

PART II

AIRWORTHINESS CERTIFICATION

9. This Part prescribes the requirements for the issue of Airworthiness Certificate, Certificate of Maintenance Review and Special Flight Permit for Trinidad and Tobago aircraft.

Application of Part II

Restriction on Operations without Airworthiness Certificate

10. (1) The operator of a Trinidad and Tobago aircraft shall not operate such aircraft in civil aircraft operations unless the Authority has issued an Airworthiness Certificate in respect of such aircraft certifying it to be airworthy.

Restriction on operation of aircraft without Airworthiness Certificates

(2) The operator of a Trinidad and Tobago aircraft, who wishes such aircraft to be certified as airworthy shall—

- (a) apply to the Authority in the prescribed form;
- (b) pay the prescribed fee; and
- (c) satisfy the airworthiness requirements of these Regulations.

Requirements for the issue of Airworthiness Certificate

11. (1) The Director General may recommend that the Authority issue an Airworthiness Certificate in respect of a Trinidad and Tobago aircraft where—

Requirements for the issue of Airworthiness Certificate

- (a) the applicant presents evidence to the Director General that the aircraft conforms to a type design approved under a Type Certificate and applicable Supplemental Type Certificate of a State of Design identified under paragraph (1)(e);
- (b) all applicable Airworthiness Directives and maintenance requirements have been completed and the aircraft and its records have been inspected within the last thirty days in accordance with these Regulations and found to be airworthy by persons authorized by the Authority to make such determinations;
- (c) he is satisfied, after an inspection of the Trinidad and Tobago aircraft, that such aircraft conforms to the type design and is in a condition for safe operation;
- (d) such aircraft has been flight tested, as required; and
- (e) such aircraft meets the acceptable and equivalent type design standards of the established international airworthiness codes set out in the Schedule 1.

Schedule 1

(2) Where a Trinidad and Tobago aircraft is known to or is suspected to have dangerous features, such aircraft shall not be issued an Airworthiness Certificate.

(3) Prior to the issue of an Airworthiness Certificate the owner of an aircraft shall-

- (a) register such aircraft in Trinidad and Tobago in accordance with the requirements of the Civil Aviation [(No.4) Registration and Markings] Regulations, 2004;
- (b) meet the applicable requirements of the Civil Aviation [No.7) Instruments and Equipment] Regulations, 2004.

Issue of Special Flight Permit

Issue of Special
Flight Permit

12. (1) The Director General may recommend that the Authority issue a Special Flight Permit to the operator of a Trinidad and Tobago aircraft, where such aircraft is capable of safe flight, but unable to meet applicable airworthiness requirements, for the purpose of—

- (a) flying to a base where repairs, modifications, maintenance, or inspections are to be performed, or to a point of storage;
- (b) flight testing where required after performing maintenance;
- (c) delivering or exporting such aircraft from Trinidad and Tobago; or
- (d) evacuating aircraft from areas of impending danger.

(2) The Director General shall in the interest of safety recommend the Authority issue specific operating limitations for each Special Flight Permit issued under subregulation (1).

(3) The Director General shall require the operator of a Trinidad and Tobago aircraft which has been issued a Special Flight Permit under subregulation (1), to conduct maintenance in accordance with the aircraft maintenance manual.

(4) An operator under subregulation (3) shall ensure that the maintenance required to be conducted is performed by a person or organization authorized to so conduct such maintenance under the Act or Regulations made thereunder.

(5) A person or organization conducting maintenance under subregulations (3) and (4) shall upon completing such maintenance, record a statement in the aircraft permanent record that such aircraft has been inspected and found to be safe for the intended flight and affix his signature against such statement.

(6) An operator shall obtain all required overflight authorizations from states to be overflown on flights outside Trinidad and Tobago by an aircraft operating under a Special Flight Permit.

(7) Where a Special Flight Permit is issued in accordance with these Regulations, the operator shall ensure that it is displayed in the aircraft at all times during operations and a copy shall be kept on the ground.

(8) An aircraft in respect of which a Special Flight Permit has been issued under these Regulations shall not carry passengers or property for compensation or hire.

Amendment of Airworthiness Certificate

13. The Director General may on his own initiative or upon application from the operator of a Trinidad and Tobago aircraft recommend the Authority amend or modify an Airworthiness Certificate of such aircraft.

Amendment
of
Airworthiness
Certificate

Transfer or Surrender of Airworthiness Certificate

14. (1) The Director General may recommend that the Authority transfer an Airworthiness Certificate to the lessee of a Trinidad and Tobago aircraft, where such aircraft is leased within Trinidad and Tobago.

Transfer or
surrender of
Airworthiness
Certificate

(2) An operator shall surrender the Airworthiness Certificate for a Trinidad and Tobago aircraft to the Authority upon sale of such aircraft to an operator outside of Trinidad and Tobago.

(3) The Director General may recommend that the Authority issue an Export Airworthiness Certificate for a Trinidad and Tobago aircraft which is to be exported from Trinidad and Tobago.

(4) Nothing in subregulation (3), shall be interpreted as not requiring a Trinidad and Tobago aircraft being exported from Trinidad and Tobago from having a valid Airworthiness Certificate.

Continued Validity of Airworthiness Certificate

15. (1) An Airworthiness Certificate shall remain valid for one year unless otherwise surrendered, suspended or revoked.

Continued
validity of
Airworthiness
Certificate

(2) Notwithstanding subregulation (1), an Airworthiness Certificate may be issued to an operator for a period of less than one year where it is issued under regulation 11.

(3) The application for the renewal of an Airworthiness Certificate shall be—

(a) made in a form and manner prescribed by the Authority; and

- (b) accompanied by –
 - (i) an engineer’s report in the form prescribed by the Authority, giving details of work done on the aircraft since the last renewal of the Airworthiness Certificate; and
 - (ii) a copy of the mass and balance report for the aircraft; and
 - (iii) the prescribed fee; and
 - (iv) such other documents as prescribed by the Director General.

(4) The continued validity of an Airworthiness Certificate shall be dependent upon—

- (a) the Trinidad and Tobago aircraft being maintained in an airworthy condition in accordance with the requirements of these Regulations;
- (b) the Authority being granted access to the Trinidad and Tobago aircraft to determine continued compliance with these Regulations; and
- (c) the Trinidad and Tobago aircraft being operated within the performance and operating limitations of its approved Aircraft Flight Manual.

Contents of an Airworthiness Certificate

16. An Airworthiness Certificate shall be a single document signed by the Authority and shall contain the following:

Contents
of an
Airworthiness
Certificate

- (a) the date of expiry;
- (b) the nationality and registration marks;
- (c) the manufacturer and designation of the Trinidad and Tobago aircraft;
- (d) the serial number of the Trinidad and Tobago aircraft;
- (e) the certification basis or permitted operational category of the aircraft;
- (f) date of issue;
- (g) authorizing signature; and
- (h) the following statement with reference to the appropriate Airworthiness code inserted in the area marked with an asterisk:
 - “This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7th December, 1944 and (*) in respect of the above aircraft which is considered to be airworthy when maintained and operated in accordance with the foregoing and the pertinent operating limitations”; and

- (i) periodic endorsement, showing expiry date or a statement that the aircraft is being maintained under a system of continuous inspection; and
- (j) such other matters as the Authority may deem necessary.

Maintenance of Records for Aircraft issued an Airworthiness Certificate

17. Where an Airworthiness Certificate has been issued in respect of a Trinidad and Tobago aircraft under these Regulations, the operator of such Trinidad and Tobago aircraft shall be responsible for maintaining records of such aircraft including records to establish the identification of such aircraft with its approved type design.

Requirement of air operator to maintain records for identification of type design

Continued Airworthiness of Aircraft and Aeronautical Products

18. (1) A person shall not perform maintenance or preventive maintenance on a Trinidad and Tobago aircraft other than as prescribed in these Regulations.

Requirements for continued airworthiness of aircraft and aeronautical products

(2) The operator of a Trinidad and Tobago aircraft shall be responsible for maintaining such Trinidad and Tobago aircraft in an airworthy condition by ensuring that—

- (a) all maintenance, overhaul, modifications and repairs which affect airworthiness are performed by an approved person or Approved Maintenance Organization in a manner prescribed by the Authority;
- (b) any removal or replacement of any aeronautical product of such aircraft is conducted in a manner and with materials required by the Manufacturer;
- (c) all inspections classified in the Approved Maintenance programme or any Airworthiness Directives of the State of Design of such aircraft or associated aeronautical products are completed as prescribed;
- (d) all approved maintenance personnel make appropriate entries in the aircraft maintenance records certifying that such aircraft is airworthy;
- (e) a Certificate of Release to Service is issued in accordance with regulation 31, to certify that maintenance work performed has been completed satisfactorily and in accordance with the prescribed methods;
- (f) in the event that there are discrepancies which have not been corrected, the Certificate of Release to Service includes a list of the uncorrected maintenance items and these items are made a part of the aircraft permanent record; and

(g) a Certificate of Maintenance Review is issued in accordance with regulation 31A, to certify that all inspections classified in the Approved Maintenance Programme and Airworthiness Directives of the State of Design and State of Manufacture, in respect of such aircraft and its associated aeronautical product have been accomplished as prescribed.

(3) Any failure to maintain an aircraft in an airworthy condition as prescribed by this regulation shall render the Trinidad and Tobago aircraft ineligible for flight until such time it is restored to an airworthy condition by re-compliance with these regulations.

Aircraft Maintenance Programme

Requirements
for Aircraft
Maintenance
Programme

19. (1) Maintenance activities shall include processes and practices established by the manufacturer of the aeronautical product and approved by the civil aviation authority of the State of Design of such a product.

(2) An operator shall prepare and submit to the Authority for approval a maintenance programme, which shall include the applicable specifications, methods, procedures, tasks and intervals approved by the State of Design for the aircraft type.

(3) A maintenance programme under subregulation (2), shall include a maintenance manual, airworthiness limitations, mandatory replacement times, fatigue life limits, inspection intervals, corrosion prevention and control, supplemental structural inspection programmes or structural integrity programmes, ageing aircraft programmes, reliability programmes and maintenance review board report as applicable.

(4) The maintenance programme under subregulation (2), shall, where the Authority deems appropriate, be reviewed and updated in accordance with the reliability programme of the operator which shall take into consideration continuing airworthiness information promulgated by the manufacturer, the utilization of the aircraft and the operator's particular maintenance and operating environment and experience of the operator.

(5) An operator shall not operate a Trinidad and Tobago aircraft for which a maintenance manual of the manufacturer, or instructions for continued airworthiness that contains an airworthiness limitation section has been issued unless the operator has complied with the following:

(a) the mandatory replacement times, inspection intervals and related procedures specified in the airworthiness limitation section of the maintenance manual or instructions for airworthiness;

(b) alternative inspection intervals and related procedures—

- (i) set forth in the operations specifications approved under the Civil Aviation [(No. 3) Air Operator Certification and Administration] Regulations, 2004; or
- (ii) in accordance with the inspection programme approved under the Civil Aviation [(No. 2) Operations] Regulations, 2004; or
- (c) maintenance programme approved under these regulations.

Airworthiness Directives

20. (1) Where an aircraft is registered in Trinidad and Tobago, the Director General shall—

Airworthiness
directives
procedures

- (a) notify the State of Design of the registration of such aircraft in Trinidad and Tobago; and
- (b) request all airworthiness directives in respect of such aircraft or its associated aeronautical product and any information which the State of Design deems necessary for the continuing airworthiness and safe operation of the Trinidad and Tobago aircraft.

(2) Whenever a State of Design considers an aircraft or its associated aeronautical product is unsafe based on an airworthiness directives by that State, such directives shall be mandatory to Trinidad and Tobago registered aircraft of the type identified in that airworthiness directive.

(3) An operator of a Trinidad and Tobago aircraft shall, whenever an airworthiness directives has been issued in respect of the applicable aircraft or aeronautical product comply with such airworthiness directives.

(4) Where the Director General determines that an aeronautical product has exhibited an unsafe condition and such condition is likely to exist or to develop in other aeronautical products of the same type design, he shall, where a airworthiness directives has not been issued by the State of Design, recommend the Authority issue a Special airworthiness directives prescribing inspections and the conditions and limitations, where any, under which such aeronautical products may continue to be operated.

(5) The findings of any inspection under subregulation (4), shall be forwarded immediately by the operator to the Authority and the State of Design.

(6) A person shall not operate an aeronautical product to which an airworthiness directives applies, issued by—

- (a) the State of Design;
- (b) the Authority; or

(c) the State of Registry for other aircraft operated within Trinidad and Tobago, except in accordance with the requirements of that airworthiness directives.

Damage to Aircraft

Procedures to be followed where damage occurs to aircraft

21. (1) An operator shall not operate an aircraft that has sustained damage unless all details of the damage are provided to allow the State of Registry to determine the airworthiness of the aircraft as defined by the appropriate airworthiness requirements.

(2) Where a Trinidad and Tobago aircraft has sustained damage, the operator shall have the aircraft inspected by an appropriately qualified maintenance person in accordance with the appropriate airworthiness requirements to assess the damage to determine the airworthy state of the aircraft.

(3) Where it is determined upon inspection of a Trinidad and Tobago aircraft under subregulation (2), that the damage sustained is of a nature such that the Trinidad and Tobago aircraft is no longer airworthy, the Trinidad and Tobago aircraft shall not be allowed to resume flight until it is certified as airworthy.

(4) Where the damage sustained is of a nature that a Trinidad and Tobago aircraft is no longer airworthy when the aircraft is in the territory of another Contracting State, the civil aviation authority of that Contracting State is entitled to prevent the aircraft from resuming its flight.

(5) Notwithstanding subregulations (3) and (4), in exceptional circumstances the Director General may, where the necessary application is made by the operator, recommend that the Authority issue a Special Flight Permit prescribing particular limiting conditions under which the aircraft may operate a non-commercial air transport operation to an aerodrome at which it can be restored to an airworthy condition.

(6) In prescribing particular limiting conditions under subregulation (5), the Director General shall consider all limitations proposed by the Contracting State that had originally prevented the aircraft from resuming its flight operations.

(7) Where a foreign registered aircraft operating in Trinidad and Tobago has sustained damage, the operator of such foreign aircraft shall report such occurrence and the details of the damage to the Authority and to the State of Registry to allow the State of Registry to make an assessment of the airworthiness status of the aircraft.

(8) The Director General may prevent the foreign registered aircraft referred to in subregulation (7) from resuming flight until he has received notification from the State of Registry that the aircraft is—

(a) airworthy; or

(b) safe for flight and issued with a Special Flight Permit or equivalent approval.

(9) Subject to satisfying the requirements of the Contracting State referred to in subregulation (6), and upon the restoration of the Trinidad and Tobago aircraft to an airworthy condition or the issue of a Special Flight Permit by the Authority, the civil aviation authority of that Contracting State may permit the Trinidad and Tobago aircraft to resume flight.

Reporting of Failures, Malfunctions and Defects

22. (1) Operators, Approved Maintenance Organizations, Air Traffic Controllers, Pilots, and holders of Aircraft Maintenance Licence shall report to the Director General any faults, failures, malfunctions, or defects, and other occurrences on any Trinidad and Tobago aircraft under his control which cause or might cause adverse effects on the continued airworthiness of the aircraft such as—

Requirements for reporting of failures, malfunctions and defects

- (a) fires during flight and whether the related fire-warning system operated properly;
- (b) fires during flight not protected by a related fire-warning system;
- (c) false fire-warning during flight;
- (d) an engine exhaust system that causes damage during flight to the engine, adjacent structure, equipment or components;
- (e) an aircraft component that causes accumulation or circulation of smoke, vapour, or toxic or noxious fumes in the crew compartment or passenger cabin during flight;
- (f) engine shutdown during flight because of flameout;
- (g) engine shutdown during flight when external damage to the engine or aircraft structure occurs;
- (h) engine shutdown during flight due to foreign object ingestion or icing;
- (i) engine shutdown during flight;
- (j) a propeller feathering system or ability of the system to control overspeed during flight;
- (k) a fuel or fuel-dumping system that affects fuel flow or causes hazardous leakage during flight;
- (l) an unintended landing gear extension or retraction, or opening or closing of landing gear doors during flight;

- (m) brake system components that result in loss of brake actuating force when the aircraft is in motion on the ground;
 - (n) aircraft structure that requires major repair;
 - (o) cracks, permanent deformation, or corrosion of aircraft structure, if more than the maximum acceptable to the manufacturer or the Authority;
 - (p) aircraft components or systems malfunctions that result in taking emergency actions during flight;
 - (q) each interruption to a flight, unscheduled change of aircraft route, or unscheduled stop or diversion from a route caused by known or suspected technical difficulties or malfunctions;
 - (r) any abnormal vibration or buffeting caused by a structural or system malfunction, defect, or failure;
 - (s) a failure or malfunction of more than one attitude, airspeed, or altitude instrument during a given operation of the aircraft;
 - (t) the number of engines removed prematurely because of malfunction, failure or defect, listed by make and model and the aircraft type in which it was installed; or
 - (u) the number of propeller featherings in flight, listed by type of propeller and engine and aircraft on which it was installed.
- (2) A report required by this regulation shall—
- (a) be submitted to the Authority within seventy-two hours after determining that the failure, malfunction, or defect required to be reported has occurred; and
 - (b) include as much of the following information as is available and applicable:
 - (i) aircraft serial number;
 - (ii) when the failure, malfunction, or defect is associated with an article approved under a Technical Standard Order authorization, the article serial number and model designation, as appropriate;
 - (iii) when the failure, malfunction or defect is associated with an engine or propeller, the engine or propeller serial number, as appropriate;
 - (iv) product model;

(v) identification of the part, component, or system involved, including the part number; and

(vi) nature of the failure, malfunctions or defects.

(3) The operator shall ensure that a report under subregulation (1), is also submitted in a timely basis to—

(a) the State of Registry, for an aircraft registered in a foreign State;

(b) the State of Design; and

(c) the holder of the Type Certificate.

(4) A report under this regulation shall be made in a form and manner acceptable to the Authority.

(5) Notwithstanding subregulation (1), a report shall be immediately forwarded to the Authority in the following circumstances:

(a) primary structural failure;

(b) control system failure;

(c) fire in the aircraft;

(d) engine structure failure; and

(e) any other condition considered an imminent hazard to safety.

(6) A report under subregulation (5), may be made by telephone, telex or facsimile or other appropriate means of communication, with a written follow-on report as soon as possible, but no later than seventy-two hours after discovery.

Modification and Repairs

23. (1) All modifications and repairs to an aeronautical product shall comply with airworthiness requirements acceptable to the Authority.

(2) A national operator shall establish procedures to ensure that the substantiating data which supports compliance with the airworthiness requirements are retained.

(3) In the case of a major repair or major modification to an aeronautical product, the major repair or major modification to such aeronautical product, shall be completed in accordance with technical data approved or accepted by the Authority.

(4) A major repair or major modification to an aeronautical product shall be performed by—

(a) an Approved Maintenance Organization in accordance with the limitations of his Operations Specifications issued by the Authority;

Procedures
for major
modification
and major
repairs

(b) an air operator in accordance with his Operations Specifications issued by the Authority; or

(c) the holder of a valid Inspection Authorization in accordance with the limitation of such Inspection Authorization.

(5) An operator shall, promptly upon its completion, prepare a report of each major modification or major repair of an aeronautical product operated by him.

(6) An operator shall submit a copy of each report of a major modification to the Authority, and shall keep a copy of each report of a major repair available for inspection.

(7) Where a major repair or major modification results in a change in the aircraft operating limitations or flight data contained in the Aircraft Flight Manual, those operating limitations or flight data in the Aircraft Flight Manual shall be appropriately revised and set forth as prescribed.