

LEGAL NOTICE NO. 40

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, 2001

REGULATIONS

MADE BY THE AUTHORITY WITH THE APPROVAL OF THE MINISTER  
UNDER SECTION 33 OF THE CIVIL AVIATION ACT

THE CIVIL AVIATION [(NO. 7) INSTRUMENT AND  
EQUIPMENT] (AMENDMENT) REGULATIONS, 2008

1. These Regulations may be cited as the Civil Aviation [(No. 7) Citation  
Instrument and Equipment] (Amendment) Regulations, 2008.

2. In these Regulations “the Regulations” means the Civil Aviation Interpretation  
[(No. 7) Instruments and Equipment] Regulations, 2004. L.N. No. 106  
of 2004

3. Regulation 2 of the Regulations is amended—

Regulation 2  
amended

(a) by renumbering regulation 2 as regulation 2(1);

(b) in regulation 2(1) as renumbered—

(i) by deleting the following definitions:

“Performance Class 1 helicopter” means a  
helicopter with performance such that,  
in case of critical power-unit failure, it  
is able to land on a rejected take-off  
area or safely continue the flight to an  
appropriate landing area, depending on  
when the failure occurs;

“Performance Class 2 helicopter” means a  
helicopter with performance such that,  
in case of critical power-unit 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;

“Performance Class 3 helicopter” means a  
helicopter with performance such that,  
in case of critical power-unit failure at  
any point in the flight profile, a forced  
landing must be performed;

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

“Emergency Locator Transmitter” means a generic term used to describe equipment which broadcast distinctive signals on designated frequencies;

“Survival Emergency Locator Transmitter” means an Emergency Locator Transmitter which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and manually activated by survivors;

“Automatic Emergency Locator Transmitter” means an Emergency Locator Transmitter, attached to the aircraft, which is automatically deployed and activated by impact, and in some cases, also by hydrostatic sensors;

“long-range over-water flight” means a flight in which an aeroplane may be over water more than a distance corresponding to 120 minutes at cruising speed or 400 nautical miles, whichever is the lesser, away from land suitable for making an emergency landing operating under *en route* limitations of the Civil Aviation [(No. 2) Operations] Regulations, 2004;

“operations in performance Class 1” means a helicopter operations with performance such that, in the event of a critical power unit failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, unless the failure occurs prior to reaching the TDP or after passing the landing decision point LDP, in which cases the helicopter must be able to land within the rejected take-off or landing area;

“operations in performance Class 2” means a helicopter operations with performance such that, in the event of critical power unit failure, performance is available to

enable the helicopter to safely continue the flight to an appropriate landing area, except when the failure occurs early during the take-off manoeuvre or late in the landing manoeuvre, in which cases a forced landing may be required;

“operations in performance Class 3” means a helicopter operations with performance such that, in the event of a power unit failure at any time during the flight, a forced landing will be required;

“required communication performance” means a statement of performance requirements for operational communication in support of specific air traffic management functions;

“RCP type” is a label that represents the values assigned to required communication performance parameters for communication transaction time, continuity, availability and integrity;” and

(c) inserting after regulation 2(1) as renumbered, the following subregulation:

“ (2) In these Regulations—

“LDP” means landing decision point;

“TDP” means take-off decision point;

“RCP” means required communication performance.”.

4. Regulation 15 of the Regulations is amended by deleting subregulation (2) and substituting the following subregulations: Regulation 15 amended

“ (2) An operator shall ensure that an aeroplane or helicopter engaged in commercial air transport operations is provided with radio communication equipment capable of—

(a) conducting two-way communication for aerodrome control purposes;

(b) receiving meteorological information at any time during the flight;

(c) conducting two-way communication at any time during the flight with at least one aeronautical station and with such aeronautical stations and on such frequencies prescribed by the Authority; and

(d) conducting two-way communication on the aeronautical emergency frequency 121.5 megahertz.

(2A) An operator shall ensure that an aeroplane not engaged in commercial air transport operations, operating—

(a) in accordance with the Instrument Flight Rules or at night is equipped with radio communication equipment capable of conducting two-way communication with such aeronautical stations and on such frequencies as prescribed by the Authority;

(b) in accordance with the visual flight rules as a controlled flight is equipped with radio communication equipment capable of conducting two-way communication at any time during the flight with such aeronautical stations and such frequencies prescribed by the Authority; and

(c) on flights over water—

(i) at a distance of more than 93 kilometres (50 nautical miles) away from land suitable for making an emergency landing; or

(ii) away from land suitable for making an emergency landing at a distance of more than 185 kilometres (100 nautical miles), in the case of single-engine aeroplanes, and more than 370 kilometres (200 nautical miles), in the case of multi-engine aeroplanes capable of continuing flight with one engine inoperative,

is equipped with radio communication equipment capable of conducting two-way communication at any time during the flight with such aeronautical stations and such frequencies prescribed by the Authority.

(2B) An operator shall ensure that a helicopter that is not engaged in commercial air transport operations, operating—

(a) in accordance with the Instrument Flight Rules or at night is equipped with radio communication equipment that is capable of conducting two-way communication with such aeronautical stations and on such frequencies as prescribed by the Authority;

(b) in accordance with the visual flight rules as a controlled flight is equipped with radio communication equipment capable of conducting two-way communication at any time during the flight with such aeronautical stations and such frequencies as prescribed by the Authority; and

(c) on flights over—

- (i) water; or
- (ii) land areas, which have been designated by the State concerned as areas in which search and rescue would be especially difficult,

is equipped with radio communication equipment capable of conducting two-way communication at any time during the flight with such aeronautical stations and such frequencies prescribed by the Authority.

(2C) An operator of an aeroplane or helicopter shall ensure that the radio communication equipment under subregulations (2), (2A) or (2B) provides for communication on the aeronautical emergency frequency 121.5 megahertz.

(2D) An operator of an aeroplane or helicopter shall ensure when operating in defined portions of airspace or on routes where an RCP types have been prescribed, in addition to the requirements of subregulations (2), (2A), (2B) and (2C), the aeroplane or helicopter is—

- (a) provided with communication equipment which will enable it to operate in accordance with—
  - (i) the prescribed requirements for flights in the defined portions of airspace; or
  - (ii) the prescribed RCP types; and
- (b) authorized by the Authority for operations in such airspace.

5. Regulation 50 of the Regulations is amended by deleting subregulation (1A) and substituting the following subregulations: Regulation 50 amended

“ (1A) An operator of a helicopter operating in performance Class 1, 2 and 3 in accordance with the provisions of regulation 53, shall be equipped with one life jacket, or equivalent individual flotation device for each person on board, stowed in a position easily accessible from the seat or berth of the person for whose use it is provided.

(1B) The life jacket referred to in subregulation (1A) shall be worn constantly during offshore operations, unless the occupant is wearing an integrated survival suit that includes the functionality of the life jacket.

(1C) An operator of a helicopter operating in performance Class 2 and 3 taking off or landing at a heliport 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 likelihood of a ditching, such helicopter shall be equipped with one life jacket, or equivalent individual flotation device for each person on board, stowed in a position easily accessible from the seat or berth of the person for whose use it is provided.”.

Regulation 51 amended 6. Regulation 51 of the Regulations is amended by deleting subregulation (1A) and substituting the following subregulation:

- “ (1A) An operator of a helicopter operating in—
- (a) performance Class 1 or 2 on flights over water at a distance from land corresponding to more than 10 minutes flying time at normal cruising speed; or
  - (b) performance Class 3 on flights over water beyond auto-rotational or safe forced landing distance from land,

unless it is equipped with sufficient number of life rafts with rated capacity and buoyancy to accommodate the total number of persons aboard that helicopter.”.

Regulations amended 7. The Regulations are amended by inserting after regulation 52 the following regulations:

“ 52A. Regulation 52 is effective until 30th June, 2008.

52B. (1) With effect from 1st July, 2008, an operator of—

- (a) an aeroplane authorized to carry nineteen passengers or less and engaged in commercial air transport operations shall ensure that the aeroplane is equipped with at least one—
  - (i) Emergency Locator Transmitter of any type; or
  - (ii) automatic Emergency Locator Transmitter where the individual certificate of airworthiness is first issued after 1st July, 2008;
- (b) an aeroplane authorized to carry more than nineteen passengers and engaged in commercial air transport operations shall ensure that the aeroplane is equipped with at least—
  - (i) one Automatic Emergency Locator Transmitter; or
  - (ii) two Emergency Locator Transmitter of any type; or

- (iii) two Emergency Locator Transmitter, one of which shall be automatic when operating on flights over water beyond auto-rotational or safe forced where the individual certificate of airworthiness is first issued after 1st July, 2008;
- (c) an aeroplane not engaged in commercial air transport operations shall ensure that the aeroplane is equipped with at least one—
  - (i) Emergency Locator Transmitter of any type; or
  - (ii) automatic Emergency Locator Transmitter where the individual certificate of airworthiness is first issued after 1st July, 2008;
- (d) a helicopter shall ensure when operating in—
  - (i) performance Class 1 or Class 2—
    - (A) that the helicopter is equipped with at least one Automatic Emergency Locator Transmitter; and
    - (B) on flight over water at a distance from land corresponding to more than ten minutes at normal cruise speed that the helicopter is equipped with at least one Automatic Emergency Locator Transmitter and one Emergency Locator Transmitter in a raft or life jacket;
  - (ii) performance Class 3—
    - (A) that the helicopter is equipped with at least one Automatic Emergency Locator Transmitter; and
    - (B) on flight over water beyond auto-rotational or safe forced landing distance from land that the helicopter is equipped with at least one Automatic Emergency Locator Transmitter and one Emergency Locator Transmitter in a raft or life jackets on flights.

(2) An operator of an aeroplane or helicopter shall ensure that each Emergency Locator Transmitter installed on the aeroplane or helicopter operates on 121.5 megahertz and 406 megahertz frequencies and meets the technical standards prescribed in Volume III of Annex 10 of the Convention on International Civil Aviation.

(3) An operator shall not conduct operations in an aeroplane or helicopter, unless all batteries used in an Emergency Locator Transmitter on the aeroplane or helicopter are replaced or recharged where applicable when—

- (a) the Emergency Locator Transmitter has been in use for more than one cumulative hour; or
- (b) fifty per cent of the useful life of the batteries has expired or where the batteries are rechargeable, fifty per cent of the useful life of charge has expired.

(4) An operator shall ensure that the expiration date of the batteries for an Emergency Locator Transmitter is legibly marked on the outside of the Emergency Locator Transmitter.

(5) An operator shall take into consideration when making a determination under subregulation (14), the useful life of a battery or charge requirements of an Emergency Locator Transmitter does not apply to batteries such as water-activated batteries that are likely to be affected during probable storage intervals.”.

Regulation 53  
amended

8. Regulation 53 of the Regulations is amended by deleting paragraphs (a) and (b) and substituting the following paragraphs:

- “(a) engaged in offshore operations, or other over water operations specified by the Authority;
- (b) flying over water in a hostile environment at a distance from land corresponding to more than ten minutes at normal cruise speed when operating in performance Class 1 or 2;
- (c) flying over water in a non-hostile environment at a distance from land specified by the appropriate authority of the responsible State when operating in performance Class 1; or
- (d) flying over water beyond auto-rotational or safe forced landing distance from land when operating in performance Class 3.”.



9. The Regulations are amended by inserting after regulation 53, <sup>Regulations amended</sup> the following regulation:

***“Life-Saving Equipment Requirement for Search and Rescue Over Sea Area***

Life-saving equipment requirement for search and rescue over sea area      53A. An air operator of a helicopter operating over sea areas which have been designated by the State concerned as areas in which search and rescue would be especially difficult, shall ensure that such helicopter is equipped with life-saving equipment including means of sustaining life as may be appropriate to the area overflown.”.

10. Regulation 57 of the Regulations is amended in subregulation <sup>Regulation 57 amended</sup> (1)(a) by inserting after the words “when seatbelts” the words “or harnesses”.

11. Regulation 72 of the Regulations is amended by deleting <sup>Regulation 72 amended</sup> subregulations (1) and (2) and substituting the following subregulations:

“ (1) An operator of an aeroplane or helicopter engaged in commercial air transport operations shall ensure that the aeroplane or helicopter is equipped with a pressure-altitude reporting transponder which operates in accordance with the relevant provision of Volume IV of Annex 10 to the Convention on International Civil Aviation.

(2) Aeroplanes specified under subregulation (1) for which the individual certificate of airworthiness is first issued after 1st January, 2009, shall be equipped with a data source that provides pressure-altitude information with a resolution no greater than 7.26 metres or 25 feet.

(3) After 1st January, 2012, an operator of an aeroplane engaged in commercial air transport operations shall ensure that the aeroplane or helicopter is equipped with a data source that provides pressure-altitude information with a resolution no greater than 7.26 metres or 25 feet.

(4) An operator of an aircraft or helicopter not engaged in commercial air transport operations shall ensure that the aeroplane or helicopter is equipped with a pressure-altitude reporting transponder which operates in accordance with the relevant provision of Volume IV of Annex 10 to the Convention on International Civil Aviation.

(5) Where the situation warrants such action, the Director General may recommend the Authority exempt an operator from the requirements of subregulation (4).”.

Made by the Civil Aviation Authority this 27th day of March, 2008.

R. LUTCHMEDIAL  
*Civil Aviation Authority*

Approved by the Minister of Works and Transport this 27th day of March, 2008.

C. IMBERT  
*Minister of Works and Transport*

Laid in the House of Representatives this 11th day of April, 2008.

N. JAGGASSAR  
*Acting Clerk of the House*

Laid in the Senate this 15th day of April, 2008.

J. SANDY  
*Acting Clerk of the Senate*