

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 REGULATIONS, 2008

1. These Regulations may be cited as the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004. Citation
  
2. (1) In these Regulations— Interpretation
  - “Accountable Manager” means the manager who has corporate authority for ensuring that all prescribed actions are performed to the standard required by the Authority in accordance with regulation 14;
  
  - “aeronautical product” means aircraft engine, propeller, or sub-assembly, appliance, material, part or component to be installed thereon or any aircraft;
  
  - “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;
  
  - “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;
  
  - “aircraft technical log,” means a document pertaining to an aircraft —
    - (a) for recording defects and malfunctions discovered during operations;
  
    - (b) for recording details of all maintenance carried out whilst the aircraft is operating between scheduled visits to the main maintenance base facility; and
  
    - (c) which contains operating information relevant to flight safety and maintenance data needed by the operating crew;
  
  - “air operator” means a person, organization or enterprise which undertakes to engage in domestic commercial air transport or international commercial air transport, whether directly or indirectly or by a lease or any other arrangement;

- “Air Operator Certificate” means a certificate authorizing an operator to carry out specified commercial air transport operations;
- “aircraft category” means the classification of aircraft according to specified basic characteristics such as aeroplane, rotorcraft, glider or lighter-than-air;
- “aircraft type” means all aircraft of the same basic design;
- “aircraft interchange” means an arrangement between two air operators in which the aircraft of the first air operator is crewed by the crew of the second air operator at an interchange point linking their respective routes where operational control is transferred to the second operator for the period of the interchange;
- “Aircraft Maintenance Programme” means a maintenance programme approved by the Authority;
- “airworthy” means that an aircraft or aeronautical product is in a fit and safe state for flight and is in conformity with its type design;
- “area navigation” means a method of navigation which permits aircraft operation on any desired flight path within the coverage of ground or space-based navigation aids or within the limits of the capability of self-contained aids, or a combination of these;
- “Authority” means the Civil Aviation Authority established under the Civil Aviation Act;
- “Aircraft Maintenance Engineer” means a person approved by the Authority to perform defined maintenance upon aeronautical products and includes persons similarly qualified by other Contracting States and referred to as “licenced mechanic”, “certified mechanic” or “certified mechanic”, “aircraft maintenance licence holder”, “aviation maintenance engineer”, “aviation repair specialist”, or by any other term which means an Aircraft Maintenance Engineer;
- “CARICOM national” means a person who is a citizen of any Member State of the Caribbean Community;
- “Release to Service”, means a document certifying an aircraft as being released to service;
- “commercial air transport” means the transport by air of passengers, cargo and mail for remuneration or hire;
- “co-pilot” means a licenced pilot serving in a piloting capacity other than the pilot in command who is designated as the second in command and who meets the requirements of a co-pilot;

- “directly in charge”, means a person assigned to a position in which he is responsible for the work of a shop or station that performed maintenance, preventive maintenance, or modifications, or other functions affecting aircraft airworthiness;
- “dry lease” means a contractual arrangement where a leased aircraft is operated by the flight crew members of the lessee;
- “equivalent system of maintenance” means an air operator may conduct maintenance activities through an arrangement with an approved maintenance organization or may conduct his own maintenance, preventive maintenance, or modification, as long as the maintenance system of the air operator is approved by the Authority and is equivalent to that of an approved maintenance organization, except that the Certificate of Release to Service of an aircraft or aeronautical product shall be made by an appropriately licensed Aircraft Maintenance Engineer or aviation repair specialists under Civil Aviation [(No. 1) General Application and Personnel Licencing] Regulations, 2004 as appropriate;
- “Flight safety document 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 Maintenance Control Manual of the operator;
- “flight dispatcher” means a person who holds a flight dispatcher licence or certificate from another Contracting State;
- “flight operations officer” means a person designated by the operator to engage in the control and supervision of flight operations who is qualified in accordance with the Civil Aviation [(No. 1) General Application and Personnel Licensing] Regulations, 2004 and who supports, briefs and assists the pilot in command in the safe conduct of the flight;
- “Ground handling” means services, other than air traffic services, necessary for the arrival of an aircraft at, and the departure of an aircraft from an airport;
- “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;
- “holdover time” means the estimated time that de-icing or anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on protected surfaces of an aircraft which ceases when the final application of de-icing or anti-icing fluid commences and expires when the de-icing fluid applied to the aircraft loses its effectiveness;

“Interchange agreement” means an arrangement which permits a national air operator to enter into a short term dry lease and temporarily take or relinquish operational control of an aircraft at an airport during the life of the agreement;

“large aircraft” means an aeroplane having a maximum certified take-off mass of five thousand and seven hundred kilogrammes or more or a helicopter having a maximum certified take-off mass of three thousand one hundred and seventy-five kilogrammes or more;

“life limited part” means that a part as a condition of the type certificate, shall not exceed a specified time or number of cycles in service;

“Maintenance Control Manual”, means a manual containing policies, procedures, instructions and guidance for use by maintenance and operational personnel in the execution of their duties;

“modification” means the alteration of an aircraft or aeronautical product in conformity with an approved standard;

“national air operator” means a person who has been issued a Trinidad and Tobago Air Operator Certificate in accordance with regulation 6;

“navigation specification” means a set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace as follows:

(a) required navigation performance specification which is a navigation specification based on area navigation that includes the requirement for performance monitoring and alerting, designated by the prefix RNP, such as RNP4, RNP, APCH; and

(b) area navigation specification which is navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, for example, RNAV 5, RNAV 1;

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

“operations specifications” means the authorizations, conditions and limitations associated with the air operator certificate and subject to the conditions in the operations manual;

“Overhaul life part” means that a part as a condition of the type certificate shall not exceed a specified time or number of cycles in service unless a complete overhaul is performed on it;

“performance-based navigation” means area navigation based on performance requirements for aircraft operating along an air traffic service route, on an instrument approach procedure in a designated airspace.

“pilot in command” means a pilot responsible for the operation and safety of the aircraft during flight time;

“Certificate of release to service”, means an aircraft or aircraft component is certified as either airworthy or serviceable and is permitted to return to normal operations;

“safe forced-landing” means an unavoidable landing or ditching of an aircraft with a reasonable expectancy of no injuries to persons in the aircraft or on the surface;

“safety programme” means an integrated set of regulations and activities aimed at improving safety;

“safety management system” means a systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures;

“small aircraft” means an aeroplane having a maximum certified take-off mass of less than five thousand and seven hundred kilogrammes and a helicopter of a maximum certified take-off mass of less than three thousand, one hundred and eighty kilogrammes

“State of Registry” means the Contracting State on whose register an aircraft is registered;

“Technical Instructions” means the International Civil Aviation Organization, Technical instructions for the Safe Transport of Dangerous Goods by Air;

“training to proficiency,” means the process of the Flight Instructor administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period; and

“wet lease” means a contractual arrangement where a leased aircraft is operated by the flight crew members of the lessor.

(2) These Regulations apply 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 the CARICOM community.

(3) These Regulations prescribe requirements for the original certification and continued validity of air operator certificates issued by the Authority.

(4) Except where specifically noted, these Regulations apply to all commercial air transport operations by air operators for which Trinidad and Tobago is the State of the Operator under the definitions provided in Annex 6 to the Chicago Convention.

(5) The provisions of Part I of the Civil Aviation [(No. 1) General Application and Personnel Licencing] Regulations, 2004 with respect to the surrender, suspension or revocation of aviation documents apply to certificates, authorizations and ratings issued under these Regulations.