensation or hire;
- (2) over a congested area; or
- (3) over any property unless he or she is the owner or lessee of the property, or has ownership or other property interest in the crop located on that property.

11.2.3.4 MANNER OF DISPENSING

A person shall not dispense, or cause to be dispensed, any material or substance in a manner that creates a hazard to persons or property.

11.2.3.5 ECONOMIC POISON DISPENSING

- (a) Except as provided in paragraph (b) of this section, a person shall not dispense or cause to be dispensed, any economic poison that is registered with Saint Lucia —
 - (1) for a use other than that for which it is registered;
 - (2) contrary to any safety instructions or use limitations on its label; or
 - (3) in violation of any law or regulation of Saint Lucia.
- (b) This section shall not apply to any person dispensing economic poisons for experimental purposes under —
 - (1) the supervision of an Saint Lucia agency authorised by law to conduct research in the field of economic poisons; or
 - (2) a permit from the Government of Saint Lucia.

11.2.3.6 PERSONNEL

- (a) Information. The holder of an agricultural aircraft operator certificate shall insure that a person employed in the holder's agricultural aircraft operation is informed of his or her duties and responsibilities.
- (b) Supervisors. A person shall not supervise an agricultural aircraft operation unless he or she has met the knowledge and skill requirements of this Subpart.

Civil Aviation (Flight Safety) Regulations

- (c) Pilot in command. A person shall not act as pilot in command of an aircraft operated under this Subpart unless that person —
 - (1) holds a pilot certificate and rating prescribed by this Subpart as appropriate to the type of operation conducted; or
 - (2) has demonstrated to the holder of the Agricultural Aircraft Operator Certificate conducting the operation, or to a supervisor designated by that certificate holder, that he or she possesses the knowledge and skill requirements of this Subpart.

11.2.3.7 OPERATIONS IN CONTROLLED AIRSPACE DESIGNATED FOR AN AIRPORT

- (a) Except for flights to and from a dispensing area, a person shall not operate an aircraft within the lateral boundaries of the surface area of Class D airspace designated for an airport unless authorization for that operation has been obtained from the ATC facility having jurisdiction over that area.
- (b) A person shall not operate an aircraft in weather conditions below VFR minimums within the lateral boundaries of a Class E airspace area that extends upward from the surface, unless authorization for that operation has been obtained from the ATC facility having jurisdiction over that area.
- (c) A certificate holder may operate an aircraft under special VFR weather minimums without meeting the requirements prescribed in Part 9.

11.2.3.8 OPERATION OVER CONGESTED AREAS: GENERAL

- (a) A certificate holder may operate or cause the operation of an aircraft over a congested area at altitudes required if the operation is conducted with —
 - (1) the maximum safety to persons and property on the surface, consistent with the operation; and
 - (2) a plan for each operation, submitted and approved by the Authority, which includes —
 - (i) obstructions to flight;
 - (ii) emergency landing capabilities of the aircraft to be used; and

Civil Aviation (Flight Safety) Regulations

- (iii) any necessary co-ordination with air traffic control.
- (b) Each certificate holder shall ensure that all single engine aircraft while in a congested area operate —
 - (1) Except for helicopters, not loaded during take offs and turnarounds.
 - (2) Not below the altitudes prescribed in Part 9 except during the actual dispensing operation, including the approaches and departures necessary for that operation.
 - (3) During the actual dispensing operation, including the approaches and departures for that operation, not below the altitudes prescribed in Part 9 unless it is in an area and at such an altitude that the aircraft can make an emergency landing without endangering persons or property on the surface.
- (c) Each certificate holder shall ensure that all multiengine aircraft while in a congested area operate —

- (1) During take off, under conditions that will allow the aeroplane to be brought to a safe stop within the effective length of the runway from any point on takeoff up to the time of attaining, with all engines operating at normal takeoff power, 105 per cent of the minimum control speed with the critical engine inoperative in the takeoff configuration or 115 per cent of the power-off stall speed in the takeoff configuration, whichever is greater.

Note: Assume still-air conditions, and no correction for any uphill gradient of 1 per cent or less when the percentage is measured as the difference between elevation at the end points of the runway divided by the total length. For uphill gradients greater than 1 per cent, the effective takeoff length of the runway is reduced 20 per cent for each one per cent grade.

- (2) At a weight greater than the weight that, with the critical engine inoperative, would permit a rate of climb of at least 50 feet per minute at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within the area to be worked or at an altitude of 5,000 feet, whichever is higher. Assume that the propeller of the inoperative engine is in the minimum drag position; that the wing flaps and landing gear are in the most favourable positions; and

Civil Aviation (Flight Safety) Regulations

that the remaining engine or engines are operating at the maximum continuous power available.

- (3) Below the altitudes prescribed in Part 9 except during the actual dispensing operation, including the approaches, departures, and turnarounds necessary for that operation.
- (d) Each certificate holder shall issue notice of the intended operation to the public as may be specified by the Authority.

11.2.3.9 OPERATION OVER CONGESTED AREAS: PILOTS AND AIRCRAFT

- (a) Pilots - A pilot in command of an aircraft shall have at least —
 - (1) 25 hours of pilot-in-command flight time in the make and basic model of the aircraft, including at least 10 hours within the preceding 12 calendar months; and
 - (2) 100 hours of flight experience as pilot in command in dispensing agricultural materials or chemicals.
- (b) Aircraft —
 - (1) except for helicopters, an aircraft shall be capable of jettisoning at least one-half of the aircraft's maximum authorised load of agricultural material within 45 seconds. If the aircraft is equipped to release the tank or hopper as a unit, there shall be a means to prevent inadvertent release by the pilot or other crewmember;
 - (2) If the aircraft is equipped to release the tank or hopper as a unit, there shall be a means to prevent inadvertent release by the pilot or other crewmember.

11.2.3.10 AVAILABILITY OF CERTIFICATE

A holder of an agricultural aircraft operator certificate shall keep that certificate at its home base and shall present it for inspection on the request of the Authority or any government law enforcement officer.

11.2.4 Records and Reports

11.2.4.1 RECORDS: COMMERCIAL AGRICULTURAL AIRCRAFT OPERATOR

- (a) A holder of a commercial agricultural aircraft operator certificate shall maintain and keep current, at the home base designated in

Civil Aviation (Flight Safety) Regulations

its application, the following records —

- (1) the name and address of each person for whom agricultural aircraft services were provided;
 - (2) the date of the service;
 - (3) the name, type, quality and quantity of the material dispensed for each operation conducted; and
 - (4) the name, address, and certificate number of each pilot used in agricultural aircraft operations and the date that pilot met the knowledge and skill requirements of this Subpart.
- (b) The records required by this section shall be kept for at least 12 months.

11.2.4.2 CHANGE OF ADDRESS

A holder of an agricultural aircraft operator certificate shall notify the Authority in writing in advance of any change in the address of its home base of operations.

11.2.4.3 TERMINATION OF OPERATIONS

Whenever a person who holds a certificate ceases operations under this Part, he or she shall surrender that certificate to the Authority.

11.3 ROTORCRAFT EXTERNAL LOADS

11.3.1 General

11.3.1.1 APPLICABILITY

- (a) This subpart prescribes —
 - (1) Airworthiness certification rules for rotorcraft used in external-load operations, and
 - (2) Operating and certification rules governing the conduct of rotorcraft external-load operations in Saint Lucia.
- (b) The certification rules of Part 11 do not apply to —
 - (1) Rotorcraft manufacturers when developing external-load attaching means,
 - (2) Operations conducted by a person demonstrating compliance for the issuance of a certificate or authorization under Part 11,

Civil Aviation (Flight Safety) Regulations

- (3) Training flights conducted in preparation for the demonstration of compliance with Part 11, or
 - (4) A local or national government conducting operations with public aircraft.
- (c) For the purpose of Part 11, a person other than a crewmember or a person who is essential and directly connected with the external-load operation may be carried only in approved Class D rotorcraft-load combinations.

11.3.2 Certification Rules**11.3.2.1 CERTIFICATE REQUIRED**

- (a) No person subject to Part 11 may conduct rotorcraft external-load operations without, or in violation of the terms of, a Rotorcraft External-Load Operator Certificate or equivalent authorization issued by the Authority.

11.3.2.2 DURATION OF CERTIFICATE

- (a) Unless sooner surrendered, suspended, or revoked, a Rotorcraft External-Load Operator Certificate expires at the end of the twenty-fourth month after the month in which it is issued or renewed.

11.3.2.3 APPLICATION FOR CERTIFICATE ISSUANCE OR RENEWAL

- (a) Application for an original certificate or renewal of a certificate issued under Part 11 is made on a form, and in a manner, prescribed by the Authority.

11.3.2.4 REQUIREMENTS FOR ISSUANCE OF A ROTORCRAFT EXTERNAL-LOAD OPERATOR CERTIFICATE

- (a) If an applicant shows that it complies with this subpart, the Authority will issue a Rotorcraft External-Load Operator Certificate to it.
- (b) The Authority will issue authorization to operate specified rotorcraft with those classes of rotorcraft-load combinations for which the applicant or certificate holder qualifies under the applicable provisions of this subpart.

*Civil Aviation (Flight Safety) Regulations***11.3.2.5 ROTORCRAFT**

- (a) An applicant must have the exclusive use of at least one rotorcraft that —
- (b) Was type certified under, and meets the requirements of, the several parts of these Regulations which prescribe requirements for rotorcraft external-load operations,
- (c) Complies with the certification provisions in this subpart that apply to the rotorcraft-load combinations for which authorization is requested, and
- (d) Has a valid standard or restricted category airworthiness certificate.

11.3.2.6 PERSONNEL

- (a) An applicant shall hold, or have available the services of at least one person who holds a current commercial or airline transport pilot licence issued by the Authority with a rating appropriate for the rotorcraft to be used.
- (b) An applicant shall designate one pilot, who may be the applicant, as chief pilot for rotorcraft external-load operations.
- (c) An applicant may designate qualified pilots as assistant chief pilots to perform the functions of the chief pilot when the chief pilot is not readily available.
- (d) The chief pilot and assistant chief pilots must be acceptable to the Authority and each must hold a current Commercial or Airline Transport Pilot Licence, with a rating appropriate for the rotorcraft to be used.
- (e) The holder of a Rotorcraft External-Load Operator Certificate shall report any change in designation of chief pilot or assistant chief pilot immediately to the Authority.
- (f) A newly designated chief pilot shall comply with the knowledge and skill requirements of this subpart within 30 days or the operator may not conduct further operations under the Rotorcraft External-Load Operator Certificate, unless otherwise authorised by the Authority.

*Civil Aviation (Flight Safety) Regulations***11.3.2.7 AMENDMENT OF CERTIFICATE**

- (a) The holder of a Rotorcraft External-Load Certificate may apply to the Authority for an amendment of its certificate, to add or delete a rotorcraft-load combination authorization.
- (b) The holder of a rotorcraft external-load certificate may apply for an amendment to add or delete a rotorcraft authorization by submitting to the Authority a new list of rotorcraft, by registration number, with the classes of rotorcraft-load combinations for which authorization is requested.

11.3.2.8 AVAILABILITY, TRANSFER, AND SURRENDER OF CERTIFICATE

- (a) Each person conducting a rotorcraft external-load operation shall carry a facsimile of the Rotorcraft External-Load Operator Certificate in each rotorcraft used in the operation.
- (b) A certificate holder shall return its certificate to the Authority —
 - (1) If the Authority suspends or revokes its Rotorcraft External-Load Operator Certificate, or
 - (2) If the certificate holder discontinues operations and does not resume operations within two years.

11.3.3 Operating Rules and Related Requirements**11.3.3.1 OPERATING RULES**

- (a) No person may conduct a rotorcraft external load operation without, or contrary to, the Rotorcraft or Load Combination Flight Manual prescribed in 11.3.4.4.
- (b) No person may conduct a rotorcraft external load operation unless —
 - (1) The rotorcraft complies with 11.3.2.6, and
 - (2) The rotorcraft and rotorcraft/load combination is authorised under the Rotorcraft External Load Operator Certificate.
- (c) Before a person may operate a rotorcraft with an external load configuration that differs substantially from any that person has previously carried with that type of rotorcraft (whether or not the rotorcraft or load combination is of the same class), that person shall conduct, in a manner that will not endanger persons or property on the surface, such of the following flight operational checks as the Authority determines are appropriate to the rotorcraft or load combination:

Civil Aviation (Flight Safety) Regulations

- (1) A determination that the weight of the rotorcraft/load combination and the location of its centre of gravity are within approved limits, that the external load is securely fastened, and that the external load does not interfere with devices provided for its emergency release.
 - (2) Make an initial liftoff and verify that controllability is satisfactory.
 - (3) While hovering, verify that directional control is adequate.
 - (4) Accelerate into forward flight to verify that no attitude (whether of the rotorcraft or of the external load) is encountered in which the rotorcraft is uncontrollable or which is otherwise hazardous.
 - (5) In forward flight, check for hazardous oscillations of the external load, but if the external load is not visible to the pilot, other crewmembers or ground personnel may make this check and signal the pilot.
 - (6) Increase the forward airspeed and determine an operational airspeed at which no hazardous oscillation or hazardous aerodynamic turbulence is encountered.
- (d) Notwithstanding the provisions of Part 8, the holder of a Rotorcraft External Load Operator Certificate may conduct rotorcraft external load operations over congested areas if those operations are conducted without hazard to persons or property on the surface and comply with the following —
- (1) The operator shall develop a plan for each complete operation and obtain approval for the operation from the Authority.

Note: The plan must include an agreement with the appropriate political subdivision that local officials will exclude unauthorised persons from the area in which the operation will be conducted, coordination with air traffic control, if necessary, and a detailed chart depicting the flight routes and altitudes.
 - (2) Each flight shall be conducted at an altitude, and on a route, that will allow a jettisonable external load to be released, and the rotorcraft landed, in an emergency without hazard to persons or property on the surface.

Civil Aviation (Flight Safety) Regulations

- (e) Notwithstanding the provisions of Part 8, and except as provided in 11.3.4.3(a)(4), the holder of a Rotorcraft External Load Operator Certificate may conduct external load operations, including approaches, departures, and load positioning manoeuvres necessary for the operation, below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.
- (f) No person may conduct rotorcraft external load operations under IFR unless specifically approved by the Authority.

11.3.3.2 CARRIAGE OF PERSONS

- (a) No AOC holder may allow a person to be carried during rotorcraft external load operations unless that person —
 - (1) Is a flight crewmember,
 - (2) Is a flight crewmember trainee,
 - (3) Performs an essential function in connection with the external load operation, or
 - (4) Is necessary to accomplish the work activity directly associated with that operation.
- (b) The PIC shall ensure that all persons are briefed before takeoff on all pertinent procedures to be followed (including normal, abnormal, and emergency procedures) and equipment to be used during the external load operation.

11.3.3.3 CREWMEMBER TRAINING, CURRENCY, AND TESTING REQUIREMENTS

- (a) No certificate holder may use, nor may any person serve, as a pilot in rotorcraft external load operations unless that person—
 - (1) Has successfully demonstrated to the Authority the knowledge and skill with respect to the rotorcraft/load combination, and
 - (2) Has in his or her personal possession a letter of competency or an appropriate logbook entry indicating compliance with paragraph (a)(1) of this section.
- (b) No AOC holder may use, nor may any person serve as, a crewmember or other operations personnel in Class D operations

Civil Aviation (Flight Safety) Regulations

unless, within the preceding 12 calendar months, that person has successfully completed either an approved initial or a recurrent training programme.

- (c) Notwithstanding the provisions of paragraph (b) of this section, a person who has performed a rotorcraft external load operation of the same class and in an aircraft of the same type within the past 12 calendar months need not undergo recurrent training.

11.3.4 Airworthiness Requirements**11.3.4.1 FLIGHT CHARACTERISTICS REQUIREMENTS**

- (a) The applicant must demonstrate to the Authority, by performing the following operational flight checks, that the rotorcraft-load combination has satisfactory flight characteristics, unless these operational flight checks have been demonstrated previously and the rotorcraft-load combination flight characteristics were satisfactory. For the purposes of this demonstration, the external-load weight (including the external-load attaching means) is the maximum weight for which authorization is requested.
- (b) Class A rotorcraft-load combinations: The operational flight check must consist of at least the following manoeuvres —
 - (1) Take off and landing.
 - (2) Demonstration of adequate directional control while hovering.
 - (3) Acceleration from a hover.
 - (4) Horizontal flight at airspeeds up to the maximum airspeed for which authorization is requested.
- (c) Class B and D rotorcraft-load combinations: The operational flight check must consist of at least the following manoeuvres —
 - (1) Pickup of the external load.
 - (2) Demonstration of adequate directional control while hovering.
 - (3) Acceleration from a hover.
 - (4) Horizontal flight at airspeeds up to the maximum airspeed for which authorization is requested.

Civil Aviation (Flight Safety) Regulations

- (5) Demonstrating appropriate lifting device operation.
- (6) Manoeuvring of the external load into release position and its release, under probable flight operation conditions, by means of each of the quick-release controls installed on the rotorcraft.
- (d) Class C rotorcraft-load combinations: For Class C rotorcraft-load combinations used in wire-stringing, cable-laying, or similar operations, the operational flight check must consist of the manoeuvres, as applicable, prescribed in paragraph (c) of this section.

11.3.4.2 STRUCTURES AND DESIGN

- (a) External-load attaching means. Each external-load attaching means shall be approved by the Authority.
- (b) Quick release devices. Each quick release device means shall be approved by the Authority.
- (c) Weight and centre of gravity:
- (d) Weight. The total weight of the rotorcraft-load combination must not exceed the total weight approved for the rotorcraft during its type certification.
- (e) Centre of gravity. The location of the centre of gravity must, for all loading conditions, be within the range established for the rotorcraft during its type certification. For Class C rotorcraft-load combinations, the magnitude and direction of the loading force must be established at those values for which the effective location of the centre of gravity remains within its established range.

11.3.4.3 OPERATING LIMITATIONS

- (a) In addition to the operating limitations set forth in the approved Rotorcraft Flight Manual, and to any other limitations the Authority may prescribe, the operator shall establish at least the following limitations and set them forth in the Rotorcraft-Load Combination Flight Manual for rotorcraft-load combination operations —
 - (1) The rotorcraft-load combination may be operated only within the weight and centre of gravity limitations established in accordance with this subpart.

Civil Aviation (Flight Safety) Regulations

- (2) The rotorcraft-load combination may not be operated with an external load weight exceeding that used in showing compliance with this subpart.
- (3) The rotorcraft-load combination may not be operated at airspeeds greater than those established in accordance with this subpart.
- (4) No person may conduct an external-load operation under Part 11 with a rotorcraft type certified in the restricted category over a densely populated area, in a congested airway, or near a busy airport where passenger transport operations are conducted.
- (5) The rotorcraft-load combination of Class D may be conducted only in accordance with the following —
 - (b) The rotorcraft to be used must have been type certified under transport Category A for the operating weight and provide hover capability with one engine inoperative at that operating weight and altitude.
 - (1) The rotorcraft must be equipped to allow direct radio intercommunication among required crewmembers.
 - (2) The personnel lifting device must be approved by the Authority.
 - (3) The lifting device must have an emergency release requiring two distinct actions.

11.3.4.4 ROTORCRAFT-LOAD COMBINATION FLIGHT MANUAL

- (a) The applicant must prepare a Rotorcraft-Load Combination Flight Manual and submit it for approval by the Authority. The limiting height-speed envelope data need not be listed as operating limitations. The manual shall set forth —
 - (1) Operating limitations, procedures (normal and emergency), performance, and other information established under this subpart,
 - (2) The class of rotorcraft-load combinations for which the airworthiness of the rotorcraft has been demonstrated in accordance with this subpart, and

Civil Aviation (Flight Safety) Regulations

- (3) In the information section of the Rotorcraft-Load Combination Flight Manual —
 - (i) Information on any peculiarities discovered when operating particular rotorcraft-load combinations,
 - (ii) Precautionary advice regarding static electricity discharges for Class B, Class C, and Class D rotorcraft-load combinations, and
 - (iii) Any other information essential for safe operation with external loads.

11.3.5 Markings and Placards

- (a) The following markings and placards must be displayed conspicuously and must be such that they cannot be easily erased, disfigured, or obscured:
 - (1) A placard (displayed in the cockpit or cabin) stating the class of rotorcraft-load combination and the occupancy limitation for which the rotorcraft has been approved.
 - (2) A placard, marking, or instruction (displayed next to the external-load attaching means) stating the maximum external load approved.

11.3.6 Airworthiness Certification

- (a) A Rotorcraft External-Load Operator Certificate is a current and valid airworthiness certificate for each rotorcraft type and listed by registration number on a list attached to the certificate, when the rotorcraft is being used in operations conducted under Part 11.

11.4 GLIDER TOWING**11.4.1.1 APPLICABILITY**

- (a) This subpart applies to those operations involving towing gliders by aircraft.

11.4.1.2 CERTIFICATE OR AUTHORIZATION REQUIRED

- (a) The Authority will require each person conducting glider towing operations covered by this subpart to hold a certificate or equivalent authorization.

Civil Aviation (Flight Safety) Regulations

- (b) The Authority will issue a certificate or authorization to each applicant who qualifies for it under the provisions of this subpart.

11.4.1.3 AIRCRAFT REQUIREMENTS

- (a) No person may operate an aircraft that is towing a glider unless:
 - (1) The aircraft is equipped with a tow hook and release control system that meet the applicable standards of airworthiness, and
 - (2) The towline used has a breaking strength not less than 80 per cent of the maximum certificated operating weight of the glider and not more than twice the maximum certificated operating weight.
- (b) However, the towline used may have a breaking strength more than twice the maximum certificated operating weight of the glider if —
 - (1) A safety link is installed at the point of attachment of the towline to the glider with a breaking strength not less than 80 per cent of the maximum certificated operating weight of the glider and not greater than twice this operating weight, or
 - (2) A safety link is installed at the point of attachment of the towline to the towing aircraft with a breaking strength greater, but not more than 25 per cent greater, than that of the safety link at the towed glider end of the towline and not greater than twice the maximum certificated operating weight of the glider.

11.4.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) No person may act as a tow pilot for a glider unless that person has —
 - (1) At least a private pilot licence with a category rating for the tow aircraft,
 - (2) Logged at least 100 hours of pilot in command time in same aircraft category, class, and type, if applicable, as the tow aircraft,

Civil Aviation (Flight Safety) Regulations

- (3) Received training in and instructor endorsement for —
 - (i) The techniques and procedures essential to the safe towing of gliders, including airspeed limitations,
 - (ii) Emergency procedures,
 - (iii) Signals used, and
 - (iv) Maximum angles of bank.
- (4) Except as provided in paragraph (b) of this section, has completed at least three flights as the sole manipulator of the controls of an aircraft towing a glider or simulating glider-towing flight procedures while accompanied by a pilot who meets the requirements of this section, and
- (5) Except as provided in paragraph (b) of this section, has received a logbook endorsement from the pilot, described in paragraph (a)(4) of this section, certifying that the person has accomplished at least 3 flights in an aircraft while towing a glider, and
- (6) Within the preceding 12 months has —
 - (i) Made at least three actual glider tows while accompanied by a qualified pilot who meets the requirements of this section, or
 - (ii) Made at least three flights as pilot in command of a glider towed by an aircraft.
- (b) The pilot, described in paragraph (a)(4) of this section, who endorses the logbook of a person seeking towing privileges must have —
 - (1) Met the requirements of this section prior to endorsing the logbook of the person seeking glider-towing privileges, and
 - (2) Logged at least 10 flights as pilot in command of an aircraft while towing a glider.
- (c) If the pilot described in paragraph (a)(4) of this section holds only a private pilot licence, then that pilot must have —
 - (1) Logged at least 100 hours of pilot-in-command time in airplanes, or 200 hours of pilot in command time in a combination of powered and other than powered aircraft, and

Civil Aviation (Flight Safety) Regulations

- (2) Performed and logged at least three flights within the 12 calendar months preceding the month that pilot accompanies or endorses the logbook of a person seeking towing privileges —
 - (i) In an aircraft while towing a glider vehicle accompanied by another pilot who meets the requirements of this section, or
 - (ii) As pilot in command of a glider being towed by an aircraft.

11.4.1.5 OPERATING RULES

- (a) No pilot may conduct any towing operation in controlled airspace until the pilot has received the appropriate clearance from the air traffic control service.
- (b) No pilot may conduct any towing operation in uncontrolled airspace until the pilot has notified the appropriate Authority for such activity to be entered into the NOTAM service of Saint Lucia.
- (c) No pilots shall engage in towing operations, either as the pilot of the towing aircraft or as the pilot of the towed glider, until all pilots have agreed on a general course of action, including takeoff and release signals, airspeeds and emergency procedures for each pilot.
- (d) No pilot of a civil aircraft may intentionally release a towline, after release of a glider, in a manner that endangers the life or property of another.

11.5 BANNER TOWING**11.5.1.1 APPLICABILITY**

This Subpart applies to those operations involving towing by aircraft banners or other signs, lit or unlit.

11.5.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this Subpart to hold a certificate or equivalent authorization.

Civil Aviation (Flight Safety) Regulations

- (b) The Authority shall issue a certificate or authorization to each applicant who qualifies for it under the provisions of this Subpart.
- (c) A helicopter operating under the provision of Subpart 11.3 may tow a banner using an external-load attaching means without a certificate only if the operator has at least a Class B authorization on the operating certificate.

11.5.1.3 AIRCRAFT REQUIREMENTS

- (a) A person shall not operate an aircraft that is towing a banner unless the aircraft is equipped with a tow hook and release control system that meet the applicable standards of airworthiness.
- (b) A person shall not operate a helicopter that is towing a banner unless the helicopter has a means to prevent the banner from becoming entangled in the helicopter's tailrotor during all phases of flight, including autorotations.

Note: The only way to prevent the banner from tangling in the tailrotor during autorotation may be to jettison the banner.

11.5.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) For nonrevenue flights, the pilot of the tow aircraft shall hold at least a valid private pilot certificate and have a minimum of 200 hours PIC time.
- (b) When banner tow operations are conducted for compensation or hire, the pilot shall have at least a commercial pilot certificate and at least a valid second class medical certificate. For the conduct of this operation the holder of a commercial pilot certificate shall not be required to have instrument rating.
- (c) All pilots engaged in banner towing operations shall demonstrate competence to the Authority by performing at least one pickup and drop of the maximum number of letters (panels) to be used by the certificate holder.

Note: This demonstration should be observed from the ground to allow the inspector to evaluate the competence of any essential ground personnel as well as the flight operation.

11.5.1.5 OPERATING RULES

- (a) All banner tow operations shall be conducted only —

Civil Aviation (Flight Safety) Regulations

- (1) in VFR weather conditions; and
 - (2) between the hours of official sunrise and official sunset.
- (b) A person shall not conduct banner towing operations —
- (1) over congested areas or open air assemblies of persons lower than 1,000 feet; and
 - (2) elsewhere lower than the minimum safe altitude requirements of Part 8.

Note: Helicopters may be operated at less than the minimums prescribed in paragraph (b) if the operation is conducted without hazard to persons or property on the surface.

- (c) The certificate holder shall obtain the airport manager's approval to conduct all banner tow operations.
- (d) If banner towing operations take place at an airport with a control tower, the certificate holder shall inform that control tower of the details of the banner tow operation.
- (e) The certificate holder shall notify the appropriate airport officials in advance when banner tow operations will be in close proximity to an uncontrolled airport.
- (f) Only essential crewmembers shall be carried when conducting banner tow operations.
- (g) When banner tow operations are conducted around congested areas, the pilot shall exercise due care so that, in the event of emergency release of the banner or towrope, it will not cause undue hazard to persons or property on the surface.
- (h) A pilot shall drop the towrope in a predesignated area at least 500 feet from aircraft in the air, persons, property or aircraft on the surface.

Note: If the tow plane lands with the rope attached, due care will be exercised to avoid trailing the rope and endangering other aircraft in the air, or persons, property or aircraft on the surface.

- (i) A pilot conducting banner towing operations shall carry onboard the aircraft a current copy of the certificate of Waiver or Authorization allowing banner towing operations.

*Civil Aviation (Flight Safety) Regulations***11.6 TV AND MOVIE OPERATIONS****11.6.1.1 APPLICABILITY**

- (a) This subpart applies to those operations involving motion picture and television filming, appearance in flight in movies, and airborne direction or production of such filming when those operations are conducted as part of a business enterprise or for compensation or hire.
- (b) For purposes of this subpart, “movie” shall include film, videos, and live broadcast in any format, and the preparation and rehearsal for those operations.

11.6.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this subpart to hold a certificate or equivalent authorization.
- (b) The Authority will issue a certificate or authorization to each applicant who qualifies for it under the provisions of this subpart.

11.6.1.3 AIRCRAFT REQUIREMENT

- (a) In order to be used in motion picture and television filming operations, aircraft in the experimental category shall have an airworthiness certificate issued for the purpose of exhibition.

11.6.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) No pilot may conduct television and movie operations unless he or she has —
 - (1) A commercial licence with ratings appropriate to the category, class and type of aircraft to be used under the terms of the authorization.
 - (2) At least 500 hours as PIC and at least 20 hours as PIC in the aircraft type.
 - (3) A minimum of 100 hours in the category and class of aircraft to be used.
 - (4) A minimum of 5 hours in the make and model aircraft to be used under the authorization.

Civil Aviation (Flight Safety) Regulations

- (5) If the pilot intends to perform acrobatics below 1,500 AGL, the pilot must hold a Statement of Acrobatic Competency for the operations to be performed.

11.6.1.5 OPERATING RULES AND WAIVER REQUIREMENTS

- (a) Each operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) Each operator shall obtain a waiver from the Authority if filming sequences require an aircraft to be flown —
 - (1) In acrobatic flight below 1,500 AGL,
 - (2) Over a congested area,
 - (3) In controlled airspace, or
 - (4) In other instances where a departure from the requirements in Part 8 is needed.
- (c) The holder of the authorization shall provide a schedule of events that lists the —
 - (1) Identification of the aircraft, and
 - (2) Performers in the sequence of their appearance.
- (d) Any manoeuvres added or time changes to the schedule of events shall be approved by the Authority.
- (e) The authorization holder shall develop, have approved by the Authority, and adhere to a Motion Picture and Television Flight Operations Manual.
- (f) When conducting any filming operation requiring an authorization, the certificate holder shall ensure that all reasonable efforts are made to confine spectators to designated areas. If reasonable efforts have been taken and unauthorised persons or vehicles enter the airspace where manoeuvres are being performed during the filming production event, efforts must be made to remove them.

11.6.1.6 CONTENTS OF A MOTION PICTURE AND TELEVISION FLIGHT OPERATIONS MANUAL

- (a) Each Motion Picture and Television Flight Operations Manual shall contain at least the following —
 - (1) Company Organisation.

Civil Aviation (Flight Safety) Regulations

- (i) Business name, address, and telephone number of applicant.
 - (ii) List of pilots to be used during the filming, including their pilot licence numbers, grade, and class and date of medical.
 - (iii) List of aircraft by make and model.
- (2) Distribution and Revision. Procedures for revising the manual to ensure that all manuals are kept current.
- (3) Persons Authorised. Procedures to ensure that no persons, except those persons consenting to be involved and necessary for the filming production, are allowed within 500 feet of the filming production area.
- (4) Area of Operations. The area that will be used during the term of the authorization.
- (5) Plan of Activities. Procedures for the submission, within three days of scheduled filming, a written plan of activities to the Authority containing at least the following —
- (i) Dates and times for all flights.
 - (ii) Name and phone number of person responsible for the filming production event.
 - (iii) Make and model of aircraft to be used and type of airworthiness certificate, including category.
 - (iv) Name of pilots involved in the filming production event.
 - (v) A statement that permission has been obtained from property owners or local officials to conduct the filming production event.
 - (vi) Signature of certificate holder or a designated representative.
 - (vii) A general outline, or summary, of the production schedule, to include maps or diagrams of the specific filming location, if necessary.
- (6) Permission to Operate. Requirements and procedures that the certificate holder will use to obtain permission from property owners or local officials (e.g., police, fire departments, etc.) as appropriate for the conduct

Civil Aviation (Flight Safety) Regulations

of all filming operations when using the certificate or authorization.

- (7) Security. Method of security that will be used to exclude all persons not directly involved with the operation from the location.

Note: This should also include the provision that will be used to stop activities when unauthorised persons, vehicles, or aircraft enter the operations area, or for any other reason, in the interest of safety.

- (8) Briefing of Pilot or Production Personnel. Procedures to brief personnel of the risks involved, emergency procedures, and safeguards to be followed during the filming production event.

- (9) Certification or Airworthiness. Procedures to ensure that required inspections will be conducted.

- (10) Communications. Procedures to provide communications capability with all participants during the actual operation and filming.

Note: The applicant can use oral, visual, or radio communications as long as it keeps the participants continuously apprised of the current status of the operation.

- (11) Accident Notification. Procedures for notification and reporting of accidents.

11.7 SIGHT-SEEING FLIGHTS

11.7.1.1 APPLICABILITY

- (a) This subpart applies to those operations involving the carriage of persons for viewing natural formations, manmade objects or wildlife viewing on the ground when those operations are conducted as part of a business enterprise or for compensation or hire, and
- (b) The flight is unquestionably advertised as “sight-seeing,” and
- (c) The flight returns to the airport of departure without having landed at any other airport,
- (d) The flight is conducted within 25 statute mile radius of the departure airport, and

Civil Aviation (Flight Safety) Regulations

- (e) The certificated passenger capacity of the aircraft does not exceed 9 passengers.

Note: Any other passenger carrying flight for remuneration, hire or valuable consideration must be conducted under an Air Operator Certificate (AOC) as contained in Part 9.

11.7.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this Subpart to hold a certificate or equivalent authorization.
- (b) The Authority shall issue a certificate or authorization to each applicant who qualifies for it under the provisions of this Subpart.
- (c) An operator under this Subpart shall hold an operating certificate issued under the provisions of Part 9.

11.7.1.3 EXPERIENCE AND TRAINING REQUIREMENTS

The requirements of Part 9 apply to all operations described by this Subpart.

11.7.1.4 OPERATING RULES

- (a) Each operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) All sightseeing operations shall be conducted only —
 - (1) In VFR weather conditions, and
 - (2) Between the hours of official sunrise and official sunset.
- (c) No person may conduct sightseeing operations—
 - (1) Over congested areas or open air assemblies of persons lower than 1,000 feet, and
 - (2) Elsewhere lower than the minimum safe altitude requirements of Part 9.
- (d) The requirements of Part 8 apply to sightseeing operations described by this subpart

11.8 FISH SPOTTING

*Civil Aviation (Flight Safety) Regulations***11.8.1.1 APPLICABILITY**

This Subpart applies to those operations involving location, tracking, and reporting on the location of fish and fish schools, when those operations are conducted as part of a business enterprise or for compensation or hire.

11.8.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this Subpart to hold a certificate or equivalent authorization.
- (b) The Authority shall issue a certificate or authorization to each applicant who qualifies for it under the provisions of this Subpart.

11.8.1.3 OPERATING RULES

- (a) An operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) Minimum cloud clearance requirements and minimum altitude requirements of Part 8 do not apply to those persons to whom the Authority has specifically approved different minimums as a part of an authorization under this Subpart.

11.9 NEWS MEDIA AND TRAFFIC REPORTING**11.9.1.1 APPLICABILITY**

- (a) This subpart applies to those operations involving the observation of, and reporting on, news media events or vehicular traffic conditions on the highways and streets when conducted by aircraft or airmen, or both, not designated as solely public use.

11.9.1.2 CERTIFICATE OR AUTHORIZATION REQUIRED

- (a) The Authority will require each person conducting operations covered by this subpart to hold a certificate or equivalent authorization.
- (b) The Authority will issue a certificate or authorization to each applicant who qualifies for it under the provisions of this subpart.

Civil Aviation (Flight Safety) Regulations

11.9.1.3 OPERATING RULES

- (a) Each operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) Minimum cloud clearance requirements and minimum altitude requirements of Part 9 do not apply to those persons to whom the Authority has specifically approved different minimums as a part of an authorization under this subpart.

11.9.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) No pilot may conduct news media or traffic reporting operations unless he or she has —
 - (1) At least a commercial licence with ratings appropriate to the category, class and type aircraft to be used under the terms of the waiver.
 - (2) At least 500 hours as PIC and at least 20 hours as PIC in the aircraft type.
 - (3) A minimum of 100 hours in the category and class of aircraft to be used.
 - (4) A minimum of 5 hours in the make and model aircraft to be used under the authorization.

CONTENTS

PART 11 - AERIAL WORK

11.1	GENERAL
11.1.1.1	Applicability
11.1.1.2	Definitions
11.1.1.3	Acronyms
11.2	AGRICULTURAL AIRCRAFT OPERATIONS
11.2.1	General
11.2.1.1	Applicability
11.2.2	Certification Rules
11.2.2.1	Certificate Required
11.2.2.2	Application for Certificate
11.2.2.3	Amendment of Certificate
11.2.2.4	Certification Requirements
11.2.2.5	Duration of Certificate
11.2.3	Operating Rules..
11.2.3.1	General

Civil Aviation (Flight Safety) Regulations

- 11.2.3.2 Carrying of Certificate
- 11.2.3.3 Limitations on Private Agricultural Aircraft Operator
- 11.2.3.4 Manner of Dispensing
- 11.2.3.5 Economic Poison Dispensing
- 11.2.3.6 Personnel
- 11.2.3.7 Operations in Controlled Airspace Designated for an Airport
- 11.2.3.8 Operation Over Congested Areas: General
- 11.2.3.9 Operation Over Congested Areas: Pilots and Aircraft
- 11.2.3.10 Availability of Certificate
- 11.2.4 Records and Reports
- 11.2.4.1 Records: Commercial Agricultural Aircraft Operator
- 11.2.4.2 Change of Address
- 11.2.4.3 Termination of Operations
- 11.3 HELICOPTER EXTERNAL LOADS
- 11.3.1.1 Applicability
- 11.3.2 Certification Rules
- 11.3.2.1 Certificate Required
- 11.3.2.2 Limitations on Private Agricultural Aircraft Operator
- 11.3.2.3 Duration of Certificate
- 11.3.2.4 Application for Certificate Issuance or Renewal
- 11.3.2.5 Requirements for Issuance of a Rotorcraft External-Load Operator Certificate
- 11.3.2.6 Rotorcraft
- 11.3.2.7 Personnel
- 11.3.2.8 Amendment of Certificate
- 11.3.2.9 Availability, Transfer, and Surrender of Certificate
- 11.3.3 Operating Rules and Related Requirements
- 11.3.3.1 Operating Rules
- 11.3.3.2 Carriage of Persons
- 11.3.3.3 Crewmember Training, Currency, and Testing Requirements
- 11.3.4 Airworthiness Requirements
- 11.3.4.1 Flight Characteristics Requirements
- 11.3.4.2 Structures and Design
- 11.3.4.3 Operating Limitations
- 11.3.4.4 Rotorcraft-Load Combination Flight Manual
- 11.3.4.5 Markings and Placards
- 11.3.4.6 Airworthiness Certification
- 11.4 GLIDER TOWING
- 11.4.1.1 Applicability
- 11.4.1.2 Certificate Required
- 11.4.1.3 Aircraft Requirements

Civil Aviation (Flight Safety) Regulations

- 11.4.1.4 Experience and Training Requirements
- 11.5 BANNER TOWING
- 11.5.1.1 Applicability
- 11.5.1.2 Certificate or Authorization Required
- 11.5.1.3 Aircraft Requirements
- 11.5.1.4 Experience and Training Requirements
- 11.5.1.5 Operating Rules
- 11.6 TV AND MOVIE OPERATIONS
- 11.6.1.1 Applicability
- 11.6.1.2 Certificate or Authorization Required
- 11.6.1.3 Aircraft Requirement
- 11.6.1.4 Experience and Training Requirements
- 11.6.1.5 Waiver Requirements
- 11.6.1.6 Contents of a Motion Picture and Television Flight Operations Manual
- 11.7 SIGHT-SEEING FLIGHTS
- 11.7.1.1 Applicability
- 11.7.1.2 Certificate or Authorization Required
- 11.7.1.3 Experience and Training Requirements
- 11.7.1.4 Operating Rules
- 11.8 FISH SPOTTING
- 11.8.1.1 Applicability
- 11.8.1.2 Certificate or Authorization Required
- 11.8.1.3 Operating Rules
- 11.9 TRAFFIC REPORTING
- 11.9.1.1 Applicability
- 11.9.1.2 Certificate or Authorization Required
- 11.9.1.3 Operating Rules
- 11.9.1.4 Experience and Training Requirements

11.1 GENERAL**11.1.1.1 APPLICABILITY**

- (a) This part contains the requirements for those operators and operations that are considered to be aerial work in Saint Lucia.
- (b) All persons who conduct aerial work in Saint Lucia must comply with certification requirements of this Part.
- (c) All persons who conduct aerial work in Saint Lucia must comply with the applicable airworthiness and operational requirements of this Part, except where this Part grants relief from those requirements or specifies additional requirements.

*Civil Aviation (Flight Safety) Regulations***11.1.1.2 DEFINITIONS**

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

11.1.1.3 ACRONYMS

The following acronyms are used in this Part —

- (1) AGL - Above Ground Level
- (2) PIC - Pilot In Command (Part 1)
- (3) IFR – Instrument Flight Rules.

11.2 AGRICULTURAL AIRCRAFT OPERATIONS**11.2.1 General****11.2.1.1 APPLICABILITY**

- (a) This Part contains the rules governing —
 - (1) agricultural aircraft operations within Saint Lucia; and
 - (2) the issue of commercial and private agricultural aircraft operator certificates for those operations.
- (b) In a public emergency, a person conducting agricultural aircraft operations under this Part may, to the extent necessary, deviate from the operating rules of this Part for relief and welfare activities approved by an agency of the Government.
- (c) A person who, under the authority of this section, deviates from a rule of this Part shall, within 10 days after the deviation send to the Authority a detailed report of the aircraft’s operation which shall include a description of the operation and the reasons for it.

11.2.2 Certification Rules**11.2.2.1 CERTIFICATE REQUIRED**

- (a) Except as provided in paragraphs (c) and (d) of this section, a person shall not conduct agricultural aircraft operations without, or in violation of, an agricultural aircraft operator certificate issued under this Part.

Civil Aviation (Flight Safety) Regulations

- (b) An operator may, if it complies with this Subpart, conduct agricultural aircraft operations with a rotorcraft with external dispensing equipment in place without a rotorcraft external-load operator certificate.
- (c) A government agency conducting agricultural aircraft operations with a public aircraft need not comply with this Subpart.
- (d) The holder of a rotorcraft external-load operator certificate under this Part may conduct an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means.

11.2.2.2 APPLICATION FOR CERTIFICATE

A person who wishes to obtain an agricultural aircraft operator certificate shall apply in a form and in a manner prescribed by the Authority.

11.2.2.3 AMENDMENT OF CERTIFICATE

- (a) An agricultural aircraft operator certificate may be amended —
 - (1) on the Authority's own initiative, under applicable laws and regulations; or
 - (2) on application by the holder of that certificate.
- (b) The holder of an air operator certificate shall submit an application to amend the certificate in a form and in a manner prescribed by the Authority at least 15 days before the date that it proposes the amendment become effective, unless the Authority direct otherwise.
- (c) The Authority shall grant a request to amend a certificate if it determines that safety in air commerce and the public interest so allow.
- (d) Within 30 days after receiving a refusal to amend a certificate under 11.2.2.3, the holder of the certificate may petition the Authority to reconsider the refusal.

11.2.2.4 CERTIFICATION REQUIREMENTS

- (a) General.

Except as provided by paragraph (a)(3) of this section —

Civil Aviation (Flight Safety) Regulations

- (1) the Authority may issue a private agricultural aircraft operator certificate to an applicant who meets the requirements of this Subpart for that certificate;
 - (2) the Authority may issue a commercial agricultural aircraft operator certificate to an applicant who meets the requirements of this Subpart for that certificate;
 - (3) an applicant who applies for an agricultural aircraft operator certificate containing a prohibition against the dispensing of economic poisons shall not be required to demonstrate knowledge specific to economic poisons.
- (b) Pilots.
- (1) A private operator-pilot applicant shall be required to hold a current Saint Lucia private, commercial, or airline transport pilot certificate and be properly rated for the aircraft to be used.
 - (2) A commercial operator-pilot applicant shall be required to hold, or have available the services of at least one pilot who holds a current commercial or airline transport pilot certificate issued by the Authority and who is properly rated for the aircraft to be used.
- (c) Aircraft. The applicant shall have at least one certified and airworthy aircraft, equipped for agricultural operation.
- (d) Knowledge and skill tests. The applicant shall show that he or she has satisfactory knowledge and skill of the following agricultural aircraft operations.
- (1) Knowledge —
 - (i) steps to be taken before starting operations, including a survey of the area to be worked;
 - (ii) safe handling of economic poisons and the proper disposal of used containers for those poisons;
 - (iii) the general effects of economic poisons and agricultural chemicals on plants, animals, and persons, and the precautions to be observed in using poisons and chemicals;
 - (iv) primary symptoms of poisoning of persons from economic poisons, the appropriate emergency measures to be taken, and the location of poison control centres;

Civil Aviation (Flight Safety) Regulations

- (v) performance capabilities and operating limitations of the aircraft to be used;
 - (vi) safe flight and application procedures.
- (2) Skill in the following manoeuvres, demonstrated at the aircraft's maximum certified take-off weight, or the maximum weight established for the special purpose load, whichever is greater —
- (i) short-field and soft-field takeoffs (aeroplanes and gyroplanes only);
 - (ii) approaches to the working area;
 - (iii) flare-outs;
 - (iv) swath runs;
 - (v) pullups and turnarounds;
 - (vi) rapid deceleration (quick stops) in helicopters only.

11.2.2.5 DURATION OF CERTIFICATE

An agricultural aircraft operator certificate is effective as prescribed in IS: 11.2.2.5

11.2.3 Operating Rules

11.2.3.1 GENERAL

- (a) Except as provided in paragraph (c) of this section, this section prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under this Part.
- (b) The holder of an agricultural aircraft operator certificate may deviate from the provisions of Part 9 without a certificate of waiver when conducting aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating rules of this section.
- (c) The operating rules of this Subpart apply to Rotorcraft External load certificate holders conducting agricultural aircraft operations involving only the dispensing of water on forest fires by rotorcraft external-load means.

*Civil Aviation (Flight Safety) Regulations***11.2.3.2 CARRYING OF CERTIFICATE**

- (a) A person shall not operate an aircraft unless a copy of the agricultural aircraft operator certificate is carried on that aircraft.
- (b) The registration and airworthiness certificates issued for the aircraft need not be carried in the aircraft provided that those certificates not carried in the aircraft shall be kept available for inspection at the base from which the dispensing operation is conducted.

11.2.3.3 LIMITATIONS ON PRIVATE AGRICULTURAL AIRCRAFT OPERATOR

A person shall not conduct an agricultural aircraft operation under the authority of a private agricultural aircraft operator certificate —

- (1) for compensation or hire;
- (2) over a congested area; or
- (3) over any property unless he or she is the owner or lessee of the property, or has ownership or other property interest in the crop located on that property.

11.2.3.4 MANNER OF DISPENSING

A person shall not dispense, or cause to be dispensed, any material or substance in a manner that creates a hazard to persons or property.

11.2.3.5 ECONOMIC POISON DISPENSING

- (a) Except as provided in paragraph (b) of this section, a person shall not dispense or cause to be dispensed, any economic poison that is registered with Saint Lucia —
 - (1) for a use other than that for which it is registered;
 - (2) contrary to any safety instructions or use limitations on its label; or
 - (3) in violation of any law or regulation of Saint Lucia.
- (b) This section shall not apply to any person dispensing economic poisons for experimental purposes under —
 - (1) the supervision of an Saint Lucia agency authorised by law to conduct research in the field of economic poisons; or
 - (2) a permit from the Government of Saint Lucia.

*Civil Aviation (Flight Safety) Regulations***11.2.3.6 PERSONNEL**

- (a) Information. The holder of an agricultural aircraft operator certificate shall insure that a person employed in the holder's agricultural aircraft operation is informed of his or her duties and responsibilities.
- (b) Supervisors. A person shall not supervise an agricultural aircraft operation unless he or she has met the knowledge and skill requirements of this Subpart.
- (c) Pilot in command. A person shall not act as pilot in command of an aircraft operated under this Subpart unless that person —
 - (1) holds a pilot certificate and rating prescribed by this Subpart as appropriate to the type of operation conducted; or
 - (2) has demonstrated to the holder of the Agricultural Aircraft Operator Certificate conducting the operation, or to a supervisor designated by that certificate holder, that he or she possesses the knowledge and skill requirements of this Subpart.

11.2.3.7 OPERATIONS IN CONTROLLED AIRSPACE DESIGNATED FOR AN AIRPORT

- (a) Except for flights to and from a dispensing area, a person shall not operate an aircraft within the lateral boundaries of the surface area of Class D airspace designated for an airport unless authorization for that operation has been obtained from the ATC facility having jurisdiction over that area.
- (b) A person shall not operate an aircraft in weather conditions below VFR minimums within the lateral boundaries of a Class E airspace area that extends upward from the surface, unless authorization for that operation has been obtained from the ATC facility having jurisdiction over that area.
- (c) A certificate holder may operate an aircraft under special VFR weather minimums without meeting the requirements prescribed in Part 9.

*Civil Aviation (Flight Safety) Regulations***11.2.3.8 OPERATION OVER CONGESTED AREAS:
GENERAL**

- (a) A certificate holder may operate or cause the operation of an aircraft over a congested area at altitudes required if the operation is conducted with —
 - (1) the maximum safety to persons and property on the surface, consistent with the operation; and
 - (2) a plan for each operation, submitted and approved by the Authority, which includes —
 - (i) obstructions to flight;
 - (ii) emergency landing capabilities of the aircraft to be used; and
 - (iii) any necessary co-ordination with air traffic control.
- (b) Each certificate holder shall ensure that all single engine aircraft while in a congested area operate —
 - (1) Except for helicopters, not loaded during take offs and turnarounds.
 - (2) Not below the altitudes prescribed in Part 9 except during the actual dispensing operation, including the approaches and departures necessary for that operation.
 - (3) During the actual dispensing operation, including the approaches and departures for that operation, not below the altitudes prescribed in Part 9 unless it is in an area and at such an altitude that the aircraft can make an emergency landing without endangering persons or property on the surface.
- (c) Each certificate holder shall ensure that all multiengine aircraft while in a congested area operate —
 - (1) During take off, under conditions that will allow the aeroplane to be brought to a safe stop within the effective length of the runway from any point on takeoff up to the time of attaining, with all engines operating at normal takeoff power, 105 per cent of the minimum control speed with the critical engine inoperative in the takeoff configuration or 115 per cent of the power-off stall speed in the takeoff configuration, whichever is greater.

Civil Aviation (Flight Safety) Regulations

Note: Assume still-air conditions, and no correction for any uphill gradient of 1 per cent or less when the percentage is measured as the difference between elevation at the end points of the runway divided by the total length. For uphill gradients greater than 1 per cent, the effective takeoff length of the runway is reduced 20 per cent for each 1-per cent grade.

- (2) At a weight greater than the weight that, with the critical engine inoperative, would permit a rate of climb of at least 50 feet per minute at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within the area to be worked or at an altitude of 5,000 feet, whichever is higher. Assume that the propeller of the inoperative engine is in the minimum drag position; that the wing flaps and landing gear are in the most favourable positions; and that the remaining engine or engines are operating at the maximum continuous power available.
- (3) Below the altitudes prescribed in Part 9 except during the actual dispensing operation, including the approaches, departures, and turnarounds necessary for that operation.
- (d) Each certificate holder shall issue notice of the intended operation to the public as may be specified by the Authority.

11.2.3.9 OPERATION OVER CONGESTED AREAS: PILOTS AND AIRCRAFT

- (a) Pilots - A pilot in command of an aircraft shall have at least —
 - (1) 25 hours of pilot-in-command flight time in the make and basic model of the aircraft, including at least 10 hours within the preceding 12 calendar months; and
 - (2) 100 hours of flight experience as pilot in command in dispensing agricultural materials or chemicals.
- (b) Aircraft —
 - (1) except for helicopters, an aircraft shall be capable of jettisoning at least one-half of the aircraft's maximum authorised load of agricultural material within 45 seconds. If the aircraft is equipped to release the tank or hopper as a unit, there shall be a means to prevent inadvertent release by the pilot or other crewmember;

Civil Aviation (Flight Safety) Regulations

- (2) If the aircraft is equipped to release the tank or hopper as a unit, there shall be a means to prevent inadvertent release by the pilot or other crewmember.

11.2.3.10 AVAILABILITY OF CERTIFICATE

A holder of an agricultural aircraft operator certificate shall keep that certificate at its home base and shall present it for inspection on the request of the Authority or any government law enforcement officer.

11.2.4 Records and Reports**11.2.4.1 RECORDS: COMMERCIAL AGRICULTURAL AIRCRAFT OPERATOR**

- (a) A holder of a commercial agricultural aircraft operator certificate shall maintain and keep current, at the home base designated in its application, the following records —
 - (1) the name and address of each person for whom agricultural aircraft services were provided;
 - (2) the date of the service;
 - (3) the name, type, quality and quantity of the material dispensed for each operation conducted; and
 - (4) the name, address, and certificate number of each pilot used in agricultural aircraft operations and the date that pilot met the knowledge and skill requirements of this Subpart.
- (b) The records required by this section shall be kept for at least 12 months.

11.2.4.2 CHANGE OF ADDRESS

A holder of an agricultural aircraft operator certificate shall notify the Authority in writing in advance of any change in the address of its home base of operations.

11.2.4.3 TERMINATION OF OPERATIONS

Whenever a person who holds a certificate ceases operations under this Part, he or she shall surrender that certificate to the Authority.

*Civil Aviation (Flight Safety) Regulations***11.3 ROTORCRAFT EXTERNAL LOADS****11.3.1 General****11.3.1.1 APPLICABILITY**

- (a) This subpart prescribes —
 - (1) Airworthiness certification rules for rotorcraft used in external-load operations, and
 - (2) Operating and certification rules governing the conduct of rotorcraft external-load operations in Saint Lucia.
- (b) The certification rules of Part 11 do not apply to —
 - (1) Rotorcraft manufacturers when developing external-load attaching means,
 - (2) Operations conducted by a person demonstrating compliance for the issuance of a certificate or authorization under Part 11,
 - (3) Training flights conducted in preparation for the demonstration of compliance with Part 11, or
 - (4) A local or national government conducting operations with public aircraft.
- (c) For the purpose of Part 11, a person other than a crewmember or a person who is essential and directly connected with the external-load operation may be carried only in approved Class D rotorcraft-load combinations.

11.3.2 Certification Rules**11.3.2.1 CERTIFICATE REQUIRED**

- (a) No person subject to Part 11 may conduct rotorcraft external-load operations without, or in violation of the terms of, a Rotorcraft External-Load Operator Certificate or equivalent authorization issued by the Authority.

11.3.2.2 DURATION OF CERTIFICATE

- (a) Unless sooner surrendered, suspended, or revoked, a Rotorcraft External-Load Operator Certificate expires at the end of the twenty-fourth month after the month in which it is issued or renewed.

Civil Aviation (Flight Safety) Regulations

11.3.2.3 APPLICATION FOR CERTIFICATE ISSUANCE OR RENEWAL

- (a) Application for an original certificate or renewal of a certificate issued under Part 11 is made on a form, and in a manner, prescribed by the Authority.

11.3.2.4 REQUIREMENTS FOR ISSUANCE OF A ROTORCRAFT EXTERNAL-LOAD OPERATOR CERTIFICATE

- (a) If an applicant shows that it complies with this subpart, the Authority will issue a Rotorcraft External-Load Operator Certificate to it.
- (b) The Authority will issue authorization to operate specified rotorcraft with those classes of rotorcraft-load combinations for which the applicant or certificate holder qualifies under the applicable provisions of this subpart.

11.3.2.5 ROTORCRAFT

An applicant must have the exclusive use of at least one rotorcraft that —

- (a) Was type certified under, and meets the requirements of, the several parts of these Regulations which prescribe requirements for rotorcraft external-load operations,
- (b) Complies with the certification provisions in this subpart that apply to the rotorcraft-load combinations for which authorization is requested, and
- (c) Has a valid standard or restricted category airworthiness certificate.

11.3.2.6 PERSONNEL

- (a) An applicant shall hold, or have available the services of at least one person who holds a current commercial or airline transport pilot licence issued by the Authority with a rating appropriate for the rotorcraft to be used.
- (b) An applicant shall designate one pilot, who may be the applicant, as chief pilot for rotorcraft external-load operations.

Civil Aviation (Flight Safety) Regulations

- (c) An applicant may designate qualified pilots as assistant chief pilots to perform the functions of the chief pilot when the chief pilot is not readily available.
- (d) The chief pilot and assistant chief pilots must be acceptable to the Authority and each must hold a current Commercial or Airline Transport Pilot Licence, with a rating appropriate for the rotorcraft to be used.
- (e) The holder of a Rotorcraft External-Load Operator Certificate shall report any change in designation of chief pilot or assistant chief pilot immediately to the Authority.
- (f) A newly designated chief pilot shall comply with the knowledge and skill requirements of this subpart within 30 days or the operator may not conduct further operations under the Rotorcraft External-Load Operator Certificate, unless otherwise authorised by the Authority.

11.3.2.7 AMENDMENT OF CERTIFICATE

- (a) The holder of a Rotorcraft External-Load Certificate may apply to the Authority for an amendment of its certificate, to add or delete a rotorcraft-load combination authorization.
- (b) The holder of a rotorcraft external-load certificate may apply for an amendment to add or delete a rotorcraft authorization by submitting to the Authority a new list of rotorcraft, by registration number, with the classes of rotorcraft-load combinations for which authorization is requested.

11.3.2.8 AVAILABILITY, TRANSFER, AND SURRENDER OF CERTIFICATE

- (a) Each person conducting a rotorcraft external-load operation shall carry a facsimile of the Rotorcraft External-Load Operator Certificate in each rotorcraft used in the operation.
- (b) A certificate holder shall return its certificate to the Authority —
 - (1) If the Authority suspends or revokes its Rotorcraft External-Load Operator Certificate, or
 - (2) If the certificate holder discontinues operations and does not resume operations within two years.

*Civil Aviation (Flight Safety) Regulations***11.3.3 Operating Rules and Related Requirements****11.3.3.1 OPERATING RULES**

- (a) No person may conduct a rotorcraft external load operation without, or contrary to, the Rotorcraft or Load Combination Flight Manual prescribed in 11.3.4.4.
- (b) No person may conduct a rotorcraft external load operation unless —
 - (1) The rotorcraft complies with 11.3.2.6, and
 - (2) The rotorcraft and rotorcraft/load combination is authorised under the Rotorcraft External Load Operator Certificate.
- (c) Before a person may operate a rotorcraft with an external load configuration that differs substantially from any that person has previously carried with that type of rotorcraft (whether or not the rotorcraft or load combination is of the same class), that person shall conduct, in a manner that will not endanger persons or property on the surface, such of the following flight operational checks as the Authority determines are appropriate to the rotorcraft or load combination —
 - (1) A determination that the weight of the rotorcraft or load combination and the location of its centre of gravity are within approved limits, that the external load is securely fastened, and that the external load does not interfere with devices provided for its emergency release.
 - (2) Make an initial liftoff and verify that controllability is satisfactory.
 - (3) While hovering, verify that directional control is adequate.
 - (4) Accelerate into forward flight to verify that no attitude (whether of the rotorcraft or of the external load) is encountered in which the rotorcraft is uncontrollable or which is otherwise hazardous.
 - (5) In forward flight, check for hazardous oscillations of the external load, but if the external load is not visible to the pilot, other crewmembers or ground personnel may make this check and signal the pilot.
 - (6) Increase the forward airspeed and determine an operational airspeed at which no hazardous oscillation or hazardous aerodynamic turbulence is encountered.

Civil Aviation (Flight Safety) Regulations

- (d) Notwithstanding the provisions of Part 8, the holder of a Rotorcraft External Load Operator Certificate may conduct rotorcraft external load operations over congested areas if those operations are conducted without hazard to persons or property on the surface and comply with the following —
- (1) The operator shall develop a plan for each complete operation and obtain approval for the operation from the Authority.

Note: The plan must include an agreement with the appropriate political subdivision that local officials will exclude unauthorised persons from the area in which the operation will be conducted, coordination with air traffic control, if necessary, and a detailed chart depicting the flight routes and altitudes.
 - (2) Each flight shall be conducted at an altitude, and on a route, that will allow a jettisonable external load to be released, and the rotorcraft landed, in an emergency without hazard to persons or property on the surface.
- (e) Notwithstanding the provisions of Part 8, and except as provided in 11.3.4.3(a)(4), the holder of a Rotorcraft External Load Operator Certificate may conduct external load operations, including approaches, departures, and load positioning manoeuvres necessary for the operation, below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.
- (f) No person may conduct rotorcraft external load operations under IFR unless specifically approved by the Authority.

11.3.3.2 CARRIAGE OF PERSONS

- (a) No AOC holder may allow a person to be carried during rotorcraft external load operations unless that person —
- (1) Is a flight crewmember,
 - (2) Is a flight crewmember trainee,
 - (3) Performs an essential function in connection with the external load operation, or
 - (4) Is necessary to accomplish the work activity directly associated with that operation.

Civil Aviation (Flight Safety) Regulations

- (b) The PIC shall ensure that all persons are briefed before takeoff on all pertinent procedures to be followed (including normal, abnormal, and emergency procedures) and equipment to be used during the external load operation.

11.3.3.3 CREWMEMBER TRAINING, CURRENCY, AND TESTING REQUIREMENTS

- (a) No certificate holder may use, nor may any person serve, as a pilot in rotorcraft external load operations unless that person—
 - (1) Has successfully demonstrated to the Authority the knowledge and skill with respect to the rotorcraft or load combination, and
 - (2) Has in his or her personal possession a letter of competency or an appropriate logbook entry indicating compliance with paragraph (a)(1) of this section.
- (b) No AOC holder may use, nor may any person serve as, a crewmember or other operations personnel in Class D operations unless, within the preceding 12 calendar months, that person has successfully completed either an approved initial or a recurrent training programme.
- (c) Notwithstanding the provisions of paragraph (b) of this section, a person who has performed a rotorcraft external load operation of the same class and in an aircraft of the same type within the past 12 calendar months need not undergo recurrent training.

11.3.4 Airworthiness Requirements**11.3.4.1 FLIGHT CHARACTERISTICS REQUIREMENTS**

- (a) The applicant must demonstrate to the Authority, by performing the following operational flight checks, that the rotorcraft-load combination has satisfactory flight characteristics, unless these operational flight checks have been demonstrated previously and the rotorcraft-load combination flight characteristics were satisfactory. For the purposes of this demonstration, the external-load weight (including the external-load attaching means) is the maximum weight for which authorization is requested.
- (b) Class A rotorcraft-load combinations: The operational flight check must consist of at least the following manoeuvres —

Civil Aviation (Flight Safety) Regulations

- (1) Take off and landing.
 - (2) Demonstration of adequate directional control while hovering.
 - (3) Acceleration from a hover.
 - (4) Horizontal flight at airspeeds up to the maximum airspeed for which authorization is requested.
- (c) Class B and D rotorcraft-load combinations: The operational flight check must consist of at least the following manoeuvres:
- (1) Pickup of the external load.
 - (2) Demonstration of adequate directional control while hovering.
 - (3) Acceleration from a hover.
 - (4) Horizontal flight at airspeeds up to the maximum airspeed for which authorization is requested.
 - (5) Demonstrating appropriate lifting device operation.
 - (6) Manoeuvring of the external load into release position and its release, under probable flight operation conditions, by means of each of the quick-release controls installed on the rotorcraft.
- (d) Class C rotorcraft-load combinations: For Class C rotorcraft-load combinations used in wire-stringing, cable-laying, or similar operations, the operational flight check must consist of the manoeuvres, as applicable, prescribed in paragraph (c) of this section.

11.3.4.2 STRUCTURES AND DESIGN

- (a) External-load attaching means. Each external-load attaching means shall be approved by the Authority.
- (b) Quick release devices. Each quick release device means shall be approved by the Authority.
- (c) Weight. The total weight of the rotorcraft-load combination must not exceed the total weight approved for the rotorcraft during its type certification.
- (d) Centre of gravity. The location of the centre of gravity must, for all loading conditions, be within the range established for the

Civil Aviation (Flight Safety) Regulations

rotorcraft during its type certification. For Class C rotorcraft-load combinations, the magnitude and direction of the loading force must be established at those values for which the effective location of the centre of gravity remains within its established range.

11.3.4.3 OPERATING LIMITATIONS

- (a) In addition to the operating limitations set forth in the approved Rotorcraft Flight Manual, and to any other limitations the Authority may prescribe, the operator shall establish at least the following limitations and set them forth in the Rotorcraft-Load Combination Flight Manual for rotorcraft-load combination operations —
 - (1) The rotorcraft-load combination may be operated only within the weight and centre of gravity limitations established in accordance with this subpart.
 - (2) The rotorcraft-load combination may not be operated with an external load weight exceeding that used in showing compliance with this subpart.
 - (3) The rotorcraft-load combination may not be operated at airspeeds greater than those established in accordance with this subpart.
 - (4) No person may conduct an external-load operation under Part 11 with a rotorcraft type certified in the restricted category over a densely populated area, in a congested airway, or near a busy airport where passenger transport operations are conducted.
 - (5) The rotorcraft-load combination of Class D may be conducted only in accordance with the following —
- (b) The rotorcraft to be used must have been type certified under transport Category A for the operating weight and provide hover capability with one engine inoperative at that operating weight and altitude.
 - (1) The rotorcraft must be equipped to allow direct radio intercommunication among required crewmembers.
 - (2) The personnel lifting device must be approved by the Authority.

Civil Aviation (Flight Safety) Regulations

- (3) The lifting device must have an emergency release requiring two distinct actions.

11.3.4.4 ROTORCRAFT-LOAD COMBINATION FLIGHT MANUAL

- (a) The applicant must prepare a Rotorcraft-Load Combination Flight Manual and submit it for approval by the Authority. The limiting height-speed envelope data need not be listed as operating limitations. The manual shall set forth —
 - (1) Operating limitations, procedures (normal and emergency), performance, and other information established under this subpart,
 - (2) The class of rotorcraft-load combinations for which the airworthiness of the rotorcraft has been demonstrated in accordance with this subpart, and
 - (3) In the information section of the Rotorcraft-Load Combination Flight Manual —
 - (i) Information on any peculiarities discovered when operating particular rotorcraft-load combinations,
 - (ii) Precautionary advice regarding static electricity discharges for Class B, Class C, and Class D rotorcraft-load combinations, and
 - (iii) Any other information essential for safe operation with external loads.

11.3.5 Markings and Placards

- (a) The following markings and placards must be displayed conspicuously and must be such that they cannot be easily erased, disfigured, or obscured —
 - (1) A placard (displayed in the cockpit or cabin) stating the class of rotorcraft-load combination and the occupancy limitation for which the rotorcraft has been approved.
 - (2) A placard, marking, or instruction (displayed next to the external-load attaching means) stating the maximum external load approved.

*Civil Aviation (Flight Safety) Regulations***11.3.6 Airworthiness Certification**

- (a) A Rotorcraft External-Load Operator Certificate is a current and valid airworthiness certificate for each rotorcraft type and listed by registration number on a list attached to the certificate, when the rotorcraft is being used in operations conducted under Part 11.

11.4 GLIDER TOWING**11.4.1.1 APPLICABILITY**

- (a) This subpart applies to those operations involving towing gliders by aircraft.

11.4.1.2 CERTIFICATE OR AUTHORIZATION REQUIRED

- (a) The Authority will require each person conducting glider towing operations covered by this subpart to hold a certificate or equivalent authorization.
- (b) The Authority will issue a certificate or authorization to each applicant who qualifies for it under the provisions of this subpart.

11.4.1.3 AIRCRAFT REQUIREMENTS

- (a) No person may operate an aircraft that is towing a glider unless —
 - (1) The aircraft is equipped with a tow hook and release control system that meet the applicable standards of airworthiness, and
 - (2) The towline used has a breaking strength not less than 80 per cent of the maximum certificated operating weight of the glider and not more than twice the maximum certificated operating weight.
- (b) However, the towline used may have a breaking strength more than twice the maximum certificated operating weight of the glider if —
 - (1) A safety link is installed at the point of attachment of the towline to the glider with a breaking strength not less than 80 per cent of the maximum certificated operating weight of the glider and not greater than twice this operating weight, or

Civil Aviation (Flight Safety) Regulations

- (2) A safety link is installed at the point of attachment of the towline to the towing aircraft with a breaking strength greater, but not more than 25 per cent greater, than that of the safety link at the towed glider end of the towline and not greater than twice the maximum certificated operating weight of the glider.

11.4.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) No person may act as a tow pilot for a glider unless that person has —
 - (1) At least a private pilot licence with a category rating for the tow aircraft,
 - (2) Logged at least 100 hours of pilot in command time in same aircraft category, class, and type, if applicable, as the tow aircraft,
 - (3) Received training in and instructor endorsement for —
 - (i) The techniques and procedures essential to the safe towing of gliders, including airspeed limitations,
 - (ii) Emergency procedures,
 - (iii) Signals used, and
 - (iv) Maximum angles of bank.
 - (4) Except as provided in paragraph (b) of this section, has completed at least three flights as the sole manipulator of the controls of an aircraft towing a glider or simulating glider-towing flight procedures while accompanied by a pilot who meets the requirements of this section, and
 - (5) Except as provided in paragraph (b) of this section, has received a logbook endorsement from the pilot, described in paragraph (a)(4) of this section, certifying that the person has accomplished at least 3 flights in an aircraft while towing a glider, and
 - (6) Within the preceding 12 months has —
 - (i) Made at least three actual glider tows while accompanied by a qualified pilot who meets the requirements of this section, or

Civil Aviation (Flight Safety) Regulations

- (ii) Made at least three flights as pilot in command of a glider towed by an aircraft.
- (b) The pilot, described in paragraph (a)(4) of this section, who endorses the logbook of a person seeking towing privileges must have.
 - (1) Met the requirements of this section prior to endorsing the logbook of the person seeking glider-towing privileges, and
 - (2) Logged at least 10 flights as pilot in command of an aircraft while towing a glider.
- (c) If the pilot described in paragraph (a)(4) of this section holds only a private pilot licence, then that pilot must have —
 - (1) Logged at least 100 hours of pilot-in-command time in airplanes, or 200 hours of pilot in command time in a combination of powered and other tan powered aircraft, and
 - (2) Performed and logged at least three flights within the 12 calendar months preceding the month that pilot accompanies or endorses the logbook of a person seeking towing privileges —
 - (i) In an aircraft while towing a glider vehicle accompanied by another pilot who meets the requirements of this section, or
 - (ii) As pilot in command of a glider being towed by an aircraft.

11.4.1.5 OPERATING RULES

- (a) No pilot may conduct any towing operation in controlled airspace until the pilot has received the appropriate clearance from the air traffic control service.
- (b) No pilot may conduct any towing operation in uncontrolled airspace until the pilot has notified the appropriate Authority for such activity to be entered into the NOTAM service of Saint Lucia.
- (c) No pilots shall engage in towing operations, either as the pilot of the towing aircraft or as the pilot of the towed glider, until all pilots have agreed on a general course of action, including takeoff and release signals, airspeeds and emergency procedures for each pilot.

Civil Aviation (Flight Safety) Regulations

- (d) No pilot of a civil aircraft may intentionally release a towline, after release of a glider, in a manner that endangers the life or property of another.

11.5 BANNER TOWING**11.5.1.1 APPLICABILITY**

This Subpart applies to those operations involving towing by aircraft banners or other signs, lit or unlit.

11.5.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this Subpart to hold a certificate or equivalent authorization.
- (b) The Authority shall issue a certificate or authorization to each applicant who qualifies for it under the provisions of this Subpart.
- (c) A helicopter operating under the provision of Subpart 11.3 may tow a banner using an external-load attaching means without a certificate only if the operator has at least a Class B authorization on the operating certificate.

11.5.1.3 AIRCRAFT REQUIREMENTS

- (a) A person shall not operate an aircraft that is towing a banner unless the aircraft is equipped with a tow hook and release control system that meet the applicable standards of airworthiness.
- (b) A person shall not operate a helicopter that is towing a banner unless the helicopter has a means to prevent the banner from becoming entangled in the helicopter's tailrotor during all phases of flight, including autorotations.

Note: The only way to prevent the banner from tangling in the tailrotor during autorotation may be to jettison the banner.

11.5.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) For nonrevenue flights, the pilot of the tow aircraft shall hold at least a valid private pilot certificate and have a minimum of 200 hours PIC time.
- (b) When banner tow operations are conducted for compensation or hire, the pilot shall have at least a commercial pilot certificate

Civil Aviation (Flight Safety) Regulations

and at least a valid second class medical certificate. For the conduct of this operation the holder of a commercial pilot certificate shall not be required to have instrument rating.

- (c) All pilots engaged in banner towing operations shall demonstrate competence to the Authority by performing at least one pickup and drop of the maximum number of letters (panels) to be used by the certificate holder.

Note: This demonstration should be observed from the ground to allow the inspector to evaluate the competence of any essential ground personnel as well as the flight operation.

11.5.1.5 OPERATING RULES

- (a) All banner tow operations shall be conducted only —
 - (1) in VFR weather conditions; and
 - (2) between the hours of official sunrise and official sunset.
- (b) A person shall not conduct banner towing operations —
 - (1) over congested areas or open air assemblies of persons lower than 1,000 feet; and
 - (2) elsewhere lower than the minimum safe altitude requirements of Part 8.

Note: Helicopters may be operated at less than the minimums prescribed in paragraph (b) if the operation is conducted without hazard to persons or property on the surface.
- (c) The certificate holder shall obtain the airport manager's approval to conduct all banner tow operations.
- (d) If banner towing operations take place at an airport with a control tower, the certificate holder shall inform that control tower of the details of the banner tow operation.
- (e) The certificate holder shall notify the appropriate airport officials in advance when banner tow operations will be in close proximity to an uncontrolled airport.
- (f) Only essential crewmembers shall be carried when conducting banner tow operations.
- (g) When banner tow operations are conducted around congested areas, the pilot shall exercise due care so that, in the event of emergency release of the banner or towrope, it will not cause undue hazard to persons or property on the surface.

Civil Aviation (Flight Safety) Regulations

- (h) A pilot shall drop the towrope in a predesignated area at least 500 feet from aircraft in the air, persons, property or aircraft on the surface.

Note: If the tow plane lands with the rope attached, due care will be exercised to avoid trailing the rope and endangering other aircraft in the air, or persons, property or aircraft on the surface.

- (i) A pilot conducting banner towing operations shall carry onboard the aircraft a current copy of the certificate of Waiver or Authorization allowing banner towing operations.

11.6 TV AND MOVIE OPERATIONS

11.6.1.1 APPLICABILITY

- (a) This subpart applies to those operations involving motion picture and television filming, appearance in flight in movies, and airborne direction or production of such filming when those operations are conducted as part of a business enterprise or for compensation or hire.
- (b) For purposes of this subpart, “movie” shall include film, videos, and live broadcast in any format, and the preparation and rehearsal for those operations.

11.6.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this subpart to hold a certificate or equivalent authorization.
- (b) The Authority will issue a certificate or authorization to each applicant who qualifies for it under the provisions of this subpart.

11.6.1.3 AIRCRAFT REQUIREMENT

- (a) In order to be used in motion picture and television filming operations, aircraft in the experimental category shall have an airworthiness certificate issued for the purpose of exhibition.

11.6.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) No pilot may conduct television and movie operations unless he or she has —

Civil Aviation (Flight Safety) Regulations

- (1) A commercial licence with ratings appropriate to the category, class and type of aircraft to be used under the terms of the authorization.
- (2) At least 500 hours as PIC and at least 20 hours as PIC in the aircraft type.
- (3) A minimum of 100 hours in the category and class of aircraft to be used.
- (4) A minimum of 5 hours in the make and model aircraft to be used under the authorization.
- (5) If the pilot intends to perform acrobatics below 1,500 AGL, the pilot must hold a Statement of Acrobatic Competency for the operations to be performed.

11.6.1.5 OPERATING RULES AND WAIVER REQUIREMENTS

- (a) Each operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) Each operator shall obtain a waiver from the Authority if filming sequences require an aircraft to be flown —
 - (1) In acrobatic flight below 1,500 AGL,
 - (2) Over a congested area,
 - (3) In controlled airspace, or
 - (4) In other instances where a departure from the requirements in Part 8 is needed.
- (c) The holder of the authorization shall provide a schedule of events that lists the —
 - (1) Identification of the aircraft, and
 - (2) Performers in the sequence of their appearance.
- (d) Any manoeuvres added or time changes to the schedule of events shall be approved by the Authority.
- (e) The authorization holder shall develop, have approved by the Authority, and adhere to a Motion Picture and Television Flight Operations Manual.
- (f) When conducting any filming operation requiring an authorization, the certificate holder shall ensure that all reasonable efforts are made to confine spectators to designated

Civil Aviation (Flight Safety) Regulations

areas. If reasonable efforts have been taken and unauthorised persons or vehicles enter the airspace where manoeuvres are being performed during the filming production event, efforts must be made to remove them.

11.6.1.6 CONTENTS OF A MOTION PICTURE AND TELEVISION FLIGHT OPERATIONS MANUAL

- (a) Each Motion Picture and Television Flight Operations Manual shall contain at least the following —
- (1) Company Organisation.
 - (i) Business name, address, and telephone number of applicant.
 - (ii) List of pilots to be used during the filming, including their pilot licence numbers, grade, and class and date of medical.
 - (iii) List of aircraft by make and model.
 - (2) Distribution and Revision. Procedures for revising the manual to ensure that all manuals are kept current.
 - (3) Persons Authorised. Procedures to ensure that no persons, except those persons consenting to be involved and necessary for the filming production, are allowed within 500 feet of the filming production area.
 - (4) Area of Operations. The area that will be used during the term of the authorization.
 - (5) Plan of Activities. Procedures for the submission, within three days of scheduled filming, a written plan of activities to the Authority containing at least the following —
 - (i) Dates and times for all flights.
 - (ii) Name and phone number of person responsible for the filming production event.
 - (iii) Make and model of aircraft to be used and type of airworthiness certificate, including category.
 - (iv) Name of pilots involved in the filming production event.
 - (v) A statement that permission has been obtained from property owners or local officials to conduct the filming production event.

Civil Aviation (Flight Safety) Regulations

- (vi) Signature of certificate holder or a designated representative.
 - (vii) A general outline, or summary, of the production schedule, to include maps or diagrams of the specific filming location, if necessary.
- (6) **Permission to Operate.** Requirements and procedures that the certificate holder will use to obtain permission from property owners or local officials (e.g., police, fire departments, etc.) as appropriate for the conduct of all filming operations when using the certificate or authorization.
- (7) **Security.** Method of security that will be used to exclude all persons not directly involved with the operation from the location.

Note: This should also include the provision that will be used to stop activities when unauthorised persons, vehicles, or aircraft enter the operations area, or for any other reason, in the interest of safety.

- (8) **Briefing of Pilot or Production Personnel.** Procedures to brief personnel of the risks involved, emergency procedures, and safeguards to be followed during the filming production event.
- (9) **Certification or Airworthiness.** Procedures to ensure that required inspections will be conducted.
- (10) **Communications.** Procedures to provide communications capability with all participants during the actual operation and filming.

Note: The applicant can use oral, visual, or radio communications as long as it keeps the participants continuously apprised of the current status of the operation.

- (11) **Accident Notification.** Procedures for notification and reporting of accidents.

11.7 SIGHT-SEEING FLIGHTS

*Civil Aviation (Flight Safety) Regulations***11.7.1.1 APPLICABILITY**

- (a) This subpart applies to those operations involving the carriage of persons for viewing natural formations, manmade objects or wildlife viewing on the ground when those operations are conducted as part of a business enterprise or for compensation or hire, and
- (b) The flight is unquestionably advertised as “sight-seeing,” and
- (c) The flight returns to the airport of departure without having landed at any other airport,
- (d) The flight is conducted within 25 statute mile radius of the departure airport, and
- (e) The certificated passenger capacity of the aircraft does not exceed 9 passengers.

Note: Any other passenger carrying flight for remuneration, hire or valuable consideration must be conducted under an Air Operator Certificate (AOC) as contained in Part 9.

11.7.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this Subpart to hold a certificate or equivalent authorization.
- (b) The Authority shall issue a certificate or authorization to each applicant who qualifies for it under the provisions of this Subpart.
- (c) An operator under this Subpart shall hold an operating certificate issued under the provisions of Part 9.

11.7.1.3 EXPERIENCE AND TRAINING REQUIREMENTS

The requirements of Part 9 apply to all operations described by this Subpart.

11.7.1.4 OPERATING RULES

- (a) Each operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) All sightseeing operations shall be conducted only —
 - (1) In VFR weather conditions, and
 - (2) Between the hours of official sunrise and official sunset.

Civil Aviation (Flight Safety) Regulations

- (c) No person may conduct sightseeing operations —
 - (1) Over congested areas or open air assemblies of persons lower than 1,000 feet, and
 - (2) Elsewhere lower than the minimum safe altitude requirements of Part 9.
- (d) The requirements of Part 8 apply to sightseeing operations described by this subpart

11.8 FISH SPOTTING**11.8.1.1 APPLICABILITY**

This Subpart applies to those operations involving location, tracking, and reporting on the location of fish and fish schools, when those operations are conducted as part of a business enterprise or for compensation or hire.

11.8.1.2 CERTIFICATE OR Authorization REQUIRED

- (a) The Authority shall require each person conducting operations covered by this Subpart to hold a certificate or equivalent authorization.
- (b) The Authority shall issue a certificate or authorization to each applicant who qualifies for it under the provisions of this Subpart.

11.8.1.3 OPERATING RULES

- (a) An operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) Minimum cloud clearance requirements and minimum altitude requirements of Part 8 do not apply to those persons to whom the Authority has specifically approved different minimums as a part of an authorization under this Subpart.

11.9 NEWS MEDIA AND TRAFFIC REPORTING**11.9.1.1 APPLICABILITY**

- (a) This subpart applies to those operations involving the observation of, and reporting on, news media events or vehicular traffic conditions on the highways and streets when conducted by aircraft or airmen, or both, not designated as solely public use.

*Civil Aviation (Flight Safety) Regulations***11.9.1.2 CERTIFICATE OR Authorization REQUIRED**

- (a) The Authority will require each person conducting operations covered by this subpart to hold a certificate or equivalent authorization.
- (b) The Authority will issue a certificate or authorization to each applicant who qualifies for it under the provisions of this subpart.

11.9.1.3 OPERATING RULES

- (a) Each operator shall conduct operations so as not to endanger persons or property on the surface nor aircraft in flight.
- (b) Minimum cloud clearance requirements and minimum altitude requirements of Part 9 do not apply to those persons to whom the Authority has specifically approved different minimums as a part of an authorization under this subpart.

11.9.1.4 EXPERIENCE AND TRAINING REQUIREMENTS

- (a) No pilot may conduct news media or traffic reporting operations unless he or she has:
 - (1) At least a commercial licence with ratings appropriate to the category, class and type aircraft to be used under the terms of the waiver.
 - (2) At least 500 hours as PIC and at least 20 hours as PIC in the aircraft type.
 - (3) A minimum of 100 hours in the category and class of aircraft to be used.
 - (4) A minimum of 5 hours in the make and model aircraft to be used under the authorization.

CONTENTS**PART 12 – AIRCRAFT ACCIDENT REPORTING AND INVESTIGATION REQUIREMENTS**

- 12.1 GENERAL
 - 12.1.1.1 Applicability
 - 12.1.1.2 Definitions
- 12.2 INITIAL NOTIFICATION

Civil Aviation (Flight Safety) Regulations

- 12.2.1.1 Immediate notification
- 12.2.1.2 Information to be given in Notification
- 12.3 PRESERVATION OF WRECKAGE AND RECORDS
- 12.3.1.1 Operator Responsibilities
- 12.3.1.2 Moving the Wreckage
- 12.4 REPORTING REQUIREMENTS
- 12.4.1.1 Reports and Statements to be Filed
- 12.5 INVESTIGATIONS
- 12.5.1.1 Responsibility for Investigation
- 12.5.1.2 Nature of investigation
- 12.5.1.3 Right to Representation
- 12.5.1.4 Investigator-in-charge
- 12.5.1.5 Representatives of the Authority
- 12.5.1.6 Autopsies
- 12.5.1.7 Parties to the investigation
- 12.5.1.8 Access to and release of wreckage, records, mail, and cargo
- 12.5.1.9 Flow and dissemination of accident or incident information
- 12.5.1.10 Proposed findings
- 12.5.1.11 Reopening of investigation
- 12.5.1.12 Final report

12.1 GENERAL

12.1.1.1 APPLICABILITY

This Part contains requirements pertaining to —

- (1) initial notification and later reporting of aircraft incidents and accidents and certain other occurrences in the operation of aircraft, wherever they occur, when they involve civil aircraft registered in Saint Lucia; when they involve certain public aircraft, as specified in this part, wherever they occur; and when they involve foreign civil aircraft where the events occur in Saint Lucia (state of occurrence).
- (2) preservation of aircraft wreckage, mail, cargo, and records involving all civil and certain public aircraft accidents, as specified in this Part, in Saint Lucia.

12.1.1.2 DEFINITIONS

For the purpose of this Part, the applicable definitions are contained in Part 1 of the Schedule – “General Policies, Procedures and Definitions.”

*Civil Aviation (Flight Safety) Regulations***12.2 INITIAL NOTIFICATION****12.2.1.1 IMMEDIATE NOTIFICATION**

- (a) The operator of any civil aircraft, or any public aircraft not operated by the Armed Forces, or any foreign aircraft shall immediately by the most expeditious means possible which may include via telephone, facsimile or e-mail, notify the Eastern Caribbean Civil Aviation Authority when an aircraft accident, serious incident or any of the following listed incidents occur —
- (1) flight control system malfunction or failure;
 - (2) inability of any required flight crewmember to perform normal flight duties as a result of injury or illness;
 - (3) failure of structural components of a turbine engine excluding compressor and turbine blades and vanes;
 - (4) in-flight fire; or
 - (5) aircraft collide in flight.
 - (6) damage to property, other than the aircraft, estimated to exceed EC\$25,000 for repair (including materials and labour) or fair market value in the event of total loss, whichever is less.
 - (7) for large multiengine aircraft (more than 12,500 pounds maximum takeoff weight);
 - (i) in-flight failure of electrical systems which requires the sustained use of an emergency bus powered by a backup source such as a battery, auxiliary power unit, or air driven generator to retain flight control or essential instruments;
 - (ii) in-flight failure of hydraulic systems that results in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces;
 - (iii) sustained loss of the power or thrust produced by two or more engines; and
 - (iv) an evacuation of an aircraft in which an emergency egress system is utilized.
- (b) This initial notification requirement also applies when an aircraft is overdue and is believed to have been involved in an accident;

Civil Aviation (Flight Safety) Regulations

- (c) In 12.2.1.1 (a) and (b), the initial report may be made to the nearest air traffic service unit or directly to the Authority's Headquarters in Antigua.
- (d) The ECCAA shall forward a notification of an accident or serious incident, with a minimum of delay and by the most suitable and quickest means available to —
 - a) the State of Registry;
 - b) the State of the Operator;
 - c) the State of Design;
 - d) the State of Manufacture; and
 - e) the International Civil Aviation Organization, when the aircraft involved is of a maximum mass of over 2250 kg.

12.2.1.2 INFORMATION TO BE GIVEN IN NOTIFICATION

- (a) The notification required in 12.2.1.1 (a) & (b) shall contain the following information, if available —
 - (1) type, nationality, and registration marks of the aircraft;
 - (2) name of owner, and operator of the aircraft;
 - (3) name of the pilot in command;
 - (4) date and time of the accident;
 - (5) last point of departure and point of intended landing of the aircraft;
 - (6) position of the aircraft with reference to some easily defined geographical point;
 - (7) number of persons aboard, number killed, and number seriously injured;
 - (8) nature of the accident, the weather and the extent of damage to the aircraft, so far as is known; and
 - (9) a description of any explosives, radioactive materials, or other dangerous articles carried.
- (b) The notification required in 12.2.1.1 (d) shall be in plain language and contain the information required by the current edition of Annex 13, Chapter 4.2.

*Civil Aviation (Flight Safety) Regulations***12.3 PRESERVATION OF WRECKAGE AND RECORDS****12.3.1.1 OPERATOR RESPONSIBILITIES**

- (a) The operator of an aircraft involved in an accident or incident for which notification must be given is responsible for preserving to the extent possible any aircraft wreckage, cargo, and mail aboard the aircraft, and all records, including all recording mediums of flight, maintenance, and voice recorders, pertaining to the operation and maintenance of the aircraft and to the airmen until the Authority takes custody thereof or a release is granted.
- (b) The operator of an aircraft involved in an accident or incident shall retain all records, reports, internal documents, and memoranda dealing with the accident or incident, until authorized by the Authority to the contrary.

12.3.1.2 MOVING THE WRECKAGE

- (a) Prior to the time the Authority or its authorized representative takes custody of aircraft wreckage, mail, or cargo, such wreckage, mail, or cargo may not be disturbed or moved except to the extent necessary —
 - (1) to remove persons injured or trapped;
 - (2) to protect the wreckage from further damage;
 - (3) to protect the public from injury or;
 - (4) To prevent damage or further damage to property.
- (b) Where it is necessary to move aircraft wreckage, mail, or cargo, sketches, descriptive notes, and photographs shall be made, if possible, of the original positions and condition of the wreckage and any significant impact marks;
- (c) If a request is received from the State of Registry, the State of the Operator, the State of Design or the State of Manufacture that the aircraft, its contents, and any other evidence remain undisturbed pending inspection by an accredited representative of the requesting State, it shall be the responsibility of the investigator in charge to take all necessary steps to comply with such request, so far as this is reasonably practicable and in accordance with the proper conduct of the investigation and provided that it does not result in undue delay in returning the aircraft to service where this is practicable.

*Civil Aviation (Flight Safety) Regulations***12.4 REPORTING REQUIREMENTS****12.4.1.1 REPORTS AND STATEMENTS TO BE FILED**

- (a) Reports. The operator of a civil, public or foreign aircraft shall file a report in the form and manner prescribed by the Authority within 10 days after an accident, or after 7 days if an overdue aircraft is still missing. A formal report on an incident for which immediate notification is required shall be filed only as requested by an authorized representative of the Authority.
- (b) Crewmember statement. Each crewmember, if physically able at the time the report is submitted, shall attach a statement setting forth the facts, conditions, and circumstances relating to the accident or incident as they appear to him. If the crewmember is incapacitated, he shall submit the statement as soon as he is physically able.
- (c) Where to file the reports. The operator of an aircraft shall file any report with the Authority Headquarters in Antigua.

12.5 INVESTIGATIONS**12.5.1.1 RESPONSIBILITY FOR INVESTIGATION**

- (a) Unless a Commission of Inquiry is appointed to investigate an accident or incident pursuant to the Act, the Authority is charged with fulfilling the obligations of Saint Lucia under Annex 13 to the Chicago Convention on International Civil Aviation and does so consistent with the requirements of the Civil Aviation Act, the standards contained in Annex 13 to the Chicago Convention and any other law in force in Saint Lucia;
- (b) In the case of an accident or serious incident in a foreign state involving civil aircraft registered in Saint Lucia, where the foreign state is a signatory to Annex 13 to the Chicago Convention of the International Civil Aviation Organization, the State of occurrence is responsible for the investigation;
- (c) If the accident or incident occurs in a foreign state not bound by the provisions of Annex 13 to the Chicago Convention, or if the accident or incident involves a public aircraft (Annex 13 applies only to civil aircraft), the conduct of the investigation shall be in consonance with any agreement entered into between the Government of Saint Lucia and the foreign State.

*Civil Aviation (Flight Safety) Regulations***12.5.1.2 NATURE OF INVESTIGATION**

- (a) Accident and incident investigations are conducted by the Authority to determine the facts, conditions, and circumstances relating to an accident or incident and the probable cause(s) thereof. These results are then used to ascertain measures that would best tend to prevent similar accidents or incidents in the future.
- (b) The investigation includes the field investigation (on-scene at the accident, testing, teardown, etc.), report preparation and, where ordered, a public hearing.
- (c) The investigation results in Authority conclusions issued in the form of a report of the incident or accident. Accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties. They are not conducted for the purpose of determining the rights or liabilities of any person.

12.5.1.3 RIGHT TO REPRESENTATION

Any person interviewed by an authorized representative of the Authority during the investigation, regardless of the form of the interview (sworn, unsworn, transcribed, not transcribed, etc.), has the right to be accompanied, represented, or advised by an attorney-at-law or non-attorney representative.

12.5.1.4 INVESTIGATOR-IN-CHARGE

- (a) On the occurrence of an accident or serious incident, the Authority shall appoint an investigator-in-charge (IIC) who shall immediately institute an investigation into the circumstances of the accident and be responsible for the conduct of the investigation. The Authority may delegate the whole or any part of the conducting of such investigation to another State or organization by mutual arrangement and consent. In any event, Authority shall use every means to facilitate the investigation;
- (b) The IIC shall have unhampered access to the wreckage and all relevant material, including flight recorders and ATS records, and shall have unrestricted control over them. The IIC shall organize, conduct, control, and manage the field phase of the investigation, regardless of what other representatives of the Government of Saint Lucia are also on-scene at the accident or incident site; subject to the Act and these Regulations.

Civil Aviation (Flight Safety) Regulations

- (c) The IIC has the responsibility and authority to supervise and coordinate all resources and activities of all personnel, both government and civilians, involved in the on-site investigation. The IIC shall have independence in the conduct of the investigation and have unrestricted authority over its conduct, consistent with the provisions of Annex 13 to the Chicago Convention. The investigation shall include:
 - a) the gathering, recording and analysis of all available information on that accident or incident;
 - b) if appropriate, the issuance of safety recommendations;
 - c) if possible, the determination of the causes; and
 - d) the completion of the final report.
- (d) The IIC continues to have considerable organizational and management responsibilities throughout later phases of the investigation, up to and including the Authority's consideration and adoption of a report of probable cause.

12.5.1.5 REPRESENTATIVES OF THE AUTHORITY

- (a) On presentation of appropriate credentials, an aviation safety inspector is authorized to enter any property where an accident/incident subject to the Authority's jurisdiction has occurred, or wreckage from any such accident/incident is located, and do all things considered necessary for proper investigation.
- (b) Further, on demand of an aviation safety inspector and presentation of credentials, any Government agency, or person having possession or control of any transportation vehicle or component thereof, any facility, equipment, process or controls relevant to the investigation, or any pertinent records or memoranda, including all files, hospital records, and correspondence then or thereafter existing, and kept or required to be kept, shall forthwith permit inspection, photographing, or copying thereof by such authorized person for the purpose of investigating an accident or incident, or preparing a study, or related to any special investigation pertaining to safety or the prevention of accidents.
- (c) The representative of the Authority may issue a subpoena, enforceable in court, to obtain testimony or other evidence.

Civil Aviation (Flight Safety) Regulations

- (d) A representative of the Authority may question any person having knowledge relevant to an accident or incident, study, or special investigation.
- (e) The representatives of the Authority also have exclusive authority, on behalf of the Authority, to decide the way in which any testing will be conducted, including decisions on the person that will conduct the test, the type of test that will be conducted, and any individual who will witness the test.
- (f) The representative of the Authority, on presenting appropriate credentials, is authorized to examine and test to the extent necessary any civil or public aircraft, aircraft engine, propeller, appliance, or property aboard such aircraft involved in an accident in commercial air transport.

12.5.1.6 AUTOPSIES

- (a) Where Saint Lucia is the state of occurrence of a fatal accident it shall arrange for complete autopsy examination of fatally injured flight crew and, subject to the particular circumstances, of fatally injured passengers and cabin attendants, by a pathologist, preferably experienced in accident investigation. These examinations shall be expeditious and complete provided that to the extent consistent with the needs of the accident investigation, provisions of local law protecting religious beliefs with respect to autopsies shall be observed;
- (b) The IIC is authorized to obtain, with or without reimbursement, a copy of the report of autopsy performed on any person who dies as a result of having been involved in a aircraft accident within the jurisdiction of the Authority;
- (c) The IIC, may order other tests of such persons as may be necessary to the investigation.

12.5.1.7 PARTIES TO THE INVESTIGATION

- (a) The investigator-in-charge shall designate parties to participate in the investigation. Parties shall be limited to those persons, government agencies, companies, and associations whose employees, functions, activities, or products were involved in the accident or incident or persons who can provide suitably qualified technical personnel to assist in the investigation. The State of Registry, the State of the Operator, the State of Design and the State of Manufacture shall each be entitled to appoint an accredited representative to participate in the investigation;

Civil Aviation (Flight Safety) Regulations

- (b) The State of Registry or the State of the Operator shall be entitled to appoint one or more advisers, proposed by the operator to assist its accredited representative;
- (c) The State of Design and the State of Manufacture shall be entitled to appoint one or more advisers, proposed by the organizations responsible for the type design and the final assembly of the aircraft, to assist their accredited representatives;
- (d) When a State conducting an investigation of an accident to an aircraft of a maximum mass of over 2250 kg specifically requests participation by Saint Lucia as the State of Registry or the State of the Operator, Saint Lucia shall appoint an accredited representative;
- (e) Any State which on request provides information, facilities or experts to Saint Lucia as the State conducting the investigation, shall be entitled to appoint an accredited representative to participate in the investigation;
- (f) A State entitled to appoint an accredited representative shall also be entitled to appoint one or more advisers to assist the accredited representative in the investigation;
- (g) Advisers assisting accredited representatives shall be permitted, under the accredited representatives' supervision, to participate in the investigation to the extent necessary to enable the accredited representatives to make their participation effective;
- (h) Participants in the investigation (i.e., party representatives, party coordinators, or the larger party organization) shall be responsive to the direction of representatives of the Authority and may lose party status if they do not comply with their assigned duties, active proscriptions or instructions, or if they conduct themselves in a manner prejudicial to the investigation;
- (i) No party to the investigation shall be represented in any aspect of the Authority's investigation by any person who also represents claimants or insurers. Failure to comply with these provisions may result in sanctions, including loss of status as a party;
- (j) A State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall, on making a request to do so, be permitted by Saint Lucia as the State conducting the investigation, to appoint an expert who shall be entitled to —
 - a) visit the scene of the accident;

Civil Aviation (Flight Safety) Regulations

- b) have access to the relevant factual information;
 - c) participate in the identification of the victims;
 - d) assist in questioning surviving passengers who are citizens of the expert's State; and
 - e) receive a copy of the Final Report
- (k) In addition to compliance with the provisions of paragraph (a) of this section, and to assist in ensuring complete understanding of the requirements and limitations of party status, all party representatives in aviation investigations shall sign a statement containing these requirements and limitations immediately on attaining party representative status. Failure to sign that statement immediately on attaining party representative status may result in sanctions, including loss of status as a party.

12.5.1.8 ACCESS TO AND RELEASE OF WRECKAGE, RECORDS, MAIL, AND CARGO

- (a) Only the Authority's accident investigation personnel, and persons authorized by the investigator-in-charge to participate in any particular investigation, examination or testing shall be permitted access to wreckage, records, mail, or cargo in the Authority's custody;
- (b) Wreckage, records, mail, and cargo in the Authority's custody shall be released when it is determined that the Authority has no further need of such wreckage, mail, cargo, or records.

12.5.1.9 FLOW AND DISSEMINATION OF ACCIDENT OR INCIDENT INFORMATION

- (a) Release of information during the field investigation, particularly at the accident scene, shall be limited to factual developments, and shall be made only through the designated representative of the Government of Saint Lucia;
- (b) All information concerning the accident or incident obtained by any person or organization participating in the investigation shall be passed to the IIC through appropriate channels before being provided to any individual outside the investigation;
- (c) Parties to the investigation may relay to their respective organizations information necessary for purposes of prevention or remedial action;

Civil Aviation (Flight Safety) Regulations

- (d) No information concerning the accident or incident may be released to any person not a party representative to the investigation (including non-party representative employees of the party organization) before initial release by the Authority without prior consultation and approval of the IIC;
- (e) If, in the course of an investigation it becomes known, or it is suspected, that an act of unlawful interference was involved, the IIC shall immediately initiate action to ensure that the aviation security authorities of the State(s) concerned are so informed;
- (f) The Authority shall, on request from a State conducting an investigation of an accident or an incident, provide that State with all the relevant information available to it;
- (g) If the Authority is responsible for conducting the investigation of an accident or incident, it shall not make the following records available for purposes other than accident or incident investigation, unless the any court of competent jurisdiction determines that their disclosure outweighs the adverse domestic and international impact such action may have on that or any future investigations —
 - a) all statements taken from persons by the investigation authorities in the course of their investigation;
 - b) all communications between persons having been involved in the operation of the aircraft;
 - c) medical or private information regarding persons involved in the accident or incident;
 - d) cockpit voice recordings and transcripts from such recordings;
 - e) recordings and transcriptions of recordings from air traffic control units; and
 - f) opinions expressed in the analysis of information, including flight recorder information.

These records shall be included in the final report or its appendices only when pertinent to the analysis of the accident or incident. Parts of the records not relevant to the analysis shall not be disclosed.

Note 1— Information contained in the records listed above, which includes information given voluntarily by persons interviewed during the investigation of an accident or incident, could be utilized

Civil Aviation (Flight Safety) Regulations

inappropriately for subsequent disciplinary, civil, administrative and criminal proceedings. If such information is distributed, it may, in the future, no longer be openly disclosed to investigators. Lack of access to such information would impede the investigation process and seriously affect flight safety.

12.5.1.10 PROPOSED FINDINGS

- (a) General. Any person, government agency, company, or association whose employees, functions, activities, or products were involved in an accident or incident under investigation may submit to the Authority written proposed findings to be drawn from the evidence produced during the course of the investigation, a proposed probable cause, or proposed safety recommendations designed to prevent future accidents.
- (b) Timing of submissions. To be considered, these submissions must be received before the matter is calendared for consideration at a meeting chaired by the Authority. All written submissions are expected to have been presented to staff in advance of the formal scheduling of the meeting. This procedure ensures orderly and thorough consideration of all views.

12.5.1.11 REOPENING OF INVESTIGATION

If, after the investigation has been closed, new and significant evidence becomes available, the Authority shall re-open it the investigation. However, when the Authority did not institute it, then the Authority shall first obtain the consent of the State which instituted the investigation.

12.5.1.12 FINAL REPORT

- (a) No person shall circulate, publish or give access to a draft report or any part thereof, or any documents obtained during an investigation of an accident or incident, without the express consent of the State which conducted the investigation, unless such reports or documents have already been published or released by that latter State;
- (b) The Authority shall send a copy of the draft Final Report to all States that participated in the investigation, inviting their significant and substantiated comments on the report as soon as possible. The draft Final Report of the investigation shall be sent for comments to —

Civil Aviation (Flight Safety) Regulations

- a) the State of Registry;
 - b) the State of the Operator;
 - c) the State of Design; and
 - d) the State of Manufacture.
- (c) If the Authority receives comments within sixty days of the date of the transmittal letter, it shall either amend the draft Final Report to include the substance of the comments received or, if desired by the State that provided comments, append the comments to the Final Report. If the Authority conducting the investigation receives no comments within sixty days of the date of the first transmittal letter, it shall issue the Final Report unless an extension of that period has been agreed by the States concerned;

Note 1 — Nothing in these Regulations is intended to preclude Saint Lucia as the State conducting the investigation from consulting other States, such as those States which provided relevant information, significant facilities, or experts who participated in the investigation.

Note 2 — Comments to be appended to the Final Report are restricted to non-editorial-specific technical aspects of the Final Report on which no agreement could be reached.

Note 3 — When sending the draft Final Report to recipient States, Saint Lucia, as the State conducting the investigation may consider using the most suitable and quickest means available, such as facsimile, e-mail, courier service or express mail

- (c) Saint Lucia as the State conducting the investigation may send, through the State of the Operator, a copy of the draft Final Report to the operator to enable the operator to submit comments on the draft Final Report.
- (d) Saint Lucia as the State conducting the investigation should send, through the State of Design and the State of Manufacture, a copy of the draft Final Report to the organizations responsible for the type design and the final assembly of the aircraft to enable them to submit comments on the draft Final Report.
- (e) The Final Report of the investigation of an accident shall be sent with a minimum of delay by the State conducting the investigation to —
 - a) the State that instituted the investigation;

Civil Aviation (Flight Safety) Regulations

- b) the State of Registry;
 - c) the State of the Operator;
 - d) the State of Design;
 - e) the State of Manufacture;
 - f) any State having suffered fatalities or serious injuries to its citizens;
 - g) any State that provided relevant information, significant facilities or experts; and
 - h) for an accident or an incident involving an aircraft of a maximum mass of over 5 700 kg, a copy of the Final Report shall be sent to the International Civil Aviation Organization.
- (f) If the Authority receives safety recommendations from a State that is investigating an accident or incident, it shall inform the proposing State of the preventive action taken or under consideration, or the reasons why no action will be taken.

Made this 28th day of Febraury, 2020.

GUY JOSEPH,
*Minister responsible for
Civil Aviation.*