

LEGAL NOTICE No. 287

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, CHAP. 49:03

REGULATIONS

MADE BY THE TRINIDAD AND TOBAGO CIVIL AVIATION AUTHORITY WITH
THE APPROVAL OF THE MINISTER UNDER SECTION 33 OF THE CIVIL
AVIATION ACT AND SUBJECT TO NEGATIVE RESOLUTION OF
PARLIAMENT

THE CIVIL AVIATION [(NO. 5) AIRWORTHINESS]
(AMENDMENT) REGULATIONS, 2019

1. These Regulations may be cited as the Civil Aviation [(No. 5) Citation
Airworthiness] (Amendment) Regulations, 2019.

2. In these Regulations, “the Regulations” means the Civil Aviation Interpretation
[(No. 5) Airworthiness] Regulations, 2004. Chap. 49:03

3. Regulation 2 of the Regulations is amended by—

Regulation 2
amended

(a) inserting in the appropriate alphabetical sequence, the
following definitions:

“anticipated operating conditions” means those 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;

“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;

“associated aircraft systems” means those aircraft systems drawing electrical or pneumatic power from an auxiliary power unit during ground operations;

“auxiliary power-unit (APU)” means a self-contained power-unit on an aircraft providing electrical or pneumatic power to aircraft systems during ground operations;

“bypass ratio” means the ratio of the air mass flow through the bypass ducts of a gas turbine engine to the air mass flow through the combustion chambers calculated at maximum thrust when the engine is stationary in an international standard atmosphere at sea level;

“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;

“derived version of an aeroplane” means an aeroplane which, from the point of view of airworthiness, is similar to the noise certificated prototype but incorporates changes in type design which may affect its noise characteristics adversely;

“derived version of a helicopter” means a helicopter which, from the point of view of airworthiness, is similar to the noise certificated prototype but incorporates changes in type design which may affect its noise characteristics adversely;

“discrete source damage” means structural damage of the aircraft that is likely to result from impact with a bird, uncontained fan blade failure, uncontained engine failure, uncontained high-energy rotating machinery failure or similar cases;

“external equipment (helicopter)” means any instrument, mechanism, part, apparatus, appurtenance or accessory that is attached to or extends from the helicopter exterior but is not used nor is intended to be used for operating or controlling a helicopter in flight and is not part of an airframe or engine;

“fire resistant” means the capability to withstand the application of heat by a flame for a period of five minutes;

“fireproof” means the capability to withstand the application of heat by a flame for a period of fifteen minutes;

“limit loads” means the maximum loads assumed to occur in the anticipated operating conditions;

“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;

“maintenance programme” means 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;

“maintenance release” means a document which contains a certification confirming that the maintenance work to which it relates has been completed in a satisfactory manner, either in accordance with the approved data and the procedures described in the maintenance organisation’s procedures manual or under an equivalent system;

“organisation responsible for the type design” means the organisation that holds the type certification or equivalent document, for an aircraft, engine or propeller type, issued by a Contracting State;

“powered-lift” means a heavier-than-air aircraft capable of vertical take-off, vertical landing, and low-speed flight, which depends principally on engine-driven lift devices or engine thrust for the lift during these flight regimes and on non-rotating aerofoils for lift during horizontal flight;

“recertification” means certification of an aircraft with or without a revision to its certification noise levels, to a Standard different to that which it was originally certificated;

“satisfactory evidence” means a set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement;

“subsonic aeroplane” means an aeroplane incapable of sustaining level flight at speeds exceeding flight Mach number of 1;

“type certificate” means a document issued by a Contracting State to define the design of an aircraft, engine or propeller type and to certify that this design meets the appropriate airworthiness requirements of that State;

“type design” means the set of data and information necessary to define an aircraft, engine or propeller type for the purpose of airworthiness determination”;

(b) deleting the definition for “repair” and substituting the following definition:

“repair” means 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;” and

(c) deleting the definition for “State of Manufacture” and substituting the following definition:

“State of Manufacture” means the State having jurisdiction over the organisation responsible for the final assembly of the aircraft, engine or propeller;”.

Regulation
9A inserted

4. The Regulations are amended, by inserting after regulation 9 the following heading and regulation:

**“LIMITATION ON ISSUE OF AIRWORTHINESS
CERTIFICATE, CERTIFICATE OF MAINTENANCE
REVIEW AND SPECIAL FLIGHT PERMIT**

Limitation on
issue or
render valid
an
Airworthiness
Certificate,
Certificate of
Maintenance
Review or
Special Flight
Permit

9A. The Authority shall not issue or render valid an Airworthiness Certificate, Certificate of Maintenance Review or Special Flight Permit for which it intends to claim recognition pursuant to Article 33 of the Convention on International Civil Aviation unless it has satisfactory evidence that the aircraft complies with the applicable Standards of Annex 8 through compliance with the appropriate airworthiness requirements.”.

Regulation 11
amended

5. Regulation 11(1) of the Regulations is amended, by deleting paragraph (a) and substituting the following paragraph:

“(a) the applicant presents evidence to the Director-General that the aircraft conforms to a type design approved

under a Type Certificate and applicable Supplemental Type Certificate of a State of Design identified under paragraph (1)(e) and that the aircraft complies with the design aspects of the appropriate airworthiness requirements.”.

6. Regulation 15(4) of the Regulations is amended by deleting paragraph (b) and substituting the following paragraph: Regulation 15
amended

“(b) the Authority being granted access to the Trinidad and Tobago aircraft to determine continued compliance with these Regulations and to determine the continued airworthiness of the aircraft by a periodical inspection at appropriate intervals, having regard to lapse of time and type of service or, alternatively, by means of a system of inspection, approved by the Authority, that will produce at least an equivalent result;”.

7. Regulation 20 of the Regulations is amended—

Regulation 20
amended

(a) in subregulation (1)—

(i) in paragraph (a), by deleting the word “and”;

(ii) in paragraph (b), by deleting the full stop and substituting a semi-colon; and

(iii) by inserting after paragraph (b), the following paragraphs:

“(c) determine the continued airworthiness of an aircraft in relation to the appropriate airworthiness requirements in force for that aircraft;

(d) develop or adopt requirements to ensure the continuing airworthiness of the aircraft during its service life, including requirements to ensure that the aircraft continues to comply with the appropriate airworthiness requirements after a modification, a repair or the installation of a replacement part and is maintained in an airworthy condition and in compliance with the maintenance requirements of Annex 6 and Annex 8 of the ICAO Convention on International Civil Aviation; and

(e) upon receipt of mandatory continuing airworthiness information from the State of Design, adopt the mandatory information directly or assess the information received and take appropriate action.”; and

(b) in subregulation (4), by inserting after the words “he shall, where an airworthiness directive”, the words “or other mandatory continuing airworthiness information”.

Regulation 22 amended 8. Regulation 22 of the Regulations is amended, by revoking subregulation (1B) and substituting the following subregulation:

“(1B) An operator shall ensure that a report under subregulation (1A) is also transmitted, on a timely basis, to the organisation responsible for the type design of that aircraft or the organisation responsible for the design of the modification. Whenever this information relates to an engine or propeller, such information shall be transmitted to both the organisation responsible for engine or propeller type design and the organisation responsible for aircraft type design.”.

New Part IIB inserted 9. The Regulations are amended by inserting after Part IIA, the following Part:

“PART IIB

AIRCRAFT ENGINE EMISSION

Standards for emission 23G. The standards required to be met for aircraft engine emission shall be those set out in ICAO Annex 16.”.

Made by the Trinidad and Tobago Civil Aviation Authority this 14th day of August, 2019.

F. REGIS
*Trinidad and Tobago
Civil Aviation Authority*

Approved by the Minister of Works and Transport this 16th day of August, 2019.

R. SINNANAN
Minister of Works and Transport