

LEGAL NOTICE NO. 35

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. 3) AIR OPERATOR CERTIFICATION  
AND ADMINISTRATION] (AMENDMENT) REGULATIONS, 2008

1. These Regulations may be cited as the Civil Aviation [(No. 3) Air Operator Certification and Administration] (Amendment) Regulations, 2008. Citation
2. In these Regulations “the Regulations” means the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004. Interpretation L.N. No. 102 of 2004
3. Regulation 5 of the Regulations is amended by deleting subregulation (3). Regulation 5 amended
4. Regulation 14 of the Regulations is amended in subregulation (3), by deleting paragraphs (d) and (e) and substituting the following paragraphs: Regulation 14 amended
  - “(d) Director of Maintenance;
  - (e) Quality Manager; and
  - (f) Security Manager.”.
5. Regulation 17 of the Regulations is amended in subregulation (1)— Regulation 17 amended
  - (a) in paragraph (c)(ii), by deleting the word “and”;
  - (b) in paragraph (d)(ii), by deleting the full stop and substituting the words “; and”; and
  - (c) by inserting after paragraph (d) the following paragraph—
    - “(e) the Security Manager shall have—
      - (i) extensive operational experience normally achieved as a security officer;
      - (ii) five years experience in aviation security management; and
      - (iii) successfully completed a recognized aviation security management training course acceptable to the Director General.”.

Regulation 20 amended 6. Regulation 20 of the Regulations is amended by inserting after subregulation (2) the following subregulation:

“ (2A) A national air operator shall not operate a helicopter on flights—

(a) in off-shore operations;

(b) 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 and Performance Class 2; or

(c) over water beyond auto-rotational or safe forced landing distance from land when operating in Performance Class 3,

unless the helicopter is certified for ditching and the sea state is part of ditching information.”.

Regulation 34 amended 7. Regulation 34 of the Regulations is amended by deleting subregulations (6) and (7) and substituting the following subregulation:

“ (6) Notwithstanding subregulation (2), a national air operator of—

(a) an aeroplane shall provide for the use and guidance of operational personnel an Operations Manual as set out in Part A of Schedule 3; and

(b) a helicopter shall provide for the use and guidance of operational personnel an Operations Manual as set out in Part B of Schedule 3.”.

Regulation 37A amended 8. Regulation 37A of the Regulations is amended by inserting after subregulation (3) the following subregulations:

“ (4) An operator of an aeroplane of a maximum certificated take-off mass in excess of 27,000 kilogrammes shall establish and maintain a flight data analysis programme as part of his safety management system.

(5) A flight data analysis programme under subregulation (4) shall be non-punitive and contain adequate safeguards to protect the source of the data.”.

Regulation 54 amended 9. Regulation 54 of the Regulations is amended by inserting after subregulation (5) the following subregulation:

“ (6) An air operator shall ensure that the aircraft operating manual referred to in this regulation is easily accessible to the flight crew during flight operations.”.

10. Schedule 3 of the Regulations is amended—

Schedule 3  
amended

(a) by revoking Part A;

(b) in Part B by deleting the words—

“PART B

STRUCTURE AND CONTENTS OF AN OPERATIONAL MANUAL

Notwithstanding Part A of Schedule 3, an operator shall ensure that with effect from 1st January, 2006, his Operations Manual which may be issued in separate parts corresponding to specific aspects of the operations is recognized in accordance with the structure and contents provided as follows:” and substituting the following words:

“PART A

ORGANIZATION AND CONTENTS OF AN OPERATIONS MANUAL  
FOR OPERATOR OF AN AEROPLANE

An operator of an aeroplane shall ensure that his Operations Manual which may be issued in separate parts corresponding to specific aspects of the operations is organized in accordance with the structure and contents provided as follows:”; and

(c) by inserting after PART A the following PART:

“PART B

ORGANIZATION AND CONTENTS OF AN OPERATIONS MANUAL  
FOR OPERATOR OF A HELICOPTER

An operator of a helicopter shall ensure that his Operations Manual which may be issued in separate parts corresponding to specific aspects of the operations is organized in accordance with the structure and contents provided as follows:

1. Structure—

- (a) General;
- (b) Aircraft operating information;
- (c) Areas, routes and aerodromes; and
- (d) Training.

2. The Minimum Contents of Structure:

(a) General—

- (i) instructions outlining the responsibilities of operations personnel pertaining to the conduct of flight operations;
- (ii) rules limiting the flight time and flight duty periods and providing for adequate rest periods for flight crew members and cabin crew;
- (iii) a list of the navigational equipment to be carried on board the helicopter;
- (iv) the circumstances in which a radio listening watch is to be maintained;
- (v) the method for determining minimum flight altitudes;
- (vi) the methods for determining heliport operating minima;
- (vii) safety precautions during refuelling with passengers on board;

- (viii) ground handling arrangements and procedures;
- (ix) procedures as prescribed in Annex 12 to the Convention on International Civil Aviation for pilots in command observing an accident;
- (x) the flight crew for each type of operation including the designation of the succession of command;
- (xi) specific instructions for the computation of the quantities of fuel and oil to be carried, having regard to all circumstances of the operation including the possibility of loss of pressurization and the failure of one or more power units while *en route*;
- (xii) the conditions under which oxygen shall be used and the procedure for determining the amount of oxygen to be carried;
- (xiii) instructions for mass and balance control;
- (xiv) instructions for the conduct and control of ground de-icing and anti-icing operations;
- (xv) the specifications for the operational flight plan;
- (xvi) standard operating procedures for each phase of flight;
- (xvii) instructions on the use of normal checklists and the timing of their use;
- (xviii) departure contingency procedures;
- (xix) instructions on the maintenance of altitude awareness;
- (xx) instructions on the clarification and acceptance of Air Traffic Control clearances, particularly where terrain clearance is involved;
- (xxi) departure and approach briefings;
- (xxii) route and destination familiarization;
- (xxiii) conditions required to commence or to continue an instrument approach;
- (xxiv) instructions for the conduct of precision and non-precision instrument approach procedures;
- (xxv) allocation of flight crew duties and procedures for the management of crew workload during night and Instrument Meteorological Conditions instrument approach and landing operations;
- (xxvi) information and instructions relating to the interception of civil aircraft including—
  - (A) procedures, for pilots in command of intercepted aircraft; and
  - (B) visual signals for use by intercepting and intercepted aircraft,as required by the Civil Aviation [(No. 2) Operations] Regulations, 2004;
- (xxvii) details of the accident prevention and flight safety programme provided in accordance with regulation 37, including a statement of safety policy and the responsibility of personnel;

- (xxviii) information and instructions on the carriage of dangerous goods, including action to be taken in the event of an emergency;
- (xxix) security instructions and guidance; and
- (xxx) the search procedure checklist;

*Note— Guidance material on the development of policies and procedures for dealing with dangerous goods incidents on board aircraft is contained in Emergency Response Guidance for Aircraft Incidents involving Dangerous Goods (Doc 9481)*

(b) Aircraft operating information—

- (i) certification limitations and operating limitations;
- (ii) the normal, abnormal and emergency procedures to be used by the flight crew and the checklists relating thereto;
- (iii) flight planning data for pre-flight and in-flight planning with different thrust or power and speed settings;
- (iv) instructions and data for mass and balance calculations;
- (v) instructions for aircraft loading and securing of load;
- (vi) aircraft systems, associated controls and instructions for their use;
- (vii) the minimum equipment list for the helicopter types operated and specific operations authorized;
- (viii) checklist of emergency and safety equipment and instructions for its use;
- (ix) emergency evacuation procedures, including type-specific procedures, crew co-ordination, assignment of crew's emergency positions and the emergency duties assigned to each crew member;
- (x) the normal, abnormal and emergency procedures to be used by the cabin crew, the checklists relating thereto and aircraft systems information as required, including a statement related to the necessary procedures for the co-ordination between flight and cabin crew;
- (xi) survival and emergency equipment for different routes and the necessary procedures to verify its normal functioning before take-off, including procedures to determine the required amount of oxygen and the quantity available; and
- (xii) the ground-air visual signal code for use by survivors, as contained in Annex 12 to the Convention on International Civil Aviation;

(c) Routes and aerodromes—

- (i) a route guide to ensure that the flight crew will have, for each flight, information relating to communication facilities, navigation aids, aerodromes, instrument approaches, instrument arrivals and instrument departures as applicable for the operation, and such other information as the operator may deem necessary for the proper conduct of flight operations;
- (ii) the minimum flight altitudes for each route to be flown;
- (iii) heliport operating minima for each of the heliports that are likely to be used as heliports of intended landing or as alternate heliports; and
- (iv) the increase of heliport operating minima in case of degradation of approach or heliport facilities; and

(d) Training—

- (i) details of the flight crew training programme and requirements;
- (ii) details of the cabin crew duties training programme; and
- (iii) details of the flight operations officer or flight dispatcher training programme when employed in conjunction with a method of flight supervision.

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*