

PART VII

RECORDS

Retention and Maintenance of Records

89. (1) A national air operator shall maintain current records which detail the qualifications and training of all its employees and contract employees, involved in the operational control, flight operations, ground operations and maintenance of the national air operator.

National air operator to maintain records

(2) A national air operator shall maintain records for those employees performing crew member or Flight Operations Officer duties in sufficient detail to determine whether the employee meets the experience and qualification for duties in commercial air transport operations.

(3) Where a crew member in respect of whom a national air operator has kept a record becomes a crew member for another operator, that record shall be made available to the new operator.

(4) A national air operator shall retain records of the flight time, flight duty periods and rest periods of all its crew members and fuel and oil records for each flight.

(5) A national air operator shall maintain records for each flight of an aeroplane above forty-nine thousand feet so that the total cosmic radiation dosage received by each crew member over a period of twelve consecutive months can be determined.

Flight Deck Voice and Flight Data Recorder Records

90. A national air operator shall retain—

- (a) the most recent flight data recorder calibration, including the recording medium from which this calibration is derived; and
- (b) the flight data recorder correlation for one aircraft of any group of aircraft operated by the national air operator—
 - (i) that is of the same type;
 - (ii) on which the model flight recorder and its installation are the same; and
 - (iii) on which there is no difference in type design with respect to the original installation of instruments associated with the recorder.

National air operator to retain flight data recorder records

***Preservation, Production and use of Flight Recorder
Recording***

Operator of
aeroplane to
preserve original
recorded data
after incident

91. (1) Where an accident involving an aircraft occurs, the national air operator of an aeroplane on which a flight recorder is carried shall, as far as possible, preserve the original recorded data pertaining to that accident, for a period of sixty days unless otherwise directed by the Authority.

(2) A national air operator of an aeroplane on which a flight recorder is carried shall as far as possible, following an incident that is subject to mandatory reporting, preserve the original recorded data pertaining to that incident, for a period of sixty days unless otherwise directed by the Authority.

(3) Where the Authority so directs, a national air operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of sixty days unless otherwise directed by the investigating authority.

(4) When a flight data recorder is required to be carried aboard an aeroplane, the national air operator of that aeroplane shall—

(a) save the recordings for the period of operating time as required except that, for the purpose of testing and maintaining flight data recorders, up to one hour of the oldest recorded material at the time of testing may be erased; and

(b) keep a document which presents the information necessary to retrieve and convert the stored data into engineering units.

(5) The national air operator of an aeroplane on which a flight recorder is carried shall, within a reasonable time after being requested to do so by the Authority, produce any recording made by a flight recorder which is available or has been preserved.

(6) The cockpit voice recorder recordings may not be used for purposes other than for the investigation of an accident or incident which is subject to mandatory reporting.

(7) The flight data recorder recordings may not be used for purposes other than for the investigation of an accident or incident which is subject to mandatory reporting except when such recordings are—

(a) used by the national air operator for airworthiness or maintenance purposes only;

(b) de-identified; or

(c) disclosed under secure procedures.

Aircraft Listing

92. (1) A national air operator conducting international or domestic operations shall maintain a current list of each aircraft that it operates in scheduled air transportation and shall send a copy of such record and each change to the Director General.

National air operator to maintain current list of aircraft being operated

(2) An aircraft of another national air operator operated under an interchange agreement shall also be included in the list referred to in subregulation (1).

National Air Operator Aircraft Technical log

93. (1) A national air operator shall have an aircraft technical log as prescribed under regulation 79 which shall be carried on the aircraft.

National air operator to have aircraft technical log

(2) An aircraft technical log under subregulation (1) may contain a journey log referred to in regulation 35(4) and an aircraft maintenance record section.

(3) Completed journey log shall be retained to provide a continuous record of at least the last six months of operations.

General Certificate and Licences Requirements

94. (1) A national air operator shall comply with the general requirements for the-

- (a) display of licences;
- (b) change of name of licence certificate holder;
- (c) change of address;
- (d) replacement of aviation documents;
- (e) non-falsification reproducer or alteration of licences;
- (f) surrender of licences;
- (g) re-application of licences;

National air operator to comply with general certificate and licences requirements

(h) drug and alcohol testing and reporting, required by Part II of the Civil Aviation [(No. 1) General Application and Personnel Licencing] Regulations, 2004.

(2) A request for a deviation from any requirements of these Regulations shall be made in the same manner as required by the Civil Aviation [(No. 1) General Application and Personnel Licencing] Regulations, 2004.

Implementing Standards

National air operator to comply with minimum implementing standards

95. A national air operator in meeting the requirements of Regulations 14, 15, 22, 27, 28, 29, 30, 34, 35, 36, 37, 48, 50, 51, 52, 57, 61, 78, 80, 81 and 89, shall ensure that he complies with the minimum implementing standards set out in Schedule 10.

Schedule 10

Director General may amend Schedules

Director General may amend the Schedules

96. The Director General may by Order amend any of the Schedules.

Transitional Provisions

Transitional provisions

97. (1) Notwithstanding the air operator certification requirements of these Regulations, a person exercising the privileges of an Air Operator Certificate on the commencement of these Regulations may continue to do so under the conditions of his existing Air Operator Certificate until 30th September, 2009 and thereafter shall meet the requirements of these Regulations.

(2) Notwithstanding subregulation (1), on the commencement of these Regulations a person who wishes to apply for an Air Operator Certificate shall meet the requirements of these Regulations.

(3) An Air Operator Certificate holder who, upon the commencement of these Regulations, continues to operate under his existing Air Operator Certificate, shall apply to the Authority for recertification and successfully complete his re-certification on or before 1st October, 2009.