

PART I

GENERAL REQUIREMENTS

3. (1) A person shall not operate an aircraft in commercial air transport operations in Trinidad and Tobago, unless he—

Prohibition on operation of aircraft in Trinidad and Tobago

- (a) holds a Trinidad and Tobago Air Operator Certificate issued by the Authority, (hereinafter referred to as a “national air operator”); or
- (b) holds an Air Operator Certificate issued by another contracting state which is accepted by the Authority under Civil Aviation [(No. 10) Foreign Air Operator] Regulations, 2004, (hereinafter referred to as a “foreign air operator”), for the operations being conducted.

(2) A national air operator shall, at all times comply with—

- (a) the specifications of his Trinidad and Tobago Air Operator Certificate;
- (b) the terms and conditions of the issuance of the Trinidad and Tobago Air Operator Certificate specified in regulation 7; And
- (c) maintenance requirements specified in Part VI, in order to hold such Trinidad and Tobago Air Operator Certificate.

(3) Where a national air operator fails to comply with any provision in these Regulations, the Authority may revoke or suspend his certificate.

(4) A national air operator shall conduct commercial air transport operations in accordance with such conditions and limitations as may be specified by the Authority.

(5) A Trinidad and Tobago Air Operator Certificate issued by the Authority under these Regulations shall be dependent upon the national air operator demonstrating adequate Organization, method of control and supervision of flight operations, training programme as well as ground handling, and maintenance arrangements consistent with the nature and extent of the operations specified.

***Application for Trinidad and Tobago Air Operator Certificate***

4. (1) Where a person (herein after referred to as “the applicant”), wishes to apply for a Trinidad and Tobago Air Operator Certificate, he shall—

Application for a national air operator Certificate

- (a) make such application to the Authority in the form and manner prescribed by the Authority; and
  - (b) pay the prescribed fee.
- (2) An application under subregulation (1), shall contain—

(a) a detailed statement showing how the procedures and manuals required by these Regulations are complied with; and

(b) any information the Director General requires the applicant to submit.

(3) An application under subregulation (1), shall be accompanied by—

(a) documentation showing that the applicant has or can obtain use of at least one aircraft and has or can obtain appropriate facilities in respect of such operation

(b) any partial or completed manuals required by these Regulations;

(c) an aviation security programme in accordance with Civil Aviation [(No. 8) Aviation Security] Regulations, 2004;

(d) curricula, syllabi of personnel training; and

(e) a schedule of events.

(4) The manuals referred to in subregulation (3) are as follows:

(a) Operations Manual;

(b) Maintenance Control Manual;

(c) Aircraft Maintenance Manual;

(d) Aircraft Operating Manual; and

(e) Training Manual.

(5) An applicant under these Regulations shall make the application for an initial issue of a Trinidad and Tobago Air Operator Certificate at least ninety days before the date of intended operation.

(6) Notwithstanding subregulations (3)(b) and (4), the Operations Manual specified in regulation 34 and Maintenance Control Manual specified in regulation 76 shall be submitted no less than sixty days before the date of intended operation.

(7) An applicant shall standardize company procedures for all aircraft operations, except where aircraft specific procedures may necessitate a deviation from standard procedure.

*Aviation Manuals*

5. (1) The Manuals referred to in regulation 4(4) shall—

Contents of  
aviation manuals

- (a) include instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety;
- (b) be in a form that is easy to revise and contain a system which allows personnel to determine the current revision status of each manual;
- (c) have a date of the last revision on each page concerned;
- (d) not be contrary to any applicable law and the specific operating provisions of the Trinidad and Tobago Air Operator; and
- (e) include a reference, where applicable, to the appropriate civil aviation regulations.

(2) In addition to the matters set out in subregulation (1), the manuals referred to in regulation 4(4), may be produced either—

- (a) in a series of parts;
- (b) as a series of volumes; or
- (c) as a single document.

***Conditions for issue of a Trinidad and Tobago Air Operator Certificate***

6. (1) The Director General may recommend that the Authority issue an Air Operator Certificate where he is satisfied that the applicant—

Issuance or  
denial of Air  
Operator  
Certificate

- (a) is a CARICOM national;
- (b) has his principal place of business and its registered office within the Caribbean Community;
- (c) meets the applicable regulations and standards for the holder of a Trinidad and Tobago Air Operator Certificate;
- (d) is properly and adequately equipped for safe operations in commercial air transport;
- (e) is properly and adequately equipped for maintenance of the aircraft; and

(f) has sufficient financial resources to conduct safe operations.

(2) The Director General shall not recommend the issue of an Air Operator Certificate—

(a) where the applicant—

- (i) does not meet the requirements of these Regulations;
- (ii) has provided incomplete, inaccurate, fraudulent or false information in applying for the Air Operator Certificate;
- (iii) held a certificate or licence issued by the Authority which was revoked or suspended within the previous five years by reason of criminal, fraudulent, improper action or insanity on the part of such person; or
- (iv) employs or proposes to employ a person in a management position or supervisory capacity who—
  - (A) held a certificate or licence issued by the Authority which was revoked or suspended within the previous five years by reason of criminal, fraudulent, improper action or insanity on the part of such person; or
  - (B) contributed materially to the revocation or suspension of an aviation document issued by the Authority; or

(b) where a person having substantial ownership of the organization—

- (i) held a certificate or licence issued by the Authority which was revoked or suspended within the previous five years by reason of criminal, fraudulent, improper action or insanity on the part of such person; or
- (ii) contributed materially to the revocation or suspension of an aviation document issued by the Authority.

***Contents of Trinidad and Tobago Air Operator Certificate***

7. (1) A Trinidad and Tobago Air Operator Certificate shall be in the form set out as Form I in Schedule 1 and shall comprise—

- (a) a document for public display signed by the Authority; and
- (b) a document containing the Operations Specifications with the terms and conditions and the authorizations applicable to the Air Operator Certificate.

(2) The documents under subregulation (1) shall contain—

- (a) the name of the national air operator and his main base of operation;
- (b) the date of issue and period of validity;
- (c) the descriptions of the types of operations authorized;
- (d) the types of aircraft authorized for use; and
- (e) the authorized areas of operation or routes.

(3) The authority may by means of Operations Specifications under subregulation (1)(b), define which specific operations shall be authorized, prohibited, limited or subject to certain conditions, in the interest of public safety.

(4) The document containing the Operations Specifications referred to in subregulation (1)(b), shall contain—

- (a) general provisions;
- (b) en-route authorization and limitations;
- (c) aerodrome authorizations and limitations;
- (d) maintenance;
- (e) mass and balance;
- (f) interchange of equipment operations; and
- (g) aircraft leasing operations.

***Duration of a Trinidad and Tobago Air Operator Certificate***

8. A Trinidad and Tobago Air Operator Certificate, or any portion thereof, issued by the Authority, shall be valid for twelve calendar months or until the—

- (a) Authority amends, suspends, revokes or otherwise terminates the certificate;
- (b) national air operator surrenders it to the Authority; or
- (c) national air operator suspends operations for more than sixty days.

Duration of a  
Trinidad and  
Tobago Air  
Operator  
Certificate

***Amendment of a Trinidad and Tobago Air Operator Certificate***

Amendment of a  
Trinidad and  
Tobago Air  
Operator  
Certificate

9. (1) The Director General may recommend that the Authority amend any Trinidad and Tobago Air Operator Certificate where—

- (a) the Director General determines that safety in commercial air transport and the public interest require the amendment; or
- (b) the air operator applies for an amendment, and the Director General determines that safety in commercial air transport and the public interest allows the amendment.

(2) Where the Director General recommends to the Authority that an emergency exists requiring immediate amendment to a Trinidad and Tobago Air Operator Certificate, in the public interest with respect to safety in commercial air transportation, a notification shall be issued to the national air operator and such an amendment is effective on the date that the national air operator receives such notification.

(3) A national air operator may appeal the amendment, under subregulation (2), but shall operate in accordance with it, unless it is subsequently withdrawn.

(4) Amendments under subregulation (1)(a), which are recommended by the Director General, other than emergency amendments, become effective thirty days after notification to the national air operator unless he appeals the proposal in writing prior to the effective date.

(5) The filing of an appeal under subregulation (4), stays the effective date until the appeal process is completed.

(6) Amendments proposed by the national air operator under subregulation (1)(b), shall be made at least thirty days prior to the intended date of any operation under that amendment.

(7) A national air operator shall not perform a commercial air transport operation for which a Trinidad and Tobago Air Operator Certificate amendment is required, unless he has received notice of approval from the Authority.

***Access for Inspection***

Air Operator to  
give access for  
inspection

10. (1) A national air operator shall—

- (a) grant the Director General access to and co-operation with any of its organizations, facilities, aircraft and records related to flight operations and maintenance;

- (b) ensure that the Director General is granted access to and co-operation with any organization or facilities that it has contracted for services associated with commercial air transport operations and maintenance for services; and
- (c) grant the Director General free and uninterrupted access to the flight deck of the aircraft during flight operations.

(2) A national air operator shall provide the Authority with a forward observer's seat on each aircraft of the national air operator from which the actions and conversations and radio communications of the flight crew may be easily observed.

(3) The suitability of the seat location under subregulation (2), to monitor crew members' actions, conversations and radio communications shall be determined by the Director General.

(4) In this section "record" means all operations and maintenance manuals, lease agreements, exclusive of their financial components, and records pertaining to flight licencing and aircraft use.

### ***Conducting Tests and Inspections***

Director General  
to conduct tests  
and inspection

11. (1) The Director General shall conduct on-going validation of the continued eligibility of a national air operator to hold his Trinidad and Tobago Air Operator Certificate and associated approvals.

(2) A national air operator shall allow the Director General to conduct tests and inspections, at any time or place, to determine whether he is complying with the applicable laws, regulations and standards.

(3) A national air operator shall make available at his main base—

- (a) his current Trinidad and Tobago Air Operator Certificate;
- (b) all portions of his Operations Manual and Maintenance Manual referred to in regulation 4 (4);
- (c) a current listing that includes the persons responsible for each record, document and report required to be kept by the air operator under the applicable aviation law, regulations or standards and the position he holds in the organization; and
- (d) records which are related to flight operations and maintenance.

- (4) A national air operator shall—
- (a) give the Director General or person authorized by the Director General access to any records which are related to flight operations or maintenance; and
  - (b) produce all such records, when requested to do so by the Director General within a reasonable period of time.

(5) A pilot in command shall, when requested to do so by a person authorized by the Authority or any other Civil Aviation Authority of an International Civil Aviation Organization Member State, produce to that person the documentation required to be carried on board an aircraft.

- (6) Where a national air operator fails to—
- (a) make available to the Director General upon request, any portion of the—
    - (i) Trinidad and Tobago Air Operator Certificate;
    - (ii) the manuals referred to in regulation 4(4); or
    - (iii) any required record or report; or
  - (b) grant access for inspection of the documents referred to in paragraph (a), the Director General may recommend that the Authority suspend all or part of the Trinidad and Tobago Air Operator Certificate.