

S.I. 2011 No. 5

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

**CIVIL AVIATION (AIR OPERATOR CERTIFICATION AND
ADMINISTRATION) (AMENDMENT) (NO. 2)
REGULATIONS, 2011**

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

1. These Regulations may be cited as the *Civil Aviation (Air Operator Certification and Administration) (Amendment) (No. 2) Regulations, 2011*.

2. Regulation 2 of the *Civil Aviation (Air Operator Certification and Administration) Regulations, 2007*, in these Regulations referred to as the principal Regulations, is amended by inserting in the appropriate alphabetical order the following: S.I. 2007
No. 173.

" "State of the Operator" means the State in which the principal place of business of the operator is located or, if there is no such principal place of business, the address of the permanent residence of the operator;"

3. Regulation 4 of the principal Regulations, is amended by deleting paragraph (3)(f) and substituting the following:

- "(f) a flight safety document system which
- (i) identifies the safety hazards;
 - (ii) ensures that the remedial action necessary to maintain an acceptable level of safety is implemented; and

- (iii) provides for continuous monitoring and regular assessment of the safety level achieved with the aim of improving the overall level of safety."

3. Regulation 7 of the principal Regulations is amended by deleting

(a) paragraph (1) and substituting the following:

"(1) A Barbados air operator's certificate shall be in the format set out in the Air Operator Certification and Administration Standards and shall comprise

- (a) a document, signed by the Director, for public display; and
- (b) a document containing operations specifications with the terms, conditions and the authorizations applicable to the air operator's certificate.";

(b) paragraph (2) and substituting the following:

"(2) The documents referred to in paragraph (1) shall contain

- (a) the State of the Operator and the issuing authority;
- (b) the air operator's certification number and its expiration date;
- (c) the name of the air operator, or the trading name of the air operator, where the two are not the same, and the address of the principal place of business of the air operator;

- (d) the date of issue of the air operator's certificate and the name, signature and title of the person acting on behalf of the issuing authority; and
- (e) the location, in a controlled document carried on board, where the contact details of operational management can be found."; and

(c) paragraph (4) and substituting the following:

"(4) The document containing the operations specifications referred to in paragraph (1)(b), shall be in the format set out in the Air Operator Certification and Administration Standards and in respect of each aircraft model in the air operator's fleet identified by aircraft make, model and series and shall specify the following:

- (a) issuing authority contact details;
- (b) name of air operator and air operator's certification number;
- (c) date of issue of air operator's certificate and signature of Director;
- (d) aircraft model;
- (e) type of operation;
- (f) areas of operation; and
- (g) special limitations."

4. Regulation 46 of the principal Regulations is amended by deleting paragraph (2) and substituting the following:

"(2) The minimum equipment list shall be based on the manufacturer's master minimum equipment list and shall be specific to the aircraft type and variant and shall contain the circumstances, limitations, and procedures for release or continuance of flight of the aircraft with inoperative components, equipment, systems or instruments."

5. Regulation 68 of the principal Regulations is amended by deleting paragraph (4) and substituting the following:

"(4) All passenger carrying aeroplanes of a maximum certified take-off mass in excess of 45 000 kilogrammes or with a passenger seating capacity greater than 60 shall be equipped with an approved flight crew compartment door that is designed to resist penetration by small arms fire and grenade shrapnel and resist forcible intrusions by unauthorised persons."

6. Regulation 76 of the principal Regulations is amended by

(a) deleting paragraph (2) and substituting the following:

"(2) The manual referred to in paragraph (1), shall

(a) observe the Human Factor principles; and

(b) contain details of the structure of the organisation, including

(i) information in respect of the Accountable Manager and designated person responsible for the maintenance system, as required by regulation 14;

- (ii) the procedures to be followed to satisfy the maintenance requirements referred to in regulation 73 except that, where the air operator is an approved maintenance organisation, the quality functions referred to in regulation 78 may be included in the approved maintenance organisation procedures manual; and
- (iii) the procedures for the reporting of failures, malfunctions, and defects approved by the Director, to the Director, the aircraft manufacturer and the State of Design within 72 hours of discovery.";

(b) inserting immediately after paragraph (2) the following:

“(2A) For the purposes of this regulation "Human Factor Principles" means particular principles which are applied to aeronautical design, certification, training, operation and maintenance to seek and attain a safe interface between the human and other system components to assess and ensure proper human performance.”.

7. The principal Regulations are amended by deleting regulation 77 and substituting the following:

“Maintenance Management. 77. (1) An air operator that is approved as an approved maintenance organisation may carry out the requirements specified in regulation 73(1)(b), (c), (e) and (f).

(2) Where a national air operator is not an approved maintenance organisation, he shall meet the

responsibilities referred to in regulation 73(1)(b), (c), (e) and (f) by

- (a) using an equivalent system of maintenance approved or accepted by the Director; or
- (b) through an arrangement with an aircraft maintenance organisation with a written maintenance contract agreed between the national air operator and the contracting approved maintenance organisation detailing the required maintenance functions and defining the support of the quality functions approved or accepted by the Director.

(3) A national air operator shall employ such person or persons, acceptable to the Director, to ensure that all maintenance is carried out to an approved standard such that the maintenance requirements of this Part and requirements of the maintenance control manual of the national air operator are satisfied, and to ensure the functioning of the quality system.

(4) In employing persons referred to in paragraph (3), the national air operator shall designate one person to be accountable for any corrective action resulting from the quality monitoring.

(5) The person designated in paragraph (4), for maintenance shall not be employed by an approved maintenance organization under contract, unless specifically agreed by the Director.

(6) Where a national air operator is not appropriately approved by the Director, written arrangements shall be made with an approved maintenance organisation to carry out the requirements specified in regulation 73.

(7) The arrangement referred to in paragraph (6), shall be in the form of a written maintenance contract between the national air operator and the approved maintenance organisation detailing the functions specified in regulation 73 and defining the support of the quality functions.

(8) The written maintenance contract referred to in paragraph (7), shall include either an

- (a) aircraft base and scheduled line maintenance; or
- (b) engine maintenance contracts, together with all amendments, which shall be acceptable to the Director.

(9) Notwithstanding paragraphs (6), (7) and (8), in the case of aircraft needing occasional line maintenance, the contract may be in the form of individual work orders to the approved maintenance organisation.

(10) Notwithstanding paragraphs (6), (7) and (8), in the case of aircraft component maintenance, including engine maintenance, the written maintenance contract may be in the form of individual work orders to the approved maintenance organisation.

(11) A national air operator shall provide suitable office accommodation at appropriate locations for the personnel specified in paragraph (3)."

Made by the Minister this 14th day of January, 2011.

EDWIN G. HUTSON
Minister responsible for Civil Aviation.