



Barbados Civil Aviation Department

BCAD Document GAC-001A

GENERAL ADVISORY CIRCULAR

AN INTRODUCTION TO THE BARBADOS NEW CIVIL AVIATION REGULATORY FRAMEWORK

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Subject: AN INTRODUCTION TO THE BARBADOS NEW CIVIL AVIATION REGULATORY FRAMEWORK

PURPOSE

1. The purpose of this General Advisory Circular (GAC) is to present an overview of the Barbados Civil Aviation Regulation and Implementing Standards.

OBLIGATIONS UNDER THE CONVENTION

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

(2) For the purpose of carrying out and giving effect to the Chicago Convention and other related protocols, Section 10 (1) of the Civil Aviation Act, 2004 requires the Minister to make Regulations.

AUTHORITY TO REGULATE CIVIL AVIATION IN BARBADOS

3. The Barbados Civil Aviation Department (BCAD) is established by the Barbados Civil Establishment Order. The department is headed by a Director of Civil Aviation (DCA). Section 7 of the Civil Aviation Act 2004 sets out the duties of the DCA.

TRANSITION BY OPERATORS TO NEW REGULATIONS

4. Operators are required to be re-certified under these new Regulations. The transition provisions for the issue of an Air Operator Certificate under these Regulations allow for holders of an Air Operator Certificate under existing provisions to be re-certified within a period of no greater than 6 months from the date of commencement of the new Regulations.

DIVISION OF THE REGULATIONS

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

1. General Application and Personnel Licensing;
2. Aircraft Operations;
3. Air Operator Certification and Administration;
4. Approved Maintenance Organisations;
5. Aviation Security;
6. Instruments and Equipment;
7. Aerial Work;
8. Airworthiness;
9. Aviation Training Organisations;
10. Airport Certification;
11. Air Navigation Services;
12. Foreign Operators;
13. Registration of Aircraft & Aircraft Mortgages;
14. Licensing of Air Services.

STRUCTURE OF THE REGULATIONS

6. (1) Each Regulation is divided into Parts. Most Parts within each the Regulations will begin with a regulation which refers to "Applicability" and sets out the target group or activities to which the Part applies. Each Part comprises regulations and sub regulations. The sub regulations are sometimes further divided into paragraphs and subparagraphs. Together these represent the regulatory requirements.

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

(a) regulation: numeral; (eg., 17)

(b) sub regulations: numerals in brackets; (eg., (1))

(c) paragraphs: lower-case letters in brackets; (eg., (a))

(d) subparagraphs: lower-case roman numerals in brackets; (eg., (ii))

(e) This particular regulation will be represented as 17(1)(a)(ii)

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

CROSS REFERENCES

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

HOW THE REGULATIONS RELATE TO EACH OTHER

8. Each of the Regulations deals with particular kinds of aviation activity - for example, Civil Aviation "General Application and Personnel Licensing," Regulations provide both general administrative and personnel licensing information. The provisions of Part 1 of Civil Aviation "General Application and Personnel Licensing," Regulations relating to the surrender, suspension or revocation of aviation documents apply to certificates, authorizations and ratings issued throughout all the Regulations. A person would not be granted an Air Operator Certificate under Civil Aviation "Air Operator Certification and Administration" Regulations without crews to fly his aircraft or aircraft maintenance engineers to maintain them in an airworthy condition. The requirements for obtaining flight crew and maintenance engineer licences are contained in Civil Aviation "General Application and Personnel Licensing," Regulations. The requirements for maintaining the aircraft in an airworthy condition are in Civil Aviation "Airworthiness," Regulations and Civil Aviation "Approved Maintenance Organisations," Regulations whereas the required instruments and equipment are prescribed in Civil Aviation "Instruments And Equipment," Regulations.

Appendix 1 to this GAC provides a summary of the contents of all 14 Regulations.

DEFINITIONS AND MEANINGS

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

(2) The Regulations use many technical terms. Where the meaning of a term is well known within aviation and generally accepted, it is not usually defined. If an unfamiliar word or term

occurs in the Regulations and is not included in the “definition” section of the document, it may be defined in a general dictionary.

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

INTERPRETATION OF CERTAIN EXPRESSIONS

10. Throughout these Regulations the following word usage applies:

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

IMPLEMENTING STANDARDS

11 (1) Some regulations also provide additional regulatory requirements contained in Implementing Standards. An Implementing Standard is a convenient device for dealing with matters of detail, which would otherwise unnecessarily encumber the main body of the Regulation. An Implementing Standard therefore, carries the force and effect of the law through reference in the associated Regulation.

(2) Each Standard shall be identified by a number which is associated with the Regulations to which it applies. The arrangement is as follows:

Implementing Standard Number	Associated Regulations
1	General Application and Personnel Licensing
2	Aircraft Operations
3	Air Operator Certification and Administration
4	Approved Maintenance Organisations
5	Aviation Security
6	Instruments and Equipment
7	Aerial Work
8	Airworthiness
9	Approved Training Organisations
10	Airport Certification
11	Air Navigation Services

(3) Implementing Standards will be numbered sequentially. e.g. Implementing Standards referring to Barbados Civil Aviation (Air Operator Certification and Administration) Regulations 2007 will be numbered **NO:3.1, NO:3.2 etc.**

(4) In some cases an Implementing Standard may be further sub-divided. E.g. **NO: 8.1.1, NO: 8.1.2 etc.** is sub-section of Implementing Standard NO: 8.1 which is associated with the Barbados Civil Aviation (Airworthiness) Regulations 2007

GUIDANCE DOCUMENTS

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

AVAILABILITY OF BCARs

13. Copies of the Barbados Civil Aviation Regulations 2007 and the Barbados Implementing Standards are available at the BCAD office.

APPENDIX 1

CIVIL AVIATION (GENERAL APPLICATION AND PERSONNEL LICENSING) REGULATIONS, 2007

- (1) These regulations deal with General Administration of Aviation documents.
- (2) Additionally it has been designed to meet the requirements of Annex 1 of the Chicago Convention. These regulations detail the requirements for the certification of airmen.
- (3) These Regulations also describe the requirements and standards for licences, ratings and authorizations of flight crew, maintenance personnel, flight operations officers and air traffic controllers.

CIVIL AVIATION (AIRCRAFT OPERATIONS) REGULATIONS, 2007

- (1) These regulations have been designed to meet the requirements of Annex 6 of the Chicago Convention. It complements the Civil Aviation (Air Operator Certification and Administration) Regulations, 2007.
- (2) The regulations apply to all operations conducted by an aircraft operator in or on an aircraft registered in Barbados and operated by airmen certified under Civil Aviation (General Application And Personnel Licensing) Regulations, 2007. They also provide for the operations of foreign registered aircraft by a national air operator where required.
- (3) The regulations specify the requirements for flight supervision, duties and responsibilities of crew members, the carriage of passengers and goods, prohibition on the carriage of dangerous goods, crew and flight operations officer training requirements, aircraft performance and operating standards, maintenance operations and aircraft routing and flight rules.

CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND ADMINISTRATION) REGULATIONS, 2007

The Air Operator Certification And Administration Regulations responds to the requirement of Annex 6 to the Chicago Convention which prohibits an operator from engaging in commercial air transport operations unless in possession of an Air Operator Certificate. Such certificate is dependent upon the operator demonstrating an adequate organization, method of control and supervision of flight operations and training and maintenance arrangements consistent with the nature and extent of the operations specified.

CIVIL AVIATION (REGISTRATION OF AIRCRAFT AND AIRCRAFT MORTGAGES) REGULATIONS, 2007

These regulations have been structured to meet the requirements of Annex 7 to the Chicago Convention. The regulation also provides the requirements for the registering of aircraft and the registration of aircraft mortgages.

CIVIL AVIATION (AIRWORTHINESS) REGULATIONS, 2007

- (1) The Airworthiness Regulations respond to the requirement of Annex 8 to the Chicago Convention which defines the airworthiness requirements for aircraft and prohibits the use of an aircraft in civil air transport operations unless the aircraft is certified by the State of Registry to be airworthy.

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

CIVIL AVIATION (APPROVED MAINTENANCE ORGANIZATION) REGULATIONS, 2007

(1) These regulations allow a person who wishes to develop an organization to conduct maintenance of aircraft, to apply to the DCA for approval to do so.

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

(3) An approval under these Regulations will be in the form of an “Approved Maintenance Organization Certificate” issued by the DCA and will also include the limitations of such approval.

CIVIL AVIATION (INSTRUMENTS AND EQUIPMENT) REGULATIONS, 2007

(1) These regulations describe the additional instruments, equipment and flight documents which need to be installed or carried, as appropriate, in an aircraft in addition to the minimum equipment necessary for the issue of a certificate of airworthiness.

(2) Where the term “operator” is used in these Regulations this refers to all aircraft operators – commercial and non-commercial. This is distinct from the use of “Air Operator” which is specific to a commercial operator.

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

CIVIL AVIATION (AVIATION SECURITY) REGULATIONS 2007

(1) These regulations have been designed to meet the security requirements of Annexes 6 and 17 to the Chicago Convention.

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

Note: The term ‘aircraft operators’ applies to all operators of all aircraft.

(3) These regulations describe the requirements which each Security Programme must meet before it can be approved by the Authority. The Security Programmes submitted by the aerodrome operator, the aircraft operator, the catering operator and the regulated agent shall not be allowed to conflict with the National Civil Aviation Security Programme.

CIVIL AVIATION (AVIATION TRAINING ORGANIZATION) REGULATIONS, 2007

- (1) These regulations describe the requirements that must be met by a person who wishes to develop an organization to conduct aviation training.
- (2) The training programmes developed in these Regulations include the requirements for licensed flight crew, maintenance engineers, instructors and general requirements for training courses for aviation support staff. They also include the training requirements for the licences, ratings and authorizations covered in Annex 1 of the Chicago Convention, and the minimum requirements for the facilities, personnel, training procedures manual, and the keeping of records. An applicant needs to demonstrate compliance with the requirements before being granted an approval.
- (3) An approval under these regulations will be in the form of an “Aviation Training Organization Certificate” issued by the DCA and will also include the limitations of such approval.

CIVIL AVIATION (FOREIGN AIR OPERATOR) REGULATIONS, 2007

- (1) The Civil Aviation (Foreign Air Operator) Regulations describe the requirements for foreign operators operating or planning to operate in Barbados. A foreign air operator operating with the air operator certificate issued by his State will be required to meet the requirements under these Regulations before being granted an “Operations Specifications” to conduct operations in Barbados.
- (2) These Regulations include, among other things, the requirement for a foreign operator to submit a Security Programme for approval by the DCA.

CIVIL AVIATION (AERIAL WORK) REGULATIONS, 2007

- (1) These regulations describe the requirements for persons wishing to conduct operations such as agricultural spraying, helicopter operations with external loads, airborne filming, banner towing and vehicular traffic monitoring and reporting.
- (2) Before conducting such operations, applicants will have to be approved by the DCA. The approval will be in the form of a certificate issued by the DCA for the specific operations.

CIVIL AVIATION (AERODROME CERTIFICATION) REGULATIONS, 2007

To meet the minimum requirements of Annex 14, a person who wishes to apply for an aerodrome licence to operate an aerodrome will have to meet the requirements of these Regulations.

CIVIL AVIATION (AIR NAVIGATION SERVICES) REGULATIONS, 2007

These regulations reference Annexes 3, 4, 10, 11 and 15. They set out the requirements for the following:

- (i) aviation weather services;
- (ii) aeronautical information services;
- (iii) aeronautical telecommunications;
- (iv) air traffic services.

CIVIL AVIATION (LICENSING OF AIR SERVICES) REGULATIONS, 2007

These regulations set the requirements to be met and the procedure to follow when applying for a licence to operate commercial flights into Barbados.

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