

S.I. 2007 No. 181

**Civil Aviation Act
(Act 2004-18)**

**CIVIL AVIATION (AIRPORT CERTIFICATION)
REGULATIONS, 2007**

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**Civil Aviation Act
(Act 2004-18)**

**CIVIL AVIATION (AIRPORT CERTIFICATION)
REGULATIONS, 2007**

The Minister in exercise of the powers conferred on him by section 10(1)(f) of the *Civil Aviation Act*, makes the following Regulations:

PART I

Preliminary

1. These Regulations may be cited as the *Civil Aviation (Airport Certification) Regulations, 2007*. Citation.

2. In these Regulations, Interpreta-
tion.

“Aeronautical Information Publication” means a publication issued by the Director that contains aeronautical information of a lasting character that is essential to air navigation;

“airport certificate” means a certificate to operate an airport which is issued by the Director pursuant to regulation 6;

“airport manual” means the manual that forms part of the application for an airport certificate pursuant to these Regulations including any amendments that are accepted or approved by the Director;

“airport operator” means a person who holds a certificate to operate an airport;

“airport reference code” means a code used for planning purposes to classify an airport with respect to the critical aeroplane characteristics for which the airport is intended;

“airport reference point” means the designated geographic location of an airport;

“airport register” means the register established and maintained under regulation 16;

“airport technical inspection” means an inspection of airport facilities carried out to ensure that any deterioration that could make a facility unsafe for aircraft operations is identified and reported to the appropriate authority for correction;

“Annex 14” means Annex 14 of the Convention on International Civil Aviation;

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

“automatic airport information service” means the service that provides current and routine information for aircraft arriving at or departing from an airport by means of repetitive broadcasts on a discrete frequency;

“aviation document” has the meaning assigned to it by section 2 of the Act;

“certificated airport” means an airport whose operator has been granted an airport certificate;

“manoeuvring area” means that part of an airport to be used for the take-off, landing and taxiing of aircraft, but does not include an apron;

“marker” means an object displayed above ground level in order to indicate an obstacle or delineate a boundary;

“marking” means a symbol displayed on the surface of the movement area in order to convey aeronautical information;

“maximum carrying capacity” means in relation to an aircraft, the maximum passenger-seating capacity or the maximum payload permitted under the certificate of type approval for the aircraft;

“maximum passenger-seating capacity” means in relation to an aircraft, the maximum number of seats for passengers permitted under the certificate of type approval of the aircraft;

“movement area” means that part of the airport to be used for the take-off, landing and taxiing of aircraft consisting of the manoeuvring area and the apron;

“non-controlled airport” means an airport at which an Air Traffic Control service is not operating;

“obstacle” means a temporary or permanently fixed and mobile object or part thereof, that is located on an area intended for the surface movement of aircraft or that extends above a defined surface intended to protect aircraft in flight;

“obstacle limitation surfaces” means a series of surfaces that define the volume of airspace at and around an airport to be kept free of obstacles in order to permit the intended aeroplane operations to be conducted safely, and to prevent the airport from becoming unusable by the growth of obstacles around the airport;

“runway strip” means a defined area including the runway and stopway where provided, that is intended to

- (a) reduce the risk of damage to aircraft running off a runway; and
- (b) protect aircraft flying over it during take-off or landing operations;

“safety management system” means a systematic approach to management safety including the necessary organisational structure, accountabilities, policies and procedures;

“taxiway strip” means an area including a taxiway intended to protect an aircraft operating on a taxiway and to reduce the risk of damage to an aircraft accidentally running off the taxiway;

“time-limited works” means airport works carried out where normal aircraft operations are not disrupted and the movement area can be restored to normal safety standards and any obstacles created by those works can be removed in not more than 30 minutes;

“unserviceable area” means a part of the movement area that is unfit and unavailable for use by aircraft;

“Visual Meteorological Conditions” or “VMC” means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling that are equal to or better than specified minima;

“works area” means a part of an airport in which maintenance or construction works are in progress.

PART II

General

Applicability
of these
Regulations.

- 3.** (1) These Regulations prescribe the requirements for
- (a) the operation of airports;
 - (b) the certification of airports and the requirements that apply to operators of certificated airports;
 - (c) safety inspections of airports;
 - (d) obstacles and hazards at airports; and
 - (e) the obligations of an airport operator in relation to compliance with Annex 14.

(2) The provisions of Part I of the *Civil Aviation (General Application and Personnel Licensing) Regulations, 2007*, with respect to the surrender, suspension or revocation of aviation documents apply to licences issued under these Regulations. S.I. 2007
No. 172.

(3) Annex 14 provides the minimum Standards for the operation of airports in Barbados.

4. (1) A person shall not operate an airport in Barbados unless the airport is issued an airport certificate by the Director. Requirement
to certify
airport.

(2) Unless otherwise authorised by the Director, a person shall not operate an aircraft from any other location than a certificated airport.

PART III

Airport Certificate

5. (1) A person who wishes to apply for an airport certificate to operate an airport shall Application
for an
airport
certificate.

(a) apply to the Director in the prescribed form;

(b) pay the prescribed fee; and

(c) meet the requirements of these Regulations, the *Civil Aviation (Aviation Security) Regulations, 2007*, and the airport certification Standards. S.I. 2007
No. 176.

(2) An application made pursuant to paragraph (1), shall be accompanied by an airport manual that applies to the airport for which the application is made.

6. (1) The Director may issue an airport certificate to an applicant pursuant to regulation 5 where the Director is satisfied that Issue of
airport
certificate.

- (a) the facilities and equipment at the airport comply with the Standards specified in Annex 14;
- (b) the operating procedures of the airport make satisfactory provision for the safety of aircraft and air navigation;
- (c) the airport is properly and adequately equipped for safe operations of commercial air transport;
- (d) the airport is properly and adequately equipped for its maintenance;
- (e) the applicant has sufficient financial resources to conduct safe operations;
- (f) an airport manual, in accordance with Part IV, has been prepared for the airport;
- (g) the applicant would, where the airport certificate is granted, be able to properly operate and maintain the airport; and
- (h) an acceptable safety management system that complies with the Standards specified in Annex 14 is in place at the airport.

(2) An airport certificate granted pursuant to paragraph (1), shall be signed by the Director and shall contain

- (a) the certificate number specifically assigned to the airport by the Director;
- (b) the name and reference points of the airport;
- (c) date of issue; and
- (d) the conditions of the approval.

7. (1) The Director shall not issue an airport certificate under these Regulations

Conditions
for issue of
airport
certificate.

- (a) where the applicant
 - (i) does not meet the requirements of these Regulations;
 - (ii) has provided incomplete, inaccurate, fraudulent or false information in applying for the airport certificate;
 - (iii) employs or proposes to employ a person in a management or supervisory capacity who
 - (A) has held an aviation document issued by the Director that was suspended or revoked within the previous 5 years by reason of criminal, fraudulent, improper action or insanity on the part of such applicant; or
 - (B) contributed materially to the suspension or revocation of an aviation document issued by the Director; or
- (b) where a person having substantial ownership or interest in the operations of the airport has
 - (i) held an aviation document issued by the Director that was suspended or revoked within the previous 5 years by reason of criminal, fraudulent, improper action or insanity on the part of such a person; or
 - (ii) contributed materially to the suspension or revocation of an aviation document issued by the Director.

8. Where the Director refuses to issue an airport certificate to an applicant, the applicant shall be given written notice of the refusal and the reasons for such refusal, no later than 14 days after the Director refuses to issue the certificate.

Notice of
refusal to
issue airport
certificate.

Airport certificate may be subject to conditions.

9. (1) The Director may grant an airport certificate subject to any condition that the Director considers necessary, in the interest of the safety of aircraft and air navigation.

(2) Where the Director grants an airport certificate subject to a condition, the applicant shall be given written notice of the reasons for the decision.

(3) The condition referred to in paragraph (2) shall be set out on the airport certificate or in the notice given to the applicant under that paragraph.

(4) An airport operator shall not contravene any condition contained in his airport certificate.

(5) It shall be a condition of an airport certificate that

(a) an airport operator shall comply with any directive given by the Director in respect of airport operations;

(b) the Director shall have access to any place at any time to conduct tests or inspections of airport facilities, equipment or operating procedures at the airport for the purpose of ensuring the safety of aircraft.

(6) The Director referred to in paragraph (5) shall

(a) give reasonable notice to the airport operator of any tests to be conducted; and

(b) carry out the tests referred to in sub-paragraph (a), at a reasonable time.

Duration of airport certificate.

10. An airport certificate issued under these Regulations shall be valid from the date of issue unless it is surrendered, suspended or revoked.

11. (1) In addition to the provisions set out in Part II of the *Civil Aviation (General Application and Personnel Licensing) Regulations, 2007*, the Director may give written notice to an airport operator of the suspension or revocation of his airport certificate where he believes there are reasonable grounds for believing that

Suspension or revocation of an airport certificate. S.I. 2007 No. 172.

- (a) a condition to which the certificate is subject has been breached;
- (b) the airport facilities, equipment, operations or maintenance are not of the standard required in the interests of the safety of air navigation; or
- (c) the holder of the certificate has failed to comply with regulation 9(5).

(2) Before suspending or revoking an airport certificate under paragraph (1) the airport operator shall be given a notice which

- (a) sets out the facts and circumstances that justify the suspension or revocation of that airport certificate; and
- (b) invites the airport operator to show cause in writing, within a reasonable period stated in the notice, as to why that certificate should not be suspended or revoked.

(3) The reasons given by the airport operator referred to in paragraph (2)(b) shall be taken into consideration when making a decision to suspend or revoke his airport certificate.

(4) A suspension or revocation of an airport certificate shall take effect from the date specified in the notice of suspension or revocation.

12. Where an airport operator wishes to surrender his airport certificate he shall give the Director not less than 30 days written notice of the date on which he wishes to surrender his airport certificate.

Surrender of airport certificate.

Airport certificate not transferable.

13. An airport certificate is not transferable and any purported transfer of any airport certificate shall be void.

Temporary airport certificate.

14. (1) The Director may grant a temporary airport certificate to an applicant in regulation 5 where

- (a) the application is for an airport certificate to operate an airport for which an existing airport certificate is in force;
- (b) the holder of the existing airport certificate has given the Director notice in regulation 12 for the surrender of the certificate;
- (c) the cancellation of the existing airport certificate will have effect before the Director can fully consider the application of the applicant; and
- (d) the Director is satisfied that the applicant will be able to properly operate and maintain the airport for the duration of the temporary airport certificate.

(2) A temporary airport certificate issued in accordance with paragraph (1) shall not be granted for a period exceeding 60 days.

Amendment of an airport certificate.

15. The Director may amend an airport certificate where the requirements of these Regulations have been met and

- (a) the holder of the airport certificate requests an amendment;
- (b) there is a change in the ownership or management of the airport;
- (c) there is a change in the use or operation of the airport; or
- (d) there is a change in the boundaries of the airport.

16. (1) The Director shall cause a Register to be known as the “Airport Register”, to be kept. Airport Register.

(2) The Register shall contain

- (a) the names of all airports certified in accordance with these Regulations;
- (b) the airport reference points;
- (c) the dates of issue of such certificates;
- (d) the airport reference code; and
- (e) the name and principal place of business of the relevant airport operator.

PART IV

Airport Manual

17. (1) An airport operator shall have an airport manual in the form set out at regulation 19. Location of airport manual.

(2) The airport operator shall give the Director a printed copy of his airport manual and keep a printed copy of this manual at his principal place of business and at the airport.

(3) The airport operator shall make the copy of the airport manual kept at his principal place of business and at the airport available to authorised persons during normal business hours.

(4) For the purpose of this Regulation “authorised person” means

- (a) the Director;
- (b) the Inspectors;

- (c) the International Civil Aviation Organisation personnel while performing audits;
- (d) personnel from States who have aircraft operating at the airport.

Contents of
airport
manual.

18. (1) An airport manual referred to in regulation 17 shall include the following information applicable to the airport:

- (a) general information about the airport;
- (b) the particulars of the airport site required to be reported to the Director;
- (c) the airport operating procedures and safety measures;
- (d) details of the airport administration and safety management system; and
- (e) any other matters which the Director deems necessary in the interest of safety.

(2) Where particular information referred to in paragraph (1) is not included in the manual because it is not applicable to the airport, the airport manual shall contain

- (a) a statement to the effect that the information is not applicable; and
- (b) the reasons why it is not applicable.

(3) Where an exemption has been granted by the Director in regulation 60 in relation to the airport, an airport manual shall contain

- (a) any identifying number given to the exemption by the Director;
- (b) the date on which the exemption came into effect; and

(c) any condition subject to which the exemption is granted.

19. (1) An airport manual under this Part shall

Form of
airport
manual.

(a) include instructions and information necessary to allow the personnel concerned to perform their duties and responsibilities with a high degree of safety;

(b) be in a form that is easy to revise and contain a system which allows personnel to determine the current revision status of each manual;

(c) be type-written or printed and signed by the airport operator;

(d) have a date of the last revision on each page concerned;

(e) not be contrary to these Regulations; and

(f) include a reference where applicable, to the appropriate Civil Aviation Regulation.

(2) In addition to the matters set out in paragraph (1), the airport manual referred to in paragraph (1), may be produced

(a) in a series of parts;

(b) as a series of volumes; or

(c) as a single document.

20. (1) To maintain the accuracy of the airport manual, an airport operator shall amend the airport manual for his airport

Amendment
to airport
manual.

(a) whenever it is necessary to do so; or

(b) upon the written directions of the Director, requiring him to do so.

(2) An airport operator shall comply with any direction given to him in paragraph (1)(b).

(3) Where an airport operator wishes to make an amendment to his airport manual in accordance with paragraph (1) he shall submit the proposed amendment in writing to the Director for approval.

(4) Where the Director is satisfied that the amendment to an airport manual submitted in paragraph (3), will not establish procedures or equipment which will endanger aircraft, persons or the airport, he may approve the amendment.

Person responsible for airport manual.

21. (1) An airport operator shall assign a person in his organisation to be responsible for the airport manual of his airport.

(2) A person assigned responsibility for an airport manual referred to in paragraph (1), shall ensure that

- (a) a record is kept of the persons who hold copies of the whole or a part of the airport manual; and
- (b) amendments or information for the manual are distributed to those persons who require such information.

PART V

Operation and Maintenance of an Airport

Care and diligence.

22. An airport operator shall ensure that his airport is operated and maintained with a reasonable degree of care and diligence.

Person to be responsible for reporting changes in airport condition.

23. (1) An airport operator shall assign one or more persons in his organisation to

- (a) monitor the serviceability of the airport; and

(b) report to the Director and to the Air Traffic Control Service any changes in conditions, or any other occurrences, at the airport that shall be reported in regulation 30(1).

(2) An airport operator shall not assign a person under paragraph (1), to be responsible for reporting changes in airport conditions unless that person has been trained to perform the functions in accordance with the airport manual for that airport.

24. (1) Where airport works are being carried out at a certificated airport, an airport operator shall appoint one or more persons as a works safety officer for the airport works.

Works safety officer for airport work.

(2) A works safety officer referred to in paragraph (1) shall ensure airport safety while airport works are being carried out.

(3) An airport operator shall not appoint a person as a works safety officer for the airport works to perform the functions of a works safety officer where that person has not been trained in accordance with the airport manual for that airport.

25. Where time-limited works are being carried out at a certificated airport, an airport operator shall ensure that a person who has been trained, in accordance with the airport manual to perform the function of a works safety officer performs that function for those works.

Works safety officer for time-limited works.

26. An airport operator shall ensure that all persons performing duties or providing services at his airport are trained in accordance with the standards for training airport personnel set out in his airport manual.

Training of airport personnel.

27. (1) Subject to any directions issued in paragraph (2), an airport operator shall operate and maintain an airport in accordance with the procedures set out in the airport manual for the airport.

Airport manual procedures.

(2) The Director may direct an airport operator to change the procedures set out in the airport manual, where he considers it necessary in the interests of the safety of aircraft and air navigation.

(3) An airport operator shall comply with a direction given to him in paragraph (2).

Deviation from airport manual procedures.

28. (1) Where an airport operator wishes to deviate from the procedures contained in his airport manual he may apply to the Director, for approval before the implementation of such procedures.

(2) Where the Director is satisfied after taking into consideration such aeronautical studies as he thinks fit, that the deviation applied for in paragraph (1) would attain the level of safety required by or equivalent to the standards prescribed by these Regulations, he may approve the deviation.

Airport data.

29. An airport operator shall ensure that airport data appropriate to his airport certificate for his airport are in accordance with Annex 14.

Notice of changes in physical condition of airport.

30. (1) An airport operator shall, in accordance with Annex 14, give notice to the Director of

- (a) any temporary or permanent change in the physical condition of the airport that may affect the safety of aircraft; and
- (b) any other occurrence relating to the operation or maintenance of the airport that may affect the safety of aircraft.

(2) Where the airport is a controlled airport, the notice referred to in paragraph (1) shall also be given to the Air Traffic Control Service.

(3) In this Regulation “controlled airport” means an airport at which an Air Traffic Control Service is operating.

Notice of changes in information published in Aeronautical Information Publication.

31. To maintain the accuracy of information published in the Aeronautical Information Publication in relation to an airport certificate issued by the Director, an airport operator shall inform the Director in writing, as soon as practicable of any change required to that information, other than a change that is published in the notices to airmen.

32. An airport operator shall ensure that the physical characteristics of the movement area appropriate to his airport certificate comply with the Standards set out in Annex 14. Physical characteristics of movement area.

33. (1) An airport operator shall mark the following areas of the airport in accordance with the Standards set out in Annex 14: Airport markings.

- (a) the movement area;
- (b) an unserviceable area;
- (c) a work area on or near the movement area.

(2) An airport operator shall ensure that all airport markings are maintained in accordance with the Standards set out in Annex 14.

34. (1) An airport operator who does not have a continuous air traffic service provided by Air Traffic Control Service during the day shall provide a signal area in accordance with the Standards set out in Annex 14. Signal area.

(2) An airport operator shall display the appropriate signal in the signal area in any circumstances set out in Annex 14 that require such a signal to be displayed.

(3) An airport operator shall ensure that the signal area and any signal displayed in it are clearly visible to any aircraft intending to use the airport.

35. (1) An airport operator shall, in accordance with the standards for wind direction indicators set out in Annex 14, install and maintain at least one wind direction indicator at the airport. Wind direction indicators.

(2) An airport operator referred to in paragraph (1), shall ensure that there is a wind direction indicator installed near the end of the runway.

(3) The Director may exempt an airport operator under these Regulations from compliance with paragraph (1), only where the Director

is satisfied that surface wind information is passed to the pilots of aircraft approaching the runway by

- (a) an automatic weather observing system that:
 - (i) is compatible with the weather observing system of the Barbados Meteorology Office; and
 - (ii) provides surface wind information through an airport weather information broadcast; or
- (b) an approved observer having a communication link with pilots through which timely information about surface wind can be clearly passed to pilots; or
- (c) any other approved means of providing surface wind information.

Visual aids
for
navigation.

- 36.** (1) An airport operator shall ensure that visual aids
- (a) for navigation; or
 - (b) denoting restricted areas

appropriate to the airport certificate he holds, are in compliance with Annex 14.

Visual
approach
slope
indicator
system.

37. (1) An airport operator shall in accordance with the standards for visual approach slope indicator systems set out in Annex 14, provide an approved visual approach slope indicator system for the end of a runway at the airport where that end of the runway is regularly used as the approach end for jet-propelled aircraft conducting regular public transport operations or charter operations.

(2) The Director may direct the airport operator to provide an approved visual approach indicator system for the approach end or ends of a runway to which paragraph (1) does not apply, where he considers it necessary in the interest of the safety of aircraft and air navigation.

(3) The airport operator shall comply with a direction given to him in paragraph (2).

38. (1) An airport operator shall ensure that signs are provided to convey either a mandatory instruction on a specific location or destination on a movement area, or to provide other information to meet the requirements of Annex 14. Signs.

(2) Signs referred to in paragraph (1) may be either fixed message signs or variable message signs and shall meet the requirements set out in Annex 14.

39. (1) An airport operator shall ensure that markers are frangible and those located near a runway or taxiway shall be sufficiently low to preserve clearance of propellers and for engine pods of jet aircraft. Markers.

(2) The markers referred to in paragraph (1) shall meet the requirements set out in Annex 14.

40. (1) Where an airport is available for an aircraft to land or take-off at night, or in less than Visual Meteorological Conditions during the day, an airport operator shall provide and maintain a lighting system for the movement area of the airport that is in accordance with paragraphs (2) and (3). Lighting of movement area.

(2) A lighting system referred to in paragraph (1) shall include:

- (a) lighting of runways, taxiways and aprons intended for use at night or in less than VMC during the day;
- (b) lighting of at least one wind direction indicator;
- (c) lighting of obstacles within the movement area; and
- (d) where the airport has a runway intended to serve Category I, Category II or Category III precision approach, operations, approach, runway and taxiway, lighting for the runway and taxiway.

- (3) A lighting system under this Regulation shall
 - (a) where the lighting system is of a kind for which standards are specified in Annex 14, meet those standards; or
 - (b) in any other case, be of a kind approved by the Director.

Checking of
lighting
systems.

41. (1) An airport operator shall not put a new lighting system of a kind mentioned in paragraph (3) into service at an airport unless the following requirements are met:

- (a) a pilot approved by the Director has conducted a flight check of the system; and
- (b) an electrical engineer or a licensed electrician has checked the system for compliance with any applicable electrical specifications and technical Standards set out in Annex 14.

(2) Where checking compliance with a specification requires the use of survey instruments, the airport operator shall ensure that the checking is done by

- (a) a person with a degree, diploma or certificate in surveying or civil engineering; or
- (b) a person with experience and competence in surveying that is acceptable to the Director.

(3) The kinds of lighting systems referred to in paragraph (1) are as follows:

- (a) an approach lighting system;
- (b) a runway lighting system for instrument approach runways;
- (c) a visual approach slope indicator system for jet-propelled aircraft, other than a system intended for use on a temporary basis for a period not longer than 30 days; and

(d) a pilot-activated lighting system.

42. An airport operator shall ensure that all equipment and installations at the airport for which he holds an airport certificate are in compliance with Annex 14. Equipment and installations.

43. (1) An airport operator shall establish an Airport Emergency Committee. Airport emergency committee.

(2) The Airport Emergency Committee referred to in paragraph (1) shall include a representative from the Fire Service, Police Force, Airport Security, and any other emergency service that, having regard to the location of the airport, would likely to be asked to assist in the event of an emergency at the airport.

44. (1) An airport operator shall ensure that he complies with the requirements for emergency and other services provided for in Annex 14. Emergency and other services.

(2) An airport operator shall ensure that rescue and fire fighting services are provided at the airport.

(3) Notwithstanding the generality of paragraph (2) an airport operator shall ensure that

(a) where an airport is located close to water or swampy areas or difficult terrain; or

(b) where a significant portion of approach or departure operations take place over areas listed in sub-paragraph (a),

specialist rescue and fire fighting equipment appropriate to the hazards and risks are available.

45. (1) The Committee established in regulation 43 shall prepare an airport emergency plan for the airport that shall include Airport emergency plan.

- (a) procedures for co-ordinating the responses of all emergency service organisations referred to in the plan; and
- (b) any other matters that are required to be included in the emergency plan as prescribed in Annex 14.

(2) The Committee shall review an airport emergency plan referred to in paragraph (1), at least once every 12 months and shall make any changes to the plan that are necessary to ensure that the emergency plan operates properly.

(3) The review referred to in paragraph (2), shall be carried out in consultation with the emergency service agencies referred to in the emergency plan.

(4) As soon as practicable after an emergency exercise has been carried out at an airport, or if an emergency has occurred at the airport, as soon as practicable after such emergency, an airport operator shall arrange for the Committee to

- (a) review the effectiveness of the responses to the exercise or the emergency;
- (b) assess the adequacy of the emergency plan to deal with emergencies at the airport; and
- (c) take such corrective action as may be necessary to ensure that the plan operates properly.

(5) An airport operator shall ensure that

- (a) records of each review of the emergency plan carried out under this Regulation are kept; and
- (b) each record is retained for at least 3 years after the review to which the record relates was carried out.

46. (1) An airport operator shall, subject to paragraphs (2), (3) and (4), conduct an emergency exercise at least once every 24 months to test

Testing of airport emergency plan.

- (a) the co-ordination of the emergency service agencies referred to in the airport emergency plan; and
- (b) the adequacy of the procedures and facilities provided for in the airport emergency plan.

(2) Where a real emergency occurs at an airport within 6 months before an emergency exercise is to be conducted, the airport operator may ask the Director to extend the period within which the next emergency exercise shall be conducted.

(3) The Director may grant the request referred to in paragraph (2), where he is satisfied that

- (a) all emergency service agencies referred to in the plan responded to the real emergency; and
- (b) the real emergency adequately tested the plan.

(4) In granting a request referred to in paragraph (3), the Director may extend the period until the end of 24 months after the date on which the real emergency occurred.

47. (1) An airport operator shall conduct an airport serviceability inspection to ensure that it is safe for aircraft operations to continue at an airport in the following circumstances:

Airport serviceability inspections.

- (a) after a gale, storm or other severe weather;
- (b) as soon as practicable after any aircraft accident or incident;
- (c) during any period of construction or repair of the airport facilities or equipment critical to safety of aircraft operations;

- (d) at any time that Air Traffic Control Service or the Director requires the inspection; and
- (e) at any other time when there are conditions at the airport which could affect safety.

(2) An airport serviceability inspection referred to in paragraph (1), shall include the following:

- (a) an inspection of the movement area to check its surface condition, including a check for the presence of foreign objects;
- (b) an inspection of airport markings, lighting, signs, wind direction indicators and ground signals;
- (c) an inspection for any obstacles infringing the take-off, approach and transitional surfaces;
- (d) an inspection for any birds or animals on or near the movement area;
- (e) an inspection of any measures, including airport fencing, to control the inadvertent entry of persons or animals into the movement area;
- (f) an empirical assessment of the bearing strength of unrated runway pavements;
- (g) an empirical assessment of the runway strip or each runway strip where the runway concerned is not marked and the whole runway strip may be used for aircraft operations; and
- (h) a check of the accuracy and currency of notices to airmen in respect of the airport.

(3) The inspections referred to in paragraph (2), shall comply with all applicable standards for airport serviceability inspections set out in Annex 14.

48. (1) An airport operator shall conduct airport technical inspections for the airport to ensure that any deterioration that could make a facility unsafe for aircraft operations is detected. Airport technical inspections.

- (2) An airport technical inspection shall include the following:
- (a) an instrument survey of the approach, take-off and transitional surfaces;
 - (b) an inspection and testing of the airport lighting and electrical reticulation systems, including the visual approach slope indicator;
 - (c) an electrical testing of any earthing points at the airport;
 - (d) an inspection and assessment of the movement area, pavements and drainage;
 - (e) an inspection of signs on the movement area;
 - (f) an inspection of facilities at the airport used for any of the following:
 - (i) airport emergencies;
 - (ii) the handling of hazardous materials;
 - (iii) bird and animal hazard management;
 - (iv) stand-by and emergency airport lighting;
 - (g) an inspection of airside vehicle control arrangements; and
 - (h) a check of the currency and accuracy of
 - (i) airport information published in the Aeronautical Information Publication; and

(ii) airport operating procedures specified in the airport manual for the airport.

(3) An inspection referred to in paragraph (2), shall comply with all applicable standards for airport technical inspections set out in Annex 14.

When
Airport
technical
inspections
shall be
conducted.

49. (1) An airport operator shall ensure that

(a) an airport technical inspection is conducted at intervals of not more than 12 months; or

(b) where the operator has elected to have a part or parts of the airport technical inspection conducted at different times as stated in paragraph (2), each facility for the airport to be inspected is inspected at intervals of not more than 12 months.

(2) An airport operator may elect to have a part or parts of an airport technical inspection conducted at different times from the other parts.

(3) Where it appears from an airport serviceability inspection that a particular facility at the airport requires an airport technical inspection, the airport operator shall ensure that the necessary technical inspection of the facility is conducted as soon as practicable.

(4) An airport operator shall

(a) where the airport operator has elected to have a part or parts of an airport technical inspection conducted at different times as stated in paragraph (2)

(i) keep records of each part of each inspection; and

(ii) retain each record for at least 3 years after the part of the inspection to which the record relates was conducted; or

(b) in any other case

(i) keep records of each inspection; and

- (ii) retain each record for at least 3 years after the inspection to which the record relates was conducted.

50. (1) An airport operator shall ensure that an airport technical inspection is conducted by a person or persons with appropriate technical qualifications and experience.

Airport technical inspections.

(2) Notwithstanding the generality of paragraph (1), an airport operator shall ensure that

- (a) in the movement area, other pavements and drainage are inspected by a person who has a recognized degree, diploma or certificate in civil engineering or appropriate technical experience;
- (b) the lighting and electrical facilities are inspected by an electrical engineer or a licensed electrician; and
- (c) the obstacle limitation surfaces are inspected by a person who
 - (i) is technically qualified or experienced in surveying; and
 - (ii) has a sound knowledge and understanding of the standards and survey procedures for obstacle limitation surfaces.

51. (1) An airport operator shall ensure that any airport works carried out at the airport are carried out in a way that does not create a hazard to aircraft, or cause confusion to pilots.

Planning and execution of airport works.

(2) The airport operator shall comply with the Standards set out in Annex 14 in relation to planning and notice requirements that shall be satisfied before airport works may be carried out.

52. An airport operator shall ensure that

Safety management system.

- (a) an airport used by aircraft engaged in international operations; and

(b) any other airport on and after 1st January, 2007,

has a safety management system that complies with the Standards set out in Annex 14.

Airport operators to collect statistics if directed.

53. Where the Director considers it necessary in the interests of the safety of air navigation, he may give directions in writing to an airport operator to collect

(a) statistics about

(i) the types of aircraft using the airport;

(ii) the times of aircraft movement at the airport; and

(b) any other information specified by the Director in the directive, that is relevant to deciding what radio communication services or air traffic services should be provided at the airport.

PART VI

Obstacles and Hazards

Visual aids denoting obstacles.

54. An airport operator shall ensure that visual aids for denoting obstacles appropriate to the airport certificate he holds, comply with the Standards set out in Annex 14.

Monitoring of airspace.

55. An airport operator shall monitor the airspace around the airport for infringement of the obstacle limitation surfaces by

(a) any object, building or structure; or

(b) any gaseous efflux having a velocity exceeding 4.3 metres per second.

Establishment of obstacle limitation surfaces.

56. An airport operator shall ensure that obstacle limitation surfaces are established for the airport in accordance with the Standards set out in Annex 14.

57. (1) An airport operator shall take all reasonable measures to ensure that obstacles at, or within the vicinity of, the airport are detected as quickly as possible. Notice of obstacles.

(2) Where the airport operator becomes aware of the presence of an obstacle, he shall

- (a) inform the Director immediately; and
- (b) give the Director details of
 - (i) the height and location of the obstacle; and
 - (ii) amended declared distances and gradients, if applicable.

(3) Where the airport operator becomes aware of any development or proposed construction near the airport that is likely to create an obstacle, he shall

- (a) inform the Director as soon as practicable; and
- (b) give to the Director details of the likely obstacle.

58. A person who proposes to construct a building or structure the top of which will be 110 metres or more above ground level shall inform the Director of that intention and the proposed height and location of the building or structure. Structures 110 metres or more above ground level.

- 59.** (1) The Director may determine in writing, that Hazardous objects.
- (a) an obstacle, any proposed development or other proposed construction that is likely to create an obstacle;
 - (b) a building or structure the top of which is 110 metres or more above ground level; or

- (c) a proposed building or structure the top of which will be 110 metres or more above ground level,

is or will be, a hazardous object because of its location, height or lack of marking or lighting.

(2) The Director may determine in writing, that a gaseous efflux having a velocity exceeding 4.3 metres per second is, or will be, a hazard to aircraft operations because of the velocity or location of the efflux.

(3) Where the Director makes a determination in accordance with paragraph (1) or (2), he shall

- (a) publish in the Aeronautical Information Publication or in a notice to airmen particulars of the hazardous object or gaseous efflux to which the determination relates; and

- (b) give written notice of the determination in accordance with paragraph (4).

(4) The Director shall give a copy of the notice

- (a) in the case of a hazardous object, that is a proposed building or structure, to all agencies whose approval is required for the construction; and

- (b) in any other case other than that set out in sub-paragraph (a), to an identifiable person who

- (i) is the owner or occupier;

- (ii) has control of the hazardous object;

- (iii) is in control of the installation that produces the gaseous efflux.

PART VII

Miscellaneous

60. (1) The Director may exempt in writing an airport operator from complying with specific provisions of these Regulations. Exemptions.

(2) An exemption granted by the Director in paragraph (1), shall be subject to any condition or procedures specified by the Director in the relevant airport certificate as being necessary in the interest of safety.

(3) An exemption under this Part shall be subject to the airport operator complying with the conditions and procedures referred to in paragraph (2).

61. (1) The Director may make Standards or amend Standards and incorporate them by reference into these Regulations. Director may make Standards or amend Standards.

(2) The Director shall not make a Standard or an amendment to a Standard unless the Director has undertaken consultations with interested parties concerning the standard or the amendment.

(3) No Standard or amendment may come into effect less than 30 days after it is made.

(4) A Standard or an amendment to a Standard may be made and brought into effect by the Director without regard to regulations 61(2) and (3) where the Standard or amendment is urgently required to ensure aviation safety or the safety of the public.

Made by the Minister this 31st day of December, 2007.

NOEL A. LYNCH
Minister responsible for Civil Aviation.