



# TTCAA Advisory Circular

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**Subject: AN INTRODUCTION TO THE TRINIDAD AND TOBAGO CIVIL AVIATION REGULATIONS 2004 (TTCARs)**

**TTCAA Advisory Circular TAC- 015D**

**Date: 17/06/27**

## PURPOSE

1. (1) The purpose of this TTCAA Advisory Circular (TAC) is to present an overview of the Trinidad and Tobago Civil Aviation Regulations, 2004 (TTCARs), which were first published on 24<sup>th</sup> March 2004 and became effective on that date.

(2) This revision of TAC-015 is to introduce new regulations TTCAR No. 17 Economics, TTCAR No. 18 State Aircraft Registration and Markings and TTCAR No 19 Unmanned Aircraft Systems.

(3) TAC-015D replaces and supercedes TAC-015C which is now cancelled and should be destroyed.

## APPROVED BY:

Francis Regis

*Director General of Civil Aviation*

Original signed by

*Signature*

28 June 2017

*Date*

## **OBLIGATIONS UNDER THE CONVENTION**

2. (1) The Civil Aviation Act and the Regulations give effect to some of Trinidad and Tobago's obligations under the Convention on International Civil Aviation (usually called the Chicago Convention) entered into at Chicago on 7 December 1944. The Chicago Convention sets up the International Civil Aviation Organization (ICAO) as the regulatory body for international civil aviation. The Council of ICAO adopts Annexes (18 so far) to the Chicago Convention setting out international "standards and recommended practices" (SARPs). The Annexes provide the basis for aviation safety regulation throughout the world.

(2) For the purpose of carrying out and giving effect to the Chicago Convention and other related protocols, Section 33 (1) of the Civil Aviation Act, 2001 requires the Authority to make Regulations for the approval of the Minister. These are the Regulations required by Section 33 (1), Section 48 and Section 62 of the Civil Aviation Act 2001.

## **TRANSITION BY OPERATORS TO NEW REGULATIONS**

3. The draft Regulations were reviewed by operators in a consultative process. Now that they are in effect operators are required to be re-certified under these new Regulations where applicable.

## **DIVISION OF THE REGULATIONS**

4. The Regulations are divided into the following functional areas -

- No.1 - General Application and Personnel Licensing
- No.2 - Operations
- No.3 - Air Operator Certification and Administration
- No.4 - Aircraft Registration and Markings
- No.5 - Airworthiness
- No.6 - Approved Maintenance Organization
- No.7 - Instruments and Equipment
- No.8 - Security
- No.9 - Aviation Training Organization
- No.10 - Foreign Air Operator
- No.11 - Aerial Work
- No.12 - Aerodrome Certification
- No.13 - Charges for Air Navigation Services
- No.14 - Accident and Incident Investigation
- No.15 - Air Navigation Services
- No.16 - Compounding of Offences (Pecuniary Penalties)
- No.17 - Economics
- No.18 - State Aircraft Registration and Markings
- No.19 - Unmanned Aircraft Systems

## **STRUCTURE OF THE REGULATIONS**

5. (1) Each of the numbered Regulations in the set may be further divided into Parts. Most Parts within each set of Regulations will begin with a regulation which refers to "Applicability" and sets out the target group or activities to which the Part applies. Each Part comprises regulations and subregulations. The subregulations are sometimes further divided into paragraphs and subparagraphs. Together these represent the regulatory requirements. Some regulations also provide additional regulatory requirements in one or more Schedules. A Schedule

is a convenient device for dealing with matters of detail which would otherwise unnecessarily encumber the main body of the document. A Schedule therefore, carries the force and effect of the law. However, forms inserted in schedules are usually examples, and are only followed implicitly so far as the enacting regulation requires and the circumstances of each case may admit. The Schedule is referred to in the text and is also shown in the marginal notes adjacent to the regulation to which it relates. Some regulations have additional implementing standards associated with them and these regulations can be identified under the heading “*Implementing Standards*” in the Regulation where applicable. Where a set of Regulations has implementing standards, they reside in a final Schedule of that set of Regulation.

(2) The hierarchal conventional numbering formats for subregulations, paragraphs and subparagraphs are as follows:

- (a) set of Regulation: “No.” followed by the applicable numeral (1-12); (eg., No.3)
- (b) regulation: numeral; (eg., 17)
- (c) subregulations: numerals in brackets; (eg., (1))
- (d) paragraphs: lower-case letters in brackets; (eg., (a))
- (e) subparagraphs: lower-case roman numerals in brackets; (eg., (ii))
- (f) this particular regulation will be represented as TTCAR No.3:17(1)(a)(ii)

(3) A regulation not divided into subregulations is given only a regulation number and not a subregulation number as well.

(4) When reference is made to a Regulation (e.g., TTCAR No.3) without any qualifying reference to regulations or subregulations within, this refers to the entire set Regulation (e.g., Civil Aviation [(No.3) Air Operator Certification and Administration] Regulations, 2004).

## **CROSS REFERENCES**

6. The Regulations contain many cross-references. Cross-references are always by regulation number (or subregulation number, etc) and not by page number references. .

## **HOW THE REGULATIONS RELATE TO EACH OTHER**

7. Each of the 19 Regulations deals with particular kinds of aviation activity - for example, TTCAR No.1 is titled “General Application and Personnel Licensing,” and, provides both general administrative and personnel licensing information. The general standards, and general administration provisions of Part 1 of TTCAR No.1 relating to the surrender, suspension or revocation of aviation documents apply to certificates, authorizations and ratings issued throughout all 16 Regulations. A person would not be granted an Air Operator Certificate under TTCAR No.3 without crews to fly his aircraft or aircraft maintenance engineers to maintain them in an airworthy condition. The standards and requirements for obtaining flight crew and maintenance engineer licences are contained in TTCAR No.1. The requirements for maintaining the aircraft in an airworthy condition are in TTCAR No.5 and TTCAR No. 6 whereas the required instruments and equipment are prescribed in TTCAR No.7. TTCAR No.2 covers the requirements for operating an aircraft and applies to private as well as commercial operations. TTCAR No. 15 prescribe the requests of the airspace and air navigation service. Appendix 1 to this TAC provides a summary of the contents of all 19 Regulations.

## DEFINITIONS AND MEANINGS

8. (1) Ordinary dictionary words are not normally defined - they are assumed to take their ordinary dictionary meanings. Legal terms also are not normally defined; again, they are assumed to have their ordinary legal meanings.

(2) The Regulations use many technical terms. Where the meaning of a term is well known within aviation and generally accepted, it is not usually defined. If an unfamiliar word or term occurs in the Regulations and is not included in the “definition” section of the document, it may be defined in a general dictionary. For example, *chord*, *undercarriage*, *fuselage*, and *longeron* are all defined in the Oxford Dictionary.

(3) Occasionally a term that is in general use may be defined because the general meaning of the term is not sufficiently precise. For example, although everyone knows what “take-off” means, it may be necessary, in a particular case, to treat taxiing as part of a take-off. It is not certain whether the ordinary meaning of “take-off” includes taxiing or not. In cases like this there will be a definition in the Regulations.

(4) The normal place of residence for definitions is at the beginning of each Regulation. Where a term is used only in one isolated area of the Regulation, you may find it defined in the text.

(5) The standard definitions of aviation terms are those laid down by ICAO and published by it in *International Civil Aviation Vocabulary* (ICAO Document 9713). Generally, terms defined by ICAO are used in the Regulations with the meaning given by ICAO. (The ICAO definition will either be used unchanged, or rewritten in minor ways to be clearer and easier to read.)

## INTERPRETATION OF CERTAIN EXPRESSIONS

9. Throughout these Regulations the following word usage applies:

- (a) “*shall*” indicates a mandatory requirement;
- (b) “*A person shall not*” means that no person is required, authorized, or permitted to do an act described in a regulation;
- (c) “*may*” indicates that discretion can be used when performing an act described in a regulation;
- (d) “*includes*” means “includes but is not limited to.”
- (e) “*approved*” means the Authority has reviewed the method, procedure, or policy in question against a standard and issued a formal written approval.
- (f) “*acceptable*” means the Authority has reviewed the method, procedure, or policy and has neither objected to nor approved its proposed use or implementation. Where the method, procedure or policy has been approved by another contracting state, it may be acceptable to the Authority.
- (g) “*prescribed*” means the Authority has issued written policy or methodology which imposes either a mandatory requirement, if the written policy or methodology states “shall” or “must”, or a discretionary requirement if the written policy or methodology states “may.”

## OFFENCES AND PENALTIES

10. (1) Offences and penalties are covered in Part XII of the Act. Maximum penalties for offences created by the Act and Regulations are expressed in the Act in TT dollars. Where no specific penalty is quoted for an offence in the Act, the maximum penalty is \$4000 and 6 months imprisonment.

(2) TTCAR No. 16 allows the Authority to impose fines for any suspected violation of the Act or Regulation. This offers a suspected violator an alternative to summary court action if the Director General agrees to compound the offence as allowed under Section 57 of the Act

## GUIDANCE DOCUMENTS

11. Guidance documents like this TAC are made available by the TTCAA to operators from time to time to convey general and technical information of interest. They are advisory in nature and when referring to a technical procedure or process may be considered as one means, but not the only means of application of the procedure or process. TACs may also be used to amplify or clarify certain parts of the Regulations. When a TAC is revised, it retains its original numerical identifier but a letter suffix is added. For example TAC-012 when first revised becomes TAC-012A. A revised TAC supercedes and cancels the document it is replacing which should be destroyed.

## AVAILABILITY OF TTCARs

12. Official copies of the Trinidad and Tobago Civil Aviation Regulations 2004 are available at the Government Printery, 55-57 eTeck Park, Frederick Settlement, Caroni. [Phone: (868)662-4877]. The email address of the Government Printery is [ttgovernmentprintery@mpa.gov.tt](mailto:ttgovernmentprintery@mpa.gov.tt)

All available TTCAA Documents are listed on the TTCAA website at <https://caa.gov.tt>

## APPENDIX 1

### CIVIL AVIATION [(NO. 1) GENERAL APPLICATION AND PERSONNEL LICENCING] REGULATIONS, 2004

#### Summary

1. (1) TTCAR No.1 deals with General Administration of Aviation documents and general application related to all TTCARs. For example, units of measurement used in aviation which is prescribed in TTCAR No. 1:3 (1A) and No. 1:Schedule A is applicable to all TTCARs.

(2) Additionally TTCAR No.1 has been designed to meet the requirements of Annex 1 of the Chicago Convention. These regulations fulfill the requirement of section 33(1)(e) of the Civil Aviation Act, 2001 - the certification of airmen.

(3) These Regulations describe the general application for all Civil Aviation Regulations and specifically the requirements and standards for licences, ratings and authorizations of flight crew, maintenance personnel, flight operations officers and air traffic controllers.

### CIVIL AVIATION [(NO. 2) OPERATIONS] REGULATIONS, 2004

#### Summary

2. (1) TTCAR No.2 has been designed to meet the requirements of Annex 6 of the Chicago Convention. It complements TTCAR No.3 in fulfilling the requirements of section 33(1)(g), (h), (i), (j) and (o) of the Civil Aviation Act, 2001.

(2) The regulations in TTCAR No.2 apply to all operations conducted by an aircraft operator in or on an aircraft registered in Trinidad and Tobago and operated by airmen certified under TTCAR No. 1. They also provide for the operations of foreign registered aircraft by a national air operator where required.

(3) TTCAR No. 2 prescribe the requirements for general aviation as well as the additional requirements for commercial and transport operations.

(4) TTCAR No.2 includes regulations specifying the requirements for flight supervision, duties and responsibilities of crew members, the carriage of passengers and goods, prohibition on the carriage of dangerous goods, crew and flight operations officer training requirements, aircraft performance and operating standards, maintenance operations and aircraft routing and flight rules.

(5) The regulations relating to flight time and flight duty period limitations have been revised, guided by a comparative analysis of other States and NASA studies on the subject.

### CIVIL AVIATION [(NO. 3) AIR OPERATOR CERTIFICATION AND ADMINISTRATION] REGULATIONS, 2004

#### Summary

3. TTCAR No.3 responds to the requirement of Annex 6 to the Chicago Convention which prohibits an operator from engaging in commercial air transport operations unless in possession of an Air Operator Certificate. Such certificate is dependent upon the operator demonstrating an adequate organization, method of control and supervision of flight operations and training and maintenance arrangements consistent with the nature and extent of the operations specified.

Regulations to meet the requirements for the issue of an Air Operator Certificate have been invoked by section 33(1)(d) of the Civil Aviation Act, 2001 - the certification of air operators and these Regulations complement No. 2 in respect of section 33(1)(g), (h), (i) and (j) of the Civil Aviation Act, 2001.

#### **CIVIL AVIATION [(NO. 4) AIRCRAFT REGISTRATION AND MARKINGS] REGULATIONS, 2004**

##### **Summary**

4. TTCAR No.4 has been structured to meet the requirements of Annex 7 to the Chicago Convention. These are the regulations required by section 33(1)(b) of the Civil Aviation Act, 2001. TTCAR No.4 also responds to the requirement of section 38 of the Civil Aviation Act, 2001 which calls for the Director General to establish and maintain a system for the national registration of aircraft in Trinidad and Tobago.

#### **CIVIL AVIATION [(NO. 5) AIRWORTHINESS] REGULATIONS, 2004**

##### **Summary**

5. (1) TTCAR No.5 responds to the requirement of Annex 8 to the Chicago Convention which defines the airworthiness requirements for aircraft and prohibits the use of an aircraft in civil air transport operations unless the aircraft is certified by the State of Registry to be airworthy. These are the regulations required by section 33(1)(c) of the Civil Aviation Act, 2001.

(2) These Regulations deal with requirements for the issue of an airworthiness certificate and requirements for continued airworthiness. They also define the requirements for a maintenance programme and define persons who are authorized to perform inspections and maintenance of aircraft and issue a Certificate of Release to Service.

#### **CIVIL AVIATION [(NO. 6) APPROVED MAINTENANCE ORGANIZATION] REGULATIONS, 2004**

##### **Summary**

6. (1) TTCAR No.6 allows a person who wishes to develop an organization to conduct maintenance of aircraft, to apply to the Authority for approval to do so.

(2) These Regulations are based on the requirements of Annex 6 to the Chicago Convention and describe the requirements to obtain an approval. They include the minimum requirements under these Regulations for the facilities, personnel, procedures manual, the keeping of records and a quality assurance system. An applicant needs to demonstrate compliance with the requirements before being granted an approval.

(3) An approval under TTCAR No.6 will be in the form of an "Approved Maintenance Organization Certificate" issued by the Authority and will also include the limitations of such approval.

#### **CIVIL AVIATION [(NO. 7) INSTRUMENTS AND EQUIPMENT] REGULATIONS, 2004**

##### **Summary**

7. (1) TTCAR No.7 describes the additional instruments, equipment and flight documents which need to be installed or carried, as appropriate, in an aircraft in addition to the minimum equipment necessary for the issue of a certificate of airworthiness.

(2) In this Regulation, the instrument and equipment requirements for commercial operators may be different from those for non-commercial operators. Where the term “operator” is used in these Regulations this refers to all aircraft operators – commercial and non-commercial. This is distinct from the use of “Air Operator” which is specific to a commercial operator.

(3) An operator is required to ensure that a flight is not commenced unless all required instruments and equipment required on board an aircraft for flight are installed in accordance with the instructions of such State of Design to meet the airworthiness requirements. In addition the aircraft must meet the minimum performance standards and the operational and airworthiness requirements prescribed by the Authority.

## **CIVIL AVIATION [(NO. 8) AVIATION SECURITY] REGULATIONS, 2004**

### **Summary**

**8.** (1) TTCAR No.8 has been designed to meet the security requirements of Annexes 6 and 17 to the Chicago Convention.

(2) These Regulations introduce the requirements for a Security Programme to be submitted by an aerodrome operator, aircraft operator, regulated agent and a catering operator for approval by the Authority. The Security Programme under these Regulations shall provide for the safety of passengers, crew and their property, the aircraft and related aviation support facilities against acts of unlawful interference. Note that the term ‘aircraft operators’ applies to all operators of all aircraft.

(3) TTCAR No.8 describes the requirements which each Security Programme must meet before it can be approved by the Authority. The Security Programmes submitted by the aerodrome operator, the aircraft operator, the catering operator and the regulated agent shall not be allowed to conflict with the National Civil Aviation Security Programme.

## **CIVIL AVIATION [(NO. 9) AVIATION TRAINING ORGANIZATION] REGULATIONS, 2004**

### **Summary**

**9.** (1) TTCAR No.9 allows a person who wishes to develop an organization to conduct aviation training, to apply to the Authority for approval to do so.

(2) The training programmes developed in these Regulations include the requirements for licenced flight crew, maintenance engineers, instructors and general requirements for training courses for aviation support staff. They also include the training requirements for the licences, ratings and authorizations covered in Annex 1 of the Chicago Convention, and the minimum requirements for the facilities, personnel, training procedures manual, and the keeping of records. An applicant needs to demonstrate compliance with the requirements before being granted an approval.

(3) An approval under TTCAR No.9 will be in the form of an “Aviation Training Organization Certificate” issued by the Authority and will also include the limitations of such approval.



## **CIVIL AVIATION [(NO.10) FOREIGN AIR OPERATOR] REGULATIONS, 2004**

### **Summary**

**10.** TTCAR No.10 describes the requirements for foreign operators operating or planning to operate in Trinidad and Tobago. A foreign air operator operating with the air operator certificate issued by his State will be required to meet the requirements under these Regulations before being granted an “Operations Specifications” to conduct operations in Trinidad and Tobago. These Regulations include, among other things, the requirement for a foreign operator to submit a Security Programme for approval by the Authority.

## **CIVIL AVIATION [(NO. 11) AERIAL WORK] REGULATIONS, 2004**

### **Summary**

**11. (1)** TTCAR No.11 describes the requirements for persons wishing to conduct operations such as agricultural spraying, helicopter operations with external loads, airborne filming, banner towing and vehicular traffic monitoring and reporting.

**(2)** Before conducting such operations, applicants will have to be approved by the Authority. The approval will be in the form of a certificate issued by the Authority for the specific operations.

## **CIVIL AVIATION [(NO. 12) AERODROME CERTIFICATION] REGULATIONS, 2004**

### **Summary**

**12. (1)** TTCAR No.12 is designed to meet the minimum requirements of Annex 14 to the Chicago Convention and section 33 (1)(a) of the Civil Aviation Act. A person who wishes to apply for an aerodrome licence to operate an aerodrome will have to meet the requirements of these Regulations.

**(2)** TTCAR No.12 references Annex 14 to the Chicago Convention as the Manual of Aerodrome Standards applicable to these Regulations.

## **CIVIL AVIATION [(No. 13) CHARGES FOR AIR NAVIGATION SERVICES] REGULATIONS, 2005**

### **Summary**

**13.** TTCAR No. 13 is designed to meet the requirements of Section 48 of the Act in which the Authority makes regulations for the payment of charges in respect of air navigation services.

## **CIVIL AVIATION [(NO. 14) ACCIDENT AND INCIDENT INVESTIGATION] REGULATION, 2006**

### **Summary**

**14.** TTCAR No. 14 is designed to meet the requirements of Annex 13 of the Chicago Convention and Section 62 of the Civil Aviation Act.

## **CIVIL AVIATION [(NO. 15) AIR NAVIGATION SERVICES] REGULATIONS, 2006**

### **Summary**

15. (1) TTCAR No. 15 are the regulations made for Air Navigation Services, consolidated from the applicable requirements of Annexes 3, 4, 10, 11, 15 to the Chicago Convention. Under Section 10 of the Act, the Authority has the exclusive rights for the provision of Air Navigation Services.

(2) The applicable standards of Annex 11 are contained in Schedule 1, the applicable standards of Annex 15 are in Schedule 2 and the applicable standards of Annex 4 in Schedule 3.

(3) Annex 3 and Annex 10 are incorporated by reference in these regulations.

## **CIVIL AVIATION [(NO. 16) COMPOUNDING OF OFFENCES] (PECUNIARY PENALTIES) REGULATIONS, 2007**

### **Summary**

16. (1) TTCAR No. 16 are regulations made in support of Section 57 of the Act, which allows the Director General to compound any offence committed by an airman or operator against the Act or Regulations made thereunder by accepting a fine of up to \$40,000 from any person reasonably suspected of having committed such offence.

(2) A schedule of fines is included against a list of offences to ensure consistency of application and ease of administration. This list will be updated from time to time.

## **CIVIL AVIATION [(NO. 17) ECONOMICS] REGULATIONS, 2011**

### **Summary**

17. TTCAR No. 17 are regulations made for the economic oversight and regulation of the nation's aviation industry in accordance with the guidelines and recommended practices of ICAO. The Regulations were also constructed to be aligned with current industry best practices for passenger protection. The Regulations are divided into 3 sections which provide for the regulation of air operators, the protection of passengers and the oversight of air navigation service providers:

#### **1. Regulation of Air Operators:-**

- a. TTCAR 17 allows for the granting of approvals to air operators who wish to operate commercially to, from or within Trinidad and Tobago. Commercial operations involving the transport of passengers, mail or cargo are categorized as being either scheduled services requiring Licences or non-scheduled/charter services requiring Permits. Permits can also be granted for commercial operations not involving the transport of passengers, mail or cargo such as commercial aerial works as defined by the Regulations. All commercial operations are also sub-divided into domestic or international services.
- b. The regulations provide the legal framework for the economic oversight of air operators by requiring them to submit business plans, fares, schedules and financial statements to ensure that the air operator can sustain operations for the period for which they have applied for authorization. The airlines are also regulated to ensure that anti-competitive practices are avoided and fair

competition is promoted. The air operators seeking approval under these regulations must also meet specified insurance requirements.

- c. The regulations introduce a fee structure under which the fees for approvals are calculated.
- d. Airlines must also submit statistics pertaining to their operations.
- e. TTCAR 17 introduces the oversight of codeshares and other cooperative arrangements between airlines.

## **2. Consumer Protection:-**

- a. TTCAR 17 requires air operators to provide compensation to passengers in the case of delays, cancellations, baggage claims or involuntary denied boarding. With regards to denied boarding, the regulations specify the conditions, types and amounts of compensation. The Montreal and Warsaw Conventions were considered when developing these areas.
- b. All air operators must adhere to specific requirements with regards to their advertisements to the public such as advertising total fares inclusive of taxes and other fees to be paid by the consumer. Operators who have pending approvals to operate to Trinidad and Tobago may be allowed to advertise conditionally.
- c. The regulations require charter operators to submit surety arrangements such as bonds to ensure that passengers can be refunded if the charter is not successfully completed.
- d. Air operators are also required to develop and submit a Passenger Service Plan to address issues such as the notification of delays or cancellations and how the airline would approach the resolution of complaints and disputes.
- e. A contingency plan for lengthy tarmac delays must be submitted providing steps to be taken in the event of such a delay.

## **3. Regulation of Air Navigation Service Providers:-**

- a. TTCAR 17 introduces a legal framework for the economic oversight of the procedure for revising the unit rate used in the calculation of air navigation charges. It incorporates the guidelines and policies established by ICAO.

## **CIVIL AVIATION [(NO. 18) STATE AIRCRAFT REGISTRATION AND MARKINGS] REGULATIONS, 2015**

### **Summary**

**18.** (1) TTCAR No. 18 are regulations made for the registration of aircraft being operated for State purposes.

## **CIVIL AVIATION [(NO. 19) UNMANNED AIRCRAFT SYSTEMS] REGULATIONS, 2016**

### **Summary**

**18.** (1) TTCAR No. 19 are regulations made for the registration, licensing, certification and operation of unmanned aircraft systems, inclusive of drones, in Trinidad and Tobago.