

THE REPUBLIC OF THE GAMBIA



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# **GAMBIA CIVIL AVIATION REGULATIONS, 2018**

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## **GAMBIA CIVIL AVIATION REGULATIONS, 2018**

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## **SCHEDULE**

## **GAMBIA CIVIL AVIATION REGULATIONS, 2018**

**IN EXERCISE** of the powers conferred on the Director General under section 35 of the Civil Aviation Act, 2018, these Regulations are hereby made.

### **CHAPTER I – PRELIMINARY**

#### **1. Citation**

These Regulations may be cited as the Gambia Civil Aviation Authority Regulations, 2018.

#### **2. Interpretation**

In these regulations, unless the context otherwise requires -

“accelerate-stop distance available (ASDA)” means the length of the take-off run available plus the length of stopway, if provided;

“acceptable” means the Authority has reviewed the method, procedure, or policy and has neither objected to nor approved its proposed use or implementation;

“acceptance checklist” refers to a document used to assist in carrying out a check on the external appearance of packages of dangerous goods and their associated documents to determine that all appropriate requirements have been met;

“accident” means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which -

- (a) a person is fatally or seriously injured as a result of-
  - (i) being in the aircraft, or
  - (ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or

- (iii) direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or
  - (iv) when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or
- (b) the aircraft sustains damage or structural failure which-
  - (i) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
  - (ii) would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or
- (c) the aircraft is missing or is completely inaccessible.

“accountable manager” means the person acceptable to the Authority who has corporate authority for ensuring that all activities can be financed and carried out to the standard required by the Authority, and any additional requirements defined by the operator;

“accredited medical conclusion” means the conclusion reached by one or more medical experts acceptable to the Licensing Authority for the purposes of the case concerned, in consultation with flight operations or other experts as necessary;

“accredited representative” means a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State;

“acrobatic flight” means manoeuvres intentionally performed by an

aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed;

“acts of unlawful interference” means acts or attempted acts which jeopardise the safety of civil aviation and transport such as-

- (a) unlawful seizure of aircraft in flight,
- (b) unlawful seizure of aircraft on the ground,
- (c) hostage-taking on board an aircraft or on aerodromes,
- (d) forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility,
- (e) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes, and
- (f) communication of false information as to jeopardize the safety of an aircraft in flight or on the ground, of passengers, crew, ground personnel or the general public, at an airport or on the premises of a civil aviation facility;

“ADS agreement” means an ADS reporting plan that establishes the conditions of ADS data reporting;

“adviser” means a person appointed by a State on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation;

“advisory airspace” means an airspace of defined dimensions, or designated route, within which air traffic advisory service is available;

“advisory route” means a designated route along which air traffic advisory service is available;

“aerial work” means an aircraft operation in which an aircraft is used for specialised services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc;

“aerodrome” means a defined area on land or water (including any buildings, installations and equipment) intended to be used either

wholly or in part for the arrival, departure and surface movement of aircraft;

“aerodrome control service” means an air traffic control service for aerodrome traffic;

“aerodrome control tower” means a unit established to provide air traffic control service to aerodrome traffic;

“aerodrome operating minima” means the limits of usability of an aerodrome for –

- (a) takeoff, expressed in terms of runway visual range or visibility and, if necessary, cloud conditions;
- (b) landing in 2D instrument approach operations, expressed in terms of visibility or runway visual range, minimum descent altitude or height (MDA/H), and, if necessary, cloud conditions; and
- (c) landing in 3D instrument approach operations, expressed in terms of visibility or runway visual range and decision altitude or height (DA/H) as appropriate to the type or category of operation;

“aerodrome traffic” means all traffic on the manoeuvring area of an aerodrome and all aircraft flying in the vicinity of an aerodrome;

“aerodrome traffic zone” means an airspace of defined dimensions established around an aerodrome for the protection of aerodrome traffic;

“aeronautical experience” means pilot time obtained in an aircraft, approved flight simulation training device for meeting the training and flight time requirements of these regulations;

“aeronautical information publication” means a publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation;

“aeronautical product” means any aircraft, aircraft engine, propeller, or subassembly, appliance, material, part, or component to be installed thereon;

“aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which

remain fixed under given conditions of flight;

“aeroplane flight manual” means a manual, associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the aeroplane;

“agricultural aircraft operation” means the operation of an aircraft for the purpose of –

- (a) dispensing any economic poison;
- (b) dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control; or
- (c) engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects;

“aided night flight” for a flight in which a pilot uses night vision goggles, means the portion of the flight in which the pilot uses night vision goggles to maintain visual surface reference;

“air navigation facility” means any facility used in, available for use in, or designed for use in aid of air navigation, including aerodromes, landing areas, lights, any apparatus or equipment for disseminating weather information, for signaling, for radio directional finding, or for radio or other electrical communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and takeoff of aircraft;

“air operator” means any organisation which undertakes to engage in domestic commercial air transport or international commercial air transport, whether directly or indirectly or by a lease or any other arrangement;

“air operator certificate (AOC)” means a certificate authorising an operator to carry out specified commercial air transport operations;

“air traffic” means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

“air traffic control clearance” means authorisation for an aircraft to proceed under conditions specified by an air traffic control unit;



“air traffic control (ATC) facility” means a building holding the persons and equipment responsible for providing ATC services (e.g., airport tower, approach control centre), it may also be called air traffic control unit;

“air traffic control service” means a service provided for the purpose of-

- (a) preventing collisions between aircraft, and on the manoeuvring area between aircraft and obstructions, and
- (b) expediting and maintaining an orderly flow of air traffic;

“air traffic service (ATS)” means a generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service);

“air traffic services airspaces” means airspaces of defined dimensions, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified;

“air traffic services reporting office” means a unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before departure;

“airborne collision avoidance system (ACAS)” means an aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponder;

“airborne image recorder (AIR)” means a device that uses a combination of cameras to collect and record information that reflects the status of various parts of the aircraft (internal and external);

“aircraft” means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface;

“aircraft accident” means an occurrence associated with the operation of an aircraft which takes place between the time any

person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which -

- (a) a person is fatally or seriously injured as a result of -
  - (i) being in the aircraft,
  - (ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or
  - (iii) direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew;
- (d) the aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or the aircraft is missing or is completely inaccessible;

“aircraft avionics” means a term designating any electronic device, including its electrical part, for use in an aircraft, including radio, automatic flight control and instrument systems;

“aircraft category” means a classification of aircraft according to specified basic characteristics, e.g. aeroplane, helicopter, glider, free balloon, airship, powered-lift;

“aircraft certificated for single-pilot operation” means a type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of one pilot;

“aircraft certificated for multi-pilot operation” means a type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of two pilots;

“aircraft component” means any component part of an aircraft up to

and including a complete powerplant or any operational or emergency equipment;

“aircraft data recording system” means a device or devices that use a combination of data providers to collect and record parameters that reflect the state and performance of an aircraft;

“aircraft engine” means any engine used, or intended to be used, for propulsion of aircraft and includes all parts, appurtenances, and accessories thereof other than propellers;

“aircraft operating manual means” a manual, acceptable to the State of the Operator, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems, and other material relevant to the operation of the aircraft;

“aircraft piracy” means any actual or attempted seizure or exercise of control, by force or violence, or by any other form of intimidation, with wrongful intent, of an aircraft within the jurisdiction of The Gambia;

“aircraft required to be operated with a co-pilot” means a type of aircraft that is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate;

“aircraft technical log” means documentation for an aircraft that includes the maintenance record for the aircraft and a record for each flight made by the aircraft. The aircraft technical log is comprised of a journey records section and a maintenance section;

“aircraft tracking” means a process, established by the operator, that maintains and updates, at standardized intervals, a ground-based record of the four dimensional position of individual aircraft in flight;

“aircraft-type” means all aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics;

“airframe” means the fuselage, booms, nacelles, cowlings, fairings, airfoil surfaces (including rotors but excluding propellers and rotating airfoils of a powerplant), and landing gear of an aircraft and their accessories and controls;

“airman” means -

- (a) any individual who engages, as the person in command or as pilot, mechanic, or member of the crew, or who navigates an aircraft while the aircraft is underway,
- (b) any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, and any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances, or
- (c) any individual who serves in the capacity of flight dispatcher;

“airmanship” means the consistent use of good judgement and well-developed knowledge, skills and attitudes to accomplish flight objectives;

“airship” means a power-driven lighter than air aircraft;

“airway” means a control area or portion thereof established in the form of a corridor;

“airworthiness approval tag” means a tag that may be attached to a part which must include the part number, serial number, and current life status of the part;

“airworthiness data” means any information necessary to ensure that an aircraft or aircraft component can be maintained in a condition such that airworthiness of the aircraft, or serviceability of operational and emergency equipment, as appropriate, is assured;

“airworthiness directive” means continuing airworthiness information that applies to aircraft, aircraft engines, propellers, and appliances. An airworthiness directive is mandatory if issued by the State of Design;

“airworthiness release” means the air operator's aircraft are released for service following maintenance by a person specifically authorised by the air operator rather than by an individual or maintenance organisation on their own behalf;

“airworthy” means the status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation;

“alteration” means the alteration of an aircraft or aeronautical product in conformity with an approved standard;

“alerting service” means a service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and assist such organisations as required;

“alternate aerodrome” means an aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or land at the aerodrome of intended landing where the necessary services and facilities are available, where aircraft performance requirements can be met and which is operational at expected time of use. Alternate aerodromes include take-off alternate, en-route alternate and destination alternate;

“alternate means of compliance” means a pre-approved manner of achieving regulatory compliance that has been determined to be an acceptable substitute to the regulatory requirements;

“alternative means of compliance” means an approved alternative from those prescribed approaches that has been demonstrated to consistently achieve or exceed the desired outcomes as intended through regulation;

“altimetry system error (ASE)” means the difference between the altitude indicated by the altimeter display, assuming a correct altimeter barometric setting, and the pressure altitude corresponding to the undisturbed ambient pressure;

“altitude” means the vertical distance of a level, a point or an object considered as a point, measured from mean sea level (MSL);

“annexes to the Chicago Convention” means the documents issued by the International Civil Aviation Organisation (ICAO) containing the Standards and Recommended Practices applicable to civil aviation;

“anticipated operating conditions” means those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorological state of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include -

- (a) those extremes which can be effectively avoided by means of operating procedures, and
- (b) those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical;

“appliances” means instruments, equipment, apparatus, parts, appurtenances, or accessories, of whatever description, which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight (including parachutes and including communication equipment and any other mechanism or mechanisms installed in or attached to aircraft during flight), and which are not part or parts of aircraft, aircraft engines, or propellers;

“approach control service” means Air traffic control service for arriving or departing controlled flights;

“approach control unit” means a unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes;

“appropriate ATS or ATC authority” means the relevant authority designated by The Gambia responsible for providing air traffic services in the airspace concerned;

“appropriate airworthiness requirements” means the comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting State for the class of aircraft, engine or propeller under consideration;

“appropriate authority-

- (a) regarding flight over the high seas means the relevant authority of the State of Registry; and
- (b) regarding flight other than over the high seas means the relevant authority of the State having sovereignty over the territory being overflown.

“approved” means the Authority has reviewed the method, procedure, or policy in question and issued a formal written approval;

“approved by the Authority” means approved by the Authority directly or in accordance with a procedure approved by the Authority;

“approved continuous maintenance programme” means a maintenance programme approved by the State of Registry;

“approved curriculum” means a set of special training courses in an area of specialization offered by an ATO which is approved by the Authority;

“approved data” means technical information approved by the Authority;

“approved maintenance organisation (AMO)” means an organisation approved by the Authority, in accordance with the requirements of Part 6 of these Regulations to perform maintenance of aircraft or parts thereof and operating under the supervision approved by the Authority;

“approved standard” means a manufacturing, design, maintenance, or quality standard approved by the Authority;

“approved training” means training carried out under special curricula and supervision approved by the Authority;

“approved training organisation (ATO)” means an organisation approved by the Authority, in accordance with the requirements of Part 3 of these Regulations, to perform approved training;

“apron” means a defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fueling, parking or maintenance;

“area control centre” means a unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction;

“area control service” means an air traffic control service for controlled flights in control areas;

“area navigation (RNAV)” means a method of navigation that permits aircraft operations on any desired flight path within the coverage ground- or space-based navigation aids or within the limits of the capability of self-contained aids, or a combination of these;

“area navigational (RNAV) specification” means navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, e.g. RNAV 5, RNAV 1;

“article” means any item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part;

“ATS or ATC route” means a specified route designed for channeling the flow of air traffic as necessary for the provision of air traffic services;

“authorised instructor” means a person who -

- (a) holds a valid ground instructor certificate issued under Part 2 when conducting ground training,
- (b) holds a current flight instructor certificate issued under Part 2 when conducting ground training or flight training, or
- (c) is authorised by the Authority to provide ground training or flight training under Parts 2 and 3;

“Authority” means Gambia Civil Aviation Authority;

“automatic dependent surveillance (ADS)” means a surveillance technique in which aircraft automatically provide, via a data link, data derived from on-board navigation and position-fixing systems, including aircraft identification, four-dimensional position and additional data as appropriate;

“automatic dependent surveillance – broadcast (ADS-B) means a means by which aircraft, aerodrome vehicles and other objects can automatically transmit or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link;

“automatic dependent surveillance – contract (ADS-C)” means a means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports;

“automatic deployable ELT (ELT(AD))” means an ELT which is



rigidly attached to an aircraft and which is automatically deployed and activated by impact, and in some cases, also be hydrostatic sensors. Manual deployment is also provided;

“automatic deployable flight recorder (ADFR)” means a combination flight recorder installed on the aircraft which is capable of automatically deploying from the aircraft;

“automatic fixed ELT” means an automatically activated ELT which is permanently attached to an aircraft;

“automatic portable ELT” means an automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft;

“aviation medical examiner” means a Physician with training in aviation medicine and practical knowledge and experience of the aviation environment, who is designated by the Authority to conduct medical examinations of fitness of applicants for licences or ratings for which medical requirements are prescribed;

“balloon” means a non-power-driven lighter-than-air aircraft;

“banner means an advertising medium supported by a temporary framework attached externally to the aircraft and towed behind the aircraft;

“basic instrument flight trainer” means an apparatus which is equipped with appropriate instruments and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions;

“block time” means the period of time that the aircraft moves under its own power for the purpose of flight and ends when the aircraft comes to rest after it is parked at the unloading point, with engine(s) shut down if applicable;

“cabin crew member” means a crew member who performs, in the interest of safety of passengers, duties assigned by the operator or the pilot-in-command of the aircraft, but who shall not act as a flight crew member;

“calendar day” means the period of elapsed time, using Co-ordinated Universal Time or local time, that begins at midnight and ends 24 hours later in the next midnight;

“calendar month” means the period of a month beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered month (as January 1 through January 31 in the Gregorian calendar);

“calendar year” means the period of a year beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered year (as January 1 through December 31 in the Gregorian calendar);

“calibration” means a set of operations, performed in accordance with a definite documented procedure that compares the measurement performed by a measurement device or working standard with a recognised bureau of standards for the purpose of detecting and reporting or eliminating adjustment errors in the measurement device, working standard, or aeronautical product tested;

“cargo aircraft” means any aircraft carrying goods or property but not passengers and in this context, the following are not considered to be passengers -

- (a) a crewmember,
- (b) an operator's employee permitted by, and carried in accordance with, the instructions contained in the Operations Manual,
- (c) an authorised representative of an Authority, and
- (d) a person with duties in respect of a particular shipment on board;

“causes” as relating to an aircraft accident or incident, actions, means omissions, events, conditions, or a combination thereof which led to the accident or incident;

“ceiling” means the height above the ground or water of the base of the lowest layer of cloud below 6,000 metres (20,000 feet) covering more than half the sky;

“certificate of Airworthiness” means a certificate issued by the State of Registry, when the aircraft has been deemed fit and safe for flight and in conformity with the type design approved by the State of Design and maintained in accordance with the continuing airworthiness requirements of the State of Registry;

“certify as airworthy” means to certify that an aircraft or parts thereof comply with current airworthiness requirements after maintenance has been performed on the aircraft or parts thereof;

“certifying staff” means those personnel who are authorised by the Approved Maintenance Organisation in accordance with a procedure acceptable to the Authority to certify aircraft or aircraft components for release to service;

“change-over-point” means the point at which an aircraft navigating on an ATC route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational references from the facility behind the aircraft to the next facility ahead of the aircraft;

“check person” means a qualified person who is authorised by the Authority to conduct an evaluation of either an AOC holders flight crew pilots, flight engineers, or flight navigators, cabin crew, or flight dispatcher;

“check person (aircraft)” means a person who is qualified, and authorised by the Authority, to conduct a flight crew evaluation in an aircraft or in a flight simulation training device for a particular type aircraft, for a particular AOC holder;

“check person (simulator)” means a person who is qualified, and authorised by the Authority, to conduct a flight crew evaluation, but only in a flight simulation training device for a particular type aircraft, for a particular AOC holder;

“Chicago Convention (“Convention”)” means the Convention on International Civil Aviation concluded in Chicago, Illinois, in the United States of America, in 1944, in effect, 1947. The Articles of the Chicago Convention govern the actions of the contracting States in matters of international civil aviation safety directly and through the Annexes to the Convention, which set forth ICAO Standards and Recommended Practices;

“citizen of The Gambia” means -

- (a) an individual who is a citizen of The Gambia,
- (b) a partnership of which each member is a citizen of The Gambia, or

(c) a corporation or association created or organised and authorised under the laws of The Gambia;

“civil aircraft” means any aircraft other than a state or public aircraft;

“civil aviation” means the operation of any civil aircraft for the purpose of general aviation operations, aerial work or commercial air transport operations;

“clearance limit” means the point to which an aircraft is granted an air traffic control clearance;

“cockpit audio recording system” means a device that uses a combination of microphones and other audio and digital inputs to collect and record the aural environment of the cockpit and communications to, from and between the pilots-

“combined vision system (CVS)” means a system to display images from a combination of an enhanced vision system (EVS) and a synthetic vision system (SVS);

“command and control link (C2)” means the data link between the remotely piloted aircraft and the remote pilot station for the purposes of managing the flight;

“commercial air transport means an aircraft operation involving the public transport of passengers, cargo, or mail for remuneration or hire;

“commercial air transport operation” means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

“common mark” means a mark assigned by the International Civil Aviation Organisation to the common mark registering authority registering aircraft of an international operating agency on other than a national basis;

“common mark registering authority” means the authority maintaining the non-national register or, where appropriate, the part thereof, in which aircraft of an international operating agency are registered;

“competency” means a combination of skills, knowledge and attitudes required to perform a task to the prescribed standard;

“competency based training and assessment” means training and assessment that are characterised by a performance orientation, emphasis on standards of performance and their measurement, and the development of training to the specified performance standards;

“competency element” means an action that constitutes a task that has a triggering event and a terminating event that clearly defines its limits, and an observable outcome;

“competency unit” means a discrete function consisting of a number of competency elements;

“complex aeroplane” means an aeroplane that has retractable landing gear, flaps, and a controllable pitch propeller; or in the case of a seaplane, flaps and a controllable pitch propeller;

“composite” means structural materials made of substances, including, but not limited to, wood, metal, ceramic, plastic, fiber-reinforced materials, graphite, boron, or epoxy, with built-in strengthening agents that may be in the form of filaments, foils, powders, or flakes, of a different material;

“computer system” means any electronic or automated system capable of receiving, storing, and processing external data, and transmitting and presenting such data in a usable form for the accomplishment of a specific function;

“configuration (as applied to the aeroplane)” means particular combination of the positions of the moveable elements, such as wing flaps and landing gear, etc., that affect the aerodynamic characteristics of the aeroplane;

“configuration deviation list (CDL)” means a list established by the organisation responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitations and performance correction;

“congested area” means a city town or settlement, or open air assembly of people;

“congested hostile environment” means a hostile environment within a congested area;

“consignment” means one or more packages of dangerous goods accepted by an operator from one shipper at one time and at one address, receipted for in one lot and moving to one consignee at one destination address;

“continuing airworthiness” means the set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life;

“continuing airworthiness records” means records which are related to the continuing airworthiness status of an aircraft, engine, propeller or associated part;

“continuous descent final approach (CDFA)” means a technique, consistent with stabilized approach procedures, for flying the final approach segment of a non-precision instrument approach procedures as a continuous descent, without level-off, from an altitude or height at or above the final approach fix altitude or height to a point approximately 15 m (50 ft) above the landing runway threshold or the point where the flare manoeuvre should begin for the type of aircraft flown;

“contracted activities” include all activities within the operator’s scope of approval that are performed by another organisation either itself certified to carry out such activity or if not certified, working under the operator’s approval;

“Contracting States” means all States that are signatories to the Convention on International Civil Aviation (Chicago Convention);

“control area” means a controlled airspace extending upwards from a specified limit above the earth;

“control zone” means a controlled airspace extending upwards from the surface of the earth to a specified upper limit;

“controlled aerodrome” means an aerodrome at which air traffic control service is provided to aerodrome traffic;

“controlled airspace” means an airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification;

“controlled flight” means any flight which is subject to an air traffic control clearance;

“controlled flight into terrain” means when an airworthy aircraft is flown, under the control of a qualified pilot, into terrain (water or obstacles) with inadequate awareness on the part of the pilot of the impending collision;

“controller-pilot data link communications (CPDLC)” means a means of communication between controller and pilot, using data link for ATC communications;

“conversion” means the action taken by The Gambia in issuing its own licence on the basis of a licence issued by another Contracting State for use on aircraft registered in The Gambia;

“co-pilot” means a licensed pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction;

“corporate aviation operation” means the non-commercial operation or use of aircraft by a company for the carriage of passengers or goods as an aid to the conduct of company business, flown by a professional pilot(s) employed to fly the aircraft;

“course” means a programme of instruction to teach knowledge, skills and competencies in a particular area or subject, or to maintain existing qualifications;

“courseware” means instructional material developed for each course or curriculum, including lesson plans and other aides such as: computer software programmes, audio-visual programmes, workbooks, and handouts;

“credit” means recognition of alternative means or prior qualifications;

“crew member” means a person assigned by an operator on duty to an aircraft during a flight duty period;

“crew resource management” means a programme designed to improve the safety of flight operations by optimising the safe, efficient, and effective use of human resources, hardware, and information through improved crew communication and co-ordination;

“critical engine” means any engine whose failure gives the most adverse effect on the aircraft characteristics relative to the case

under consideration;

“critical phases of flight” means those portions of operations involving taxiing, takeoff and landing, and all flight operations below 3050 m (10,000 feet), except cruise flight;

“critical power-unit(s)” means the power-unit(s) failure of which gives the most adverse effect on the aircraft characteristics relative to the case under consideration;

“cross country” means a flight between a point of departure and a point of arrival following a pre-planned route using standard navigation procedures;

“cross-country time” means the time a pilot spends in flight in an aircraft which includes a landing at a point other than the point of departure and, for the purpose of meeting the cross-country time requirements for a private pilot licence (except with a rotorcraft rating), commercial pilot licence, or an instrument rating, includes a landing at an aerodrome which must be a straight-line distance of more than 50 nautical miles from the original point of departure;

“cruise climb” means an aeroplane cruising technique resulting in a net increase in altitude as the aeroplane mass decreases;

“cruise relief pilot means” a flight crew member who is assigned to perform pilot tasks during cruise flight to allow the PIC or co-pilot to obtain planned rest;

“cruising level” means a level maintained during a significant portion of a flight;

“current flight plan” means the flight plan, including changes, if any, brought about by subsequent clearances;

“curriculum” means a set of courses in an area of specialization offered as part of a training programme;

“danger area” means an airspace of defined dimensions within which activities dangerous to the flight of the aircraft may exist at specified times;

“dangerous goods” means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the ICAO Technical Instructions or which are classified according to those



Instructions;

“dangerous goods accident” means an occurrence associated with and related to the transport of dangerous goods which results in fatal or serious injury to a person or major property damage;

“dangerous goods incident” means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods, not necessarily occurring on board an aircraft, which results in injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardises an aircraft or its occupants is deemed to constitute a dangerous goods incident;

“dangerous goods transport document” means a document specified by the ICAO Technical Instructions for the Safe Transportation of Dangerous Goods by Air. It is completed by the person who offers dangerous goods for air transport and contains information about those dangerous goods. The document bears a signed declaration indicating that the dangerous goods are fully and accurately described by their proper shipping names and UN numbers (if assigned) and that they are correctly classified, packed, marked, labelled and in a proper condition for transport;

“data link communications” means a form of communication intended for the exchange of messages via a data link;

“data link recording system” means a device that records those messages whereby the flight path of the aircraft is authorised, controlled directly or indirectly, and which are relayed over a digital data-link rather than by voice communication;

“deadhead transportation” means time spent in transportation on aircraft (at the insistence of the AOC holder) to or from a crew member’s home station;

“decision altitude (DA) or decision height (DH)” means a specified altitude or height in a 3D instrument approach operation at which a missed approach must be initiated if the required visual reference to continue the approach has not been established;

“defined point after takeoff (DPATO)” means the point, within the takeoff and initial climb phase, before which the Class 2 helicopter's ability to continue the flight safely, with one engine inoperative, is

not assured and a forced landing may be required;

“defined point before landing (DPBL)” means the point, within the approach and landing phase, after which the Class 2 helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

“design landing mass” means the maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land;

“design takeoff mass” means the maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run;

“design taxing mass” means the maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off;

“designated examiner” means any person designated by the Authority to act as a representative of the Authority in examining, inspecting, and testing persons for the purposes of issuing licences, ratings, or certificates;

“destination alternate aerodrome” means an alternate aerodrome at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing;

“detect and avoid” means the capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action;

“directly in charge” as applied to an Approved Maintenance Organisation in Part 6, means an appropriately licensed person(s) having the responsibility for the work of an approved maintenance organisation that performs maintenance, preventive maintenance, alterations, or other functions affecting aircraft airworthiness. A person directly in charge does not need to physically observe and direct each worker constantly but must be available for consultation on matters requiring instruction or decision from higher authority.

“Director General” means the Director General of The Gambia of Civil Aviation;

“discrete source damage” means structural damage of the aeroplane that is likely to result from: impact with a bird,

uncontained fan blade failure, uncontained engine failure, uncontained high-energy rotating machinery failure or similar causes;

“dry lease” means the lease of an aircraft without the crew;

“dual instruction time” means flight time during which a person is receiving flight instruction from a properly authorised pilot on board the aircraft;

“duty” means any task that flight or cabin crew members are required by the operator to perform, including for example, flight duty, administrative work, training, positioning and standby when it is likely to induce fatigue;

“duty period” means a period which starts when flight or cabin crew member are required by an operator to report for or to commence a duty and ends when that person is free from all duties;

“duty time” means the total time from the moment a person identified in these Regulations begins, immediately after a rest period, any work on behalf of the certificate holder until that person is free from all restraint associated with that work;

“economic poison” means any substance or mixture of substances intended for –

- (a) preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living human beings or other animals, which The Gambia may declare to be a pest; and
- (b) use as a plant regulator, defoliant or desiccant;

“effective length of the runway” means the distance for landing from the point at which the obstruction clearance plane associated with the approach end of the runway intersects the centreline of the runway to the far end;

“elevated heliport” means a heliport located on a raised structure on land;

“emergency locator transmitter (ELT)” refers to the generic term describing equipment which broadcast distinctive signals on designated frequencies and, depending on application, may be

automatically activated by impact or be manually activated.

“electronic flight bag (EFB)” means an electronic information system, comprised of equipment and applications for flight crew, which allows for the storing, updating, displaying and processing of EFB functions to support flight operations or duties;

“ELT battery useful life. The length of time after its date of manufacture or recharge that the battery or battery pack may be stored under normal environmental conditions without losing its ability to allow the ELT to meet the applicable performance standards,

“ELT battery expiration date. The date of battery manufacture or recharge plus one half of its useful life;

“enhanced vision system (EVS)” means a system to display electronic real-time images of the external scene achieved through the use of image sensors;

“en-route alternate aerodrome” means an aerodrome at which an aircraft would be able to land in the event that a diversion becomes necessary while en-route;

“engine” means a unit used or intended to be used for aircraft propulsion consisting of at least those components and equipment necessary for functioning and control, but excludes the propeller or rotors (if applicable);

“enhanced ground proximity warning (EGPWS)” means a forward looking warning system that uses the terrain data base for terrain avoidance;

“enhanced vision system (EVS)” means a system to display electronic real-time images of the external scene achieved through the use of image sensors;

“equivalent system of maintenance” means maintenance activities conducted by an AOC holder through an arrangement with an AMO or own maintenance, preventive maintenance, or alterations, so long as the AOC holder's maintenance system is approved by the Authority and is equivalent to that of an AMO, except that the approval for return to service of an aircraft or aeronautical product shall be made by an appropriately licensed aviation maintenance technician or aviation repair specialists in accordance with Part 2, as appropriate;

“error” means an action or inaction by an operational person that leads to deviations from organisational or the operational person’s intentions or expectations;

“error management” means the process of detecting and responding to errors with countermeasures that reduce or eliminate the consequences of errors, and mitigate the probability of further errors or undesired state;

“estimated off-block time” means the estimated time at which the aircraft will commence movement associated with departure;

“estimated time of arrival –

- (a) for IFR flights”, means the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that approach procedure will be commenced, or if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome.
- (b) for VFR flights means the time at which it is estimated that the aircraft will arrive over the aerodrome;

“extended diversion time operations (EDTO)” means any operation by an aeroplane with two or more turbine engines where the diversion time to an en-route alternate aerodrome is greater than the threshold time established by the State of the Operator;

“extended diversion time operations critical fuel” means the fuel quantity necessary to fly to an en-route alternate aerodrome considering at the most critical point on the route, the most limiting system failure;

“extended diversion time operations significant system” means an aeroplane system whose failure or degradation could adversely affect the safety particular to an EDTO flight, or whose continued functioning is specifically important to the safe flight and landing of an aeroplane during an extended diversion time operations diversion;

“extended flight over water” means a flight operated over water at a distance of more than 93km (50 NM), or 30 minutes at normal cruising speed, whichever is the lesser, away from land suitable for

making an emergency landing.

“examiner” means any person designated by the Authority to act as a representative of the Authority in examining, inspecting, and testing persons and aircraft for the purpose of issuing licences, ratings and certificates;

“exception” as it relates to dangerous goods in Part 9 means a provision in ICAO Annex 18 which excludes a specific item of dangerous goods from the requirements normally applicable to that item;

“expected approach time” means the time at which ATC expects that an arriving aircraft, following a delay, will leave the holding point to complete its approach for a landing;

“extended overwater operation” with respect to aircraft other than helicopters, means an operation over water at a horizontal distance of more than 50 nm from the nearest shoreline; and to helicopters, an operation over water at a horizontal distance of more than 50 nm from the nearest shoreline and more than 50 nm from an offshore heliport structure;

“facility” means a physical plant, including land, buildings, and equipment, which provides a means for the conduct of the activities approved by the Authority for an approved or certificated entity;

“factor of safety” means a design factor used to provide for the possibility of loads greater than those assumed, and for uncertainties in design and fabrication;

“fatal injury” means any injury which results in death within 30 days of the accident;

“fatigue” means a physiological state of reduced mental or physical performance capability resulting from sleep loss or extended wakefulness, Circadian phase, or workload (mental or physical activity) that can impair a person’s alertness and ability to safely operate an aircraft or perform safety related duties;

“fatigue risk management system (FRMS)” means a data-driven means of continuously monitoring and managing fatigue-related safety risks, based upon scientific principles and knowledge as well as operational experience that aims to ensure relevant personnel are performing at adequate levels of alertness;

“filed flight plan” means the flight plan as filed with an air traffic service unit by the pilot or designated representative, without any subsequent changes;

“final approach and take-off area (FATO)” means a defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available;

“final approach segment (FAS)” means the segment of an instrument approach procedures in which alignment and descent for landing are accomplished;

“finding” means a conclusion by audit personnel that demonstrates non-conformity with a specific standard;

“fire resistant” means the capability to withstand the application of heat by a flame for a period of 5 minutes;

“fireproof” means the capability to withstand the application of heat by a flame for a period of 15 minutes;

“fireproof material” means a material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose;

“flight(s)” means the period from takeoff to landing;

“flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

“flight data analysis” means the process of analysing recorded flight data in order to improve the safety of flight operations;

“flight duty period” means a period which commences when a flight or cabin crew member is required to report for duty that includes a flight or a series of flights and which finishes when the aircraft finally comes to rest and the engines are shut down at the end of the last flight on which he or she is a crew member;

“flight information centre” means a unit established to provide flight information service and alerting service;

“flight information region” means an airspace of defined dimensions within which flight information service and alerting service are provided;

“flight information service” means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;

“flight level” means a surface of constant atmospheric pressure which is related to a specific pressure datum, 1,013.2 hectopascals (hPa), and is separated from other surfaces by specific pressure intervals;

“flight manual” means a manual associated with the certificate of airworthiness, containing limitations within which the aircraft is to be considered airworthy, and instructions information necessary to the flight crew members for the safe operation of the aircraft;

“flight dispatcher” means the person designated by the operator to engage in the control and supervision of flight operations, whether licensed or not, suitably qualified in accordance with Annex 1, who supports, briefs or assists the pilot-in-command in the safe conduct of the flight;

“flight plan” means a specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft;

“flight procedures trainer” mean an apparatus which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical ,electronic, etc., aircraft systems, and the performance and flight characteristics of aircraft of a particular class;

“flight recorder” means any type of recorder installed in the aircraft for the purpose of complementing accident or incident investigation;

“flight safety document system” means a set of inter-related documentation established by the operator, compiling and organising information necessary for flight and ground operations, and comprising, as a minimum, the operations manual and the operator’s maintenance control manual;

“flight simulation training device” means any flight simulator, flight procedures trainer or basic instrument flight trainer in which flight conditions are simulated on the ground;



“flight simulator” means an apparatus which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated;

“flight status” means an indication of whether a given aircraft requires special handling by air traffic services units or not;

“flight time – aeroplane” means the total time from the moment an aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight.

“flight time – helicopter” means the total time from the moment a helicopter’s rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped;

“flight time – glider” means the total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight;

“flight training” means training, other than ground training, received from an authorised instructor in flight in an aircraft;

“flight visibility” means the visibility forward from the cockpit of an aircraft in flight;

“foreign air operator” means any operator, not being a Gambian air operator, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of The Gambia, whether on a scheduled or charter basis.

“foreign Authority” means the civil aviation authority that issues and oversees the Air Operator Certificate of the foreign operator;

“freight container” in the case of radioactive material transport means an article of transport equipment designed to facilitate the transport of packaged goods, by one or more modes of transport without intermediate reloading. It must be of a permanent enclosed character, rigid and strong enough for repeated use, and must be fitted with devices facilitating its handling, particularly in transfer between aircraft and from one mode of transport to another. A

small freight container is that which has either an overall outer dimension less than 1.5 m, or an internal volume of not more than 3m<sup>3</sup>. Any other freight container is considered to be a large freight container;

“general aviation operation” means an aircraft operation other than a commercial air transport operation or aerial work operation;

“glider” means a non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces, which remain, fixed under given conditions of flight;

“ground handling” means services necessary for an aircraft’s arrival at, and departure from an airport other than air traffic services;

“ground proximity warning system (GPWS)” means a warning system that uses radar altimeters to alert the pilots of hazardous flight conditions;

“ground visibility” means the visibility at an aerodrome, as reported by an accredited observer or by automatic system;

“gyroplane means a heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes;

“handling agent means an agency which performs on behalf of the operator some or all of the latter's functions including receiving, loading, unloading, transferring or other processing of passengers or cargo;

“hazard” means a condition or an object with the potential to cause injuries to personnel, damage to equipment or structures, loss of material, or reduction of ability to perform a prescribed function;

“heading” means the direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (true, magnetic, compass or grid);

“head-up display (HUD)” means a display system that presents flight information into the pilot’s forward external field of view;

“heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;

“height” means the vertical distance of a level, a point or an object

considered as a point, measured from a specified datum;

“helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axis;

“categories of helicopter” means any of the following-

(a) *Category A* - A multi-engined helicopter designed with engine and system isolation features specified in ICAO Annex 8, Part IVB, and capable of operations using take-off and landing data scheduled under a critical engine failure concept which assures adequate designed surface area and adequate performance capability for continued safe flight or safe rejected take-off, or

(b) *Category B* - A single engine or multi-engined helicopter which does not meet Category A standards. Category B helicopters have no guaranteed capability to continue safe flight in the event an engine failure, and a forced landing is assumed;

“performance classes of helicopter” means any of the following-

(a) *Class 1 helicopter*. A helicopter with performance such that, in case of critical engine failure, it is able to land within the rejected takeoff area or safely continue the flight to an appropriate landing area, depending on when the failure occurs,

(b) *Class 2 helicopter*. A helicopter with performance such that, in case of critical engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after takeoff or after a defined point before landing, in which case a forced landing may be required.

(c) *Class 3 helicopter*. A helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed.

“helideck” means the heliport located on a floating or fixed offshore structure;

“heliport” means an aerodrome or defined area on a structure intended to be used wholly or in part for the arrival, departure, and surface movement of helicopters;

“heliport” operating minima means the limits of usability of a heliport

for-

- (a) take-off, expressed in terms of runway visual range or visibility and, if necessary, cloud conditions,
- (b) landing in 2D instrument approach operations, expressed in terms of visibility or runway visual range, minimum descent altitude or height (MDA/H) and, if necessary, cloud conditions, and
- (c) landing in 3D instrument approach operations, expressed in terms of visibility or runway visual range and decision altitude or height (DA/H) appropriate to the type or category of the operation;

“high speed aural warning” means a speed warning that is required for turbine-engined airplanes and airplanes with a V<sub>mo</sub> or M<sub>mo</sub> greater than 0.80 V<sub>df</sub> or M<sub>df</sub> or V<sub>d</sub> or M<sub>d</sub>;

“holdover time” means the estimated time de-icing or anti-icing fluid will prevent the formation of frost or ice and the accumulation of snow on the protected surfaces of an aircraft. Holdover time begins when the final application of de-icing or anti-icing fluid commences and expires when the de-icing or anti-icing fluid applied to the aircraft loses its effectiveness;

“housing” as it related to Approved Maintenance Organisations in Part 6, means buildings, hangars, and other structures to accommodate the necessary equipment and materials of a maintenance organisation that -

- (a) provide working space for the performance of maintenance, preventive maintenance, or modifications for which the maintenance organisation is approved and rated, and
- (b) provide structures for the proper protection of aircraft, airframes, aircraft engines, propellers, appliances, components, parts, and subassemblies thereof during disassembly, cleaning, inspection, repair, modification, assembly, and testing, and
- (c) provide for the proper storage, segregation, and protection of materials, parts, and supplies;

“human factors principles means principles which apply to

aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance;

“human performance” means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations;

“ICAO” means the International Civil Aviation Organisation;

“IFR” means the symbol used to designate the instrument flight rules;

“IFR flight” means a flight conducted in accordance with the instrument flight rules;

“IMC” means the symbol used to designate instrument meteorological conditions;

“incident” means an occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations.

“incompatible” means dangerous goods, which if mixed, would be liable to cause a dangerous evolution of heat or gas or produce a corrosive substance;

“industry codes of practice” means guidance material developed by an industry body, for a particular sector of the aviation industry to comply with the requirements of the International Civil Aviation Organisation’s Standards and Recommended Practices, other aviation safety requirements and the best practices deemed appropriate;

“instructions for continued airworthiness” means a set of descriptive data, maintenance planning and accomplishment instructions, developed by a design approval holder in accordance with the certification basis for the product, providing operators with the necessary information for development of their own maintenance programme and accomplishment instructions;

“instrument approach categories” means any of the following-

- (a) Category one (CAT I) operation. A precision instrument approach and landing with a decision height not lower

than 60 m (200 ft) and with either a visibility not less than 800 m or a runway visual range not less than 550 m,

- (b) Category two (CAT II) operation. A precision instrument approach and landing with a decision height lower than 60 m (200ft) but no lower than 30 m (100 ft) and a visual range not less 300 m,
- (c) Category three A (CAT IIIA) operation. A precision approach and landing with a decision height lower than 30 m (100ft) or no decision height; and a runway visual range not less than 175 m,
- (d) Category three B (CAT IIIB) operation. A precision approach and landing with a decision height lower than 15 m (50 ft) or no decision height; and a runway visual range less than 175 m but not less than 50 m, and
- (e) Category three C (CAT IIIC) operation. A precision instrument approach and landing with no decision height and no runway visual range limitations;

“instrument approach operations” means an approach and landing using instruments for navigation guidance based on an instrument approach procedure. There are two methods for executing instrument approach operations -

- (a) a two-dimensional (2D) instrument approach operation, using lateral navigation guidance only, and
- (b) a three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance;

“instrument approach procedure (IAP)” means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply. Instrument approach procedures are classified as follows-

- (a) non-precision approach (NPA) procedure. An instrument approach procedures designed for 2D

instrument approach operations Type A,

- (b) approach procedure with vertical guidance (APV) means a performance-based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A,
- (c) precision approach (PA) procedure. n instrument approach procedure based on navigation systems (LKS, MLS, GLS and SBAS CAT I) designed for 3D instrument approach operations Type A or B;

“inspection” means the examination of an aircraft or aeronautical product to establish conformity with a standard approved by the Authority;

“instrument flight time” means time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points;

“instrument ground time” means time during which a pilot is practicing on the ground, simulated instrument flight in a flight simulation training device approved by the Authority;

“instrument meteorological conditions (IMC)” means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions;

“instrument time” means time in which cockpit instruments are used as the sole means for navigation and control, which may be instrument flight time or instrument ground time;

“instrument training” means training which is received from an authorised instructor under actual or simulated instrument meteorological conditions;

“integrated survival suit” means a survival suit which meets the combined requirement of the survival suit and life jacket;

“interchange agreement” means a leasing agreement which permits an air operator to dry lease and take or relinquish operational control of an aircraft at an airport;

“international commercial air transport” means the carriage by aircraft of persons or property for remuneration or hire or the

carriage of mail between any two or more countries;

“international operating agency” means an agency of the kind contemplated in Article 77 of the Chicago Convention;

“investigation” as relates to an aircraft accident or incident, means a process conducted for the purpose of accident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of causes and, when appropriate, the making of safety recommendations;

“investigator-in-charge” as relates to an aircraft accident or incident, means a person charged, on the basis of his or her qualifications, with the responsibility for the organisation, conduct and control of an investigation;

“isolated aerodrome” means a destination aerodrome for which there is no destination alternate aerodrome suitable for a given aeroplane type;

“journey log” means a form signed by the PIC of each flight that records the aeroplane's registration, crew member names and duty assignments, the type of flight, and the date, place, and time of arrival and departure;

“knowledge test” means a test on the aeronautical knowledge areas required for an airman licence or rating that can be administered in written form or by a computer;

“landing area” means that part of a movement area intended for the landing or takeoff of an aircraft;

“landing distance available (LDA)” means the length of runway which is declared available and suitable for the ground run of an aeroplane landing;

“landing decision point” means the point used in determining landing performance from which, an engine failure occurring at this point, the landing may be safely continued or a balked landing initiated;

“landing surface” means that part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction;

“large aeroplane” means an aeroplane having a maximum certified takeoff mass of over 5,700 kg;



“level” means a generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.

“licensing authority” means the authority designated by the Contracting State as responsible for the licensing of personnel;

“life-limited part” means any part for which a mandatory replacement limit is specified in the type design, the Instructions for Continued Airworthiness, or the maintenance manual;

“lighter-than-air aircraft” means any aircraft supported chiefly by its buoyancy in the air;

“likely” in the context of the medical provisions for licensing means with a probability of occurring that is unacceptable to the medical assessor;

“limit loads” means the maximum loads assumed to occur in the anticipated operating conditions;

“line check” means a check given to a pilot by a check pilot to evaluate the pilot’s operational competency during line operating flight time in an aircraft type he or she is qualified to fly, over a route and area in which the AOC is authorised to operate;

“line maintenance” means any unscheduled maintenance resulting from unforeseen events, or scheduled checks that contain servicing or inspections that do not require specialised training, equipment or facilities;

“line operating flight time” means flight time recorded by the PIC or Co-Pilot while in revenue service for an AOC holder;

“load factor” means the ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces or ground reactions;

“long range overwater flights” means routes on which an aeroplane may be over water and at more than a distance corresponding to 120 minutes at cruising speed or 740 km (400 NM), whichever is the lesser, away from land suitable for making an emergency landing;

“low altitude wind shear warning and guidance system” means a system that will issue a warning of low altitude wind shear and in

some cases provide the pilot with guidance information of the escaper manoeuvre;

“mach number indicator” means an indicator that shows airspeed as a function of the Mach number;

“maintenance” means the performance of tasks on an aircraft, engine, propeller or associated part required to ensure the continuing airworthiness of an aircraft, engine, propeller or associated part including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair;

“maintenance control manual” means a document that describes the operator’s procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator’s aircraft on time and in a controlled and satisfactory manner;

“maintenance organisation’s procedures manual” means a document endorsed by the head of the maintenance organisation which details the maintenance organisation’s structure and management responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems;

“maintenance programme” means a document which describes the specific scheduled maintenance tasks and their frequency of completion and related procedures, such as a reliability programme, necessary for the safe operation of those aircraft to which it applies;

“maintenance records” means records that set out the details of the maintenance carried out on an aircraft, engine, propeller or associated part;

“maintenance release” means a document which contains a certification confirming that the maintenance work to which it relates has been completed in a satisfactory manner in accordance with appropriate airworthiness requirements;

“major alteration” means an alteration not listed in the aircraft, aircraft engine, or propeller specifications –

- (a) that might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness,

or

- (b) that cannot be done by elementary operations;

“major modification” in respect of an aeronautical product for which a Type certificate has been issued, means a change in the Type Design that has an appreciable effect, or other than a negligible effect, on the mass and balance limits, structural strength, powerplant operation, flight characteristics, reliability, operational characteristics, or other characteristics or qualities affecting the airworthiness or environmental characteristics of an aeronautical product;

“major repair” means a repair-

- (a) that if improperly done might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness, or
- (b) that is not done according to accepted practices or cannot be done by elementary operations;

“manoeuvring area” means that part of an aerodrome to be used for the takeoff, landing and taxiing of aircraft, excluding aprons;

“master minimum equipment list (MMEL)” means a list established for a particular aircraft type by the organisation responsible for the type design with the approval of the State of Design containing items, one or more of which is permitted to be unserviceable at the commencement of a flight. The MMEL may be associated with special operating conditions, limitations or procedures;

“materially altered aircraft” means aircraft having powerplants installed other than those for which it is certified; or alterations to the aircraft or its components that materially affect flight characteristics;

“maximum diversion time” means the maximum allowable range, expressed in time, from a point on a route to an en-route alternate aerodrome;

“maximum mass” means maximum certificated take-off-mass;

“medical assessment” means the evidence issued by the Authority that the licence holder meets specific requirements of medical

fitness;

“medical assessor” means a physician, appointed by the Authority, qualified and experienced in the practice of aviation medicine and competent in evaluating and assessing medical conditions of flight safety significance;

“medical certificate” means a document issued by the Authority as acceptable evidence of physical fitness as required for certain personnel licence holders;

“medical examiner” means a physician with training in aviation medicine and practical knowledge and experience of the aviation environment, who is designated by the Authority to conduct medical examinations of fitness of applicants for licences or ratings for which medical requirements are prescribed;

“meteorological information” means meteorological reports, analysis, forecast, and any other statement relating to existing or expected meteorological conditions;

“minimum descent altitude (MDA) or minimum descent height (MDH)” means a specified altitude or height in a 2D instrument approach operation or circling approach operation below which descent must not be made without the required visual reference;

“minimum equipment list (MEL)” means a list approved by the Authority which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the Master Minimum Equipment List established for the aircraft type;

“Minister” means the Minister responsible for civil aviation;

“minor modification” means a modification other than a major modification;

“missing aircraft” an aircraft is considered to be missing when the official search has been terminated and the wreckage has not been located;

“modification” means a change to the type design of an aircraft, engine or propeller;

“movement area” means that part of an aerodrome used for takeoff, landing and taxiing of aircraft, consisting of the manoeuvring area

and the apron(s);

“navigable airspace” means the airspace above the minimum altitudes of flight prescribed in these Regulations and includes airspace needed to insure safety in the takeoff and landing of aircraft;

“navigation of aircraft” means a function which includes the piloting of aircraft;

“navigation specification” means a set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace;

“night” means the hours between the end of evening civil twilight and the beginning of morning civil twilight or such other period between sunset and sunrise as may be prescribed by the appropriate Authority. Civil twilight ends in the evening when the centre of the sun's disc is 6 degrees below the horizon and begins in the morning when the centre of the sun's disc is 6 degrees below the horizon;

“obstacle clearance altitude (OCA) or obstacle clearance height (OCH)” means the lowest altitude or the lowest height above the elevation of the relevant runway threshold or the aerodrome elevation as applicable, using in establishing compliance with appropriate obstacle clearance criteria;

“obstruction clearance plane” means a plane sloping upward from the runway at a slope of 1:20 to the horizontal, and tangent to or clearing all obstructions within a specified area surrounding the runway as shown in a profile view of that area. In the plane view, the centreline of the specified area coincides with the centreline of the runway, beginning at the point where the obstruction clearance plane intersects the centreline of the runway and proceeding to a point at least 450 m (1,500) feet from the beginning point. Thereafter, the centreline coincides with the takeoff path over the ground for the runway (in the case of takeoffs) or with the instrument approach counterpart (for landings), or where the applicable one of these paths has not been established, it proceeds consistent with turns of at least 1.2 km (4,000 foot) radius until a point is reached beyond which the obstruction clearance plane clears all obstructions. This area extends laterally 60 m (200 feet) on each side of the centreline at the point where the obstruction clearance plane intersects the runway and continues at this width to the end of the runway; then it increases uniformly to 150 m (500 feet)

on each side of the centreline at a point 450 m (1,500 feet) from the intersection of the obstruction clearance plane with the runway; thereafter, it extends laterally 150 m (500 feet) on each side of the centreline.

“operating base” means the location from which operational control is exercised. This is normally the location where personnel involved in the operation of the aeroplane work and the records associated with the operation are located.

“operational control” means the exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight;

“operational flight plan” means the operator's plan for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations, and relevant expected conditions on the route to be followed and at the aerodromes or heliports concerned;

“operational personnel” means personnel involved in aviation activities who are in a position to report safety information.

“operations in performance Class 1” means helicopter operations in performance such that, in the event of critical engine failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, unless the failure occurs prior to reaching the take-off decision point (TDP) or after passing the landing decision point (LDP), in which cases the helicopter must be able to land within the rejected take-off or landing area;

“operations in performance Class 2” means helicopter operations in performance such that, in the event of critical engine failure, performance is available to enable the helicopter to safely continue the flight to an appropriate landing area, except when the failure occurs early during the take-off manoeuvre or late in the landing manoeuvre, in which case a forced landing may be required;

“operations in performance Class 3” means helicopter operations in performance such that, in the event of an engine failure at any time during the flight, a forced landing will be required;

“operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties;

“operations specifications” means the authorisations, conditions and limitations associated with the air operator certificate and subject to the conditions in the operations manual;

“operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

“operator’s maintenance control manual” means a document which describes the operator’s procedures necessary to ensure that all scheduled and unscheduled maintenance is performed on the operator’s aircraft on time and in a controlled and satisfactory manner;

“Organization responsible for the type design” means the organization that holds the type certificate, or equivalent document, for an aircraft, engine or propeller type, issued by a Contracting State;

“Ornithopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on planes to which a flapping motion is imparted;

“overhaul” means the restoration of an aircraft or aeronautical product using methods, techniques, and practices acceptable to the Authority, including disassembly, cleaning, and inspection as permitted, repair as necessary, and reassembly; and tested in accordance with approved standards and technical data, or in accordance with current standards and technical data acceptable to the Authority, which have been developed and documented by the State of Design, holder of the type certificate, supplemental type certificate, or a material, part, process, or appliance approval under Parts Manufacturing Authorisation (PMA) or Technical Standard Order (TSO);

“overpack” means an enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage;

“package” means the complete product of the packing operation consisting of the packaging and its contents prepared for transport;

“packaging” means receptacles and any other components or materials necessary for the receptacle to perform its containment;

“passenger aircraft” means an aircraft that carries any person other than a crew member, an operator’s employee in an official capacity,

an authorised representative of an appropriate national authority or a person accompanying a consignment or other cargo.

“passenger exit seats” means those seats having direct access to an exit, and those seats in a row of seats through which passengers would have to pass to gain access to an exit, from the first seat inboard of the exit to the first aisle inboard of the exit. A passenger seat having "direct access" means a seat from which a passenger can proceed directly to the exit without entering an aisle or passing around an obstruction;

“performance-based communication (PBC)” means communication based on performance specifications applied to the provision of air traffic services.

“performance-based navigation (PBN)” means area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace;

“performance-based surveillance (PBS)” means surveillance based on performance specifications applied to the provision of air traffic services;

“performance class 1 helicopter” means a helicopter with performance such that, in case of engine failure it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area;

“performance class 2 helicopter” means a helicopter with performance such that, in case of engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which case a forced landing may be required;

“performance class 3 helicopter” means a helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed;

“performance criteria” means a simple, evaluative statement on the required outcome of the competency element and a description of the criteria used to judge if the required level of performance has been achieved;

“person” means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes any trustee, receiver, assignee, or other similar



representative of these entities;

“(to) pilot” means to manipulate the flight controls of an aircraft during flight time;

“pilot in command (PIC)” means the pilot responsible for the operation and safety of the aircraft during flight time or the pilot designated by the operator, or in the case of general aviation, the owner, as being in command and charged with the safe conduct of the flight;

“pilot in command (PIC) under supervision” means a Co-pilot performing, under the supervision of the PIC, the duties and functions of a PIC, provided that the method of supervision employed is acceptable to the Authority;

“pilot time” means that time a person -

- (a) serves as a required pilot,
- (b) receives training from an authorised instructor in an aircraft, or an approved flight simulation training device, or
- (c) gives training as an authorised instructor in an aircraft, or an approved flight simulation training device;

“point of no return” means the last possible geographic point at which an aeroplane can proceed to the destination aerodrome as well as to an available en route alternate aerodrome for a given flight;

“policy” means a document containing a position or stance regarding a specific issue;

“procedure” means a way of documenting a process;

“process” means a set of interrelated or interacted activities which transforms inputs into outputs;

“powered-lift” means a heavier-than-air aircraft capable of vertical takeoff, vertical landing, and low speed flight that depends principally on engine-driven lift devices or engine thrust for lift during these flight regimes and on nonrotating aerofoil(s) for lift during horizontal flight;

“powerplant” means the system consisting of all the engines, drive system components (if applicable), and propellers (if installed), their accessories, ancillary parts, and fuel and oil systems installed on an aircraft but excluding the rotors for a helicopter;

“power-unit” means a system of one or more engines and ancillary parts which are together necessary to provide thrust, independently of the continued operation of any other powered-unit(s), but not including short period thrust-producing devices;

“pre-flight inspection” means the inspection carried out before flight to ensure that the aircraft is fit for the intended flight;

“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 a discretionary requirement if the written policy or methodology states “may”;

“primary standard” means a standard defined and maintained by the Authority and used to calibrate secondary standards;

“pressure-altitude” means an atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere;

“pressurized aircraft for airman-licensing purposes”, means an aircraft that has a service ceiling or maximum operating altitude, whichever is lower, above 25,000 feet MSL;

“preventive maintenance” means simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations;

“problematic use of substances” means the use of one or more psychoactive substances by aviation personnel in a way that –

- (a) constitutes a direct hazard to the user or endangers the lives, health or welfare of others; or
- (b) causes or worsens an occupational, social, mental or physical problem or disorder;

“proficiency check” means a competency test by a licence holder on the areas of operations contained in the skill test for a particular licence, certificate, rating, or authorisation that is conducted by an authorised representative of the Authority;

“prohibited area” means an airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited;

“propeller” means a device for propelling an aircraft that has blades on a power plant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation. It includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of power plants;

“proper shipping name” means the name to be used to describe a particular article or substance in all shipping documents and notifications and, where appropriate, on packaging;

“psychoactive substances” means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas coffee and tobacco are excluded;

“public aircraft” means an aircraft used exclusively in the service of any government or of any political jurisdiction thereof, including the Government of The Gambia, but not including any government owned aircraft engaged in operations which meet the definition of commercial air transport operations;

“qualification based training” means training designed to ensure that graduates demonstrate the necessary minimum skill, knowledge and experience levels to meet the qualification requirements of the licence, rating or privilege;

“quality” means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs;

“quality assurance” as distinguished from quality control, involves activities in the business, systems, and technical audit areas, means a set of predetermined, systematic actions which are required to provide adequate confidence that a product or service satisfies quality requirements;

“quality audit” means a systematic and independent examination to determine whether quality activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives;

“quality control” means the regulatory inspection process through which actual performance is compared with standards, such as the maintenance of standards of manufactured aeronautical products, and any difference is acted upon;

“quality inspection” means that part of quality management involving quality control. In other words, inspections accomplished to observe events or actions or documents, in order to verify whether established operational procedures and requirements are fulfilled during the accomplishment of the event or action, and whether the required standard is achieved. Student stage checks and skill tests are quality inspections, and they are also quality control functions;

“quality management” *means a* management approach focused on the means to achieve product or service quality objectives through the use of its four key components: quality planning; quality control; quality assurance; and quality improvement;

“quality manager” means the manager responsible for the monitoring function and for requesting remedial action;

“quality manual” means the document containing the relevant information pertaining to the organisation’s quality assurance system;

“quality of training” means the outcome of the training that meets stated or implied needs within the framework of set standards;

“quality system” means documented organisational procedures and policies; internal audit of those policies procedures; management review and recommendation for quality improvements;

“radiotelephony” means a form of radio communication primarily intended for the exchange of information in the form of speech;

“rated air traffic controller” means an air traffic controller holding a licence and valid ratings appropriate to the privileges to be exercised;

“rating” means an authorisation entered on or associated with a licence or certificate and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence or certificate;

“rebuild” means the restoration of an aircraft or aeronautical product

by using methods, techniques, and practices acceptable to the Authority, when it has been disassembled, cleaned, inspected as permitted, repaired as necessary, reassembled, and tested to the same tolerances and limits as a new item, using either new parts or used parts that conform to new part tolerances and limits;

“reference standard” means a standard that is used to maintain working standards;

“re-issue of a licence, rating, authorisation or certificate” means the administrative action taken after a licence, rating, authorisation or certificate has lapsed that re-issues the privileges of the licence, rating, authorisation or certificate for a further specified period consequent upon the fulfilment of specified requirements;

“remote pilot” means a person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during flight time;

“remote pilot station” means the component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft;

“remotely piloted aircraft (RPA)” means an unmanned aircraft which is piloted from a remote pilot station;

“remotely piloted aircraft system (RPAS)” means a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design;

“rendering a certificate of airworthiness valid” means the action taken by the Authority, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness;

“rendering a licence valid” means the action taken by the Authority, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence;

“renewal of licence, rating, authorisation or certificate” means the administrative action taken within the period of validity of a licence, rating, authorisation or certificate that allows the holder to continue to exercise the privileges of a licence, rating, authorisation or certificate for a further specified period consequent upon the

fulfilment of specified requirements;

“repair” means the restoration of an aircraft, engine, propeller or associated part to an airworthy condition as defined by in accordance with the appropriate airworthiness requirements after it has been damaged or subjected to wear;

“repetitive flight plan (RPL)” means a flight plan related to a series of frequently recurring, regularly operated individual flights with identical basic features, submitted by an operator for retention and repetitive use by ATC units;

“reporting point” means a specified geographical location in relation to which the position of the aircraft can be reported;

“required communication performance (RCP)” means a statement of the performance requirements for operational communication in support of specific ATM functions;

“required communication performance type (RCP type)” means a label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity;

“required communication performance (RCP) specification” means a set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based communication;

“required surveillance performance (RSP) specification” means a set of requirements for air traffic service provision and associated ground equipment, aircraft capability, and operations needed to support performance-based surveillance;

“required inspection items” as used in Part 5, means maintenance items or alterations that must be inspected by a person other than the one performing the work, and include at least those that could result in a failure, malfunction, or defect endangering the safe operation of the aircraft, if not properly performed or if improper parts or materials are used;

“required navigation performance (RNP)” means a statement of the navigation performance necessary for operations with a defined airspace;

“required navigation performance (RNP) specification” means

navigation specification based on area navigation that includes the requirement for performance monitoring and alerting, designated by the prefix RNP, (e.g. RNP 4, RNP APCH);

“rest period” means a continuous and defined period of time, subsequent to or prior to duty, during which flight or cabin crew members are free of all duties;

“restricted area” means an airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions;

“rotorcraft” means a power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors.

“rotorcraft flight manual” means a manual, associated with the certificate of airworthiness, containing limitations within which the rotorcraft is to be considered airworthy, and instructions and information necessary to the flight crew members of the safe operation of the rotorcraft;

“rotorcraft load combinations” means any of the following configurations for external loads carried by rotorcraft -

- (a) Class A - external load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo,
- (b) Class B - external load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations,
- (c) Class C - external load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation, or
- (d) Class D - external load suspended from the rotorcraft for the carriage of persons;

“route sector” means a flight comprising take off, departure, cruise of not less than 15 minutes, arrival, approach and landing phases;

“RPA observer” means a trained and competent person designed by the operator who, by visual observation of the remotely piloted aircraft, assists the remote pilot in the safe conduct of the flight;

“runway” means a defined rectangular area on a land aerodrome prepared for the landing and takeoff of aircraft;

“runway-holding position” means a designated position intended to protect a runway, an obstacle limitation surface, or an ILS or MLS critical or sensitive area at which taxiing aircraft and vehicles shall stop and hold, unless otherwise authorised by the aerodrome control tower;

“runway visual range (RVR)” means the range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line;

“safe forced landing” means unavoidable landing or ditching with a reasonable expectancy of no injuries to persons in the aircraft or on the surface;

“safety” means the state in which risks associated with aviation activities, related to, or in direct support of the operations of aircraft, are reduced and controlled to an acceptable level;

“safety-sensitive personnel” means persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers;

“safety management system (SMS)” means a systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures;

“safety performance” means a State or service provider’s safety achievement as defined by its safety performance targets and safety performance indicators;

“safety performance indicator” means a data-based parameter used for monitoring and assessing performance;

“safety performance target” means the planned or intended objective for safety performance indicator(s) over a given period;

“safety programme” means an integrated set of regulations and activities aimed at improving safety;

“safety recommendation” means a proposal of the accident investigation authority of the State conducting the investigation,



based on information derived from the investigation made with the intention of preventing accidents or incidents;

“safety risk” means the predicted probability and severity of the consequences or outcomes of a hazard;

“satellite aviation training organization” means an aviation training organization at a location other than the aviation training organisation’s principal place of business;

“satisfactory evidence” means a set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement;

“secondary standards” means a standard maintained by comparison with a primary standard;

“serious incident” means an incident involving circumstances indicated that an accident nearly occurred.

“serious injury” means an injury which is sustained by a person in an accident and which -

- (a) requires hospitalisation for more than 48 hours, commencing within seven days from the date the injury was received,
- (b) results in a fracture of any bone (except simple fractures of fingers, toes or nose),
- (c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage,
- (d) involves injury to any internal organ,
- (e) involves second or third degree burns, or any burns affecting more than 5% of the body surface, or
- (f) involves verified exposure to infectious substances or injurious radiation;

“shall” means a mandatory requirement;

“signal area” means an area on an aerodrome used for the display of ground signals;

“signature” means an individual’s unique identification used as a means of authenticating a record entry or record. A signature may be hand-written, electronic, or any other form acceptable to the Authority;

“sign a maintenance release (to)” means to certify that maintenance work has been completed satisfactorily in accordance with the applicable Standards of airworthiness, by issuing the maintenance release referred to in Part 5;

“significant” in the context of the medical provisions in these Regulations, means to a degree or of a nature that is likely to jeopardise flight safety.

“skill test” means a competency test on the areas of operations for a licence, certificate, rating, or authorisation that is conducted by having the applicant respond to questions and demonstrate manoeuvres in flight, or in an approved flight simulation training device, or in a combination of these;

“small aeroplane” means an aeroplane having a maximum certified takeoff mass of 5,700 kg or less;

“solo flight time” means flight time during which a student pilot is the sole occupant of the aircraft;

“spare parts” means any parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers, and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto;

“special aircraft jurisdiction of The Gambia includes -

- (a) Civil aircraft of The Gambia, and
- (b) any other aircraft within the jurisdiction of The Gambia, while the aircraft is in flight, which is from the moment when all external doors are closed following embarkation until the moment when one such door is opened for disembarkation or, in case of a forced landing, until the competent authorities take over the responsibility of the aircraft and the persons and property aboard.

“special curricula” means a closely supervised, systematic and continuous course of training, conforming to a planned syllabus or curriculum, and conducted in an approved training organization;

“special VFR flight” means a VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC;

“specialised maintenance” means any maintenance not normally performed by an AMO (e.g., tire retreating, plating, etc.);

“Standard atmosphere” means an atmosphere defined as follows-

- (a) the air is a perfect dry gas;
- (b) the physical constants are –
  - Sea level mean molar mass -  
 $M_0 = 28.964\ 420 \times 10^{-3} \text{ kg mol}^{-1}$
  - Sea level atmospheric pressure -  
 $P_0 = 1\ 013.250 \text{ hPa}$
  - Sea level temperature-  
 $t_0 = 15^\circ\text{C}$   
 $T_0 = 288.15 \text{ K}$
  - Sea level atmospheric density -  
 $\rho_0 = 1.225\ 0 \text{ kg m}^{-3}$
  - Temperature of the ice point -  
 $T_i = 273.15 \text{ K}$
  - Universal gas constant:  
 $R^* = 8.314\ 32 \text{ JK}^{-1}\text{mol}^{-1}$
- (c) the temperature gradients are -

<i>Geopotential altitude</i>		<i>Temperature gradient</i> (Kelvin per standard geopotential kilometre)
<i>(km)</i>		
<i>From</i>	<i>To</i>	
-5.0	11.0	-6.5
11.0	20.0	0.0
20.0	32.0	+1.0
32.0	47.0	+2.8
47.0	51.0	0.0
51.0	71.0	-2.8
71.0	80.0	-2.0

“state of Design” means the State having jurisdiction over the organisation responsible for the type design;

“state of Destination” as relating to dangerous goods, means the State in the territory of which the dangerous goods consignment is finally to be unloaded from an aircraft;

“state of Manufacture” means the State having jurisdiction over the organisation responsible for the final assembly of the aircraft, engine or propeller;

“state of occurrence” means the State in the territory of which an accident or incident occurs;

“state of the Operator” means the State in which the operator’s principal place of business is located, or, if there is no such place of business, the operator’s permanent residence;

“state of origin as relating to dangerous goods, means the State in which dangerous goods were first loaded on an aircraft;

“state of Registry” means the State on whose register an aircraft is entered;

“state safety programme (SSP)” means an integrated set of regulations and activities aimed at improving safety;

“substantial damage” means damage or failure which adversely affects the structural strength, performance, or flight characteristics of the aircraft, and which would normally require major repair or replacement of the affected component. Engine failure or damage limited to an engine if only one engine fails or is damaged, bent fairings or cowling, dented skin, small punctured holes in the skin or fabric, ground damage to rotor or propeller blades, and damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips are not considered "substantial damage" for the purpose of this substantial damage relating to an aircraft accident;

“survival ELT” means an ELT which is removable from an aircraft, stowed so as to facilitate its ready use in an emergency, and manually activated by survivors,

“syllabus (training)” means the detailed summary or outline describing the main points of a course;

“synthetic vision system (SVS)” means a system to display data-derived synthetic images of the external scene from the perspective of the flight deck;

“take-off alternate aerodrome” means an alternate aerodrome at which an aircraft would be able to land should this become necessary shortly after takeoff and it is not possible to use the aerodrome of departure;

“takeoff decision point” means the point used in determining takeoff performance of a Class 1 helicopter from which, an engine failure occurring at this point, either a rejected takeoff may be made or a takeoff safely continued;

“takeoff surface” means the part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction;

“target level of safety (TLS)” means a generic term representing the level of risk which is considered acceptable in particular circumstances;

“taxiing” means movement of an aircraft on the surface of an aerodrome under its own power, excluding takeoff and landing;

“taxiway” means a defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, including -

- (a) Aircraft stand taxilane. A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only,
- (b) Apron taxiway. A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron, or
- (c) Rapid exit taxiway. A taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways thereby minimising runway occupancy times;

“technical instructions” means the latest effective edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc. 9284-AN/905), including the supplement and any

addendum, approved and published by decision of the Council of the ICAO;

“technical log” means a document carried on an aircraft that contains information to meet ICAO requirements; a technical log contains two independent sections: a journey record section and an aircraft maintenance record section;

“terminal control area” means a control area normally established at the confluence of ATC routes in the vicinity of one or more major aerodromes;

“terrain awareness warning system” means a system that provides the flight crew with sufficient information and alerting to detect a potentially hazardous terrain situation and so the flight crew may take effective action to prevent a controlled flight into terrain (CFIT) event;

“threat” means events or errors that occur beyond the influence of an operational person, increase operational complexity and which must be managed to maintain the margin of safety;

“threat management” means the process of detecting and responding to the threats with countermeasures that reduce or eliminate the consequences of threats, and mitigate the probability of errors or undesired states;

“threshold time” means the range, expressed in time, established by the State of the Operator, to an en-route alternate aerodrome, whereby any time beyond requires an EDTO approval from the State of the Operator;

“total estimated elapsed time for IFR flights” means the estimated time required from takeoff to arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced, or, if no navigation aid is associated with the destination aerodrome, to arrive over the destination aerodrome. For VFR flights, the estimated time required from takeoff to arrive over the destination aerodrome;

“total vertical error (TVE) means the vertical geometric difference between the actual pressure altitude flown by an aircraft and its assigned pressure altitude (flight level);

“traceability” means a characteristic of a calibration, analogous to a

pedigree. A traceable calibration is achieved when each Measurement Device and Working Standard, in a hierarchy stretching back to the National Standard, was itself properly calibrated, and the results properly documented. The documentation provides the information needed to show that all calibrations in the chain of calibrations were properly performed;

“track” means the projection on the earth’s surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid);

“traffic avoidance advice” means advice provided by an air traffic services unit specifying manoeuvres to assist a pilot to avoid a collision;

“traffic information” means information issued by an air traffic services unit to alert a pilot to other known or observed air traffic which may be in proximity to the position or intended route of flight and to help the pilot avoid a collision;

“training manual” means a manual containing the training goals, objectives, standards syllabi, and curriculum for each phase of the approved training course;

“training and procedures manual” means a manual containing procedures, instructions and guidance for use by personnel of an Approved Training Organisation in the execution of their duties in meeting the requirements of the certificate. It may be a combined manual or separated into a Training Manual and a Procedures Manual;

“training manual” means a manual containing the training goals, objectives, standards, syllabi, and curriculum for each phase of the approved training course;

“procedures manual” means a manual containing procedures, instructions and guidance for use by personnel of the ATO in the execution of their duties in meeting the requirements of the certificate;

“training programme” means a programme that consists of courses, courseware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It may include a core curriculum and a specialty curriculum;

“training specifications” means a document issued to an Aviation

Training Organisation certificate holder by the Authority that specifies training programme requirements and authorises the conduct of training, checking, and testing with any limitations thereof;

“transfer standard” means any standard that is used to compare a measurement process, system, or device at one location or level with another measurement process, system or device at another location or level;

“transition altitude” means the altitude at or below which the vertical position of an aircraft is controlled by reference to altitudes;

“training time” means the time spent receiving from an authorised instructor flight training, ground training, or simulated flight training in an approved flight simulation training device;

“training to proficiency” means the process of the check pilot administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period;

“type certificate” means a document issued by a Contracting State to define the design of an aircraft, engine or propeller type and to certify that this design meets the appropriate airworthiness requirements of that State;

“type design” means the set of data and information necessary to define an aircraft, engine or propeller type for the purpose of airworthiness determination;

“ultimate load” means the limit load multiplied by the appropriate factor of safety;

“unaided night flight” for a flight in which a pilot uses night vision goggles, means the portion of the flight in which the pilot does not use night vision goggles to maintain visual surface reference;

“undesired aircraft state occurs when the flight crew places the aircraft in a situation of unnecessary risk;

“UN number” means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of substances;



“unit load device” means any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo;

“unmanned free balloon” means a non-power-driven, unmanned, lighter-than-air aircraft in free flight;

“validation” means the action taken by Authority as an alternative to issuing its own licence, in accepting a licence issued by another Contracting State as the equivalent of its own licence for use on aircraft registered in The Gambia;

“VFR” means the symbol used to designate the visual flight rules;

“VFR flight” means a flight conducted in accordance with the visual flight rules;

“visibility” for aeronautical purposes means the greater of -

- (a) the greatest distance at which a black object of suitable dimensions, situated near the ground, can be seen and recognised when observed against a bright background,
- (b) the greatest distance at which lights in the vicinity of 1,000 candelas can be seen and identified against an unlit background;

“visual line-of-sight (VLOS) operation” means an operation in which the remote pilot or RPA observer maintains direct unaided visual contact with the remotely piloted aircraft;

“visual meteorological conditions” means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima;

“VMC” means the symbol used to designate visual meteorological conditions;

“wet lease” means the lease of an aircraft with crew and other back-up.

### **3. Compliance with Standards and Recommended Practices**

Unless otherwise specified or provided in these Regulations, all applicable standards and recommended practices contained in the

Annexes to the Chicago Convention, unless a difference has been notified by the Authority, are to be considered as part of these Regulations.

#### **4. Application of these Regulations**

(1) These Regulations shall apply to civil aviation, civil aircraft and to all persons operating or maintaining -

- (a) a Gambian registered aircraft;
- (b) an aircraft registered in another Contracting State that are operated by a person licensed by the Authority, and must be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed;
- (c) an aircraft of other Contracting States operating in The Gambia;
- (d) civil aerodromes;
- (e) air navigation;
- (f) approved maintenance organizations; and
- (g) aviation training organisations;

(2) The regulations addressing persons certificated under any Part of these Regulations shall also apply to any person who engages in an operation governed by any Part of these Regulations without the appropriate certificate, licence, operations specification, or similar document required as part of the certification.

(3) The regulations addressing general matters establish minimum standards for all aircraft operated in The Gambia and specific standards applicable to the holder of a certificate shall apply if they conflict with a general regulation.

(4) Foreign air operators who conduct commercial air transport into or from The Gambia shall be governed by the provisions of the Operations Specification issued by the Authority, and by those provisions in Parts 7, 8, and 10 that specifically address commercial air transport.

(5) Those regulations that address AOC holders apply only to

operators certificated by the Authority.

(6) Aircraft used by a head of State or in the Armed Forces, customs or police services are deemed to be State aircraft.

(7) A State aircraft of a contracting State shall not fly over the territory of The Gambia or land on it without authorisation by special agreement or otherwise, and in accordance with the terms of the agreement.

(8) References in these Regulations to the operator of an aircraft are for the purpose of the application of any provision of these Regulations, in relation to any particular aircraft, references to the person who at the relevant time has the management of that aircraft.

An aircraft is deemed to be “in flight”, in the case of –

- (a) a piloted flying machine, from the moment when all its external doors are closed following embarkation until the moment when any of those doors are opened for disembarkation but in the case of a forced landing, the flight is deemed to continue until the competent authorities take over the responsibility for the aircraft and for persons and property on board; and
- (b) a pilot less flying machine, or a glider, from the moment when it first moves for the purpose of taking off until the moment when it next comes to rest after landing;

(10) Subject to the provisions of these Regulations, an aircraft in flight is for the purpose of these Regulations deemed to fly for the purpose of public transport if –

- (a) hire or reward is given or promised for the carriage of passengers or cargo in the aircraft on that flight; and
- (b) passengers or cargo are carried gratuitously in the aircraft on that flight by an air transport undertaking including, in the case of the body corporate, its directors and, in the case of airlines registered in the Gambia, members of the airlines, persons with the authority of the Director General either making an inspection or witnessing any training, practice or test for the purposes of these Regulations or cargo intended to be used by any the passengers as aforesaid, or by the undertaking.

(11) Notwithstanding the provisions of these Regulations, when an

aircraft registered in The Gambia is operated pursuant to an agreement for the lease, charter or interchange of the aircraft or any similar arrangement by an operator who-

- (a) has his or her principal place of business; or
- (b) if he or she has no such place of business, has his or her permanent residence in another contracting State,

The Gambia may, by agreement with that other State, transfer to it all or part of its functions and duties as State of registry in respect of that aircraft under these Regulations, in which case, The Gambia shall be relieved of responsibility in respect of the functions and duties transferred so.

(12) A transfer under paragraph (11) shall not have effect in respect of other contracting States before either the agreement between The Gambia and another contracting State in which it is embodied has been registered with the Council of the International Civil Aviation Organisation and made public pursuant to the provisions of the Chicago Convention.

## **CHAPTER II – ADMINISTRATIVE RULES GOVERNING TESTING, LICENCES, AND CERTIFICATES**

### **5. Display and Inspection of Licences and Certificates**

(1) To act as a Pilot of a -

- (a) civil aircraft of The Gambia registry, a Pilot shall have in his or her physical possession or readily accessible in the aircraft, a valid pilot licence or special purpose authorisation issued under these regulations; or
- (b) civil aircraft of foreign registry within The Gambia, a Pilot shall hold a valid pilot licence, and have the pilot licence in his or her physical possession or readily accessible in the aircraft.

(2) A person required by any part of these regulations to have an airman's licence shall have it in his or her physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that licence.

(3) A person who holds an ATC licence or designation from the Authority shall have the licence or designation in his or her physical possession or readily accessible at the work site when exercising

the privileges of that licence or designation.

(4) A person required by any part of these regulations to have a current medical certificate shall have it in his or her physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that certificate.

(5) The holder of an Approved Training Organisation (ATO) certificate shall display that certificate in a conspicuous public area in the school.

(6) The owner or operator of an aircraft shall carry the certificates of registration and airworthiness on the aircraft and have it available for inspection.

(7) The holder of an Approved Maintenance Organisation (AMO) Certificate shall prominently display that certificate in a conspicuous place accessible to the public in the principal business office of the Organisation.

(8) The holder of an Aerodrome Certificate shall prominently display that certificate in a conspicuous public area in the aerodrome.

(9) The owner or operator of an aircraft engaged in aerial work shall carry the Aerial work certificate or a certified true copy of that certificate on the aircraft and have it available for inspection.

(10) The owner or operator of an aircraft engaged in commercial air transport shall carry the air operator certificate or a certified true copy of that certificate on the aircraft and have it available for inspection.

(11) A person who holds an airman or crewmember licence, medical certificate, authorisation or designation required by these regulations shall present it for inspection upon a request from -

- (a) the Authority; or
- (b) any national or local law enforcement officer.

## **6. Change of Name**

(1) A holder of a licence or certificate issued under these regulations may apply to change the name on a licence or certificate and shall include with any such request -

- (a) the current licence or certificate; and

(b) a copy of the marriage licence, court order, or other document verifying the name change

(2) After dealing with the application, the Authority shall return to the Airman the documents specified in sub-regulation (1).

## **7. Change of Address**

The holder of an Airman licence or certificate who has made a change in permanent mailing address shall within thirty days notify the Authority in writing of the new permanent mailing address, or current residential address if the permanent mailing address includes a post office box number.

## **8. Replacement of a Lost or Destroyed Airman Licence or Medical Certificate**

(1) An applicant who has lost or destroyed any of the following documents issued under these Regulations shall request a replacement in writing from the office designated by the Authority-

(a) an Airman licence; and

(b) a medical certificate.

(2) The applicant shall state in the request letter -

(a) the name of the applicant;

(b) the permanent mailing address and email;

(c) the date and place of birth of the applicant;

(d) provide a copy of his or her national identification card or passport; and

(e) any available information regarding the -

(i) number, and date of issue of the licence, and the ratings, if applicable; and

(ii) date of the medical examination, if applicable;

(3) After receiving an email from the Authority confirming that the lost or destroyed document was issued, an Airman may carry the emailed copy in lieu of the lost or destroyed document for up to thirty days pending the Airman's receipt of a duplicate document.

## **9. Falsification, Reproduction, or Alteration of Applications, Licences, Certificates, Logbooks, Reports, or Records**

(1) A person shall not make or cause to be made concerning any licence, certificate, rating, qualification, or authorisation, application for or duplicate thereof, issued under these regulations-

- (a) any fraudulent or intentionally false statement;
- (b) any fraudulent or intentionally false entry in any logbook, record, or report that these regulations require, or used to show compliance with any requirement of these regulations;
- (c) any reproduction for fraudulent purpose; or
- (d) any alteration.

(2) A person who contravenes the provisions of sub-regulation (1) may have his or her Airman licence, rating, certificate, qualification, or authorisation revoked or suspended.

## **10. Suspension and Revocation of Licence or Certificate**

(1) The Authority may suspend a licence, rating, authorization, designation or certificate if it determines that the interests of safety require the suspension.

(2) Where the Authority discovers facts indicating lack of competency by a holder, it shall revoke any licence, rating, authorisation, designation or certificate issued by it.

(3) The Authority may also suspend the validity of any licence, rating, authorisation, designation or certificate in the following cases-

- (a) during the investigation of an aircraft disaster or incident;
- (b) in cases of proven misconduct, recklessness or excessive carelessness;
- (c) if there is sufficient evidence that the holder failed to perform his or her duties in accordance with the prescribed procedures;
- (d) if the holder has acted in contradiction to his or her

privileges; and

(e) pending the investigation of a suspected violation of these Regulations or the Act.

(4) A person whose licence, rating, authorisation, designation or certificate has been amended, modified, suspended, or revoked shall be provided with notice and an opportunity to be heard.

(5) On a suspension becoming effective, the person involved shall-

(a) immediately cease exercising the privileges of the affected licence, certificate, rating, or authorisation; and

(b) surrender to the Authority all licences or validation certificates in his or her possession that are subject to the suspension within 8 days of receiving the notification of the order.

(6) If a person fails to surrender the documents referred to in paragraph (5) of this regulation, the Authority may revoke all licences, certificates, ratings, designations and authorisations held by that person.

(7) When a suspension is limited to one or more ratings mentioned on the licence or certificate, the Authority shall provide the person involved with a new licence or certificate omitting all ratings which are subject to the suspension.

(8) The Authority may cancel a suspension in the following cases-

(a) if the holder of the licence, certificate, rating, designation or authorisation under suspension has fulfilled the conditions set out by the Authority; or

(b) by revocation of the licence, rating, authorisation, designation or certificate.

(9) If a suspension has been cancelled, other than by revocation, the Authority shall issue the person involved with a new licence or certificate.

(10) A licence, rating, authorisation or certificate –

(a) shall be revoked if the holder has lost the skills for exercising the privileges mentioned in the document or fails to meet the appropriate medical standards as shown by the results of a medical examination or a test;

(b) may be revoked if the holder has made a statement



contrary to the truth in obtaining or maintaining that licence, rating authorisation or certificate, or has provided incorrect data at a medical examination or test required for the issue, maintenance or renewal of the licence, rating, authorisation and certificate; or

- (c) shall be revoked in case of proven misconduct, recklessness or excessive carelessness.

(11) The holder of the licence, rating, authorisation, designation or certificate shall be notified in writing of the revocation with the reasons for the revocation.

(12) A person who has had a licence or certificate revoked shall hand over to the Authority all the licences or certificates in his or her possession applicable to the revocation within eight days after the date of receiving notification from the Authority.

(13) The person who has been denied the privilege to manipulate the controls of an aircraft by judgment of a court, shall be equally obliged to hand over to the Authority all licences and certificates in his or her possession within 8 days after the judgment.

## **11. Re-application after Suspension**

Unless otherwise authorised by the Authority, a person whose licence has been suspended shall not apply for any licence, rating, or authorisation during the period of suspension.

## **12. Voluntary Surrender or Exchange of Licence**

(1) The holder of a licence or certificate issued under these regulations may voluntarily surrender it for -

- (a) cancellation;
- (b) issuance of a lower grade licence; or
- (c) another licence with specific ratings deleted.

(2) An applicant requesting voluntary surrender of a licence shall include the following signed statement or its equivalent -

“This request is made for my own reasons, with full knowledge that my (insert name of licence or rating, as appropriate) may not be reissued to me unless I again pass the tests prescribed for its issuance.”

### **13. Prohibition on Performance during Medical Deficiency**

A person who holds a current medical certificate issued under these Regulations shall not act in a capacity for which that medical certificate is required while that person -

- (a) knows or has reason to know of any medical condition that would make the person unable to meet the requirements for the required medical certificate; or
- (b) is taking medication or receiving other treatment for a medical condition that results in the person being unable to meet the requirements for the required medical certificate.

### **14. Use of Psychoactive Substances**

(1) A holder of a licence, rating or a certificate issued under these Regulations shall not exercise the privileges of the licence, rating or certificate while under the influence of any psychoactive substance, which might render them unable to safely and properly exercise these privileges.

(2) A person whose function is critical to the safety of aviation (safety-sensitive personnel) shall not undertake that function while under the influence of any psychoactive substance, by reason of which human performance is impaired.

(3) The person referred to in sub-regulation (1) and (2) shall not engage in any kind of problematic use of substances.

(4) The Authority may identify and remove from a safety-critical function a licence holder who engages in any kind of problematic use of substances. Return to the safety-critical functions may be considered after successful treatment or, in cases where no treatment is necessary, after cessation of the problematic use of substances and upon determination that the person's continued performance of the function is unlikely to jeopardize safety.

### **15. Psychoactive Substance Testing and Reporting**

(1) A person who performs any function requiring a licence, rating, qualification, or authorisation prescribed by these Regulations directly or by contract for a certificate holder under the provisions of these regulations may be tested for usage of psychoactive substances.

(2) Chemicals considered psychoactive substances are listed in Schedule 1.1.

(3) A person subject to these Regulations who refuses to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority may -

- (a) be denied any licence, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to 1 year after the date of that refusal; or
- (b) have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

(4) A person subject to these Regulations who refuses to submit to a test to indicate the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or substances in the body, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority may –

- (a) be denied any licence, certificate, rating, qualification, or authorisation issued under these Regulations for a period of up to one year after the date of that refusal; or
- (b) have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

(5) A person subject to these Regulations who is convicted for the violation of any local or national statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, may -

- (a) be denied any licence, certificate, rating, qualification, or authorisation issued under these regulations for a period of up to 1 year after the date of final conviction; or
- (b) have his or her licence, certificate, rating, qualification, or authorisation issued under these regulations suspended or revoked.

## **16. Language of Certificates, Licences, Manuals and Documents**

(1) Certificates or licences being submitted to the Authority shall be in the English language or where a certificate or licence is issued in a language other than English, it shall include an English translation.

(2) Manuals being submitted to the Authority shall be in English.

(3) Documents being submitted to the Authority shall be in the English language or where a document is issued in a language other than English, it shall include a certified English translation.

## **17. Aviation Safety Inspector's Access to Aircraft and Obstruction of Authorised Persons**

(1) Whenever, in performing the duties of conducting an inspection, an Aviation Safety Inspector shall present his or her credentials to the pilot-in-command of an aircraft, the Inspector shall be given free, uninterrupted, unrestricted and unlimited access to the aircraft, including the pilot's compartment of that aircraft

(2) A person shall not willfully obstruct or impede any person acting in the exercise of his power or the performance of his duties under these Regulations.

## **CHAPTER III – INVESTIGATION AND ENFORCEMENT PROCEDURES**

### **18. Reports of Violations**

(1) A person who knows of a violation of any Civil Aviation Law, Order or these Regulations shall report it to the Authority.

(2) A report made under this regulation together with any other relevant information the Authority may have shall be reviewed by the Authority to determine the nature and type of any additional investigation or enforcement action the Authority may take.

### **19. Investigations**

Under the Civil Aviation Act, the Director General may conduct investigations, hold hearings, issue subpoenas, require the production of relevant document, records, and property, and take evidence and depositions.

## **20. Formal Complaints**

Complaints submitted to the Authority under regulation 18 shall be in a form and manner prescribed by the Authority.

## **21. Administrative Action**

(1) If it is determined that a violation or an alleged violation of the Civil Aviation Act, or an order or a regulation issued under it, can be more appropriately dealt with through administrative action, the Authority may take any one of the following actions-

- (a) issue a "Warning Notice" that shall recite available facts and information about the incident or condition and indicate that it may have been a violation; or
- (b) issue a "Letter of Correction" which confirms the Authority's decision in the matter and states the necessary corrective action the alleged violator has taken or agreed to take. If the agreed corrective action is not fully completed, formal certificate action may be taken in accordance with regulation 24.

(2) An administrative action under this regulation does not constitute a formal adjudication of the matter.

## **22. Civil Penalties**

(1) A person, other than a person conducting an operation in commercial air transport or international commercial air transport, who violates any provision of the Civil Aviation Act, Regulations or any Order issued thereunder, is subject to a civil penalty imposed by the Authority in accordance with Section 120 of the Civil Aviation Act.

(2) A person conducting an operation in commercial air transport or international commercial air transport, who violates any provision of the Civil Aviation Act, Regulations, or any Order issued thereunder, is subject to a civil penalty imposed by the Authority in accordance with Section 120 of the Civil Aviation Act.

(3) Civil penalties may be assessed instead of or in addition to any licence or certificate action described in Schedule 1.2.

(4) Guidelines for civil penalties and certificate actions are listed in Schedule 1.2.

### **23. Criminal Penalties**

(1) Section 121 of the Civil Aviation Act establishes penalties for any person who knowingly and willfully violates specified provisions of that Act, or any regulation or order issued thereunder.

(2) If the Authority becomes aware of a possible violation of any provision of the Civil Aviation Act that is under the jurisdiction of another Government agency, the Authority shall immediately report it to the appropriate Government agency in a manner prescribed by both Government agencies.

(3) Guidelines for criminal penalties and certificate actions are listed in Schedule 1.2.

### **24. Certificate Action**

(1) The holder of any licence or certificate issued under these Regulations who violates any provision of the Civil Aviation Act, as amended, or any regulation or order issued thereunder, is subject to suspension or revocation of the licence or certificate, in accordance with the provisions of Section 62 of the Civil Aviation Act.

(2) Any licence or certificate issued under these Regulations ceases to be effective if it is surrendered, suspended, or revoked.

(3) The holder of any licence or certificate issued under these Regulations that has been suspended or revoked shall return that licence to the Authority when requested to do so by the Authority.

(4) Under Section 62 of the Civil Aviation Act, the Authority may re-inspect any civil aircraft, aircraft engine, propeller, appliance, air operator, school, or approved maintenance organisation, or any civil airman holding a certificate or licence issued under Section 57 of the Act.

(5) if, as a result of that re-inspection or re-examination, or any other investigation made by the Authority, the Authority determines that a lack of qualification exists, and that safety in air transport and the public interest requires it, the Authority may issue an order to amend, modify, suspend, or revoke the licence or certificate in whole or in part.

(6) The procedures for the re-examination of personnel licences, ratings, authorisations, or certificates are set forth in Part 2 of these Regulations.

(7) Unless safety in air transport requires immediate action, prior to a final determination under this regulation, the Authority shall provide the person with an opportunity to be heard as to why such certificate or licence should not be amended, modified, suspended, or revoked, in accordance with Section 62 of the Civil Aviation Act.

(8) Unless otherwise authorised by the Authority, a person whose licence, certificate, rating, or authorisation has been revoked shall not apply for any licence, certificate, rating, or authorisation within one year after the date of revocation.

(9) Unless otherwise authorised by the Authority, a person whose licence has been suspended shall not apply for any licence, rating, or authorisation during the period of suspension.

## **25. Seizure of Aircraft**

As provided by the Civil Aviation Act, an aircraft that is involved in a violation for which a civil penalty has been imposed or may be imposed on its owner or operator may be subject to seizure by the Authority in accordance with enforcement procedures set forth by the Authority.

## **CHAPTER IV – EXEMPTIONS**

### **26. Issuance of Exemptions**

(1) The Authority may exempt from any of the provisions of these Regulations any aircraft, class of aircraft or persons either absolutely or subject to such conditions it thinks fit.

(2) Any interested person may apply to the Authority for an exemption from these Regulations.

(3) Only the Authority may issue exemptions, and no person may take or cause to be taken any action not in compliance with these Regulations unless the Authority has issued an applicable exemption to the person.

(4) Exemptions will only be granted in extraordinary circumstances and when an equivalent safety case has been accepted by the Authority.

### **27. Requirements for Application**

(1) An application for an exemption shall be submitted at least sixty days in advance of the proposed effective date, to obtain timely

review.

(2) The application shall contain the applicant's -

- (a) name;
- (b) street address and mailing address, if different;
- (c) telephone number;
- (d) copy of national identification card or passport or certificate of incorporation and business registration as applicable;
- (e) email address if available; and
- (f) Agent for all purposes related to the application.

(3) If the applicant is not a citizen or legal resident of The Gambia, the application must specify the name of an agent for service.

## **28. Substance of the Request for Exemption**

(1) Applications shall contain the following -

- (a) a citation of the specific requirement from which the applicant seeks relief;
- (b) description of the type of operations to be conducted under the proposed exemption;
- (c) the proposed duration of the exemption;
- (d) an explanation of how the exemption would be in the public interest, that is, benefit the public as a whole;
- (e) a detailed description of the alternative means by which the applicant will ensure a level of safety equivalent to that established by the regulation in question;
- (f) a review and discussion of any known safety concerns with the requirement, including information about any relevant accidents or incidents of which the applicant is aware; and
- (g) if the applicant seeks to operate under the proposed exemption outside of The Gambia's airspace, the application must also indicate whether the exemption



would contravene any provision of the Standards and Recommended Practices of the International Civil Aviation Organisation (ICAO).

(2) If the applicant seeks emergency processing, the application must contain supporting facts and reasons why the application was not timely filed, and the reasons it is an emergency.

(3) The Authority may deny an application if it finds that the applicant has not justified the failure to apply in a timely fashion.

## **29. Initial Review of Exemption by the Authority**

(1) The Authority shall review the application for accuracy and compliance with the requirements of regulation 26

(2) If the application appears on its face to satisfy regulation 26 and the Authority determines that a review of its merits is justified, the Authority will publish a detailed summary of the application for comment and specify the date by which comments must be received by the Authority for consideration.

(3) If the filing requirements of regulation 27 have not been met, the Authority shall notify the applicant and take no further action until the applicant complies with the requirements of regulation 27

## **30. Evaluation of the Exemption Request**

After initial review, if the filing requirements have been satisfied, the Authority shall conduct an evaluation of the request to include-

- (a) a determination of whether an exemption would be in the public interest;
- (b) a determination, after a technical evaluation, of whether the applicant's proposal would provide a level of safety equivalent to that established by the Regulations and if it appears to the Authority that a technical evaluation of the request would impose a significant burden on the Authority's technical resources, the Authority may deny the exemption on that basis;
- (c) a determination, if the applicant seeks to operate under the exemption outside of Gambian airspace, of whether a grant of the exemption would contravene the applicable ICAO Standards and Recommended Practices;

- (d) an evaluation of comments received from interested parties concerning the proposed exemption; and
- (e) a recommendation, based on the preceding elements, of whether the request should be granted or denied, and of any conditions or limitations that should be part of the exemption.

### **31. Notification of Exemption Determination**

(1) The Authority shall notify the applicant by letter and publish a detailed summary of its evaluation and decision to grant or deny the request and specify the duration of the exemption and any conditions or limitations to the exemption.

(2) If the request is for emergency relief, the Authority shall publish the application and the Authority's decision as soon as possible after processing the application.

(3) If the exemption affects a significant population of the aviation community of The Gambia, the Authority shall also publish the summary in its aeronautical information publications.

### **32. Extension of the Exemption to other Interested Parties**

(1) If the Authority determines that an exemption should be granted, other persons or organisations may apply to the Authority to be included in the relief granted.

(2) Such applications shall be in accordance with the requirements of regulation 27.

(3) If the Authority determines that the request merits extension of the exemption to the applicant, it shall notify the applicant by letter, specifying the duration of the exemption, and listing any additional conditions that may pertain to the applicant that are not addressed in the underlying exemption.

## **SCHEDULE**

### **SUPPLEMENTARY PROVISIONS RELATING TO PART 1**

#### **1.1 List of Psychoactive Substances**

The following are deemed to be psychoactive substances:

- (a) Alcohol.
- (b) Opioids.
- (c) Cannabinoids.
- (d) Sedatives and hypnotics.
- (e) Cocaine and other stimulants (except caffeine).
- (f) Hallucinogens.
- (g) Volatile solvents.

## 1.2 Legal Enforcement Actions

These tables describe civil penalties as minimum, moderate, or maximum for a single violation of a particular regulation, in accordance with sections 120 or 121 of the Civil Aviation Act. The penalties are defined United States Dollars for uniformity with the CAA Act, notwithstanding, during the imposition of a penalty, the Dalasis equivalent shall be imposed as applicable. These terms are defined as in the following tables.

**Table 1. Range of Civil Penalties**

<b>Party Committing Violation</b>	<b>Amount of Civil Penalty (in USD)</b>
Air Operator	Maximum: \$18,750 - \$25,000 Moderate: \$10,000 - \$18,749 Minimum: \$2,000 - \$9,999
Aerodrome Operators	Maximum: \$18,750 - \$25,000 Moderate: \$10,000 - \$18,749 Minimum: \$2,000 - \$9,999
Air Operator Personnel	Maximum: \$850 - \$1,100 Moderate: \$650 - \$849 Minimum: \$500 - \$649
General Aviation Owners, Operators, Mechanics, and non-licensed persons	Maximum: \$850 - \$1,100 Moderate: \$650 - \$849 Minimum: \$500 - \$649
Approved Maintenance Organisations	Maximum: \$16,250 - \$25,000 Moderate: \$8,750 - \$16,249 Minimum: \$1,850 - \$8,749

Approved Training Organisations	Maximum: \$16,250 - \$25,000 Moderate: \$8,750 - \$16,249 Minimum: \$1,850 - \$8,749
Party committing violation	Amount of Civil Penalty

**Table 2. Sanctions**

<b>Violation</b>	<b>Sanction per Violation</b>	<b>Certificate Action</b>
<b>I. AIR OPERATORS AND AERODROME OPERATORS</b>		
<b>1. Maintenance manual</b>		
(a) Failure to maintain current manual	Minimum civil penalty	Up to 7 day suspension
(b) Failure to provide adequate instructions & procedures in manual	Moderate to maximum civil penalty	
(c) Failure to distribute manual to appropriate personnel	Minimum to moderate civil penalty	
(d) Release of aircraft without required equipment	Moderate to maximum civil penalty	Up to 7 day suspension
<b>2. Failure to comply with airworthiness directives</b>	Moderate to maximum civil penalty	
<b>3. Operations specifications</b>		
(a) Failure to comply with inspection and overhaul time limitations	Moderate civil penalty	Up to 7 day suspension
(b) Operations contrary to operations specifications – technical noncompliance	Minimum civil penalty	
(c) Operations contrary to operations specifications – likely potential or actual adverse effect on safe operations	Moderate to maximum civil penalty	
<b>4. Failure to provide</b>	Maximum civil	Indefinite

<b>adequately for proper servicing, maintenance, repair, and inspection of facilities and equipment</b>	penalty	suspension until proper servicing maintenance, repair, and inspection of facilities and equipment is provided to revocation.
<b>5. Failure to provide or maintain a maintenance &amp; inspection organisation</b>	Maximum civil penalty	Indefinite suspension until appropriate maintenance and inspection organisation is provided to revocation.
<b>6. Training programme</b>		
(a) Failure to have or maintain an effective training programme	Maximum civil penalty	Indefinite suspension until compliance is demonstrated to revocation
(b) Failure to maintain training programme	Moderate to maximum civil penalty	
(c) Failure to train personnel adequately	Moderate to maximum civil penalty	
<b>7. Maintenance or Aircraft Paperwork</b>	Moderate to maximum civil penalty	
(a) Incomplete or unsigned release	Minimum to maximum civil penalty	
(b) Failure to revise aircraft data after repair	Moderate to maximum civil penalty	
<b>8. Performance of maintenance</b>	Maximum civil penalty	
(a) By unauthorised person	Maximum civil	

	penalty	
(b) Failure to perform or improper maintenance	Moderate to maximum civil penalty	
<b>9. Failure to revise aircraft data after repair</b>	Moderate to maximum civil penalty	
<b>10. Records and reports</b>		
(a) Failure to make accurate mechanical interruption summary report	Moderate to maximum civil penalty	
(b) Failure to make available reports of major alterations or repairs	Moderate to maximum civil penalty	Indefinite suspension to revocation
(c) Failure to make accurate mechanical reliability reports	Moderate to maximum civil penalty	
(d) Failure to keep maintenance records	Maximum civil penalty to 7-day suspension and thereafter until aircraft is in airworthy conditions	
(e) Failure to make required entry in aircraft log	Moderate to maximum civil penalty	
(f) Failure to make available pilot records	Moderate to maximum civil penalty	Indefinite suspension to revocation
(g) Failure to make available load manifests	Moderate to maximum civil penalty	Indefinite suspension to revocation
(h) Failure to monitor and record enroute radio communications	Moderate to maximum civil penalty	
(i) Deliberate violation - intentional false or fraudulent entry; reproduction, or alteration in record or report		Revocation
(j) Deliberate violation		180 day suspension to revocation

<b>11.Operation of an unairworthy aircraft</b>		
(a) Technical non-conformity to type certificate, but no likely effect (potential or actual) on safe operation	Minimum civil penalty	
(b) Non-conformity which may have, or has, an adverse effect on safety of operation	Moderate to maximum civil penalty	
(c) Release of aircraft without required equipment	Moderate to maximum civil penalty	Up to 7 day suspension
<b>12.Provisions specific to passenger-carrying</b>		
(a) Boarding or serving alcoholic beverages to a person who appears to be intoxicated	Maximum civil penalty	
(b) Failure to brief passengers	Moderate to maximum civil penalty	
(c) Failure to ensure seat and belt for each passenger	Maximum civil penalty	
(d) Operation without operable public address system	Maximum civil penalty	
(e) Failure to store baggage properly	Moderate civil penalty	
<b>13.Failure to make available a seat on the flight deck for Authority inspectors conducting an en route inspection</b>	Maximum civil penalty	
<b>14.Provisions specific to flight deck crew</b>		
(a) Using an unqualified crewmember	Maximum civil penalty	
(b) Using a crewmember with an expired medical certificate	Minimum to moderate civil penalty	
(c) Flight and duty time violations	Moderate civil penalty	

<b>15. Violation of flight dispatch and release</b>	Moderate to maximum civil penalty	
<b>16. Other provisions</b>		
(a) Improperly returning an aircraft to service	Maximum civil penalty	
(b) Illegal carriage of controlled substance with knowledge of carrier, i.e., knowledge of management personnel		Revocation
(c) Use of unqualified personnel other than flight deck crewmember	Maximum civil penalty	
<b>17. Security violations</b>		
(a) Failure to properly screen baggage or each passenger	Maximum civil penalty	
(b) Unauthorised access to airport operations area`	Maximum civil penalty	
(c) Failure to comply with air operator security programme, including failure to detect weapons, incendiary and other dangerous devices	Maximum civil penalty	
(d) Management personnel coerce, condone, or encourage falsification of records or reports	Revocation	
(e) Deliberate failure to maintain employee records	Maximum civil penalty	
(f) Failure to challenge	Moderate civil penalty	
(g) Failure to test screeners or test equipment	Moderate civil penalty	
(h) Failure to properly train	Moderate civil penalty	
(i) Unintentional failure to maintain screener test records	Minimum to moderate civil penalty	
(j) Improper use of dosimeters	Minimum civil penalty	
(k) Failure to display identification	Minimum to moderate civil penalty	



(l) Failure to manage or control identification system	Maximum civil penalty	
(m) Failure to conduct background check	Minimum to moderate civil penalty	
(n) Failure to detect test objects	Maximum civil penalty	
(o) Failure to comply with approved or current security programme	Maximum civil penalty	
(p) Failure of the law enforcement officer to respond in a timely manner	Maximum civil penalty	
<b>II. PERSONNEL OF AIR OPERATORS</b>		
<b>1. Maintenance, including inspections</b>		
(a) Performing maintenance without a licence, rating or authorisation	Maximum civil penalty	
(b) Performing maintenance that exceeds limitations		30 to 45 day suspension
(c) Failure to perform maintenance properly		30 to 120 day suspension
<b>2. Inspection personnel</b>		
(a) Failure to make required inspection		30 to 60 day suspension
(b) Making improper inspection		30 to 120 day suspension
(c) Improperly releasing an aircraft to service		30 to 60 day suspension
(d) Releasing aircraft for service without required equipment		30 to 60 day suspension
<b>3. Records and reports</b>		
(a) Failure to make entries in aircraft log		15 to 60 day suspension
(b) Failure to make entries in worksheets		15 to 30 day suspension
(c) Failure to make entries in		15 to 30 day

other maintenance record		suspension
(d) Failure to sign off work or inspection performed		15 to 30 day suspension
(e) Failure to complete and sign maintenance release		15 to 30 day suspension
(f) Intentional falsification of records or reports		Revocation
<b>4. Pre-flight</b>		
(a) Failure to use pre-flight cockpit checklist		30 to 60 day suspension
(b) Failure to check aircraft logs, flight manifests, weather, etc.		30 to 90 day suspension
(c) Failure to make the required inspection		30 to 60 day suspension
(d) Failure to inspect, or improper inspection of, aircraft		15 to 30 day suspension
(e) Failure to ensure seat and belt available for each passenger		30 to 60 day suspension
<b>5. Taxiing</b>		
(a) Failure to adhere to taxi clearance or instruction		30 to 60 day suspension
(b) Collision while taxiing		30 to 180 day suspension
(c) Jet blast		30 to 120 day suspension
(d) Taxiing with passenger standing		30 to 60 day suspension
(e) Taxiing off runway, taxiway or ramp		30 to 90 day suspension
<b>6. Takeoff</b>		
(a) Takeoff against instruction or clearance		60 to 120 day suspension
(b) Takeoff below weather minima		60 to 120 day suspension
(c) Takeoff in overloaded aircraft (in excess of		60 to 120 day suspension

maximum gross weight)		
<b>7. Enroute</b>		
(a) Deviation from clearance or instruction		30 to 90 day suspension
(b) Operating VFR within clouds		90 day suspension to revocation
(c) Operation of unairworthy aircraft		30 to 180 day suspension
(d) Unauthorised departure from flight desk		15 to 30 day suspension
(e) Operating within restricted or prohibited area, or within positive control area with clearance		30 to 90 day suspension
(f) Operating without required equipment		15 to 120 day suspension
(g) Fuel mismanagement or exhaustion		30 to 150 day suspension
(h) Operating contrary to NOTAM		30 to 90 day suspension
(i) Unauthorised manipulation of controls		30 to 90 day suspension
<b>8. Approach to landing</b>		
(a) Deviation from clearance or instruction in terminal area		30 to 90 day suspension
(b) Approach below weather minimums		60 to 120 day suspension
(c) Exceeding speed limitation in airport traffic areas		30 to 60 day suspension
<b>9. Landing</b>		
(a) Landing at wrong airport		90 to 180 day suspension
(b) Deviation from instrument approach procedure		30 to 90 day suspension
(c) Overweight landing		30 to 90 day suspension
(d) Hard landing		15 to 60 day suspension

(e) Short or long landing		30 to 180 day suspension
(f) Wheels up landing		15 to 90 day suspension
(g) Failure to comply with preferential runway system		15 day suspension
(h) Deviating from clearance or instruction		30 to 90 day suspension
<b>10. Unauthorised admission to flight deck</b>		30 to 90 day suspension
<b>11. Failure to close and lock cockpit door</b>	Maximum civil penalty	to 30 day suspension
<b>12. Acting, or attempting to act, as flight crewmember while under the influence of liquor or other psychoactive substances, or alcoholic beverage consumption within 8 hours</b>		Emergency revocation
<b>13. Denial of authorised entry to flight deck by credentialed CAA inspector</b>		30 to 60 day suspension
<b>14. Flight and duty time limitations</b>		15 to 90 day suspension
<b>15. Operation without required licence, certificate or rating</b>		
(a) Medical certificate		30 to 90 day suspension
(b) Lack of type rating		180 day suspension to revocation
(c) Missed proficiency check or line check		30 to 90 day suspension
(d) Lack of current experience, initial or recurrent training		30 to 90 day suspension
(e) Failure to have current medical certificate or licence or authorisation in possession	Minimum to moderate civil penalty	
(f) Operation with known		Revocation

disqualifying physical disability		
(g) Operation without valid medical certificate when not medically qualified or application for medical certificate deferred		Revocation
<b>16. Failure to keep manual current</b>	Minimum civil penalty	30 to 90 day suspension
<b>III. INDIVIDUALS AND GENERAL AVIATION - OWNERS, PILOTS, MAINTENANCE PERSONNEL, APPROVED MAINTENANCE ORGANISATIONS, APPROVED TRAINING ORGANISATIONS</b>		
<b>1. Owners and operators other than required crewmembers</b>		
(a) Failure to comply with airworthiness directives	Moderate to maximum civil penalty	
(b) Failure to perform or improper performance of maintenance, including required maintenance	Moderate to maximum civil penalty	
(c) Failure to make proper entries in aircraft logs	Minimum to moderate civil penalty	
(d) Operation of aircraft beyond annual, 100-hour, or progressive inspection	Minimum to moderate civil penalty	
(e) Operation of unairworthy aircraft	Moderate to maximum civil penalty	
(f) Intentional falsification of any entry, reproduction, or alternation in any record or report	Maximum civil penalty	Revocation
<b>2. Aviation maintenance organisations</b>		

(a) Failure to provide adequately for proper servicing, maintenance repairs, and inspection	Moderate to maximum civil penalty	Indefinite suspension until compliance to revocation
(b) Failure to provide adequate personnel who can perform, supervise, and inspect work for which the station is rated	Maximum civil penalty to 7-day suspension and thereafter until adequate personnel are provided	Indefinite suspension until compliance to revocation
(c) Failure to have enough qualified personnel to keep up with the volume of work	Maximum civil penalty to 7-day suspension and thereafter until certificate holder has enough qualified personnel	to 7-day suspension and thereafter until certificate holder has enough qualified personnel
(d) Failure to maintain records of supervisory and inspection personnel	Moderate to maximum civil penalty	
(e) Failure to maintain performance records and reports	Moderate to maximum civil penalty	
(f) Failure to ensure correct calibration of all inspection and test equipment is accomplished at prescribed intervals	Minimum to maximum civil penalty	
(g) Failure to set forth adequate description of work performed	Minimum to maximum civil penalty	
(h) Failure of mechanic to make log entries, records, or reports	Moderate to maximum civil penalty	
(i) Failure to sign or complete maintenance release	Minimum to moderate civil penalty	
(j) Inspection of work performed and approval for return to service by other than a qualified inspector	Maximum civil penalty to 30 day suspension	Up to 30 day suspension
(k) Failure to have an adequate inspection system that	Moderate civil penalty to 30 day suspension	Up to 30 day suspension

produces satisfactory quality control	and thereafter until an adequate inspection system is attained.	and thereafter until an adequate inspection system is attained.
(l) Maintaining or altering an article for which it is rated, without using required technical data, equipment, or facilities	Maximum civil penalty to 30day suspension	Up to 30 day suspension
(m) Failure to perform or properly perform maintenance, repairs, alterations, or required inspections	Moderate to maximum civil penalty	Up to 30 day suspension
(n) Maintaining or altering an airframe, powerplant, propeller, instrument, radio, or accessory for which it is not rated.	Maximum civil penalty to revocation	Suspension or revocation
(o) Failure to report defects or unairworthy conditions to the Authority in a timely manner.	Moderate to maximum civil penalty	
(p) Failure to satisfy housing and facility requirements	Moderate civil penalty to suspension until housing and facility requirements are satisfied	
(q) Change of location, housing, or facilities without advance written approval	Moderate civil penalty to suspension until approval is given	
(r) Operating as a certificated repair station without a repair station certificate	Maximum civil penalty	
(s) Failure to permit Authority to inspect	Maximum civil penalty to suspension until Authority is permitted to inspect.	Indefinite suspension until Authority is permitted to inspect.
<b>3. General aviation maintenance personnel</b>		
(a) Failure to revise aircraft		30 to 60 day

data after major repairs or alterations		suspension
(b) Failure to perform or improper performance of maintenance		30 to 120 day suspension
(c) Failure of mechanic to properly accomplish inspection		30 to 60 day suspension
(d) Failure of mechanic to record inspection		15 to 30 day suspension
(e) Failure of Inspection Authorisation holder to properly accomplish inspection		60 suspension to revocation
(f) Failure of Inspection Authorisation holder to record inspection		15 to 30 day suspension
(g) Maintenance performed by person without a certificate	Moderate to maximum civil penalty	
(h) Maintenance performed by person who exceeded certificate limitations		15 to 60 day suspension
(i) Improper approval for return to service		30 to 120 day suspension
(j) Failure to make maintenance record entries		30 to 60 day suspension
(k) Failure to set forth adequate description of work performed		15 to 30 day suspension
(l) Falsification of maintenance records		Revocation
<b>4. Student operations</b>		
(a) Carrying passengers		Revocation
(b) Solo flight without endorsement		45 to 90 day suspension
(c) Operation on international flight		60 to 90 day suspension
(d) Use of aircraft in business		30 to 120 day suspension



(e) Operation for compensation or hire		Revocation
<b>5. Instructors for licences, ratings, authorisations and endorsement</b>		
(a) False endorsement of a student licence, rating, authorisation, or record		Revocation
(b) Exceeding flight time limitations or other training time limitations		30 to 90 day suspension
(c) Instruction in aircraft, or course for which he or she is not rated		60 to 180 day suspension
<b>6. Operational violations</b>		
(a) Operation without valid airworthiness or registration certificate	30 to 90 day suspension	
(b) Failure to close flight plan or file arrival notice	Administrative action to minimum civil penalty	
(c) Operation without valid pilot licence (no licence issued)	Maximum civil penalty	
(d) Operation while pilot licence is suspended		Emergency revocation
(e) Operation without pilot or medical certificate in personal possession	Minimum civil penalty	
(f) Operation without valid medical certificate (no medical certificate issued)		Revocation
(g) Operation for compensation or hire without commercial pilot certificate		90 day suspension to revocation
(h) Operation without type or class rating		60 to 120 day suspension
(i) Failure to comply with special conditions of medical certificate		90 day suspension to revocation
(j) Operation with known physical deficiency		90 day suspension to

		revocation
(k) Failure to obtain preflight information		30 to 90 day suspension
(l) Deviation from ATC instruction or clearance		30 to 90 day suspension
(m) Taxiing, takeoff, or landing without a clearance where ATC tower is in open		30 to 90 day suspension
(n) Failure to maintain radio communications in airport traffic area		30 to 60 day suspension
(o) Failure to comply with airport traffic pattern		30 to 60 day suspension
(p) Operation in terminal control area without or contrary to a clearance		60 to 90 day suspension
(q) Failure to maintain altitude in airport traffic area		30 to 60 day suspension
(r) Exceeding speed limitations in traffic area		30 to 60 day suspension
(s) Operation of unairworthy aircraft		30 to 180 day suspension
(t) Failure to comply with Airworthiness directives		30 to 180 day suspension
(u) Operation without required instruments or equipment		30 to 90 day suspension
(v) Exceeding operating limitations		30 to 90 day suspension
(w) Operation within prohibited or restricted area, or within positive control area		30 to 90 day suspension
(x) Failure to adhere to right of way rules		30 to 90 day suspension
(y) Failure to comply with VFR cruising altitudes		30 to 90 day suspension
(z) Failure to maintain required minimum altitudes over structures, persons, or vehicles over:		
i. Congested area		60 to 180 day

		suspension
ii. Sparsely populated area		30 to 120 day suspension
(aa) Failure to maintain radio watch while under IFR		30 to 60 day suspension
(bb) Failure to report compulsory reporting points under IFR		30 to 60 day suspension
(cc) Failure to display position lights		30 to 60 day suspension
(dd) Failure to maintain proper altimeter settings		30 to 60 day suspension
(ee) Weather operations:		
i. Failure to comply with visibility minimums in controlled airspace		60 to 180 day suspension
ii. Failure to comply with visibility minimums outside controlled airspace		30 to 120 day suspension
iii. Failure to comply with distance from clouds requirements in controlled airspace		60 to 180 day suspension
iv. Failure to comply with distance from clouds requirements outside of controlled airspace		30 to 120 day suspension
(ff) Failure to comply with IFR landing minimums		45 to 180 day suspension
(gg) Failure to comply with instrument approach procedures		45 to 180 day suspension
(hh) Careless or reckless operations:		
i. Fuel mismanagement or exhaustion		30 to 150 day suspension
ii. Wheels up landing		30 to 60 day suspension
iii. Short or long landing		30 to 90 day suspension

iv. Landing on or taking off from closed runway		30 to 60 day suspension
v. Landing on or taking off from ramps or other improper areas		30 to 120 day suspension
vi. Taxiing collision		30 to 90 day suspension
vii. Leaving aircraft unattended with motor running		30 to 90 day suspension
viii. Propping aircraft without a qualified person at controls		30 to 90 day suspension
ix. Unauthorised dropping of object from aircraft		30 to 60 day suspension
x. Unauthorised towing		30 to 60 day suspension
xi. Acrobatic flight on airway, over congested area, below minimum altitude, etc.		90 to 180 day suspension
xii. Taking off with insufficient fuel		30 to 150 day suspension
xiii. Operating so as to cause a collision hazard		60 to 180 day suspension
xiv. Taxiing aircraft off runway, taxiway, or ramp		30 to 90 day suspension
(ii) Passenger operations		
i. Operation without approved seat or berth and approved safety belt for each person on board the aircraft required to have them during takeoff, en route flight, and landing.		30 to 60 day suspension
ii. Carrying passengers who are under the influence of drugs or alcohol		60 to 120 day suspension

iii. Performing acrobatics when all passengers are not equipped with approved parachutes		60 to 90 day suspension
iv. Use of unapproved parachute		30 to 60 day suspension
v. Permitting unauthorized parachute jumping		30 to 90 day suspension
vi. Carrying passenger(s) without required recent flight experience		30 to 120 day suspension
<b>7. ID plate violations</b>		
(a) Part 4: Improper removal, changing or placing of identification information on a product		
i. Inadvertent	Minimum civil penalty	
ii. Intentional misrepresenting identity of product	Maximum civil penalty to revocation	Revocation
(b) Part 4: Improper removal or installation of identification place		
i. Inadvertent	Minimum civil penalty	
ii. Intentional misrepresenting identity of product	Maximum civil penalty to revocation	Revocation
<b>8. Approved training organisations</b>		
Knowingly permitting school aircraft to be used for unlawful carriage of controlled substances or other illegal activities		Revocation
Refusal to permit inspection of facilities, equipment, personnel, records, or certificate by the Authority	Maximum civil penalty to suspension until Authority is permitted to inspect, up to revocation.	Indefinite suspension until Authority is permitted to inspect, up to revocation.
False advertising	Maximum civil	

	penalty	
Improper crediting to or graduation of student		
i. Inadvertent	Moderate to maximum civil penalty	
ii. Intentional		Revocation
Refusal to permit CAA test, check or examination of student	Maximum civil penalty to suspension until Authority is permitted to test, check or examine, up to revocation.	Indefinite suspension until Authority is permitted to test, check or examine, up to revocation.
Unqualified or unauthorised instruction	Moderate to maximum civil penalty	
Failure to establish or maintain training record	Moderate to maximum civil penalty	
Failure to carry checklist or operator's handbook	Minimum civil penalty	
<b>IV. SECURITY AND SAFETY VIOLATIONS BY INDIVIDUALS</b>		
<b>1.Checked baggage</b>		
(a) Failure to declare unloaded firearm	Minimum civil penalty	
(b) Loaded firearm	Moderate to maximum civil penalty	
(c) Incendiary or explosive	Up to maximum civil penalty or criminal referral	
<b>2. Non-passengers: No intent to board</b>		
(a) Possession of firearm (unloaded, unloaded with ammunition accessible, or loaded) or other dangerous or deadly weapon (including		

stun guns):		
i. At screening point with no aggravating circumstances	Minimum civil penalty	
ii. At screening point with aggravating circumstances	Moderate to maximum civil penalty	
iii. In sterile area with no aggravating circumstances	Minimum to moderate civil penalty	
iv. In sterile area with aggravating circumstance	Moderate to maximum civil penalty	
(b) Possession of incendiary or explosive at screening point or in sterile area with no intent to board a flight.	Moderate to maximum civil penalty or criminal referral	
(c) Artful concealment of firearm (loaded or unloaded), other dangerous or deadly weapon (including stun guns), or incendiary or explosive at screening point or in sterile area.	Maximum civil penalty and/or criminal referral	
<b>3.Passengers: Intent to board</b>		
(a) Possession of dangerous or deadly weapon (including stun guns, mace, etc., but excluding firearms and incendiary or explosives)that would be accessible in flight in air transportation:		
i. At screening point with no aggravating circumstances	Minimum civil penalty	
ii. At screening pint with aggravating circumstances	Moderate to maximum civil penalty	
iii. In sterile area or aboard aircraft with no aggravating circumstances	Minimum to moderate civil penalty	

iv. In sterile area or aboard aircraft with aggravating circumstances	Moderate to maximum civil penalty	
(b) Possession of firearm that would be accessible in flight in air transportation with firearm unloaded, without accessible ammunition:		
i. At screening point with no aggravating circumstances	Minimum to moderate civil penalty	
ii. At screening point with aggravating circumstances	Maximum civil penalty	
iii. In sterile area or aboard aircraft with no aggravating circumstances	Moderate civil penalty	
iv. In sterile area or aboard aircraft with aggravating circumstances	Maximum civil penalty	
(c) Possession of firearm that would be accessible in flight in air transportation with firearm loaded, or with accessible ammunition:		
i. At screening point with no aggravating circumstances	Moderate to maximum civil penalty	
ii. At screening point with aggravating circumstances	Maximum civil penalty	
iii. In sterile area or aboard aircraft with no aggravating circumstances	Moderate to maximum civil penalty	
iv. In sterile area or aboard aircraft with aggravating circumstances	Maximum civil penalty	
(d) Artful concealment of dangerous or deadly	Maximum civil penalty or criminal	



weapon (including stun guns, but excluding firearms and incendiary/explosives) at screen point, in sterile area, or aboard aircraft.	referral	
(e) Possession of incendiary or explosive at screening point, in sterile area, or aboard aircraft that would be accessible in flight in air transportation.	Maximum civil penalty or criminal referral	
(f) Artful concealment of firearm or incendiary or explosive at screening point, in sterile area, or aboard aircraft.	Maximum civil penalty or criminal referral	
<b>4. Other acts</b>		
(a) Entering sterile area after failing to submit to screening – non-aggravated	Minimum civil penalty	
(b) Entering sterile area after failing to submit to screening –aggravated	Moderate to maximum civil penalty	
(c) Imparting or conveying false information concerning an attempt to do an act that would be a crime prohibited by the Civil Aviation Act	Maximum civil penalty	
(d) Threatening overt act or other intent to use or dangerously display firearm, incendiary or explosive, or other deadly or dangerous weapon (including stun guns)	Maximum civil penalty or criminal referral	
(e) Violation of the Civil Aviation Act	Criminal referral	
<b>5. Unruly passengers</b>		
(a) Interference with crewmember	Maximum civil penalty	
(b) Physical assault or threat to physically assault a flight or cabin crewmember	\$1,100-\$8,000 USD	

(c) Physical assault or threat to physically assault an individual other than a crewmember	\$500 - \$5,000 USD	
(d) Acts in a manner that poses imminent threat to safety of aircraft or other individuals on aircraft	\$5,000 - \$27,500 USD	
(e) Smoking while "No Smoking" sign is lighted	Maximum civil penalty	
(f) Smoking in aircraft lavatory	Maximum civil penalty	
(g) Tampering with smoke detector	\$1,800 to \$2,200 USD	
(h) Failure to fasten seat belt while seat belt sign is lighted	Minimum to moderate civil penalty	
(i) Failure to occupy an approved seat or berth with a safety belt, and, if installed, shoulder harness properly secured during movement on the surface takeoff, or landing	Minimum to moderate civil penalty	
(j) Operating a portable electronic device	Maximum civil penalty	
(k) Drinking alcoholic beverages not served by operator	Maximum civil penalty	
<b>6. Special Emphasis Enforcement – Individuals Aiming Laser Beam at Aircraft</b>		
(a) Single, first-time, inadvertent or non-deliberate violation by individual	Moderate civil penalty (\$2,200-\$4,399 USD); higher if individual holds airman certificate and should appreciate potential for danger associated with act.	
(b) Deliberate violation by an individual not holding an airman certificate	Civil penalty of up to the statutory maximum (\$11,000)	

	USD per violation)	
(c) Deliberate violation by an airman certificate holder, regardless of whether airman was exercising the privileges of his or her certificate at the time of the violation.	Maximum civil penalty.	Revocation (in addition to civil penalty)
<b>7. Falsification</b>		
(a) Intentionally false or fraudulent entry, reproduction, or alteration on an application or a licence or certificate or rating or approval		Revocation of authorised certificates
<b>8. Miscellaneous</b>		
(a) Carriage of illegal substances on aircraft		Revocation
(b) Conducting operation without required operating certificate		60 to 120 day suspension
(c) Misuse of an aerodrome-approved identification medium	Minimum to moderate civil penalty	
Making an incorrect statement on an application for a personnel licence or medical certificate		Indefinite suspension (pending correction of application and determination of qualification) or revocation of personnel licence or medical certificate
b. Refusal to produce personal licence and/or associated medical certificate		30 day suspension, and until produced to revocation
<b>V. AIRCRAFT OWNER OR OPERATOR REGISTRATION VIOLATIONS</b>		

(a) Operation of an unregistered aircraft		30 to 90 day suspension of pilot licence
(b) Operation of an aircraft without an effective and valid Certificate of Aircraft Registration on board	Minimum to maximum civil penalty only if operator is different from pilot	30-90 day suspension of pilot certificate
(c) Failure to return an ineffective or invalid Certificate of Aircraft Registration	Minimum	Revoke Certificate of Aircraft Registration
(d) Use of registered aircraft to carry out or facilitate unlawful activities		Mandatory revocation of Certificate of Aircraft Registration and of all other Certificates of Aircraft Registration issued to its owner, and revocation of all personnel licences and medical certificate
<b>VI. ALL INDIVIDUALS AND ENTITIES</b>		
Failure to surrender suspended or revoked licence, authorisation or other approval, or medical certificate	Individual: Moderate civil penalty per day, with the total civil penalty generally \$5,000 to \$11,000 USD. Entity: Moderate civil penalty per day.	