

PART IV

NATIONAL AIR OPERATOR CERTIFICATE FLIGHT OPERATIONS MANAGEMENT

32. This Part provides those certification requirements that apply to management of flight operations personnel and their functions.

Applicability of Part IV

Safe and Efficient Flight Operations Management

33. (1) A national air operator shall ensure safe and efficient flight operations management.

National air operator to ensure safe and efficient flight operations management

(2) In ensuring safe and efficient Flight Operations Management an air operator shall make provision for the following areas:

- (a) operations administration and supervision;
- (b) accident prevention and flight safety programmes;
- (c) personnel training;
- (d) crew fatigue and flight time limitations;
- (e) flight operations;
- (f) aircraft performance;
- (g) route guides and charts;
- (h) minimum flight altitudes;
- (i) aerodrome operating minima;
- (j) search and rescue;
- (k) dangerous goods;
- (l) navigation;
- (m) communications;
- (n) security;
- (o) human factors;
- (p) an Operational Flight Plan; and
- (q) a chain of command appropriate to ensure proper supervision and accountability at all times.

(3) An operator shall establish a flight safety document system for the use and guidance of his operational personnel.

Operations Manual

34. (1) A national air operator shall prepare and keep an Operations Manual which contains a description of how he plans to meet the provisions of regulation 33.

National air operator to prepare and keep Operations Manual

(2) An Operations Manual shall contain the procedures and policies of the national air operator for the use and guidance of its personnel regarding the flight operations it conducts to include but not limited to critical functions such as flight planning data acquisition, flight following, operational control, aircraft fuelling and airport emergency duties.

(3) A national air operator shall—

(a) maintain and keep current;

(b) issue to members of the crew and all persons required to use it; and

(c) assign to person responsible for operational functions, station and ground handling personnel,

a complete Operations Manual or pertinent portions of an Operations Manual together with all amendments and revisions.

(4) A national air operator shall not provide for use of its personnel in commercial air transport any Operations Manual or portion thereof which has not been reviewed and found acceptable or approved for use of the national air operator by the Authority.

(5) The Operations Manual under subregulation (4), shall be numbered and assigned to specific personnel by number.

(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.

Part A of
Schedule 3

Part B of
Schedule 3

Flight Supervision and Journey Log

National air
operator to have
adequate system
for flight
supervision and
journey log

35. (1) A national air operator shall, for operations on a published schedule have an adequate system approved by the Authority for proper dispatch and monitoring of the progress of the scheduled flights.

(2) The dispatch and monitoring system under subregulation (1) shall have enough dispatch centers, adequate for the operations to be conducted, located at points necessary to ensure adequate flight preparation, dispatch and in-flight contact with the scheduled flight operations.

(3) A national air operator shall provide enough qualified flight operations officers at each dispatch center to ensure proper operational control of each flight for scheduled operations.

(4) A national air operator shall maintain a journey log which may be part of the Technical Log.

(5) A journey log under subregulation (4), shall contain the following information for each flight:

- (a) aircraft nationality and registration;
- (b) date;
- (c) names of crew members;
- (d) duty assignments of crew members;
- (e) place of departure;
- (f) place of arrival;
- (g) time of departure;
- (h) time of arrival;
- (i) hours of flight;
- (j) nature of flight (private, aerial work, scheduled, nonscheduled);
- (k) incidents, observations; and
- (l) signature of person in charge.

Charter Flight Supervision

36. (1) A national air operator shall have for charter flight operations, a flight following system approved by the Authority providing flight preparation documents and determining the departure and arrival times of its flights at all airports.

National air operator to have flight following system

(2) The system described in subregulation (1), shall have a means of communication by private or available public facilities to monitor the departure and arrival at all airports, including flight diversions.

(3) A national air operator shall not be required for aeroplane under fifty seven hundred kilogrammes maximum certified take-off mass or a helicopter under three thousand, one hundred and seventy five kilogrammes to have a flight following system for each flight in which an Air Traffic Control flight plan is filed and remains active until arrival at destination.

(4) Where a national air operator conducting charter operations arranges to have flight following facilities provided by persons other than his employees, he shall continue to be primarily responsible for operational control of each flight.

(5) A national air operator conducting charter operations using a flight following system shall show that—

- (a) the system has adequate facilities and personnel to provide the information necessary for the initiation and safe conduct of each flight to—
 - (i) the flight crew of each aircraft; and

(ii) the persons designated by the certificate holder to perform the function of operational control of the aircraft; and

(b) the personnel required to perform the function of operational control are able to perform their duties.

Accident Prevention and Flight Safety

National air operator to establish and maintain accident prevention and flight safety programme

37. (1) A national air operator shall establish and maintain an accident prevention and flight safety system, which may be integrated with the Quality System under regulation 16, including—

- (a) procedures to achieve and maintain risk awareness by all persons involved in operations;
- (b) an occurrence reporting scheme to enable the collation and assessment of relevant incident and accident reports in order to identify adverse trends or to address deficiencies in the interests of flight safety;
- (c) a system for the evaluation of relevant information relating to incidents and accidents and the promulgation of related information, but not the attribution of blame;
- (d) the appointment of a person accountable for managing the system; and
- (e) from 1 January, 2005, a flight data monitoring programme for aeroplanes in excess of 27,000 kilogrammes maximum certified take-off mass.

(1A) For the purpose of this regulation “flight data monitoring” is the proactive use of digital flight data from routine operations to improve aviation safety.

(1B) The flight data monitoring programme under subregulation (1), shall be non-punitive and contain adequate safeguards to protect the source of the data.

(1C) Proposals for corrective action identified by the accident prevention and flight safety system shall be the responsibility of the person to whom accountability for managing the system is assigned.

(1D) The effectiveness of changes resulting from proposals for corrective action identified by the accident prevention and flight safety system shall be monitored by the Quality Manager under regulation 16.

(2) A flight safety system under this regulation shall include the following elements which shall also be described in the appropriate manuals:

- (a) qualifications of the flight safety person;

- (b) responsibilities of the flight safety person;
- (c) training for the flight safety person;
- (d) incident management;
- (e) flight safety committee;
- (f) emergency response planning; and
- (g) communication and safety education.

Safety Management System

37A. (1) From 1st January, 2009, air operators shall implement a safety management system acceptable to the Authority that—

Safety
Management
System

- (a) identifies safety hazards;
- (b) ensures that remedial action necessary to maintain the acceptable level of safety established by the Director General under subregulation (1) , is implemented ;
- (c) provides for continuous monitoring and regular assessment of the safety level achieved; and
- (d) aims to make continuous improvement to the overall level of safety.

(2) The Director General shall establish the acceptable level of safety to be achieved in the operations of aircraft.

(3) As part of the safety management programme required by subregulation (1), an air operator shall clearly define lines of safety accountability throughout its organization, including a direct accountability for safety on the part of senior management.

(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.

Training

National air operator to ensure operations personnel know their duties and responsibilities

Schedule 4

38. (1) A national air operator shall have a Training Programme Manual approved by the Authority containing the general training, checking and record keeping policies and the items listed in Schedule 4.

(2) A national air operator shall ensure that all operations personnel are properly instructed in their duties and responsibilities and the relationship of such duties to the operation as a whole.

(3) A national air operator shall provide adequate ground and flight training facilities and properly qualified instructors as determined by Authority.

(4) A national air operator shall have a training curriculum, which is approved by the Authority and any revisions thereto, for the purpose of qualifying and maintaining proficiency as a crew member, or person performing operational control functions, for duties in commercial air transport.

(5) A national air operator shall submit to the Authority the schedule of training, proficiency checks and other qualification checks and revisions prior to the conduct of these activities.

(6) A national air operator shall submit to the Authority for approval initial, transition and recurrent training programme for all crew member duty positions.

(7) A training programme under subregulation (6) shall include records to show completion of training and qualifications to the satisfaction of the Authority.

Training to Proficiency—Pilots

National air operator to train pilots to proficiency

39. A national air operator shall train its pilots to proficiency on those manoeuvres and procedures that are prescribed by the Authority for pilot to meet the requirements of each check.

Flight and Duty Time Schemes

National air operator to submit flight and duty time scheme

40. A national air operator shall submit a flight duty time scheme in accordance with the Civil Aviation [(No. 2) Operations] Regulations, 2004 for approval by the Authority.

Designation of Pilot in Command

National air operator to designate pilot in command for commercial air transport

41. A national air operator shall, for each commercial air transport operation, designate in writing one pilot as the pilot in command.

Cabin Crew

42. (1) A national air operator shall schedule, and the pilot in command shall ensure that at least the minimum number of required cabin crew are on board a passenger-carrying flight.

Required cabin crew and qualifications

(2) The number of cabin crew shall not be less than—

(a) one cabin crew for a seating capacity of twenty to fifty passengers; or

(b) one cabin crew for each fifty passengers seat or part thereof.

(3) Where passengers are on board a parked aircraft, the minimum number of cabin crew shall be no less than one-half of that required for the flight operation rounded down to the next whole number where a fraction, but never less than one cabin crew or another person qualified in the emergency evacuation procedures for the aircraft.

(4) A national air operator shall ensure that each member of the cabin crew—

(a) is at least eighteen years of age;

(b) has passed an initial medical examination or assessment and is found medically fit to discharge the duties specified in the Operations Manual; and

(c) remains medically fit to discharge the duties specified in the Operations Manual.

(5) A national air operator shall ensure that each member of the cabin crew is competent to perform his duties in accordance with procedures specified in the Operations Manual.

Carriage of Inadmissible Passengers, Deportees or Persons in Custody

43. A national air operator shall not permit the transportation of inadmissible passengers, deportees or persons in custody except—

(a) as provided in his Operations Manual; and

(b) with the knowledge and concurrence of the pilot in command.

Restrictions and exceptions to the carriage of inadmissible passengers, deportees or persons in custody

Crewmember checking and Standardization Programme

National air operator to have crew member checking and standardization programme

44. A national air operator shall have a programme approved by the Authority with respect to the checking and standardization of crew members.

Cockpit Checklist

National air operator shall cause flight deck check list procedure to be made available

45. (1) A national air operator shall issue to the flight crew and make available on each aircraft, a condensed check-list of flight deck procedures approved by the Authority appropriate to the type and variant of aircraft.

(2) A national air operator shall ensure that approved procedures under subregulation (1), include each item necessary for members of the flight crew to check for safety before starting engines, taking off, or landing, and for engine and systems abnormalities and emergencies.

(3) A national air operator shall ensure that the check-list of flight deck procedures is designed to observe human factor principles so that a member of the flight crew shall not need to rely upon his memory for items to be checked.

(4) A national air operator shall make the approved procedures readily useable, accounting for human factor principles, in the cockpit of each aircraft and the flight crew shall be required to follow them when operating the aircraft.

Minimum Equipment List and Configuration Deviation List

National air operator to provide Minimum Equipment List and Configuration Deviation List

46. (1) A national air operator shall provide as part of his Operations Manual, a Minimum Equipment List approved by the Authority, for the use of—

- (a) the members of the flight crew;
- (b) maintenance personnel; and
- (c) persons assigned operational control functions during the performance of their duties.

(2) The Minimum Equipment List shall be specific to the aircraft type and variant and shall contain the circumstances, limitations and procedures for release or continuance of flight of the aircraft with inoperative components, equipment, systems or instruments.

(3) The following instruments and equipment may not be included in the Minimum Equipment List:

- (a) instruments and equipment that are either specifically or otherwise required by the certification airworthiness requirements and which are essential for safe operations under all operating conditions;

(b) instruments and equipment required for operable condition by an airworthiness directive, unless the airworthiness directive provides otherwise; and

(c) instruments and equipment required for specific operations as required by the Act or Regulations made thereunder.

(4) A national air operator may, for an aircraft of more than fifty seven hundred kilogrammes maximum certified mass, provide a Configuration Deviation List specific to the aircraft type, where applicable, for the use of—

(a) flight crew;

(b) maintenance personnel; and

(c) persons assigned operational control functions, during the performance of their duties.

(5) The Operations Manual of a national air operator shall contain the procedures acceptable to the Authority for operations in accordance with the requirements of the Configuration Deviation List.

(6) Notwithstanding subregulation (3) (a) and (c), an aircraft with inoperative instruments or equipment, may be operated under a special flight permit in accordance with the Civil Aviation [(No. 5) Airworthiness] Regulations, 2004.

Aircraft Loading and Handling Manual

47. (1) A national air operator shall provide an Aircraft Handling and Loading Manual acceptable to the Authority, for the use of—

(a) members of the flight crew;

(b) ground handling personnel; and

(c) persons assigned operational control functions, during the performance of their duties.

(2) A manual under subregulation (1), shall be specific to the aircraft type and variant which contains the procedures and limitations for servicing and loading of the aircraft.

National air operator to provide Aircraft Loading and Handling Manual

Mass and Balance Data Control System

48. A national air operator shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current information regarding the mass and balance of each aircraft operated.

National air operator to have Mass and Balance Data Control System

Cabin Crew Manual

National air operator to issue Cabin Attendant Manuals

49. (1) A national air operator shall issue to each cabin crew and provide to passenger agents during the performance of their duties, a current Cabin Crew Manual, which is acceptable to the Authority.

(2) A cabin crew shall have the current Cabin Crew Manual under subregulation (1), in his possession on assigned flights.

(3) The Cabin Crew Manual under subregulation (1), shall contain those operational policies and procedures applicable to cabin crew duties and the carriage of passengers.

(4) A national air operator shall issue to a cabin crew, a Cabin Crew Manual specific to the aircraft type and variant which shall contain the details of his normal, abnormal and emergency procedures and the location and operation of emergency equipment.

(5) A Cabin Crew Manual under subregulations (1) to (3), and the manuals specific to aircraft type and variant under subregulation (4), may be combined into one manual for use by a cabin crew.

Passenger Briefing Cards

National air operator to carry passenger briefing cards on aircraft

50. (1) A national air operator shall carry on each passenger carrying aircraft, in convenient locations for the use of each passenger, printed cards supplementing the oral briefing required by the Authority and containing—

- (a) diagrams and methods of operating the emergency exits;
- (b) other instructions necessary for use of the emergency equipment; and
- (c) information regarding the restrictions and requirements associated with sitting in an exit seat row.

(2) A national air operator shall ensure that each card contains information that is pertinent only to the type and variant of aircraft used for that flight.

Weather Reporting Sources

Approved weather reporting sources Schedule 5

51. (1) The sources approved for weather reports and forecasts used for decisions regarding flight preparation, routing and terminal operations are listed in Schedule 5.

(2) The Director General may by Order amend Schedule 5 to remove or add sources for the weather reports and forecasts used for decisions regarding flight preparation, routing and terminal operations.

(3) For passenger carrying operations on a published schedule, the national air operator shall have an approved system for obtaining forecasts on each route to be flown and airport to be used and reports of adverse weather phenomena that may affect safety of flight.

De-icing and Anti-icing

52. A national air operator planning to operate an aircraft in conditions where frost, ice, or snow may reasonably be expected to adhere to the aircraft shall—

National air operator to adhere to certain requirements in frost, ice or snow

- (a) use only aircraft adequately equipped for such conditions;
- (b) ensure flight crew is adequately trained for such conditions; and
- (c) have an approved ground de-icing and anti-icing programme as prescribed by the Authority.

Knowledge of the Law

53. (1) A national air operator shall ensure that all his employees are aware, that when performing duties out of the jurisdiction, they shall comply with the laws, regulations and procedures of the State in which operations are conducted.

Employees shall comply with state legislation

(2) A national air operator shall ensure that all pilots are familiar with the laws, regulations and procedures, pertinent to the performance of their duties, prescribed for the areas to be traversed, the aerodromes to be used and the air navigation facilities relating thereto.

(3) A national air operator shall ensure that other members of the flight crew are familiar with such of these laws, regulations and procedures as are pertinent to the performance of their respective duties in the operation of the aircraft.

Aircraft Operating Manual

54. (1) A national air operator shall submit proposed Aircraft Operating Manuals for each type of aircraft operated, containing the normal, abnormal and emergency procedures relating to the operation of the aircraft for approval by the Authority.

National air operator to submit Aircraft Operating Manual

(2) An Aircraft Operating Manual shall be based upon the aircraft manufacturer's data for the specific aircraft type and variant operated by the national air operator and shall include specific operating parameters, details of the aircraft systems, and of the numerically standardized, abbreviated and expanded check-lists to be used applicable to the operations of the Trinidad and Tobago Air Operator Certificate, that are approved by the Authority.

(3) The design of the manual under this regulation shall take account of human factors principles.

(4) An Aircraft Operating Manual shall be issued to the flight crew members and persons assigned operational control functions to each aircraft operated by the national air operator.

Schedule 6

(5) Notwithstanding the foregoing an Aircraft Operating Manual under this regulation shall contain the items listed in Schedule 6.

(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.

Aircraft Performance Planning Manual

National air operator to provide Performance Planning Manual

55. (1) A national air operator shall provide for the use of members of the flight crew and persons assigned operational control functions during the performance of their duties, a Performance Planning Manual acceptable to the Authority.

(2) The Performance Planning Manual under subregulation (1), shall be specific to the aircraft type and variant which contains adequate performance information to accurately calculate the performance in all normal phases of flight operation.

Aircraft Performance Data Control System

National air operator to have aircraft Performance Data System

56. (1) A national air operator shall have a system approved by the Authority for obtaining, maintaining and distributing to appropriate personnel current performance data for each aircraft, route and airport that it uses.

(2) The system under subregulation (1), shall provide current obstacle data to assist in the preparation of take-off and landing performance calculations.

(3) A national air operator shall take account of charting accuracy when charting obstacle data.

Aeronautical Data Control System

National air operator to have Aeronautical data Control System

57. (1) A national air operator shall have a system approved by the Authority, for obtaining, maintaining and distributing to appropriate personnel, current aeronautical data for each route and the airport that he uses.

Schedule 7

(2) A national air operator shall provide aeronautical data for each airport used by him in respect of the areas listed in Schedule 7.

Route Guide

National air operator to provide certain information guide

58. (1) A national air operator shall provide for the use of members of the flight crew and persons assigned operational control functions during the performance of their duties:

- (a) a route guide acceptable to the Authority; and
- (b) aeronautical charts approved by the Authority.

(2) The route guide and aeronautical charts under subregulation (1), shall be current and appropriate for the proposed types and areas of operations to be conducted by the national air operator.

Routes and Areas of Operation

59. (1) A national air operator may conduct operations only along such routes and within such areas for which—

Restriction on the conduct of routes

- (a) ground facilities and services, including meteorological services, are provided which are adequate for the planned operation;
- (b) the performance of the aircraft intended to be used is adequate to comply with minimum flight altitude requirements;
- (c) the equipment of the aircraft intended to be used meets the minimum requirements for the planned operation;
- (d) appropriate and current maps and charts are available;
- (e) where two-engine aircraft are used, adequate airports are available with the time and distance limitations; and
- (f) where a single-engine aircraft is used, surfaces are available which permit a safe forced landing to be executed.

(2) A person shall not conduct commercial air transport operations on any route or area of operation unless those operations are in accordance with any restrictions imposed by the Authority.

Navigational Accuracy

60. (1) A national air operator shall have, for each proposed route or area that he uses, the navigational systems and facilities capable of navigating the aircraft—

Requirements in respect of navigational systems and facilities

- (a) within the degree of accuracy required for Air Traffic Control; and
- (b) to the airports in the operational flight plan as defined by the Authority within the degree of accuracy necessary for the operation involved.

(2) Where adequate navigation systems reference does not exist, the Authority may authorize day Visual Flight Rules operations that can be conducted safely by pilotage because of the characteristics of the terrain.

(3) The Director General shall recommend the Authority list in the national air operator operations specifications for non-visual ground aids required for the approval of routes outside of controlled airspace.

(4) The list under subregulation (3) shall not be required to contain the navigational aids required for routes to alternate airports within the controlled airspace.

(5) Non-visual ground aids shall not be required for night visual flight rules operations on routes that the national air operator can show have reliably lighted landmarks adequate for safe operation.

(6) Operations on route segments where the celestial or other specialised means of navigation are used shall be approved by the Authority.

Communications

National air operator to have two-way radio communications

61. (1) The flights of a national air operator shall be capable of two way radio communications with all Air Traffic Control facilities along the routes and alternate routes to be used.

(2) A national air operator shall in respect of passenger carrying operations on a published schedule, be capable of timely, direct and reliable radio communications with all flights over the entire route structure of the national air operator, under normal operating conditions.

Definition of certain clauses

62. In this Part —

“timely communication” means the ability to establish communications domestically within thirty minutes of first trying and internationally within one hour when the flight is in cruise; and

“direct communication” means the ability of the flight operations officer and flight dispatcher and the pilot in command to communicate using the facilities of the national air operator, an electronic data link facility, or a facility operated by a third party according to an agreement.