

LEGAL NOTICE NO. 407

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, CHAP. 49:03

REGULATIONS

MADE BY THE AUTHORITY WITH THE APPROVAL OF THE MINISTER  
UNDER SECTION 33 OF THE CIVIL AVIATION ACT AND SUBJECT TO  
NEGATIVE RESOLUTION OF PARLIAMENT

THE CIVIL AVIATION [(NO. 1) GENERAL APPLICATION AND  
PERSONNEL LICENSING] (AMENDMENT) REGULATIONS, 2014

1. These Regulations may be cited as the Civil Aviation [(No. 1) <sup>Citation</sup> General Application and Personnel Licensing] (Amendment) Regulations, 2014.
2. In these Regulations, “the Regulations” means the Civil <sup>Interpretation</sup> Aviation [(No. 1) General Application and Personnel Licensing] Regulations, 2004.
3. Regulation 2 of the Regulations is amended by—  
<sup>Regulation 2</sup>  
<sup>amended</sup>
  - (a) inserting in the appropriate alphabetical order the following definitions:
    - “accredited medical conclusion” means the conclusion reached by one or more medical experts acceptable to the Authority for the purposes of the case concerned, in consultation with flight operations or other experts, as necessary;
    - “aircraft avionics” means any electronic device including its electrical part for use in an aircraft and includes radio, automatic flight control and instrument systems;
    - “aircraft category” means the classification of an aircraft according to specified basic characteristics such as aeroplane, helicopter, glider and free balloon;
    - “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 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;

“Authority” means the Civil Aviation Authority established under the Act;

“certify as airworthy (to)” 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;

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

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

“glider flight time” 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;

“ICAO” mean the International Civil Aviation Organization;

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

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

“instrument time” means instrument flight time or instrument ground time;

“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;

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

“rendering a licence valid” means the action taken by a Contracting State, 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; and

“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 the Civil Aviation [(No. 5) Airworthiness] Regulations, 2004;” and

(b) deleting the definition of “small aeroplane” and substituting the following definition:

“ “small aeroplane” means an aeroplane having a maximum certified take-off mass of more than seven hundred and fifty kilogrammes and not more than five thousand and seven hundred kilogrammes;”.

4. The Regulations are amended by inserting after Regulation 2, <sup>Regulation 2A inserted</sup> the following regulation:

<sup>“Regulations, Administration and Supervision”</sup> 2A. (1) The Director General shall develop and maintain a safety oversight system and a security oversight system for civil aviation in Trinidad and Tobago in accordance with the eight critical elements of the ICAO Oversight System for safety and security.

(2) In furtherance of subregulation (1), the Director General shall—

- (a) advise the Authority on recommendations to be made to the Minister for amending the Civil Aviation Act for the improvement of safety and security in civil aviation;
- (b) make recommendations to the Authority for amending the Civil Aviation Regulations for the improvement of safety and security in civil aviation;
- (c) establish and maintain a civil aviation organizational structure for the administration and supervision of the Regulations made under the Act of the Trinidad and Tobago aviation industry that

- includes certification, continuous surveillance, inspections, audits, resolution of safety and security issues and enforcement actions, of airmen and operators;
- (d) use a documented methodology, taking into consideration the size and complexity of civil aviation operations, to determine the appropriate number of persons required to independently perform the administration activities specified in paragraph (c);
  - (e) employ such number of persons identified in paragraph (d) and designate such persons as Inspectors to independently perform the administration and supervision activities specified in paragraph (c);
  - (f) provide Inspectors with adequate office facilities and office equipment such as telephones, computers, printers, fax machines, office supplies, clerical support, specialized tools, equipment and transportation to independently perform the administration and supervision activities identified in paragraph (c);
  - (g) provide each Inspector with credentials consisting of a—
    - (i) TTCAA issued credit card size Identification Card with tamper-proof security features bearing at least the following:
      - (A) “Republic of Trinidad and Tobago”;
      - (B) the TTCAA Logo;
      - (C) “Trinidad and Tobago Civil Aviation Authority”;
      - (D) the name of the Inspector;
      - (E) a Unique Credential Number;
      - (F) a passport size photograph of the Inspector;
      - (G) the following statement:

“The Director General of Civil Aviation hereby certifies that [*Inspector Name*] is a duly appointed

Inspector and is delegated the authority to perform the functions listed on the reverse side in accordance with the Civil Aviation Act and Regulations made thereunder”;

- (H) a list of functions delegated by the Director General to an Inspector appropriate to his specific job description;
  - (I) the signature of the Inspector;
  - (J) the signature of the Director General;
  - (K) the issue date;
  - (L) the expiry date; and
- (ii) badge made of durable material, in a form and manner approved by the Director General bearing at least the following:
- (A) the Coat of Arms of Trinidad and Tobago;
  - (B) the TTCAA Logo; and
  - (C) a Unique Credential Number;
- (h) provide Inspectors in relation to holders of aviation documents with, policies, procedures and standards for aviation safety and security to be used in—
- (i) certification;
  - (ii) approval of aviation security programmes;
  - (iii) continuous surveillance;
  - (iv) inspections;
  - (v) tests;
  - (vi) audits;
  - (vii) resolution of safety and security issues; and
  - (viii) enforcement activities;

- (i) provide Inspectors with policies on ethics, personal conduct and the avoidance of actual or perceived conflicts of interest in the performance of official duties;
- (j) where necessary, provide the aviation industry with guidance on acceptable means of complying with the requirements of the Regulations;
- (k) establish minimum entry qualification for Inspectors to ensure they have adequate operational or technical work experience and training compatible with those activities they are required to perform;
- (l) establish initial and recurrent training for Inspectors in the relevant technical subjects including aircraft-specific subjects and ensure that Inspectors complete such initial and recurrent training;
- (m) establish documented processes for the certification of applicants for aviation documents and ensure that Inspectors use such documented processes for the certification of airmen and operators;
- (n) establish documented processes for continuous surveillance, inspection and audits of holders of aviation documents and ensure that Inspectors use such documented processes for continuous surveillance, inspection and audits of holders of aviation documents;
- (o) establish and use an ongoing surveillance plan for the surveillance of holders of aviation documents to ensure they meet the current requirements for the aviation documents held;
- (p) establish documented processes for taking appropriate enforcement actions to resolve identified safety and security issues and ensure that Inspectors use such documented processes for taking appropriate enforcement actions which may include, but is not limited to—
  - (i) verbal counselling;
  - (ii) issuing caution letters, warning letters and letters of correction;

- (iii) limiting, suspending or revoking an aviation document;
  - (iv) applying pecuniary penalties in accordance with the Civil Aviation [(No. 16) Compounding of Offences] (Pecuniary Penalties) Regulations, 2007; or
  - (v) applying the appropriate penalties for offences specified in the Act;
- (q) ensure that identified safety and security issues are resolved in a timely manner through a system which monitors and records progress, including actions taken by the holder of an aviation document, in resolving such issues; and
- (r) in relation to holders of aviation documents, establish a current, secure and reliable record-keeping system that provides reliable and easy access, fast and efficient retrieval of information for the efficient and effective management of certification, continuous surveillance, inspection, audits, resolution of safety and security issues and enforcement activities.

(3) An Inspector designated under subregulation (2)(e) is authorized to act as an examiner in respect of the Act or Regulations made thereunder.

(4) No personal liability shall attach to an Inspector designated under subregulation (2)(e) in respect of any act or omission done, permitted to be done or omitted in good faith for the purpose of carrying out the requirements of the Act or Regulations made thereunder.

(5) The Director General may—

- (a) recommend that the Authority grant an exemption to the requirements of a regulation where—
- (i) an applicaiton for such exemption is justified by a technical evaluation by an appropriately qualified and recognized person or organization; and
  - (ii) the Director General is satisfied that an acceptable level of safety and security in civil aviation will be acheived and maintained;

(b) recommend that the Authority grant a deviation from the requirements of a regulation where—

(i) an application for such deviation is supported by an acceptable alternate means of compliance justified by a technical evaluation by an appropriately qualified and recognized person or organization; and

(ii) the Director General is satisfied that an equivalent level of safety and security in civil aviation will be achieved and maintained.

(6) The Director General may, by mutual agreement and subject to appropriate terms, conditions, limitations and supervision, designate appropriately qualified persons to act as—

(a) Skills Examiners for the issue or renewal of pilot licences, ATC licences, aircraft maintenance engineers' licence, security officer certificates and security screener certificates;

(b) Check Airmen for operators for the issue and renewal of a pilot licence and rating;

(c) Medical Examiners for pilots and ATC controllers; and

(d) Medical Assessors of—

(i) medical examination reports of pilots and controllers; and

(ii) where required by the Authority, Medical Examiners.

(7) A Skills Examiner, Check Airman, Medical Examiner and Medical Assessor designated under subregulation (6) shall as applicable, provide the Director General with a detailed and comprehensive report on each skills examination, airman check, medical examination or medical assessment conducted and shall where applicable, provide recommendations.

(8) The Director General may recommend that the Authority issue or renew a licence, rating, certificate or authorization where a satisfactory report and recommendation were made under subregulation (7).



Units of  
Measurements 2B. A person involved in the conduct of air and ground operation in domestic and international civil aviation activities in Trinidad and Tobago shall use the units of measurements specified in Schedule A and the Metrology Act No. 18 of 2004 for all aspects of his operations.”.

5. Regulation 3 of the Regulations is amended by deleting subregulations (1A), (4), (5) and (7). Regulation 3  
amended

6. Regulation 5(1) of the Regulations is amended in paragraph (c)(xiv), by deleting the words “from 5th March, 2008,”. Regulation 5  
amended

7. Regulation 22 of the Regulations is amended in subregulation (4), by deleting the words “2015” and substituting the words “2022”. Regulation 22  
amended

8. Regulation 26 of the Regulations is amended— Regulation 26  
amended  
(a) in subregulation (2)(a), by deleting the word “twenty-fourth” and substituting the word “sixtieth”; and  
(b) in subregulation (2)(b), by deleting the word “twelfth” and substituting the word “twenty-fourth”.

9. Regulation 27 of the Regulations is amended— Regulation 27  
amended  
(a) in subregulation (2), by inserting after the words “administered by”, the words “an authorized instructor or”;  
(b) in subregulation (3), by deleting the words “Director-General” and substituting the words “An authorized instructor or the Director-General who conducted the knowledge test in subregulation (2)”;  
(c) in subregulation (6)(b), by deleting the words “the Director-General may recommend that the Authority”, and substituting the words “an authorized instructor or the Director-General may”; and  
(d) in subregulation (7), by deleting the word “Licence” and substituting the word “logbook”.

10. Regulation 49 of the Regulations is amended in subregulations (2) and (3), by deleting the words “a Commercial” and substituting the words “an Airline Transport”. Regulation 49  
amended

Regulation 60 amended 11. Regulation 60 of the Regulations is amended by deleting subregulation (3), and substituting the following subregulation:

“(3) Where the instrument training was provided by an authorized instructor in an approved or accepted flight simulator or flight training device—

(a) a maximum of thirty hours may be performed in that flight simulator or flight training device where the instrument time was completed by an approved or accepted Aviation Training Organization; or

(b) a maximum of twenty hours may be performed in that flight simulator or flight training device where the instrument time was not completed by an approved or accepted Aviation Training Organization.”.

Regulation 85 amended 12. Regulation 85 of the Regulations is amended in paragraph (b)(i) by deleting the word “private”.

Regulation 151 amended 13. Regulation 151 of the Regulations is amended by—

(a) inserting after subregulation (4), the following subregulation:

“(4A) A medical examiner shall submit a comprehensive report to the Director General containing sufficient detailed information of the medical assessment of an applicant.”;

(b) inserting after subregulation (6), the following subregulation:

“(6A) The Medical Assessor shall conduct assessment audits of the medical reports submitted by medical examiners.”; and

(c) inserting after subregulation (8), the following subregulation:

“(9) The medical assessor shall, where it is justified by operational consideration, determine to what extent pertinent medical information is provided to relevant officials of the Authority.”.

Regulation 153 amended 14. Regulation 153 of the Regulations is amended by inserting after subregulation (3), the following subregulation:

“(4) A flight crew member and an air traffic controller shall not exercise the privileges of his licence unless he holds a current and valid Medical Assessment appropriate to the licence held.”.

15. Regulation 189A of the Regulations is amended—

Regulation 189A  
amended

- (a) by deleting subregulations (1), (2) and (4);
- (b) in subregulation (3), by deleting the words “From 5th March, 2008, an” and substituting the word “An”;
- (c) by inserting after subregulation (3), the following subregulation:

“(4) A flight navigator required to use the radiotelephone aboard an aircraft shall demonstrate the ability to speak and understand the language used for radiotelephony communication.”;

- (d) by inserting after subregulation (4), the following subregulation:

“(5) A pilot, an air traffic controller, an aeronautical station operator under subregulation (1) or a flight navigator under subregulation (2) who demonstrates language proficiency of—

- (a) Level 1—Preliminary, Level 2—Elementary or Level 3—Pre-operational shall not be eligible to hold a licence;
- (b) Level 4—Operational is eligible to hold a licence and shall be re-evaluated at least once every three years;
- (c) Level 5—Extended is eligible to hold a licence and shall be re-evaluated at least once every six years; and
- (d) Level 6—Expert is eligible to hold a licence and shall not require further re-evaluation.”.

16. Schedule 5 of the Regulations is amended in Part B, by inserting after paragraph 1(a)(iii), the following subparagraph:

Schedule 5  
amended

“(iiiA) for the issue of an aeroplane category type rating, upset prevention and recovery training;”.

17. Schedule 13 of the Regulations is amended in Part C, by inserting after paragraph (1)(I), the following subparagraph:

Schedule 13  
amended

“(1a) E-1—Avionics Systems type rating limited to a specific aeroplane type over 5,700 kgs maximum certified take-off mass or a helicopter of over 2,730 kgs maximum certified take off mass:

Successful completion of the aircraft manufacturer’s type avionics systems course for electrical, radio, instrument, auto flight and flight management

systems and twelve months working experience on the aircraft type which may be acquired simultaneously with the experience required in subparagraph (i).”.

Made by the Civil Aviation Authority this 18th day of December, 2014.

R. LUTCHMEDIAL  
*Civil Aviation Authority*

Approved by the Minister of Finance and the Economy this 18th day of December, 2014.

L. HOWAI  
*Minister of Finance and the Economy*