

Schedule 1

General Policies, Procedures & Definitions

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SUBPART A: GENERAL

1.001 APPLICABILITY

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- (a) This Schedule prescribes requirements of The Bahamas that are applicable to the structure and processes of all Schedules of these Regulations.
 - (b) Each Schedule of these Regulations provides specific technical safety requirements prescribed by the appropriate authorities in support of the Civil Aviation Law and supporting legislation to ensure that individuals, organisations and other entities under the oversight of the Authority are in compliance with the international standards for aviation safety and security.
 - (c) Each Schedule of these Regulations provides specific technical safety and security requirements prescribed by the appropriate authorities in support of the Civil Aviation Act and supporting legislation to ensure that individuals, organisations and other entities under the oversight of The Bahamas are in compliance with the international standards for aviation safety and security.
 - (d) Each Schedule shall, as indicated in that particular Schedule apply to all individuals, organisations and other entities operating, maintaining, supporting, or providing services to—
 - (1) Bahamas-registered aircraft;
 - (2) Aircraft registered in another Contracting State that is operated by a person licensed by The Bahamas, and must be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed, except when there is another agreement in place; and
 - (3) Aircraft of other Contracting States operating in The Bahamas.
 - (e) Where a particular requirement is applicable only to a particular segment of aviation operations, it will be identified by a reference to those particular operations, such as “for commercial air transport” or “for Class 1 medicals.”

1.005 ORGANISATION OF THESE SCHEDULES (EXCEPT SCHEDULE 2)

- (a) These Schedules are subdivided into five hierarchical categories—
 - (1) *Schedule* refers to the primary subject area;
 - (2) *Subpart* refers to any subdivision of a Schedule;
 - (3) *Subdivision* refers to a further breakdown of a Subpart necessary to designate a group of related subsections and designated by a bold Roman number;
 - (4) *Section* refers to the Arabic numbered and titled requirement;
 - (5) *Paragraph* refers to the text describing the requirements. All paragraphs are outlined alphanumerically in the following hierarchical order: (a), (1), (i), (A).
- (b) Numbering of these Schedules will be as follows—
 - (1) The first Section of Subpart A of each Schedule will use the number .001; and
 - (2) Thereafter, the original numbering of the Schedules will be sequenced in the format; -5 and -10, leaving the numbers -1, -2, -3 -4, -6, -7, -8, and -9 for future expansion of the Schedule to accommodate new ICAO standards or the growing safety complexity of world aviation.
- (c) Definitions used throughout these Schedules are organised as follows—
 - (1) Definitions applicable any Schedule may appear in this Schedule;
 - (2) Definitions considered critical to a specific Schedule may appear in this Schedule and also to the Schedule where it is considered critical;
 - (3) Definitions applicable only to a specific Schedule may only appear in that Schedule; and
 - (4) Definitions will not conform to the numbering requirements of Section 1.005(a)(5) following the practice used in the ICAO Annexes. Only a change bar will indicate a new definition.
- (d) Acronyms used throughout these Schedules are organised as follows—

- (1) Acronyms applicable to any Schedule may appear in this Schedule;
 - (2) Acronyms considered critical to a specific Schedule may appear in this Schedule and also to the Schedule where it is considered critical;
 - (3) Acronyms applicable only to a specific Schedule may only appear in that Schedule; and
 - (4) Acronyms will not conform to the numbering requirements of Section 1.005(a)(5) following the practice used in the ICAO Annexes. Only a change bar will indicate new acronyms.
- (e) Notes appear in Sections to provide exceptions, explanations, examples to individual requirements and references to specific supporting appendices.
- (f) Sections and notes may refer to Appendices, which provide detailed requirements that support the purpose of the Section, and where specifically referenced, gain the legal force and effect of the referring Section. Under the rules of construction, the term "Appendix" is applied to these supplementary requirements.
- (g) Schedules and Sections may incorporate by reference an "Implementing Standards" document, which consolidates lengthy related requirements that support the purpose of the Schedule or a specific Section and gain the legal force and effect of the referencing Section. Under the rules of construction, the term "Implementing Standards" is applied to these supplementary requirements.

1.010 RULES OF CONSTRUCTION

- (a) Throughout these Schedules, the following word usage applies—
- (1) *Shall* indicates a mandatory requirement;
 - (2) The words "*no person may...*" or "*a person may not...*" mean that no person is required, authorised, or permitted to do an act described in a regulation;"
 - (3) *May* when used without the word "*no*" or "*not*" indicates that discretion can be used when performing an act described in a regulation;
 - (4) *Will* indicates an action incumbent upon the Authority;
 - (5) *Includes* means "*includes but is not limited to;*"
 - (6) *Approved* means the Authority has reviewed the method, procedure, or policy in question and issued a formal written approval;
 - (7) *Acceptable* means the Authority has reviewed the method, procedure, or policy and has no technical objection to its proposed use or implementation;
 - (8) *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;" and
 - (9) *Should* indicates a recommended practice.

1.013 UNITS OF MEASUREMENT

- (a) ICAO Annex 5 contains specifications for the use of a standardized system of units of measurement in international civil aviation air and ground operations. This standardized system of units of measurement is based on the International System of Units (SI) and certain non-SI units considered necessary to meet the specialized requirements of international civil aviation.
- (b) The Standards and Recommended Practices contained in Annex 5 shall be applicable to all aspects of international civil aviation air and ground operations occurring within the jurisdiction areas of The Bahamas.
- (c) Except as provided in paragraph (d) of this Section, the units of measurement used for aeronautical purposes in The Bahamas are those specified in the International System of Units as adopted in Annex 5 to the ICAO Convention.

- (d) Non-International System of Units adopted by Annex 5 are used in The Bahamas in accordance with the adjacent table.
- (e) Coordinated Universal Time (UTC) is used with the day beginning at 0000 hours and ending at 2400 hours—
- (1) The Bahamas Standard Time (BST) is Greenwich Mean Time (GMT) minus 5 hours;
 - (2) The Bahamas does observe Daylight Savings Time in concert with the east coast of the United States.

Value	Unit of Measurement
Distance	Nautical mile
Altitudes, Elevations and Heights	Foot
Visibility	Statute mile
Speed, including wind speed	Knot
Vertical Speed	Foot per minute

- (f) Date and time in civil aviation operations are expressed as a 6 figure group of UTC day, hours and minutes, except that in NOTAM and pre-flight information bulletins a 10 figure group of year, UTC month, day, hours, minutes in use.
- (g) The geographical coordinates indicating latitude and longitude are expressed in terms of the World Geodetic System 1984 (WGS84). WGS84 positions based on source data that do not meet the survey accuracies recommended in ICAO Annex 14 are marked with an asterisk (*).

1.015 DEFINITIONS

- (a) The definitions provided in Appendix 1 to 1.015 of this Schedule apply to all requirements included in the Civil Aviation Regulation [“these Regulations”] and its Schedules.
- (b) Where found in these Schedules, the term “**the Authority**” indicates The Bahamas Civil Aviation Authority (BCAA). The BCAA employs technical personnel qualified and authorised to conduct evaluations, inspections and investigations on behalf of The Bahamas and make recommendations regarding the licencing and certification of individual and entities and corrections of safety concerns.
- (c) The following words and phrases, where found in these Schedules, outline the authority delegated to this organisation—

Acceptable to the Authority means a portions of documents, formal procedures, facilities, equipment, or personnel that must be found satisfactory by a technical review of the Authority prior to use in aviation.

Approval means a formal document issued by the Authority based on a prior technical evaluation that authorises the use of documents, portions of documents, or formal procedures in aviation.

Approved by the Authority means as used in these Schedules, a document, person, facility, policy or procedure for which there must be a formal document issued prior to their use in aviation. The separate use of the word “approved” in these Regulations shall be assumed to be “approved by the Authority”

Authorised by the Authority means t his phrase identifies a requirement that involves a technical evaluation and the issuance of a formal document of authorisation.

Authorisation means a formal document issued by a civil aviation authority based on a technical evaluation that officially conveys to the holder certain privileges in aviation under the civil aviation law, Regulations and Schedules.

Certificate means a formal document issued by a civil aviation authority that authorises the holder to perform the aviation activities identified on the document.

Designation means a formal document issued by the Authority, based on a technical evaluation process, that authorises the holder to act on behalf of the Authority in the performance of the functions identified in the document.

Designated by the Authority means a requirement that requires a technical evaluation process and a formal document issued by the Authority before a person may be authorised to perform a specific function or functions on behalf of the Authority.

Deviation means an official exception from a requirement of these Regulations issued to a grouping of persons, aircraft or type of operations when the Authority determines that the requirement is not consistent with relevant aviation safety standards for that grouping and it would be in the public interest to issue the exception.

Director means the Director General of The Bahamas Civil Aviation Authority appointed under the of the Civil Aviation Act.

Exemption means an official exception from a requirement of these Regulations issued to an individual, aircraft or organisation by the Authority where the applicant can show that it is in the public interest, an equivalent level of safety can be maintained and such an exception will not be inconsistent with relevant aviation safety standards.

Licence means a formal document issued by a civil aviation authority that authorises the holder to perform the functions identified on the document, subject to the applicable privileges and limitations.

Notice of Proposed Rule Making means a public notice containing the text and background of an addition, revision or repeal of requirements to these Regulations and Schedules.

Prescribed by the Authority means this phrase denotes a requirement where the Authority may, through appropriate guidance materials, outline the steps and standards necessary to meet the requirement.

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.

Special Regulation means an interim amendment or addition to existing regulation issued by the Authority and effective on a priority basis in the public interest and/or to meet international safety obligations.

Validation means the acceptance of a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the primary basis for the Authority's issuance of a certificate, licence, approval, designation, or authorisation containing the same or more restrictive privileges—

- (i) **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;
- (ii) **Rendering (a Certificate of Airworthiness) valid** means the action taken by a Contracting State, 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.

Waiver means a possible exception from a requirement of these Regulations, the criteria for which is provided in a regulation, requirement or directive.

1.020 ACRONYMS

The acronyms and abbreviations provided in Appendix 1 to 1.020 of this Schedule apply to all requirements included in these Regulations and Schedules.

SUBPART B: GENERAL ADMINISTRATIVE RULES

1.025 DISPLAY AND INSPECTION OF LICENCES & CERTIFICATES

(a) Pilot licence—

- (1) To act as a pilot of a civil aircraft of Bahamian 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;

- (2) To act as a pilot of a civil aircraft of foreign registry within The Bahamas, a pilot shall be the holder of a valid pilot licence, and have the pilot licence in his or her physical possession or readily accessible in the aircraft.
- (b) Flight instructor licence— A person who holds a flight instructor licence shall have that licence, or other documentation acceptable to the Authority, in that person's physical possession or readily accessible in the aircraft when exercising the privileges of that licence.
- (c) Other airman licence— A person required by any part of these Regulations to have an airman's licence shall have it in their physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that licence.
- (d) Medical certificate— A person required by any Schedule of these Regulations to have a current medical certificate shall have it in their physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that certificate.
- (e) Approved Training Organisation (ATO) certificate— Each holder of a certificate shall display that certificate in a place in the school that is normally accessible to the public and that is not obscured.
- (f) Aircraft Certificate of Registration— Each owner or operator of an aircraft shall carry the aircraft certificate of registration on the aircraft and have it available for inspection.
- (g) Aircraft Certificate of Airworthiness— Each owner or operator of an aircraft shall display that certificate in the cabin of the aircraft or at the entrance to the aircraft flight deck.
- (h) Approved Maintenance Organisation (AMO) Certificate— Each holder of an AMO certificate shall prominently display that certificate in a place accessible to the public in the principal business office of the AMO.
- (i) Aerial work certificate— Each owner or operator of an aircraft engaged in aerial work shall carry that certificate or a copy of that certificate on the aircraft and have it available for inspection.
- (j) Air operator certificate— Each 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 a copy of the operations specifications.
- (k) Inspection of licence— Each person who holds an airman or crew member licence, medical certificate, or authorisation required by these Regulations shall present it for inspection upon a request from—
 - (1) The Authority; or
 - (2) Any national or local law enforcement officer.

1.030 CHANGE OF NAME

A holder of a licence or certificate issued under these Regulations may apply to change the name on a licence or certificate. The holder shall include with any such request—

- (1) The current licence or certificate; and
- (2) A copy of the marriage licence, court order, or other document verifying the name change.

The Authority will return to the airman the documents specified under paragraph (a) of this subsection.

1.035 CHANGE OF ADDRESS

The holder of an licence or certificate who has made a change in permanent mailing address may not, after 30 days from that date, exercise the privileges of the licence or certificate unless the holder has notified 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.

1.040 REPLACEMENT OF A LOST OR DESTROYED DOCUMENT

- (a) An applicant who has lost or destroyed one of the following documents issued under these Regulations shall request a replacement in writing from the office designated by the Authority—
 - (1) An airman licence;
 - (2) A medical certificate; or
 - (3) A knowledge test report.
- (b) The airman or applicant shall state in the request letter—
 - (1) The name of the airman or applicant;
 - (2) The permanent mailing address, or if the permanent mailing address includes a post office box number, the person's current residential address;
 - (3) The national identification number (or equivalent);
 - (4) The date and place of birth of the airman or applicant; and
 - (5) Any available information regarding the—
 - (i) Grade, number, and date of issuance of the licence, and the ratings, if applicable;
 - (ii) Date of the medical examination, if applicable; and
 - (iii) Date the knowledge test was taken, if applicable.
- (c) After receiving a facsimile from the Authority confirming that the lost or destroyed document was issued, an airman may carry the facsimile in lieu of the lost or destroyed document for up to 60 days pending the airman's receipt of a duplicate document.

1.045 FALSIFICATION, REPRODUCTION OR ALTERATION OF REQUIRED DOCUMENTS

- (a) No person may make or cause to be made concerning any licence, certificate, rating, qualification, or authorisation, application for or duplicate thereof, issued under these Regulations—
 - (1) Any fraudulent or intentionally false statement;
 - (2) 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;
 - (3) Any reproduction for fraudulent purpose; or
 - (4) Any alteration.
- (b) Any person who commits any act prohibited under paragraph (a) of this Section may have his or her airman licence, rating, certificate, qualification, or authorisation revoked or suspended.

1.050 SURRENDER, SUSPENSION OR REVOCATION OF LICENCE OR CERTIFICATE

- (a) Any licence or certificate issued under these Regulations ceases to be effective if it is surrendered, suspended, or revoked.
- (b) The holder of any licence or certificate issued under these Regulations that has been suspended or revoked shall return that licence or certificate to the Authority when requested to do so by the Authority.

1.055 REAPPLICATION AFTER REVOCATION

Unless otherwise authorised by the Authority, a person whose licence, certificate, rating, or authorisation has been revoked may not apply for any licence, certificate, rating, or authorisation for 1 year after the date of revocation.

1.060 REAPPLICATION AFTER SUSPENSION

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

1.065 VOLUNTARY SURRENDER OR EXCHANGE OF LICENCE

- (a) The holder of a licence or certificate issued under these Regulations may voluntarily surrender it for—
 - (1) Cancellation;
 - (2) Issuance of a lower grade licence; or
 - (3) Another licence with specific ratings deleted.
- (b) 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."*

1.070 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—

- (1) 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
- (2) 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.

1.075 DRUG & ALCOHOL TESTING & REPORTING

- (a) An employee 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—
 - (1) Be denied any licence, certificate, rating, qualification, or authorisation for a period of up to 1 year after the date of such refusal; and
 - (2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.
- (b) Any person subject to these Regulations who is convicted for the violation of any domestic legislation relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, may—
 - (1) 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
 - (2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.
- (c) Any 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 refuses to furnish or to authorise the release of the test results requested by the Authority may—
 - (1) 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
 - (2) Have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or revoked.

SUBPART C: VALIDATION OR CONVERSION OF OFFICIAL DOCUMENTS

1.080 VALIDATION OR CONVERSION: GENERAL

- (a) The Authority may, with prescribed restrictions and after a process of technical evaluation and confirmation, use a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State

as the basis for the issuance of a certificate, licence, approval, designation or authorisation containing the same or more restrictive privileges.

- (b) The Authority may not use the process of validation to abdicate its responsibility to ensure that the source documents used are valid and were issued in accordance with applicable ICAO Standards.
- (c) The Authority may conduct any additional test or inspection deemed technically or administratively necessary to confirm the competency of the holder and the validity of the certificate, licence, approval, designation or authorisation.
- (d) The Authority will not use a document issued by another ICAO Contracting State through the process of validation as the primary basis for issuance of a Bahamian certificate.

1.085 TERM OF VALIDITY

- (a) Each certificate, licence, approval, designation or authorisation issued by the Authority through a validation process is subject to the same procedures for modification, suspension, revocation or termination applicable to other documents issued by the Authority.
- (b) Unless otherwise prescribed, each certificate, licence, approval, designation or authorisation issued by the Authority through a validation process will become invalid when the document used as the basis of issuance becomes invalid, non-current, or expires or is suspended or revoked by the ICAO Contracting State that originally issued it.
- (c) The Authority must notify the Authority of the other ICAO Contracting State if, through the processes of certification, inspection, observation or investigation, the Authority determines that the holder of a certificate, licence, approval, designation or authorisation issued through the processes of validation is—
 - (1) No longer qualified or competent to hold that document;
 - (2) Not in conformance with the applicable ICAO Standards or national regulations applicable to that document; or
 - (3) Engaged in sub-standard practices with respect to the international safety practices relevant to that document.

1.090 HOLDERS OF VALIDATED DOCUMENTS

- (a) No act of validation by the Authority relieves the holder of the certificate, licence, approval, designation or authorisation from conformance with these Schedules or the applicable laws of the ICAO Contracting State that issued the original document.
- (b) No act of validation by the Authority relieves the holder of the certificate, licence, approval, designation or authorisation from inspection and verification by the Authority for continued competency and conformance with the original basis for issuance.
- (c) The holder of a certificate, licence, approval, designation, or authorisation issued through the process of validation shall submit to any additional test or inspection deemed technically or administratively by the Authority to ensure the continued validity and competency of the holder of the certificate, licence, approval, designation or authorisation.

1.095 VALIDATION OF TYPE CERTIFICATES & SUPPLEMENTAL TYPE CERTIFICATES

With the exception of experimental or restricted certificates of airworthiness, all certificates of airworthiness issued by the Authority will conform to the Type Certificate and Supplemental Type Certificates issued by the State of Design or Manufacture.

1.100 VALIDATION OF CERTIFICATES OF AIRWORTHINESS

Certificates of Airworthiness issued by the Authority may use as the primary basis for original issuance another ICAO Contracting State's certificate, but the continued validity of the Bahamian certificate of airworthiness will not be linked to the other State's certificate.

1.105 VALIDATION OF MEDICAL CERTIFICATES

Medical certificates issued by the Authority with validation of another ICAO Contracting State's certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.110 VALIDATION OR CONVERSION OF AIRMAN LICENCES & RATINGS

- (a) Airman licences ratings and limitations issued by the Authority to citizens and of The Bahamas with conversion of another ICAO Contracting State's certificate as the primary basis for issuance will not be linked to the continued validity of the other State's certificate.
- (b) Airman licences, ratings and limitations issued to persons not citizens of The Bahamas with validation of another ICAO Contracting State's certificate as the primary basis for issuance will be linked to the continued validity of the other State's certificate.

1.115 VALIDATION OF AIR OPERATOR CERTIFICATES

Validation will not be used by the Authority as the primary basis for issuance of an Air Operator Certificate to a Bahamian entity engaged in commercial air transport.

1.120 VALIDATION OF APPROVED ORGANISATIONS

- (a) The holder of an Approved Maintenance Organisation Certificate issued by another ICAO Contracting State may be authorised by the Authority to perform maintenance and repair of aircraft registered in The Bahamas (or operated by the holder of AOC issued by The Bahamas) using as the primary basis the certificate, privileges and limitations issued by the other State.
- (b) The holder of an Approved Training Organisation Certificate issued by another ICAO Contracting State may be authorised by the Authority to provide training facilities, equipment, simulators, instructors and examiners to airmen and operators of The Bahamas, using as the primary basis the certificate, privileges, designation and limitations issued by the other State.
- (c) Other organisations approved by an ICAO Contracting State may be authorised by the Authority to provide services to airmen and operators of The Bahamas, using as the primary basis the certificate, privileges and limitations issued by the other State.
- (d) The authorisations issued to these Approved Organisations by the Authority through the process of validation are linked to the continued validity of the certificates, privileges and limitations issued by the other State.

1.125 VALIDATION OF APPROVALS, AUTHORISATIONS & DESIGNATIONS

- (a) Documents, facilities, equipment, training devices, simulators separately approved by an ICAO Contracting State through a technical certification process, and subject to continued inspection or revalidation, may be separately approved by the Authority for use of airmen and operators of The Bahamas, using as the primary basis the approval, privileges and limitations issued by the other State.
- (b) Personnel holding an authorisation from an ICAO Contracting State to perform certain functions on behalf of the Authority of that State, based on acceptable technical requirements, qualification processes and subject to continued inspection, may be authorised by the Authority for use of airmen and operators of The Bahamas, using as the primary basis the authorisation, privileges and limitation issued by the other State.
- (c) Personnel holding a designation from an ICAO Contracting State to perform certain functions on behalf of the Authority of that State, based on acceptable technical requirements, qualification processes and subject to continued inspection, may be designated by the Authority for use of airmen and operators of The Bahamas, using as the primary basis the designation, privileges and limitations issued by the other State.
- (d) The approvals, authorisations and designations issued by the Authority through the process of validation are linked to the continued validity of the approvals, authorisations and designations issued by the other State.

SUBPART D: ENFORCEMENT OF THESE REQUIREMENTS

1.130 APPLICABILITY

This Subpart outlines the delegation of responsibility and empowerment to the Authority, under the Civil Aviation Act, to ensure compliance with these Regulations and Schedules through formal processes including factual investigation and, where necessary, enforcement or criminal penalties.

1.135 INDIVIDUAL REGULATORY COMPLIANCE REQUIRED

- (a) A person who without reasonable excuse fails to comply with any requirement of these Regulations and Schedules shall be subject to enforcement, following a formal investigation and judicial process.
- (b) Such enforcement may result in, depending on the circumstances and mitigating factors—
 - (1) Revocation of a licence, certificate, authorisation or privilege;
 - (2) Suspension of a licence, certificate, authorisation or privilege;
 - (3) Monetary fines, in coordination with and separate from other penalties; and/or
 - (4) Criminal penalties.

1.140 MINIMUM ACCEPTABLE STANDARDS REQUIRED

- (a) These Regulations and Schedules specify minimum standards for the purpose of issuance of licences, certificates, authorisations, and privileges.
- (b) A person, aircraft, component or organisation that is the holder of a licence, certificate, authorisation or privilege issued by the Authority shall continue to meet the minimum standards required for original issuance.
- (c) If the holder of a licence, certificate, authorisation or privilege is unable to meet the minimum standards for original issuance of that document, they shall surrender that document to the Authority.
- (d) If the Authority becomes aware that the holder of licence, certificate, authorisation or privilege no longer meets the minimum standards to hold that document, it may seek, depending on the circumstances, mitigating factors and risk to air safety—
 - (1) An emergency suspension of the licence, certificate, authorisation or privilege in the interest of public safety;
 - (2) A suspension of the licence, certificate, authorisation or privilege;
 - (3) A revocation of the licence, certificate, authorisation or privilege;
 - (4) Monetary fines;
 - (5) Variance to an existing licence, certificate, authorisation or privilege;
 - (6) Re-examination of the basis for issuance of the licence, certificate, authorisation or privilege; or
 - (7) Issuance of a Prevent Flying Order to prevent an imminent safety of flight situation.

1.145 ADMINISTRATIVE HANDLING AUTHORISED

- (a) In lieu of the requirements of Sections 1.135 and 1.140, if the Authority determines that it is possible to achieve immediate and lasting compliance with the requirements and minimum standards of these Regulations through the administrative handling, such handling is permissible provided that it—
 - (1) Is in accordance with procedures prescribed by the Authority;
 - (2) Involves a formal written record; and
 - (3) That record of the resolution is retained.
- (b) Variance of a previously issued formal authorisation or approval is permissible through administrative handling, and this variance may be issued as a formal record and is effective—
 - (1) Immediately and without appeal if determined to be necessary in the interest of public safety; or
 - (2) Following a 20 business-day period to allow an appeal of the basis to the Authority.

1.150 REPORTS OF VIOLATIONS

- (a) Any person who knows of a violation of the Civil Aviation Act, these Regulations or these Schedules shall report it to the Authority.
- (b) Each report made under this Section together with any other information the Authority may have that is relevant to the matter reported will be reviewed by the Authority to determine the nature and type of any additional investigation or enforcement action the Authority will take.
- (c) Complaints submitted to the Authority under paragraph (a) shall be in a form and manner prescribed by the Authority.

1.155 INVESTIGATIONS: GENERAL

- (a) If the Authority determines through inspection, incident, accident or any other method that a non-compliant situation described in Sections 1.135 and 1.140 may exist, they shall complete a formal investigation.
- (b) Under the Civil Aviation Act, the Director, or his authorised representative, may conduct investigations, hold hearings, issue subpoenas, require the production of relevant documents, records, and property, and take evidence and depositions.
- (c) A formal investigation report, complete with the recommendations for resolution of the matter, shall be forwarded to the Director for subsequent action to resolve the non-compliant situation.
- (d) The process for the subsequent formal administrative, enforcement or criminal action, including any appeals, shall be subject to the Civil Aviation Act.

1.160 ADMINISTRATIVE ACTION FOLLOWING INVESTIGATION

- (a) If it is determined that a violation or an alleged violation of the Civil Aviation Act, these Regulations or these Schedules, is appropriate for administrative handling, the Authority may take administrative action by one of the following—
 - (1) 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
 - (2) 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 Section 1.175.
- (b) An administrative action under this Section does not constitute a formal adjudication of the matter.

1.165 CIVIL PENALTIES

- (a) Any person, other than a person conducting an operation in domestic commercial air transport or international commercial air transport, who violates any provision of the Civil Aviation Act, these Regulations or Schedules, is subject to a civil penalty imposed by the Authority in accordance with the provisions of the Civil Aviation Act and these Regulations.
- (b) Any person conducting an operation in domestic commercial air transport or international commercial air transport, who violates any provision of the Civil Aviation Act, these Regulations or these Schedules, is subject to a civil penalty imposed by the Authority in accordance with the provisions of the Civil Aviation Act.
- (c) Civil penalties may be assessed instead of or in addition to any licence or certificate action.

1.170 LICENCE OR CERTIFICATE ACTION

- (a) Suspension or revocation of a licence or certificate for violation of these Regulations—
 - (1) The holder of any licence or certificate issued under these Regulations who violates any provision of the Civil Aviation Act, as amended, or these Regulations or Schedules, is subject to suspension or revocation of the licence or certificate, in accordance with the provisions of the Civil Aviation Act and these Regulations;

- (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.
- (b) Re-examination or re-inspection of a certificate or licence for lack of qualification—
- (1) Under the Civil Aviation Act, these Regulations or Schedules, 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 by the Authority;
 - (2) 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.
- (c) *Notice and opportunity to be heard.* Unless safety in air transport requires immediate action, prior to a final determination under this Section, 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.
- (d) *Reapplication after revocation.* Unless otherwise authorised by the Authority, a person whose licence, certificate, rating, or authorisation has been revoked may not apply for any licence, certificate, rating, or authorisation for 1 year after the date of revocation.
- (e) *Reapplication after suspension.* Unless otherwise authorised by the Authority, a person whose licence has been suspended may not apply for any licence, rating, or authorisation during the period of suspension.

1.175 CRIMINAL PENALTIES

- (a) The Civil Aviation Act establishes criminal penalties for any person who knowingly and wilfully violates specified provisions of the Act, these Regulations or order issued thereunder.
- (b) If the Authority becomes aware of a possible violation of any criminal provision of the Civil Aviation Act that is under the jurisdiction of another Bahamian government agency, the Authority shall immediately report it to the appropriate agency in a manner prescribed by both government agencies.

1.180 DETENTION 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 detention by the Authority in accordance with enforcement procedures set forth by the Authority.

SUBPART E: EXEMPTIONS & DEVIATIONS

1.185 APPLICABILITY

This Subpart prescribes procedures for the issuance, modification and termination of exemptions or deviations from the requirements of the Regulations.

1.190 AUTHORITY TO APPROVE EXEMPTIONS & DEVIATIONS

- (a) The Authority may, in accordance with the procedures contained in this Subpart, approve an exemption or deviation or waiver from these Regulations.
- (b) No person may authorise an exemption, deviation or waiver from the requirements of any Schedule to these Regulations except in accordance with these procedures.

1.195 ACTING ON UNACCEPTABLE AUTHORISATIONS

No person may take, or cause to be taken, an action that contravenes the requirements of any Schedule to these Regulations unless in personal possession of an exemption or deviation that was issued in accordance with the procedures contained in this Subpart.

1.200 APPLICATION: GENERAL INFORMATION

- (a) Each application must be written in English and—
 - (1) Be submitted in duplicate, and for timely consideration, at least 60 days before the requested effective date to the Director;
 - (2) That request must contain, for the applicant, the—
 - (i) Name;
 - (ii) Street address;
 - (iii) Mailing address;
 - (iv) Telephone number;
 - (v) Fax number (optional);
 - (vi) Email address (optional); and
 - (vii) Person designated as an agent of the applicant for all purposes related to the application.
- (b) If the applicant is not a citizen or legal resident of The Bahamas, a designation of a Bahamian agent for service.

1.205 APPLICATION: DESCRIPTION OF PROPOSAL

- (a) The application must include the following information this is relevant to the proposal—
 - (1) A citation of the specific requirement from which the applicant seeks relief;
 - (2) Specification of the types of operations that are to be conducted with this relief;
 - (3) A detailed description of the proposed alternate requirement to meet an equivalent level of safety in the public interest;
 - (4) A specification of the proposed duration or schedule of events for which this relief will be needed;
 - (5) A statement outlining the applicant's basis for seeking relief from compliance with the specified requirements and, if the relief is requested for a fixed period, a description of how compliance will be achieved at the end of this period;
 - (6) If the applicant seeks emergency processing, as statement of the supporting facts and reasons that it is an emergency.

1.210 APPLICATION: JUSTIFICATION OF PROPOSAL

- (a) The application must demonstrate that the alternative proposal—
 - (1) Achieves a level of safety at least equal to that of the requirement of the cited Section of the these Regulations and Schedules; or
 - (2) If a required safety level does not exist, that it is consistent to with public interest.
- (b) At a minimum the application must provide the following—
 - (1) Information describing relevant incidents or accident experience of which the applicant is aware that relates to the application;
 - (2) A statement identifying any increased risk to safety or property that may result if the alternative proposal is granted and a description of the measures to be taken to address that risk; and
 - (3) Substantiation that the argument for public safety and equivalent level of safety is valid.

1.215 PROCESSING THE APPLICATION

The Authority will—

- (1) Process the application for completeness and accuracy of the information;
- (2) Conduct a technical evaluation of the viability of the proposal; including a determination if a grant of exemption would result in a significant difference with—
 - (i) Current ICAO Standards and Recommended Practices; or
 - (ii) A published and relevant international safety practice;
- (3) If the decision is favourable, publish the proposal, technical evaluation and recommended action to interested parties;
- (4) Consider the comments of the interested parties;
- (5) Make a final decision as to approval or disapproval of the proposal; and
- (6) If the decision is for approval—
 - (i) Issue that decision and approval to the applicant; and
 - (ii) Publish that decision in final form to the interested parties.

1.220 TECHNICAL EVALUATION RESULTS

- (a) The Authority shall conduct a technical evaluation of the proposed alternative method of compliance.
- (b) The person conducting the technical evaluation will author an internal report outlining their findings regarding—
 - (1) The need for the relief from the requirement(s) is valid;
 - (2) Whether an equivalent level of safety is possible;
 - (3) Whether the grant of such an exemption would result in a difference with—
 - (i) Current ICAO Standards and Recommended Practices; or
 - (ii) A published and relevant international safety practices.
 - (4) Whether the approval of the alternative method will be in the public interest; and
 - (5) Recommendations for the final form of a decision.

1.225 PUBLICATION OF PROPOSAL & TECHNICAL EVALUATION

- (a) The Authority shall publish any proposed favourable decision and disseminate this information to—
 - (1) Persons that have previously registered with the Authority as being interested in any exemption or deviation to the requirements of the Civil Aviation which may be approved; and
 - (2) Persons or organisations that have a similar licence, certificate, operations specifications or other form of approval or authorisation that might be affected by the decision.
- (b) These persons or organisations shall have a period of 30 days to respond favourably or unfavourably to the proposed decision in order for their comments to be considered.

1.230 APPLICATION FOR PARTY STATUS

- (a) Other persons or organisations may apply for party status to the specific proposal or approved exemption or deviation at any time during or following the processing of the original proposal.
- (b) That application shall be made in accordance with the procedures of this Subpart as if the application is an original application.

1.235 APPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE

The approval of the exemption or deviation request shall be granted by the Authority by—

- (1) Letter of decision; or
- (2) Operations specifications,

1.240 DISAPPROVAL OF THE ALTERNATIVE METHOD OF COMPLIANCE

The disapproval of the exemption or deviation request shall be accomplished by a letter of decision issued by the Authority.

1.245 PUBLICATION & AVAILABILITY OF DECISION

- (a) The Authority shall publish any exemption or deviation granted through the updating and re-issuance of the Advisory Circular for Exemptions and Deviations to—
 - (1) Persons that have previously registered with the Authority as being interested in any exemption or deviation to the requirements of the Civil Aviation which has been granted;
 - (2) Persons or organisations that have a similar licence, certificate, operations specifications or other form of approval or authorisation; and
 - (3) New applicants for a licence, certificate, operations specifications or related form of approval or authorisation.
- (b) The Authority shall publish any exemption or deviation granted that relates to general requirements for the aviation community through the method of the Aeronautical Information Publication of The Bahamas.
- (c) The Authority shall provide notification to ICAO of any exemption or deviation granted that results in a difference to ICAO Standards and Recommended Practices.

SUBPART F: ADDITION OR REVISION TO THESE REQUIREMENTS

1.250 APPLICABILITY

- (a) This Subpart prescribes procedures for the addition, amendment or deletion of requirements to these Schedules to—
 - (1) Maintain conformance to the applicable ICAO Annex Standards;
 - (2) Incorporate the applicable ICAO Annex Recommended Practices;
 - (3) Incorporate published and relevant international safety practices critical to aviation safety;
 - (4) Incorporate requirements specific to The Bahamas aviation environment identified as necessary to the public interest and safety; and
 - (5) Replace or delete requirements that are no longer applicable.
- (b) Interested parties of The Bahamas aviation community are invited to submit proposed regulatory requirements for inclusion in the rule making process.

1.255 AUTHORITY TO DEVELOP & APPROVE RULE MAKING

- (a) The Authority may, in accordance with the procedures contained under this Subpart, develop the technical text and supporting documentation necessary to the proposed addition, revision or deletion of requirements.
- (b) The Director shall publish a Notice of Proposed Rule Making (NPRM) to the aviation community and the general public and process the public comments.
- (c) The Director may, as an interim measure and in the interest of public safety or to meet The Bahamas international aviation obligations, publish a Special Regulation to place a requirement in force pending completion of the NPRM process.
- (d) The Minister with the portfolio for aviation safety oversight may, upon determination that the proposed requirement conforms to one or more of the objectives of Section 1.250, sign the measure into force.

1.260 ISSUANCE OF A SPECIAL REGULATION

- (a) A special regulation may be issued by the Director when—
 - (1) An emergency in the public interest has been identified; or
 - (2) A new ICAO Standard has become effective and the time period for notification of any possible differences has been initiated.
- (b) The text of the special regulation shall contain—
 - (1) The Special Regulation number and title;

- (2) A descriptive paragraph summarizing the requirements;
 - (3) Identification of the objective(s) of Section 1.250 that are the basis for initiation of the NPRM;
 - (4) The background resulting in the issuance;
 - (5) The text of the requirements;
 - (6) The effective date of the requirements; and
 - (7) The transition period for conformance with the requirements.
- (c) The requirements of a special regulation shall cease to be effective—
- (1) When the requirements have been incorporated into Bahamian law through the rule making process described in this Subpart;
 - (2) Upon repeal by the Authority; or
 - (3) After 12 months, whichever occurs first.

1.265 RESPONSIBILITY FOR CURRENCY OF THESE REQUIREMENTS

- (a) The Authority is responsible for the assessing the need for an addition, revision or deletion of the aviation regulatory requirements to meet the objectives of Section 1.250 through continuing review of the—
- (1) ICAO Annexes;
 - (2) Relevant requirements of mature safety oversight organisations; and
 - (3) Published and relevant international aviation safety practices.
- (b) The Authority shall ensure that The Bahamas aviation requirements continue to be in conformance with the applicable ICAO Annex Standards and Recommended Practices and that all notification requirements that are associated with the content and differences of The Bahamas requirements are completed within the prescribed time periods.
- (c) The Authority shall ensure that, with regard to international aviation safety practices, The Bahamas aviation requirements are maintained in a status that will allow the holder of a Bahamas licence, certificate or authorisation to be accepted in other States.
- (d) The Authority shall develop and publish an NPRM for all rule making projects that add or upgrade requirements to the aviation Regulations and Schedules.
- (e) The Authority may, when the criteria for issuance exist, issue a Special Regulation that is effective before or during the issuance of an NPRM and the rule making comment period.

1.267 INCORPORATION OF STANDARDS BY REFERENCE

- (a) The Authority may incorporate, by reference, an implementing standards document in support of the requirements of these Schedules—
- (1) Where these standards are necessary for compliance with the ICAO Standards and Recommended Practices or critical relevant international safety practices;
 - (2) Where it is determined that these standards should be provided in a single consolidated reference document; and/or
 - (3) Where the inclusion of the text of these standards would be too lengthy or incompatible with the formatting of these Schedules.
- (b) Except as provided under paragraph (c), the Authority shall not promulgate an implementing standards document or an amendment to this document unless they have followed the processes required in this Subpart for consultations with the aviation public.
- (c) An implementing standards document or an amendment to the document may be made and brought into effect by the Authority without regard to paragraphs (a) and (b) where the standards or amendment is urgently required to ensure aviation safety or the safety of the public.

1.270 PUBLIC SUBMISSION OF PROPOSED REQUIREMENT

- (a) A regulated entity may submit a proposed requirement for inclusion in the NPRM process.
- (b) The submission must be written in English and submitted in duplicate to the Director detailing the following—
 - (1) The proposed text of the requirement;
 - (2) The supporting background and basis for the request; and
 - (3) Why the requirement would be in the public interest.
- (c) That request must contain, for the applicant, their—
 - (1) Name;
 - (2) Street address;
 - (3) Mailing address;
 - (4) Telephone number;
 - (5) Fax number (optional); and
 - (6) Email address (optional).
- (d) The sponsor of this proposed requirement must be a citizen or legal resident of The Bahamas.
- (e) The Authority shall conduct an evaluation of the proposed requirement and take the following action(s)—
 - (1) Notify the sponsor of the results of the evaluation; and
 - (2) If the proposal meets one or more of the objectives of Section 1.250, publish an NPRM.

1.275 DESCRIPTION OF RULE MAKING PROPOSAL

The NPRM must include the following information this is relevant to the proposed rule making—

- (1) The Control Number issued by the Authority for tracking of NPRM and comments;
- (2) A descriptive paragraph summarizing the proposed requirements;
- (3) Identification of the objective(s) of Section 1.250 that are the basis for initiation of the NPRM;
- (4) The background for initiating development of the proposed text;
- (5) The proposed number and header of the requirement(s);
- (6) The proposed text of the requirement;
- (7) The address to which comments may be submitted;
- (8) The time periods and deadlines for submission of comments; and
- (9) The manner in which the comments will be summarised and provided to the public.

1.280 DISTRIBUTION OF THE NPRM

- (a) The Authority shall distribute a copy of the NPRM to all interested parties.
- (b) Licence and certificate holders regulated by the Authority shall be provided a copy of the NPRM and invited to provide formal written comments regarding the proposed regulatory requirements.

1.285 CONSIDERATION OF COMMENTS OF REGULATED ENTITIES

- (a) After the comment period has expired, the Authority shall conduct a technical evaluation of the comments that considers, with regard to the objectives of Section 1.250, if—
 - (1) The original basis for issuance met one or more of those objectives;
 - (2) The original text of the proposed requirement exceeds those objectives;
 - (3) Any other recommended alternative course of action would also meet those objectives; or
 - (4) The recommendations would fail to meet one or more of those objectives.
- (b) If the commentors provide alternative recommendations that would also meet the objectives of Section 1.250, each of these recommendations will be compared to the NPRM requirement proposed by the Authority.

- (c) Each comment that meets the objectives of Section 1.250 shall be assessed separately to determine if that recommended revision to the original text would—
 - (1) Improve or clarify the requirement;
 - (2) Result in a similar level of safety and cost effectiveness;
 - (3) Result in a significant difference with ICAO Standards and Recommended Practices;
 - (4) Be in conflict with a published and relevant international safety practice; or
 - (5) Exceed the original NPRM requirements in complexity or costs.
- (d) Before completing this evaluation process, the Authority may also elect to—
 - (1) Hold public meetings of regulated entities to discuss and obtain more comments;
 - (2) Publish a revised NPRM to include revisions resulting from consideration of the comments and recommendations; or
 - (3) Withdraw the NPRM.
- (e) Before the proposed regulatory requirement becomes effective, the Authority shall publish a report of this evaluation and provide to each commentor to the original NPRM.

1.290 PUBLICATION OF PROPOSAL & TECHNICAL EVALUATION

- (a) The new or revised regulation shall contain—
 - (1) The regulation number and title;
 - (2) The text of the requirements;
 - (3) The effective date of the requirements; and
 - (4) The transition period for conformance with the requirements.
- (b) Where possible, these requirements shall also be incorporated into these Regulations and Schedules in their proper numerical location and the revisions shall be identified by change bars on the left margin of the text.
- (c) The proposed new or revised regulation shall be provided to the Attorney-General for processing and publication through the Government Printing Office.

1.295 PUBLICATION & AVAILABILITY OF REQUIREMENTS

- (a) The Authority shall ensure that any regulatory requirement that becomes legally effective is provided in digital or hard copy form to—
 - (1) Persons that have previously registered with the Authority as being interested in being advised when aviation requirements have been promulgated, amended or repealed;
 - (2) Persons or organisations that have a similar licence, certificate, operations specifications or other form of approval or authorisation; and
 - (3) New applicants for a licence, certificate, operations specifications or related form of approval or authorisation.
- (b) The Authority shall publish any regulation amendment that relates to general requirements for the aviation community through the method of the Aeronautical Information Publication of The Bahamas.
- (c) The Authority shall provide notification to ICAO of any regulation amendment that contains a significant difference to an ICAO Standard or Recommended Practice.

SUBPART G: AUTHORISED PERSONS

1.300 APPLICABILITY

This subpart outlines the delegation of responsibility and authority to the Authority to ensure compliance with these Regulations.

1.305 AUTHORISED PERSONS

- (a) The Authority may designate “authorised persons” to conduct functions on their behalf.
- (b) The aviation inspectors assigned to the Authority shall have the status of authorised persons under these Regulations and shall be issued a unique credential for the performance of their functions.
- (c) No person may possess or use these aviation inspector credentials unless he is—
 - (1) Employed by the Government of The Bahamas to perform the functions related to oversight; and
 - (2) Using the credential in the performance of a specific oversight function required by the Authority.
- (d) For the purpose of exercising his responsibilities under these Regulations, the authorised person shall carry at all times the means of identification specified in paragraph (b).

1.310 POWERS OF AUTHORISED PERSONS

- (a) An authorised person has the power as delegated by the Authority to—
 - (1) Carry out audits or surveillance activities;
 - (2) Enter and inspect any aerodrome, hanger or other place (at which an aircraft is located or stored), aircraft or any organisation performing tasks and services related to aviation safety;
 - (3) Inspect any aircraft, aircraft equipment, components, materials, facilities, personnel or crew members for the purpose of ensuring compliance with these Regulations;
 - (4) Require any person to produce documents or any other article subject to these Regulations;
 - (5) Inspect and copy any certificate, licence, logbook, document or record which he has the power pursuant to these Regulations and any directions issued thereunder to require to be produced to him;
 - (6) Detain the flying of an aircraft in the interest of public safety when an imminent safety of flight situation exists regarding the airworthiness of the aircraft and operational capability of its crew; and
 - (7) Cause such re-examinations, evaluations, inspections, investigations, tests, experiments, and flight trials to be made as deemed necessary to ensure compliance with these Regulations.
- (b) No person shall intentionally obstruct or impede any authorised person acting in the exercise of his powers or the performance of his duties under these Regulations.
- (c) No person shall intentionally obstruct or impede any authorised person from accessing, inspecting or copying documents subject to these Regulations.

1.315 RIGHT OF ACCESS FOR INSPECTION

- (a) The Authority, or any authorised person, may conduct inspections, investigations and observations at any time and place that aircraft operations, maintenance, training and other activities subject to these Regulations are in progress.
- (b) The Authority (or any authorised person) shall be given free and uninterrupted right of access—
 - (1) To any place, whether public or private, where an aircraft is located for the purpose of inspecting the aircraft or any document subject to these Regulations;
 - (2) To any aerodrome for the purpose of inspecting the aerodrome or any aircraft on the aerodrome or any document subject to these Regulations;
 - (3) To any aircraft and flight deck compartment, for the purpose of checking while in flight the—
 - (i) Performance of the aircraft or any of its equipment; and
 - (i) The efficiency of flight crew members in the performance of their duties.
- (c) No person may intentionally obstruct or impede any authorised person from access to the locations specified under paragraph (b).

1.320 PROVISION OF DOCUMENTS FOR INSPECTIONS

- (a) Any documents and reports specified by these Regulations and Schedules shall be provided to an authorised person upon his request for such information.

- (b) Each person involved or participating in an aviation activity shall, within a reasonable time after being requested to do so by an authorised person, provide the licences, certificates and documents which he is required to have, carry, complete or preserve during the course of his activities.
- (c) For the purpose of this subsection, a reasonable time is considered to be—
 - (1) At the time of the request, for documents required to be—
 - (i) Carried on the person; or
 - (ii) On board the aircraft during flight.
 - (2) During normal business hours, for documents required to be—
 - (i) Completed and retained at an aerodrome;
 - (ii) Completed and retained at the administrative facilities; or
 - (iii) Preserved.

1.325 PRESERVATION OF REPORTS, DOCUMENTS & RECORDS

- (a) Any reports or documents generated during activities subject to these Regulations shall be made within time, comply with the methods, and shall contain such information as is specified by relevant Schedules of these Regulations.
- (b) A person assigned under these regulation and these Schedules to preserve any document or record shall continue to preserve that document or record until such time as the responsibility may be transferred to another assigned person.

SUBPART H: DESIGNATED REPRESENTATIVES

1.330 APPLICABILITY

- (a) This Subpart prescribes the general requirements and administrative rules for designating private persons to act as representatives of the Authority in evaluating, examining, inspecting, and testing persons, aircraft and organisations for the purpose of issuing licences, certificates or authorisations.

1.335 FORMAL PROCESS

- (a) All actions in the nomination, selection, designation, supervision and termination of designated representatives of the Authority shall conform to a formal process of policies and procedures.

1.340 SELECTION

- (a) The Authority may select designated representatives from persons with appropriate technical qualifications to perform in the required function(s).
- (b) The selected person must submit an application in a form and manner prescribed by the Authority.
- (c) The Authority will assess the experience, training and commitment of these persons before issuing a designation to perform on behalf of the Authority. This assessment shall determine if the nominated designee—
 - (1) Has sufficient facilities, resources, and personnel, to perform the functions for which authorisation is requested;
 - (2) Has sufficient experience with the requirements, processes, and procedures of the Authority to perform the functions for which authorisation is requested; and
 - (3) Has sufficient, relevant experience to perform the functions for which authorisation is requested.

1.345 CERTIFICATION

- (a) A “Certificate of Authority” shall be issued to each designee specifying the kinds of designation for which the person concerned is qualified and stating an expiration date.
- (b) Each designee shall also be provided a “Certificate of Designation” for display purposes, designating the holder as an authorised person and specifying the kind of designation for which he is qualified.

1.350 DURATION OF CERTIFICATES

- (a) Unless sooner terminated, the designation is effective until the expiration date listed on the designation document.
- (b) No designation will give an expiration date exceeding 24 calendar months after the date it is issued.
- (c) The designation may be renewed for additional periods at the Authority's discretion. A renewal is effected by a letter and issuance of a new document specifying the renewal period.
- (d) A designation made under this Subpart terminates—
 - (1) Upon the written request of the representative;
 - (2) Upon the written request of the employer in any case in which the recommendation of the employer is required for the designation;
 - (3) Upon the representative being separated from the employment of the employer who recommended him for certification;
 - (4) Upon a finding by the Authority that the representative has not properly performed his duties under the designation;
 - (5) Upon the assistance of the representative being no longer needed by the Authority; or
 - (6) For any other reason the Authority considers appropriate.

1.355 REPORTS

- (a) The designated representative shall make such reports as are prescribed by the Authority.
- (b) The designated representative shall retain a copy of all documentation issued in the performance of his designation in a location suitable to the Authority.

1.360 PRIVILEGES

- (a) A designated representative may, within limits prescribed by, and under the general supervision of the Authority as appropriate to and within the limits of his designation—
 - (1) Perform authorised functions at any authorised location;
 - (2) Accept applications;
 - (3) Conduct evaluations, examinations, tests and/or inspections;
 - (4) Issue or deny licences or authorisations;
 - (5) Approve technical documents; and/or
 - (6) Charge a fee for his or her services.

1.365 INSPECTION

- (a) The Authority, at any time and for any reason, may inspect a designated representative in the performance of his authorised functions and his records.
- (b) The designated representative shall allow the Authority unrestricted access to his location, personnel, records and function in support of the requirement under paragraph (a).
- (c) To facilitate inspections, the designated representative shall provide the Authority with timely prior notification of the time and location where the performance of an authorised function is planned.

SUBPART I: SERVICE PROVIDER SAFETY MANAGEMENT SYSTEMS

1.370 APPLICABILITY

- (a) This Subpart is applicable to organisations which are certificated by the Authority or otherwise under the safety oversight of the Authority.

1.375 SAFETY MANAGEMENT SYSTEM IMPLEMENTATION REQUIRED

- (a) The following organisations shall implement a Safety Management System (SMS) in support of the State Safety Program of The Bahamas—
- (1) Approved training organisations certificated in accordance with Schedule 9 of these Regulations that are exposed to safety risks related to aircraft operations during the provision of their services;
 - (2) Operators of aeroplanes or helicopters certificated in accordance with Schedule 12 of these Regulations, to conduct international commercial air transport, including any maintenance activities not conducted by an approved maintenance organisation;
 - (3) Approved maintenance organisations certificated in accordance with Schedule 6 of these Regulations and providing services to operators of aeroplanes or helicopters engaged in international commercial air transport;
 - (4) Air traffic services providers, including the related services that come under the authority of the ATS provider or those aspects of the services with direct operational implications;
 - (5) International general aviation operators of large or turbojet aeroplanes based in The Bahamas;
 - (6) Operators of aerodromes certificated in accordance with Schedule 21; and
 - (7) Any other organisation identified by the Authority as having sufficient complexity and risk to warrant an SMS.

1.380 SAFETY MANAGEMENT SYSTEM FRAMEWORK

- (a) The SMS of a service provider shall—
- (1) Be established in accordance with the framework elements outlined in Appendix 1 through 5 of 1.380; and
 - (2) Be commensurate with the size of the service provider and the complexity of its aviation products or services.
- (b) The Authority may approve a waiver of some requirements of this framework appropriate to the size and complexity of the organisation, but all SMS shall, as a minimum, include—
- (1) A process to identify actual and potential safety hazards and assess the associated risks;
 - (2) A process to develop and implement remedial action necessary to maintain an acceptable level of safety; and
 - (3) Provision for continuous monitoring and regular assessment of the appropriateness and effectiveness of safety management activities.

APPENDICES

APPENDIX 1 TO 1.015: DEFINITIONS

(a) In addition to the definitions of Section 1.015 and for the purpose of the Civil Aviation Regulation and its Schedules, the following definitions shall apply—

Accelerate-stop distance available (ASDA) means the length of the take-off run available plus the length of stopway, if provided.

Acceptance checklist means 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 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—

(i) A person is fatally or seriously injured as a result of—

(A) Being in the aircraft;

(B) Direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or

(C) 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.

(ii) 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 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

(iii) The aircraft is missing or is completely inaccessible.

Accident investigation authority means the authority designated by a State as responsible for aircraft accident and incident investigations within the context of ICAO Annex 13.

Acclimated means a condition in which a flight crew member has been in a theater for 72 hours or has been given at least 36 consecutive hours free from duty.

Accountable manager means the person acceptable to the Authority who has corporate authority for ensuring that all operations and maintenance 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 Authority for the purposes of the case concerned, in consultation with flight operations or other experts as necessary.

Accredited representative means as relating to an aircraft accident, 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 party. Where the State has established an accident investigation authority, the designated accredited representative would normally be from that authority.

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 these are acts or attempted acts such as to jeopardize the safety of civil aviation and air transport, i.e.—

- (i) Unlawful seizure of aircraft in flight;
- (ii) Unlawful seizure of aircraft on the ground;
- (iii) Hostage-taking on board an aircraft or on aerodromes;
- (iv) Forcible intrusion on board an aircraft, at an airport or on the premises of an aeronautical facility;
- (v) Introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes;
- (vi) 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-C agreement means a reporting plan that establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services or control unit and frequency of ADS-C reports that have to be agreed to prior to the provision of the ADS-C services).

ADS contract means the terms of an ADS agreement will be exchanged between the ground system and the aircraft, specifying under what conditions ADS reports would be initiated, and what data would be contained in the reports.

Advisor means as relating to an aircraft accident, 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/Airport/Heliport 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 air traffic control service for aerodrome traffic.

Aerodrome control tower means a unit established to provide air traffic control service to aerodrome traffic.

Aerodrome/Heliport operating minima means the limits of usability of an aerodrome for—

- (i) Take off, expressed in terms of runway visual range and/or visibility and, if necessary, cloud conditions;
- (ii) Landing in 2D instrument approach operations, expressed in terms of visibility and/or runway visual range and minimum descent altitude/height (MDA/H) and, if necessary, cloud conditions; and
- (iii) Landing in 3D instrument approach operations, expressed in terms of visibility and/or runway visual range and decision altitude/height (DA/H); and as appropriate to the type and/or category of the operation.

Aerodrome/standby reserve means a defined duty period during which a flight crew member is required by an operator to be at an airport for a possible assignment.

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 the 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 (AIP) 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, part, material, or component to be installed thereon.

Aeronautical station (RR S1.81) means a land station in the aeronautical mobile service. In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea.

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—

- (i) Dispensing any economic poison;
- (ii) Dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control; or
- (iii) Engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects.

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 transponders.

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 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 the 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 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 component means any component part of an aircraft up to and including a complete powerplant and/or any operational/emergency equipment.

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 Bahamas.

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 ground-based process that maintains and updates, at standardized intervals, a record of the four dimensional position of individual aircraft in flight.

Aircraft – type of 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.

Air-ground control radio station means an aeronautical telecommunication station having primary responsibility for handling communications pertaining to the operation and control of aircraft in a given area.

Airman means this term refers to—

- (i) 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;
- (ii) Any individual in charge of the inspection, maintenance, overhauling, or repair of aircraft, and aircraft engines, propellers, or appliances; or
- (iii) Any individual who serves in the capacity of flight dispatcher.

Airmanship means the consistent use of good judgment and well-developed knowledge, skills and attitudes to accomplish flight objectives.

Air navigation facility means any facility used in, available for use in, or designed for use in aid of air navigation, including airports, landing areas, lights, any apparatus or equipment for disseminating weather information, for signalling, for radio directional finding, or for radio or other electromagnetic 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.

Airport [See Aerodrome].

Airship means a power-driven lighter than air aircraft.

Air-taxiing means movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt).

Air Taxi AOC Holder means this term applies to operators of aircraft with a maximum passenger seating capacity of 19 or less passengers. For AOC certification purposes, there are three general groupings of these air operators which involve differing requirements based on the complexity of the operation. These groupings are—

- (i) Single Pilot Air Taxi;
- (ii) Basic Air Taxi; and
- (iii) Commuter.

Air traffic means all aircraft in flight or operating on the manoeuvring area of an aerodrome.

Air traffic advisory service means a service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans.

Air traffic control clearance means an 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). May also be called air traffic control unit.

Air traffic control service means a service provided for the purpose of—

- (i) Preventing collisions—
 - (A) Between aircraft; and
 - (B) On the manoeuvring area between aircraft and obstructions; and
- (ii) Expediting and maintaining an orderly flow of air traffic.

Air traffic control unit means a generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Air traffic service means a 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.

Air traffic services unit means a variously, air traffic control unit, flight information centre or air traffic services reporting office.

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. The tag must include the part number, serial number, and current life status of the part. Each time the part is removed from a type certificated product, a new tag must be created or the existing tag must be updated with the current life status. The airworthiness approval tag has two distinct purposes—

- (i) As a certification of release to service of a part, component or assembly after maintenance, preventive maintenance, overhaul or rebuilding; and
- (ii) For shipping of a newly manufactured 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 the following products: aircraft, aircraft engines, propellers, and appliances. An airworthiness directive is mandatory if issued by the State of Design.

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.

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/airport/heliport means an aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or land at the aerodrome/heliport of intended landing where the necessary services and facilities are available, where aircraft performance requirements can be met and which is operational at the expected time of use. Alternate aerodromes/heliports include the following—

- (i) *Takeoff alternate* means an alternate aerodrome/heliport 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.
- (ii) *En-route alternate* means an alternate aerodrome/heliport at which an aircraft would be able to land in the event that a diversion becomes necessary en route.
- (iii) *ETDO en-route alternate* means a suitable and appropriate alternate aerodrome at which an aeroplane would be able to land after experiencing an engine shut-down or other abnormal or emergency condition while en route in an ETDO operation.

(iv) *Destination alternate* means an alternate aerodrome/heliport at which an aircraft would be able to land should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Note.—The aerodrome from which a flight departs may also be an en-route or a destination alternate aerodrome for that flight.

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. (Law).

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—

- (i) Those extremes which can be effectively avoided by means of operating procedures; and
- (ii) 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 and landing operations using instrument approach procedures [*Refer to Instrument Approach Operations – classifications of.*]

Approach and landing phase – helicopters means that part of the flight from 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or from the commencement of the descent in the other cases, to landing or to the balked landing point.

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 Bahamas 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—

- (i) *Regarding flight over the high seas:* The relevant authority of the State of Registry.
- (ii) *Regarding flight other than over the high seas:* The relevant authority of the State having sovereignty over the territory being overflown.
- (iii) *Regarding flight over The Bahamas:* The Bahamas Civil Aviation Authority, which, under the Civil Aviation Act, is responsible for the oversight of civil aviation in The Bahamas.

Approval (as related to Dangerous goods) means an authorisation granted by an appropriate national authority for—

- (i) The transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
- (ii) Other purposes as provided for in the Technical Instructions.

Approval for return to service See *maintenance release*.

Approved continuous maintenance program means a maintenance program approved by the State of Registry.

Approved data means technical information approved by the Authority.

Approved maintenance organisation means an organisation approved by the Authority, in accordance with the Annex (and Schedule 6 of these Regulations), to perform maintenance of aircraft or parts thereof and operating under supervision approved by that State.

Approved standard means a manufacturing, design, maintenance, or quality standard approved by the Authority.

Approved training means training conducted under special curricula and supervision approved by the Authority.

Approved training organisation (ATO) means an organisation approved by and operating under the supervision of the Authority and in accordance with Schedule 9, to perform 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, fuelling, parking or maintenance.

Apron management service means a service provided to regulate the activities and the movement of aircraft and vehicles on an apron.

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 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 of station-referenced navigation aids or within the limits of the capability of self-contained aids, or a combination of these. Area navigation includes performance-based navigation as well as other operations that do not meet the definition of performance-based.

Arresting System means a system designed to decelerate an aeroplane overrunning the runway.

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 channelling the flow of air traffic as necessary for the provision of air traffic services, defined by route specifications that include an ATS or ATC route designator, the track to or from significant points (way points), distance between significant points, reporting requirements, and as determined by the appropriate ATS or ATC authority, the lowest safe altitude.

ATS surveillance service means a term when used to indicate a service provided directly by means of an ATS surveillance system.

ATS surveillance system means a generic term meaning variously, ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft.

Augmented flight crew means a flight crew that has more than the minimum number of flight crew members required by the aircraft type certificate to operate the aircraft to allow a flight crew member to be replaced by another qualified flight crew member for in-flight rest.

Authorised instructor means a person who—

- (i) Holds a valid ground instructor certificate issued under Schedule 8 when conducting ground training;
- (ii) Holds a current flight instructor certificate issued under Schedule 8 when conducting ground training or flight training; or

(iii) Is authorised by the Authority to provide ground training or flight training under any of these Schedules.

Authorised person means persons with delegated authority under law with responsibility to perform aviation safety supervision tasks, including evaluations, inspections and investigations, on behalf of the State. These persons are employed or designated by the State and assigned to the Authority. These persons may also evaluate, authorise and supervise other qualified persons from the aviation community to perform tasks as “authorised persons”.

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Automatic dependent surveillance – broadcast (ADS-B) a means by which aircraft aerodrome vehicles and other objects can automatically transmit and/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) 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 by 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 (ELT(AF)) means an automatically activated ELT which is permanently attached to an aircraft.

Automatic portable ELT (ELT(AP)) means an automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft.

Autonomous runway incursion warning system (ARIWS) means a system which provides autonomous detection of a potential incursion or of the occupancy of an active runway and a direct warning to a flight crew or a vehicle operator.

Aviation personnel means aviation personnel shall include persons whose duties are directly related to ensuring aviation safety and security, aircraft operation, air transport, and air navigation. They shall possess licences and certificates which are issued or validated by the Authority.

Axial ratio means

the ratio, expressed in decibels, between the maximum output power and the minimum output power of an antenna to an incident linearly polarized wave as the polarization orientation is varied over all directions perpendicular to the direction of propagation.

Balloon means a non-power-driven lighter-than-air aircraft.

Balked landing means a landing manoeuvre that is unexpectedly discontinued at any point below the obstacle clearance altitude/height (OCA/H).

Banner means an advertising medium supported by a temporary framework attached externally to the aircraft and towed behind the aircraft.

Banner Towing means the operation of an aircraft for the purpose of towing or displaying an advertisement in-flight.

Basic air taxi means an operator of non-turbojet aircraft having a maximum certificated configuration for 9 or less passengers, that has no more than—

- (i) 5 total aircraft, consisting of no more than 3 different types; and
- (ii) 5 total pilots-in-command,

Basic instrument flight trainer *see flight simulation training device.*

Break means a period free of all duties, which counts as duty, being less than a rest period.

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 means the use of this word is used in these Regulations describes a consecutive period of time.

Calendar day means the period of elapsed time, using Coordinated Universal Time or local time, that begins at midnight and ends 24 hours later in the next midnight.

Calendar month means a 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 a 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. In this context the following are not considered to be passengers—

- (i) A crew member;
- (ii) An operator's employee permitted by, and carried in accordance with, the instructions contained in the Operations Manual;
- (iii) An authorised representative of an Authority;
- (iv) A person with duties in respect of a particular shipment on board.

Carry-on baggage (cabin baggage) means the carry -on baggage means baggage that is taken care of by passengers and is brought along with them into the aircraft cabin during the flight.

Category A means with respect to helicopters, means a multi-engine helicopter designed with engine and system isolation features specified in Part IVB and capable of operations using take-off and landing data scheduled under a critical engine failure concept which assures adequate designated surface area and adequate performance capability for continued safe flight or safe rejected take-off.

Category B means with respect to helicopters, a single-engine or multi-engine helicopter which does not meet Category A standards. Category B helicopters have no guaranteed capability to continue safe flight in the event of an engine failure, and a forced landing is assumed.

Catering stores means all items, other than catering supplies, associated with passenger in-flight services, that includes newspapers, magazines, headphones, audio and video tapes, pillows and blankets, amenity kits;

Catering supplies means food, beverages, other dry stores and associated equipment used on board an aircraft.

Causes means as relating to an aircraft accident or incident, actions, 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.

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.

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.

Changeover 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 airman (aeroplane) means a person who is qualified, and permitted, to conduct an evaluation in an aeroplane, in a flight simulation training device for a particular type aeroplane, for a particular AOC holder.

Check airman (simulator) means a person who is qualified to conduct an evaluation, but only in a flight simulation training device for a particular type aircraft, for a particular AOC holder.

Chief Instructor means a supervisor of training that has the responsibility for the quality of training for a grouping of curriculums approved for the ATO holder.

Chicago Convention means (“Convention”) The Convention on International Civil Aviation concluded in Chicago, U.S.A., in 1944, entered into force in 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 Bahamas means one of the following—

- (i) An individual who is a citizen of The Bahamas;
- (ii) A partnership of which each member is a citizen of The Bahamas; or
- (iii) A corporation or association created or organised and authorised under the laws of The Bahamas.

Civil aircraft means any aircraft other than a military 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.

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.

COMAT means Operator material carried on an operator’s aircraft for the operator’s own purposes.

Commercial air transport operation means an aircraft operation involving the public transport of passengers, cargo or mail for remuneration or hire.

Commercial air transport means an aircraft operation involving the public 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.

Commuter Air Taxi means an operator of non-turbojet aircraft with a maximum passenger seating capacity of 19 or less passengers and—

- (i) A fleet of more than 5 aircraft with a maximum capacity of 9 passengers or less;
- (ii) A fleet of more than 3 different types of aircraft with a maximum capacity of 9 passengers or less; and/or
- (iii) Operating 1 or more aircraft with a maximum passenger capacity of more than 9 passengers.

Competency means a combination of skills, knowledge and attitudes required to perform a task to the prescribed standard.

Competency-Based Training means training that is characterized by 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 in civil aviation means that an individual shall have a technical qualification and management experience acceptable to the Authority for the position served.

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 a 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.

Contaminated runway means a runway is contaminated when a significant portion of the runway surface area (whether in isolated areas or not) within the length and width being used is covered by one or more of the substances listed in the runway surface condition descriptors. (Refer to Annex 14-I)

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.

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 procedure as a continuous descent, without level-off, from an altitude/height at or above the final approach fix altitude/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.

Contributing factors means actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduced the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

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.

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) a means of communication between controller and pilot, using data link for ATC communications.

Control zone means a controlled airspace extending upwards from the surface of the earth to a specified upper limit.

Conversion means the action taken by the Authority in issuing its own licence on the basis of a licence issued by another Contracting State for use on aircraft registered in The Bahamas.

Co-pilot means a licenced 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. A second in command (SIC) is a co-pilot.

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 program of instruction to obtain an airman licence, rating, qualification, authorisation, or currency.

Courseware means instructional material developed for each course or curriculum, including lesson plans, flight event descriptions, computer software programs, audio-visual programs, workbooks, and handouts.

Credit means recognition of alternative means or prior qualifications.

Crew member means a person assigned by an operator to duty on an aircraft during a flight duty period.

Crew Resource Management means a program designed to improve the safety of flight operations by optimizing the safe, efficient, and effective use of human resources, hardware, and information through improved crew communication and co-ordination.

Critical engine means the engine whose failure would most adversely affect the performance or handling qualities of an aircraft.

Critical phases of flight means those portions of operations involving taxiing, takeoff and landing, and all flight operations below 10,000 feet, except cruise flight.

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 that 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 complete training agenda specific to an inspector technical specialty, such as a "baseline" curriculum.

Curriculum Segment means the largest subdivision of a curriculum, generally the specific courses that will be completed.

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 (see definition below) or which are classified according to those Instructions.

Dangerous goods accident means an occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person or major property damage or environmental damage.

Dangerous goods incident means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property or environmental 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. Decision altitude (DA) is referenced to mean sea level and decision height (DH) is referenced to the threshold elevation. For convenience where both expressions are used they may be written in the form "decision altitude/height" and abbreviated "DA/H". (See definition "required visual reference.")

Defined Point—

- (i) **Defined point after take-off (DPATO)** means the point, within the take-off and initial climb phase, before which the Performance Class 2 helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;
- (ii) **Defined point before landing (DPBL)** means the point, within the approach and landing phase, after which the Performance 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 take-off 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 taxiing 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 postal operator means any governmental or non-governmental entity officially designated by a Universal Postal Union (UPU) member country to operate postal services and to fulfil the related obligations arising from the acts of the UPU Convention on its territory

Detect and avoid means the capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action.

Directly in Charge means as applied to an Approved Maintenance Organisation in Schedule 6 - an appropriately licenced person having the responsibility for the work of an approved maintenance organisation that performs maintenance, preventive maintenance, modifications, 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 Director instruction or decision from higher authority.

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.

Dry runway means a runway is considered dry if its surface is free of visible moisture and not contaminated within the area intended to be used.

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 a flight or cabin crew member performs as required by the operator when it is likely to induce fatigue, including but not limited to flight duty period, flight duty, pre- and post-flight duties, administrative work, training, deadhead transportation, aircraft positioning on the ground, aircraft loading, and aircraft servicing.

Duty period means as related to an air operator, a period which starts when flight or cabin crew personnel 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.

EDTO 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.

EDTO-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 EDTO diversion.

Economic poison means any substance or mixture of substances intended for—

- (i) 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 Bahamas may declare to be a pest; and
- (ii) 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.

Electronic Flight Bag (EFB) means an electronic information system for flight crew which allows for storing, updating, delivering, displaying and/or computing digital data to support flight operations or duties.

Element means an integral, subject-oriented (not task-oriented) part of a training, checking, or qualification module.

Elevated heliport means a heliport located on a raised structure on land.

ELT battery expiration date means the date of battery manufacture or recharge plus one half of its useful life. **ELT battery useful life** means 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.

Emergency Locator Transmitter (ELT). A 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. An ELT may be any of the following—

- (i) **Automatic fixed ELT** means an automatically activated ELT which is permanently attached to an aircraft;
- (ii) **Automatic portable ELT** means an automatically activated ELT which is rigidly attached to an aircraft but readily removable from the aircraft;
- (iii) **Automatically deployable ELT** 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;
- (iv) **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.

Engine means a unit used or intended to be used for aircraft propulsion. It consists of at least those components and equipment necessary for functioning and control, but excludes the propeller/rotors (if applicable).

Enhanced ground proximity warning means a forward looking warning system that uses the terrain data base for terrain avoidance.

Enhanced vision system means a system to display electronic real-time images of the external scene achieved through the use of image sensors.

En-route phase means that part of the flight from the end of the take-off and initial climb phase to the commencement of the approach and landing phase.

Equivalent system of maintenance means an AOC holder may conduct maintenance activities through an arrangement with an AMO or may conduct its 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/aeronautical product shall be made by an appropriately licenced aviation maintenance technician or aircraft repair specialists in accordance with Schedule 8, 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 errors or undesired aircraft state.

Estimated off-block time means the estimated time at which the aircraft will commence movement associated with departure.

Estimated time of arrival means for IFR flights, 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. For VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome.

Evaluator means a person employed by a certified Approved Training Organisation who performs tests for licencing, added ratings, authorisations, and proficiency checks that are authorised by the certificate holder's training specification, and who is authorised by the Authority to administer such checks and tests.

Event means an integral, task-oriented part of a training, checking, or qualification module that requires the use of a specific procedure or procedures.

Exercise means a prepared activity for the trainee to support the objectives of the training.

Examiner means any person authorised by the Authority to conduct a pilot proficiency test, a skill or practical test for an airman licence or rating, or a knowledge test under these Regulations.

Exception (as related to dangerous goods) means a provision in ICAO Annex 18 which the Authority may exclude a specific item of dangerous goods from the requirements normally applicable to that item.

Exemption (as related to dangerous goods) means an authorisation, other than an approval, issued by an appropriate national authority providing relief from the provisions of ICAO Annex 18.

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 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 flight over-water means—

- (i) *With respect to aircraft other than helicopters*, a flight over water at a horizontal distance of 93 km (100 nm) or 30 minutes at cruising speed, whichever is greater, away from land suitable for making an emergency landing; and
- (ii) *For 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.

External load means a load that is carried, or extends outside of the aircraft fuselage.

Facility means as used in Schedule 6, a physical plant, including land, buildings, and equipment, which provide the means for the performance of maintenance, preventive maintenance, or alterations of any article.

Factor of overload means the ratio between the specific load weight and weight of the aircraft, expressed in terms of the aerodynamic forces, inertia or impact with the ground.

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 as relates to an aircraft accident, 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 and/or physical activity that can impair a crew member'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—

- (i) It is a management system for an operator to use to mitigate the effects of fatigue in its particular operations;
- (ii) It is a data-driven process and a systematic method used to continuously monitor and manage safety risks associated with fatigue-related error.

Filed flight plan means the flight plan as filed with an air traffic service unit by the pilot or a designated representative, without any subsequent changes.

Final Approach and Takeoff Area (FATO) means a defined area over which the final phase of the approach maneuver to hover or landing is completed and from which the takeoff maneuver is commenced. Where the FATO is to be used by Performance Class 1 helicopters, the defined area includes the rejected takeoff area available.

Final approach segment (FAS) means that segment of an instrument approach procedure in which alignment and descent for landing are accomplished.

Fire resistant means the capability to withstand the application of heat by a flame for a period of 5 minutes.

Fireproof material means the capability to withstand the application of heat by a flame for a period of 15 minutes. 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.

Fish spotting means the operation of an aircraft for the purpose of locating, tracking, and reporting on the location of fish and fish schools, when those operations are conducted as part of a business enterprise or for compensation or hire.

Fit for duty means physiologically and mentally prepared and capable of performing assigned duties at the highest degree of safety.

Flame resistant means as used in these Regulations, means not susceptible to combustion to the point of propagating a flame, beyond safe limits, after the ignition source is removed.

Flammable means as used in these Regulations with respect to a fluid or gas, means susceptible to igniting readily or to exploding.

Flash resistant means as used in these Regulations means not susceptible to burning violently when ignited.

Flight(s) means the period from takeoff to landing.

Flight crew member means a licenced crew member charged with duties essential to the operation of an aircraft during flight time.

Flight data analysis means a process of analysing recorded flight data in order to improve the safety of flight operations.

Flight dispatcher means a person designated by the operator to engage in the control and supervision of flight operations, whether licenced or not, suitably qualified in accordance with Schedule 8 and 14, who supports, briefs, and/or assists the pilot-in-command in the safe conduct of the flight.

Flight duty period means a period which commences when a 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 and there is no intention for further aircraft movement by the same crew member—

- (i) A flight duty period includes the duties performed by the crew member on behalf of the operator that occur before a flight segment or between flight segments without a required intervening rest period;
- (ii) Examples of tasks that are part of the flight duty period include deadhead transportation, training conducted in an aircraft or flight simulator, and airport/standby reserve, if the above tasks occur before a flight segment or between flight segments without an intervening required rest period.

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 and information necessary to the flight crew members for the safe operation of the 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. The term "flight plan" is used to mean variously, full information on all items comprised in the flight plan description, covering the whole route of a flight, or limited information required when the purpose is to obtain a clearance for a minor portion of a flight such as to cross an airway, to take off from, or to land at a controlled aerodrome.

Flight recorder means any type of recorder installed in the aircraft for the purpose of complementing accident/incident investigation. (*See definition "Automatic Deployable Flight Recorder."*)

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 procedures trainer *see flight simulation training device.*

Flight simulation training device means any one of the following three types of apparatus in which flight conditions are simulated on the ground—

- (i) *A flight simulator*, 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;
- (ii) *A flight procedures trainer*, 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;
- (iii) *A basic instrument flight trainer*, which is equipped with appropriate instruments and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions.

Flight simulator *see flight simulation training device.*

Flight status means an indication of whether a given aircraft requires special handling by air traffic services units or not.

Flight 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, with engine(s) shut down if applicable.

Note.—Flight time as here defined is synonymous with the term "block-to-block" time or "chock-to-chock" time in general usage, which is measured from the time an aircraft moves from the loading point until it stops at the unloading point.

Flight time—airplanes 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—gliders 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 time—helicopters. 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.

Note.— Examples are: crew change without stopping the rotors; and rotors running engine wash procedure following a flight. In any case, the time when rotors are running between sectors of a flight is included within the calculation of flight time.

Flight time – instrument means time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points.

Flight time – solo means flight time during which a student pilot is the sole occupant of an aircraft, or that flight time during which the student acts as a PIC of a gas balloon or an airship requiring more than one flight crew member.

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 Bahamas 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 Bahamas, 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.

Foreign Object Debris (FOD) means an inanimate object within the movement area which has no operational or aeronautical function and which has the potential to be a hazard to aircraft operations.

Freight container *see unit load device.*

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—

- (i) 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;
- (ii) 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 3m³. Any other freight container is considered to be a large freight container.

General aviation operation means an aircraft operation of a civil aircraft for other than a commercial air transport operation or aerial work operation.

Ground handling means services necessary for an aircraft's arrival at, and departure from, an airport, other than for air traffic services.

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.

Glider Towing means the operation of an aircraft for the purpose of towing gliders to a launching altitude or to another landing location.

Goods means personal belongings, baggage, cargo, mail, article, thing or conveyance that may be taken or placed on board an aircraft or taken into a restricted area.

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 systems.

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.

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 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.

Helideck means a heliport located on a floating or fixed offshore structure.

Heliport means a n 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 reference point (HRP) means the designated location of a heliport or a landing location.

High speed aural warning means a speed warning that is required for turbine-engined aeroplanes and aeroplanes with a VMO/MMO greater than 0.80 VDF/MDF or VD/MD.

Holdover time means the estimated time de-icing/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.

Home base means the place nominated by the operator to the crew member from where the crew member normally starts and ends a duty periods and at which place, under normal conditions, the operator is not responsible for the accommodation of the crew member concerned.

Hostile environment means an environment in which—

- (i) A safe forced landing cannot be accomplished because surface and surrounding environment are inadequate;
- (ii) The helicopter occupants cannot be adequately protected from the elements;
- (iii) Search and rescue response/capability is not consistent with anticipated exposure; or
- (iv) There is an unacceptable risk of endangering persons or property on the ground.

Housing means as it related to Approved Maintenance Organisations in Schedule 6 - Buildings, hangers, and other structures to accommodate the necessary equipment and materials of a maintenance organisation that—

- (i) Provide working space for the performance of maintenance, preventive maintenance, or alterations for which the maintenance organisation is approved and rated;
- (ii) Provide structures for the proper protection of aircraft, airframes, aircraft engines, propellers, appliances, components, parts, and subassemblies thereof during disassembly, cleaning, inspection, repair, alteration, assembly, and testing; and
- (iii) 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 where used in these Regulations, this is an abbreviation for the International Civil Aviation Organisation.

IFR means when used to designate the instrument flight rules.

IFR flight means a flight conducted in accordance with the instrument flight rules.

IMC means when used to designated 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.

Inspection means the examination of an aircraft or aeronautical product to establish conformity with a standard approved by the Authority.

Instructional Event means a small sequence of training which moves the trainee towards the accomplishment of a particular intermediate objective. The following standardized words will be used in the instructional events—

- (i) **Example** means that the instructor will have prepared examples relating to the subject or use examples that are already included in the course materials;
- (ii) **Demonstrate** means that the instructor will visibly do (or direct) a task that the trainees can follow on the screen;
- (iii) **Discuss** means that the instructor will engage the trainees to participate in a discussion;

- (iv) **Display** means that a slide (or manual page) will be projected for the trainees and will be readable from every trainee's seat; (Display is synonymous with Project.)
- (v) **Locate** means that the instructor or trainee will actually use the Inspector Toolkit to "locate" the appropriate document reference for review;
- (vi) **Provide** means that the instructor will pass out Instructional materials for review including exercises, scenarios or examinations;
- (vii) **Review** means that the a portion of text will be read aloud; and
- (viii) **Trainee** means that the trainee will perform some task.

Instructional Objective means a statement of the expected result of training that includes the conditions and standard or level of performance—

- (i) **Intermediate Objective** means an objective that defines what the trainee is expected to accomplish in terms of knowledge, skills and attitudes at a specified point in a module;
- (ii) **Post-Training Objective** means a performance objective to be accomplished after the trainee has returned to the job. (It completes the transition between formal training and organised on-the-job practice;)
- (iii) **End-of -Module Objective** means a training objective prescribing what the trainee should be able to accomplish upon completing a module in a course. (See Training Outcome)

Instructor-dependent Training means training whereby the responsibility for determining the content of the course, the training material and the mode of delivery depends entirely on choices made by the Instructor. It is repeatable only with the same Instructor.

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—

- (i) A two-dimensional (2D) instrument approach operation, using lateral navigation guidance only; and
- (ii) A three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance.

Note.—Lateral and vertical navigation refers to the guidance provided either by (a) a ground based radio navigation aid; or (b) Computer generated navigation data from ground-based, space-based, self-contained or a combination of these.

Instrument approach operations - classifications of means classifications of instrument approach operations based on the designed lowest operating minima below which an approach operation shall only be continued with the required visual reference as follows—

- (i) Type A: a minimum descent height or decision height at or above 75 m (250 ft); and
- (ii) Type B: a decision height below 75 m (250 ft). Type B instrument approach operations are categorised as—
 - (C) Category I (CAT I) means 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;
 - (D) Category II (CAT II) means a decision height lower than 60 m (200 ft), but not lower than 30 m (100 ft) and a runway visual range not less than 300 m;
 - (E) Category IIIA (CAT IIIA) means a decision height lower than 30 m (100 ft) or no decision height and a runway visual range not less than 175 m;
 - (F) Category IIIB (CAT IIIB) means 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
 - (G) Category IIIC (CAT IIIC) means no decision height and no runway visual range limitations.

Instrument approach procedure 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—

- (i) **Non-precision approach (NPA) procedure** means an instrument approach procedure designed for 2D instrument approach operations Type A;
- (ii) **Approach procedure with vertical guidance (APV)** means a performance based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A;
- (iii) **Precision approach (PA) procedure** means an instrument approach procedure based on navigation systems (ILS, MLS, GLS and SBAS Cat I) designed for 3D instrument approach operations Type A or B.

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 Licencing Authority.

Instrument meteorological conditions 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 requirements of the survival suit and life jacket.

Interchange agreement means a leasing agreement which permits an air carrier 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 Convention on International Civil Aviation.

Investigation means as relates to an aircraft accident or incident, 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 means as relates to an aircraft accident or incident, 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.

Job Aid means a checklist made available on the job expressly designed to facilitate correct performance of the task by extending an employee's capacity to retain and utilize information.

Job Function means a series of steps and sub-tasks that result in completion of a primary job task, such as a ramp inspection.

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 (LDP) means the point used in determining landing performance from which, a power-unit failure occurring at this point, the landing may be safely continued or a balked landing initiated. LDP applies to performance Class 1 helicopters.

Landing location means a marked or unmarked area that has the same physical characteristics as a visual heliport final approach and take-off area (FATO).

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 (12,500 lbs).

Large helicopter means a helicopter with a maximum certificated take-off mass of over 2730 kg.

Licensing Authority means the Authority designated by a Contracting State as responsible for the licensing of personnel.

Note.— In the provisions of this Annex, the Licensing Authority is deemed to have been given the following responsibilities by the Contracting State: a) assessment of an applicant's qualifications to hold a licence or rating; issue and endorsement of licences and ratings; designation and authorisation of approved persons; approval of training courses; approval of the use of flight simulation training devices and authorisation for their use in gaining the experience or in demonstrating the skill required for the issue of a licence or rating; and validation of licences issued by other Contracting States.

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

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 in Schedule 8, **likely** 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.

Lineholder means a crew member who has an assigned flight duty period and is not acting as a reserve crew member.

Line maintenance means any unscheduled maintenance resulting from unforeseen events, or scheduled checks that contain servicing and/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-call reserve means a notification by the operator, prior to beginning of a required rest period, that the crew member is to report for a flight duty period following the completion of the rest period.

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 nm (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 escape manoeuvre.

Mach number indicator means an indicator that shows airspeed as a function of the Mach number.

Maintenance means the performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair.

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

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, either in accordance with the approved data and the procedures described in the maintenance organisation's procedures manual or under an equivalent system.

Major modification means an modification not listed in the aircraft, aircraft engine, or propeller specifications that—

- (i) Might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness; or
- (ii) Cannot be done by elementary operations.

Major repair means a repair that—

- (i) If improperly done might appreciably affect weight, balance, structural strength, performance, powerplant, operations, flight characteristics, or other qualities affecting airworthiness; or
- (ii) 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

- (i) The MMEL may be associated with special operating conditions, limitations or procedures; and
- (ii) The MMEL provides the basis for development, review, and approval by the Authority of an individual operator's MEL.

Materially altered aircraft means aircraft having powerplants installed other than those for which it is certified or alterations to the aircraft.

Maximum diversion time means 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 a Contracting State that the licence holder meets specific requirements of medical fitness.

Medical assessor means a physician, appointed by the Licencing Authority, qualified and experienced in the practice of aviation medicine and competent in evaluation and assessing medical conditions of flight safety significance.

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.

Medical certificate means the evidence issued by the Authority that the licence holder meets specific requirements of medical fitness. It is issued following an evaluation by the Licencing Authority of the report submitted by the designated medical examiner who conducted the examination of the applicant for the licence.

Meteorological information means meteorological report, 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 approach operation or circling approach operation below which descent must not be made without the required visual reference.

Note 1: Minimum descent altitude (MDA) is referenced to mean sea level and minimum descent height (MDH) is referenced to the aerodrome elevation or to the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. A minimum descent height for a circling approach is referenced to the aerodrome elevation.

Note 2: The required visual reference means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In the case of a circling approach the required visual reference is the runway environment.

Note 3: For convenience when both expressions are used they may be written in the form "minimum descent altitude/ height" and abbreviated "MDA/H."

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.

Minimum sector altitude (MSA) means the lowest altitude which may be used which will provide a minimum clearance of 300 m (1 000 ft) above all objects located in an area contained within a sector of a circle of 46 km (25 NM) radius centred on a significant point, the aerodrome reference point (ARP), or the heliport reference point (HRP).

Minister means this term means the Minister responsible for civil aviation.

Minor modification means a modification other than a major modification.

Modification means the modification of an aircraft/aeronautical product in conformity with an approved standard.

Movement area means that part of an aerodrome to be used for takeoff, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).

Movie means this term includes film, videos, and live broadcast in any format, and the preparation and rehearsal for those operations.

Navigable airspace means the airspace above the minimum altitudes of flight prescribed in these Schedules (Schedule 10) 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. There are two kinds of navigation specifications—

- (i) *RNP specification* means a 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;
- (ii) *RNAV specification* means a 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.

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. 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.

Non-congested hostile environment means a hostile environment outside a congested area.

Non-hostile environment means an environment in which—

- (i) A safe forced landing can be accomplished because the surface and surrounding environment are adequate;
- (ii) The helicopter occupants can be adequately protected from the elements;
- (iii) Search and rescue response/capability is provided consistent with anticipated exposure; and
- (iv) The assessed risk of endangering persons or property on the ground is acceptable.

Notification time means the period of time that an operator allows between the time a crew member on standby receives a call requiring a report for duty and the actual time required to report for that duty.

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, used in establishing compliance with appropriate obstacle clearance criteria—

- (i) Obstacle clearance altitude is referenced to mean sea level and obstacle clearance height is referenced to the threshold elevation or in the case of non-precision approaches to the aerodrome elevation or the threshold elevation if that is more than 2 m (7 ft) below the aerodrome elevation. An obstacle clearance height for a circling approach is referenced to the aerodrome elevation;
- (ii) For convenience when both expressions are used they may be written in the form “obstacle clearance altitude/height” and abbreviated “OCA/H”.

Occurrence means an relation to an aircraft, this means any incident which—

- (i) Endangers or which, if not corrected, would endanger an aircraft, its occupants or any other person; or
- (ii) Resulted in an accident.

Oceanic area means for the purpose of aircraft tracking, is the airspace which overlies waters outside the territory of a State.

Offshore operations means a perations which routinely have a substantial proportion of the flight conducted over sea areas to or from offshore locations. Such operations include, but are not limited to, support of offshore oil, gas and mineral exploitation and sea-pilot transfer.

Operating base means the location from which operational control is exercised.

Operation means an activity or group of activities which are subject to the same or similar hazards and which require a set of equipment to be specified, or the achievement and maintenance of a set of pilot competencies, to eliminate or mitigate the risk of such hazards.

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 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 specifications means the authorisations, conditions and limitations associated with an air operator (or other organisation) and subject to the conditions in the operations (or other specified) manual.

Operations in performance Class 1 means operations with performance such that, in the event of a critical power-unit 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 operations with performance such that, in the event of critical power-unit 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 cases a forced landing may be required.

Operations in performance Class 3 means operations with performance such that, in the event of a power-unit 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 formal documents issued by the Authority as a part of an approved organisation's certificate to define the authorisations and limitations conveyed by the certificate.

Operator means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation, including any person who causes or authorises the operation of an aircraft, such as the owner, lessee, or bailee of an aircraft.

Operator's 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.

Organisation responsible for the type design means the organisation that holds the type certificate, or equivalent document, for an aircraft, engine or propeller type, issued by a Contracting State

Ornithopter means 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/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.

Note.—An RCP specification includes communication performance requirements that are allocated to system components in terms of the communication to be provided and associated transaction time, continuity, availability, integrity, safety and functionality needed for the proposed operation in the context of a particular airspace concept.

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.

Note.—Performance requirements are expressed in navigation specifications (RNAV specification, RNP specification) in terms of accuracy, integrity, continuity, availability and functionality needed for the proposed operation in the context of a particular airspace concept.

Performance -based surveillance (PBS) means surveillance based on performance specifications applied to the provision of air traffic services.

Note.—An RSP specification includes surveillance performance requirements that are allocated to system components in terms of the surveillance to be provided and associated data delivery time, continuity, availability, integrity, accuracy of the surveillance data, safety and functionality needed for the proposed operation in the context of a particular airspace concept.

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.

Performance Standard means a standard that clearly distinguishes between correct or acceptable performance and incorrect or unacceptable performance—

- (i) **Process Standard:** A performance standard expressed in terms of the process through which the task should be performed; (It provides the means to evaluate performance even if there is no output.)
- (ii) **Product Standard:** A performance standard expressed in terms of the result or the product of that performance.

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.

Physiological night's rest means 10 hours of rest that encompasses the hours of 0100 and 0700 at the flight crew member's home base, unless the individual has acclimated to a different theater—

- (i) If the flight crew member has acclimated to a different theater, the rest must encompass the hours of 0100 and 0700 at the acclimated location.

Pilot in command means the pilot responsible for the operation and safety of the aircraft during flight time, including 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 under supervision means Co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command, in accordance with a method of supervision acceptable to the Authority.

Pilot time means that time a person—

- (i) Serves as a required pilot;
- (ii) Receives training from an authorised instructor in an aircraft, or an approved flight simulation training device; or
- (iii) Gives training as an authorised instructor in an aircraft, or an approved flight simulation training device.

Pilot (to) means to manipulate the flight controls of an aircraft during flight time.

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.

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 non-rotating airfoil(s) for lift during horizontal flight.

Powerplant means an engine that is used or intended to be used for propelling aircraft. It includes turbo superchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers.

Practical test *see Skill test.*

Pre-flight inspection means the inspection carried out before flight to insure that the aircraft is fit for the intended flight.

Preliminary Report means the communication used for the prompt dissemination of data obtained during the early stages of the investigation.

Pressure altitude means an atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere (as defined in Annex 8).

Primary Standard means a standard defined and maintained by a State Authority and used to calibrate secondary standards.

Pressurised aircraft means for airman-licencing 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.

Private Agricultural Application means the operation of an aircraft for the purpose of agricultural application over a property where the pilot is—

- (i) The owner or lessee; or
- (ii) Has ownership or other property interest in the crop located on that property.

Problematic use of substances means the use of one or more psychoactive substances by aviation personnel in a way that—

- (i) Constitutes a direct hazard to the user or endangers the lives, health or welfare of others; and/or
- (ii) Causes or worsens an occupational, social, mental or physical problem or disorder.

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 powerplant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation—

- (i) It includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants.

Propeller-driven aeroplane means a piston or turbine-powered aeroplane that derives its primary thrust from propellers.

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.

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

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 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 and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence.

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.

Rebuild means the restoration of an aircraft/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.

Regulated entity means an individual or an organisation that is certificated, licenced or authorised by the Authority to conduct activities in aviation

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 station means the component of the remotely piloted aircraft system containing the equipment used to pilot the remotely piloted aircraft.

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.

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 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.

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 aeronautical product to an airworthy condition to ensure that the aircraft continues to comply with the design aspects of the appropriate airworthiness requirements used for the issuance of the type certificate for the respective aircraft type, 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 communications in support of specific ATM functions.

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 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 inspection items means as used in Schedule 5, maintenance items and/or modifications 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 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 visual reference – for instrument approaches means that section of the visual aids or of the approach area which should have been in view for sufficient time for the pilot to have made an assessment of the aircraft position and rate of change of position, in relation to the desired flight path. In Category III operations with a decision height the required visual reference is that specified for the particular procedure and operation.

Report time means the time at which the crew member is required to report for any duty. The reporting time is expressed in the local time at the reporting place.

Rescue means an operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety.

Reserve availability period means a duty period during which an operator requires a crew member on short call reserve to be available to receive an assignment for a duty or flight duty period.

Reserve crew member means a crew member who is required by an operator to be available to receive an assignment for duty.

Rest facility means a bunk or seat accommodation installed in an aircraft that provides a crew member with a sleep opportunity—

- (i) **Class 1 rest facility** means a bunk or other surface that allows for a flat sleeping position and is located separate from both the flight deck and passenger cabin in an area that is temperature-controlled, allows the crew member to control light, and provides isolation from noise and disturbance;
- (ii) **Class 2 rest facility** means a seat in an aircraft cabin that allows for a flat or near flat sleeping position; is separated from passengers by a minimum of a curtain to provide darkness and some sound mitigation; and is reasonably free from disturbance by passengers or crew members;
- (iii) **Class 3 rest facility** means a seat in an aircraft cabin or flight deck that reclines at least 40 degrees and provides leg and foot support.

Rest period means a continuous and defined period of time, subsequent to and/or prior to duty, during which flight or cabin crew members, maintenance personnel and flight dispatchers are free from all restraint by the operator, including freedom from present responsibility for work should the occasion arise.

Restricted area (aerodrome) means any area of an aerodrome that is identified as an area to which access is restricted to authorised persons and includes any aircraft or vehicle on that aerodrome.

Restricted area (airspace) 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.

Restricted area pass means a document issued by the designated pass issuing authority, that entitles the holder to have access to a specific restricted area of an aerodrome during a specified period.

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 configurations for external loads carried by rotorcraft—

- (i) **Class A** means external load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo;
- (ii) **Class B** means external load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations;
- (iii) **Class C** means external load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation;

(iv) *Class D* means 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.

Remote Piloted Aircraft observer means a trained and competent person designated 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 Condition Assessment Matrix (RCAM) means a matrix allowing the assessment of the runway condition code, using associated procedures, from a set of observed runway surface condition(s) and pilot report of braking action.

Runway Condition Code (RWYCC) means a number describing the runway surface condition to be used in the runway condition report.

Runway Condition Report (RCR) means a comprehensive standardized report relating to runway surface conditions and its effect on the aeroplane landing and take-off performance.

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.

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

Safe forced landing means unavoidable landing or ditching with a reasonable expectation of no injuries to person in the aircraft or on the surface.

Safety means the state in which risks associated with aviation activities 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 an systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures.

Safety performance means a State or a service provider's safety achievement as defined by its safety performance targets and safety performance indicators.

Safety performance indicator means a data-based safety 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 program 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 and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident. In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies.

Safety risk means the predicted likelihood and severity of the consequences or outcomes of a hazard.

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.

Security means a combination of measures and human and material resources intended to safeguard civil aviation against acts of unlawful interference.

Security program means measures adopted to safeguard international and domestic civil aviation against acts of unlawful interference.

Security officer or **security screening officer** means a duly trained and appointed aviation security guard

Series of flights means consecutive flights that—

- (i) Begin and end within a period of 24 hours; and
- (ii) Are all conducted by the same pilot-in-command.

Serious incident means an incident involving circumstances indicating that there was a high probability of an accident and 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.

Note.—An incident involving circumstances indicating that an accident nearly occurred, the difference being only in the outcome.

Serious injury means an injury which is sustained by a person in an accident and which—

- (i) Requires hospitalisation for more than 48 hours, commencing within seven days from the date the injury was received;
- (ii) Results in a fracture of any bone (except simple fractures of fingers, toes or nose);
- (iii) Involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage;
- (iv) Involves injury to any internal organ; or
- (v) Involves second or third degree burns, or any burns affecting more than 5% of the body surface; or
- (vi) Involves verified exposure to infectious substances or injurious radiation.

Short-call reserve (Standby) means a defined period of time during which a crew member is assigned to a reserve availability period. The crew member has not been assigned to any duty, but is required by the operator to be available to receive an assignment for duty without an intervening rest period.

Sight- Seeing Flights means the operation of an aircraft involving the carriage of persons for viewing natural formations or man-made objects on the ground when those operations are conducted as part of a business enterprise or for compensation or hire, and—

- (i) The flight is unquestionably advertised as “sight-seeing;”
- (ii) The flight returns to the aerodrome of departure without having landed at any other aerodrome; and
- (iii) The certificated passenger capacity of the aircraft does not exceed 9 passengers.

Note.— Any other passenger carrying flight for remuneration, hire or valuable consideration must be conducted under an Air Operator Certificate (AOC).

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 required by Schedule 5.

Significant in the context of the medical provisions in Schedule 8, **significant** means to a degree or of a nature that is likely to jeopardize flight safety.

Single Pilot Air Taxi means an operator of non-turbojet aircraft having a maximum certificated configuration for 9 or less passengers, that has no more than—

- (i) 1 aircraft; and
- (ii) 1 pilot-in-command.

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 aircraft means when this term is used, it refers to both small aeroplanes and helicopters.

Small aeroplane means an aeroplane having a maximum certified takeoff mass of 5,700 kg. (12,500 lbs) or less.

Small helicopter means a helicopter have a maximum certified take-off mass of less than 2730 kg.

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 Bahamas includes—

- (i) Civil aircraft of The Bahamas; and
- (ii) Any other aircraft within the jurisdiction of The Bahamas, 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 Purpose Patrolling means the operation of an aircraft for the purpose of low-level patrolling for potential problems of power lines, pipe lines and canals.

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.)

Specific operating provisions means the Specific Operating Provisions describe the ratings (Class and/or Limited) in detail and will contain or reference material and process specifications used in performing repair work, along with any limitations applied to the maintenance organisation. The accountable manager and the Authority sign this document.

Split duty means a flight duty period which consists of two duties separated by a scheduled break that is less than a required rest period.

Standard means an object, artifact, tool, test equipment, system, or experiment that stores, embodies, or otherwise provides a physical quantity, which serves as the basis for measurement of the quantity. It also includes a document describing the operations and process that must be performed in order for a particular end to be achieved.

State of Design means the State having jurisdiction over the organisation responsible for the type design.

State of Destination means the State in the territory of which the 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.

State of Occurrence means the State in the territory of which an accident or incident occurs.

State of the Aerodrome means the State in whose territory the aerodrome is located.

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 related to dangerous goods) means the State in which dangerous goods were first loaded on an aircraft. (ICAO Annex 18)

State of Registry means the State on whose register an aircraft is entered.

State Safety Program (SSP) means an integrated set of regulations and activities established by a State 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.

Note.—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.

Synthetic flight trainer see *Flight simulation training device*.

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 and initial climb phase means that part of the flight from the start of take-off to 300 m (1 000 ft) above the elevation of the FATO, if the flight is planned to exceed this height, or to the end of the climb in the other cases.

Take-off 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 taking off in a particular direction.

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.

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—

- (i) *Aircraft stand taxi lane*. A portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;
- (ii) *Apron taxiway*. A portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron;
- (iii) *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 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.

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. The abbreviated term "Technical Instructions" is used in these Schedules.

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.

Test means a device used to measure the level of knowledge and/or skill of the trainee at the time of administration—

- (i) **Prerequisite Test** means a test applied before a course begins to allay doubts as to whether the trainees have all the skills required to meet the defined entry level for a course;

- (ii) **Progress Test** means a test given at one or more points during the delivery of a lesson or module to determine whether the trainee has accomplished the intermediate objectives;
- (iii) **Mastery Test** means a test used to determine whether the trainee has achieved performance of the end-of-module objective to the required standard or level of competence. It will be conducted under the conditions specified in the objective.

Threat means as relating to flight, 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. (ICAO Annex 1)

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 aircraft. (ICAO Annex 1)

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.

Tilt-rotor means a powered-lift capable of vertical take-off, vertical landing, and sustained low-speed flight, which depends principally on engine-driven rotors mounted on tiltable nacelles for the lift during these flight regimes and on non-rotating aerofoil(s) for lift during high-speed flight.

Total estimated elapsed time means for IFR flights, 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 outcome means an end-of-course objective.

Training 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.

Training program means a number of courses conducted to meet a specific national (or international) training need.

Training specifications means a document issued to an Aviation Training Organisation certificate holder by The Bahamas that specifies training program requirements and authorises the conduct of training, checking, and testing with any limitations thereof.

Training program means a program 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 speciality curriculum.

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 airman administering each prescribed manoeuvre and procedure to a pilot as necessary until it is performed successfully during the training period.

Tribal Knowledge means knowledge that is passed individual to individual, rather than captured in written policy and procedure.

Type Certificate means a document issued by a Contracting State to define the design of an aircraft 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 engine or propeller type for the purpose of an airworthiness determination.

Undesired aircraft state means occurs when the flight crew places the aircraft in a situation of unnecessary risk. (ICAO Annex 1).

Ultimate load means the limit load multiplied by the appropriate factor of safety.

Unaided night flight means for a flight in which a pilot uses night vision goggles, the portion of the flight in which the pilot does not use night vision goggles to maintain visual surface reference.

Undesired aircraft state means occurs when the flight crew places the aircraft in a situation of unnecessary risk.

Unforeseen factors means factors which could have an influence on the fuel consumption to the destination aerodrome, such as deviations of an individual aeroplane from the expected fuel consumption data, deviations from forecast meteorological conditions, extended delays taxi times before take-off, and deviations from planned routings and/or cruising levels.

Unforeseen operational circumstance means an unplanned event of insufficient duration to allow for adjustments to schedules, including unforecast weather, equipment malfunction, or air traffic delay that is not reasonably expected.

UN number means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a 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 Aircraft means a further classification of an aircraft which is intended to be operated with no pilot on board. Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.

Unmanned free balloon means a non-power-driven, unmanned, lighter-than-air aircraft in free flight.

Validation means the acceptance of a certificate, licence, approval, designation, or authorisation issued by another ICAO Contracting State as the primary basis for the Authority's issuance of a certificate, licence, approval, designation, or authorisation containing the same or more restrictive privileges—

- (i) **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.
- (ii) **Rendering (a Certificate of Airworthiness) valid** means the action taken by a Contracting State, 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.

VFR means to designate the visual flight rules.

VFR flight means a flight conducted in accordance with the visual flight rules.

Visibility means visibility for aeronautical purposes is the greater of—

- (i) 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; or
- (ii) 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 (VMC) means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima.

VTSS means the minimum speed at which climb shall be achieved with the critical engine inoperative, the remaining engines operating within approved operating limits.

Weapon means any thing designed, used or capable of inflicting harm and includes a firearm.

Wet Lease means the lease of an aircraft with crew and other back-up.

Wet runway means the runway surface is covered by any visible dampness or water up to and including 3 mm deep within the intended area of use.

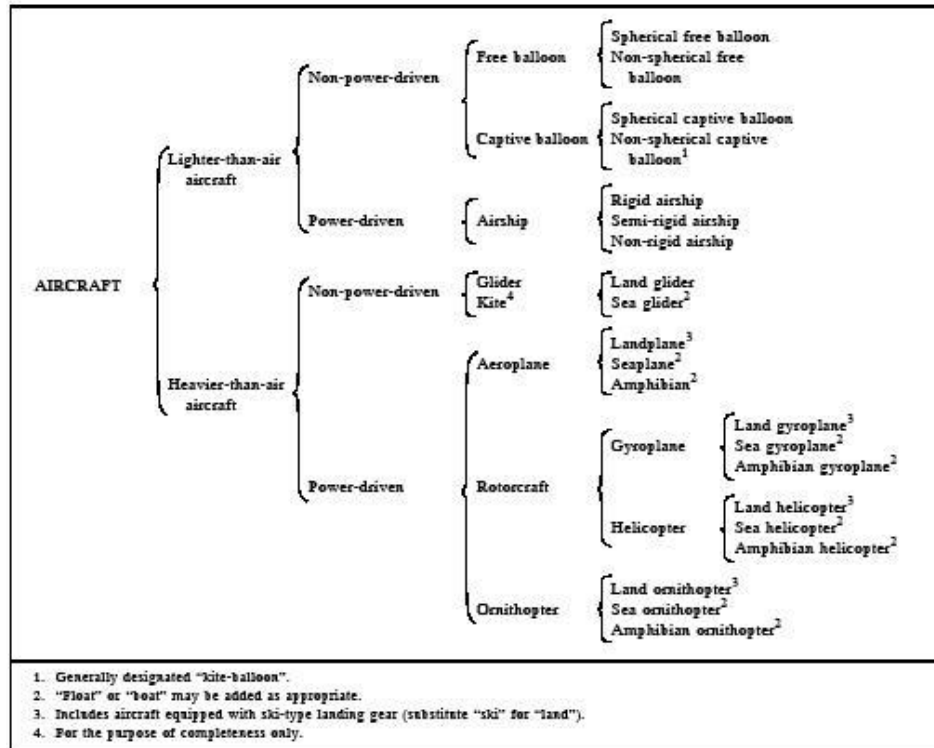
Window of circadian low means a period of maximum sleepiness that occurs between 0200 and 0559 during a physiological night.

APPENDIX 2 TO 1.015: CLASSIFICATION OF AIRCRAFT

(a) The definitions involving specific classification of aircraft and sub-groupings of aircraft shall be in accordance with the following table—

- (1) An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned;

(2) Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.



APPENDIX 1 TO 1.020: GLOSSARY OF ACRONYMS & ABBREVIATIONS

(a) The acronyms provided in this appendix apply to all requirements included in the Civil Aviation Regulations and its Schedules—.

- ACAS** – Airborne collision avoidance system
- ADS** – Automatic dependent surveillance
- AIP** – Aeronautical Information Publication
- AMO** – Approved Maintenance Organisation
- AOC** – Air operator certificate
- ASE** – Altimetry system error
- ATS** – Air Traffic Services
- CAT I** – Category I operation
- CAT II** – Category II operation
- CAT IIIA** – Category IIIA operation
- CAT IIIB** – Category IIIB operation
- CAT IIIC** – Category IIIC operation
- CDFA** – Continuous Descent Final Approach
- CDL** – Configuration deviation list
- CFIT** – Controlled Flight into the Terrain
- C.G.** – Center of Gravity
- COMAT** – Operator (company) material
- CPDLC** – Controller-pilot data link communications
- CVS** – Combined Vision System
- DA** – Decision altitude

DH – Decision height
EFB – Electronic Flight Bag
EGPWS – Enhanced ground proximity warning
ELT – Emergency locator transmitter
ELT(AD) – Automatic deployable ELT
ELT(AF) – Automatic fixed ELT
ELT(AP) – Automatic portable ELT
ELT(S) – Survival ELT
ETDO – Extended Time Diversion Operations
EUROCAE – European Organisation for Civil Aviation Equipment
EVS – Enhanced vision system
FAS – Final Approach Segment
FATO – Final approach and take-of area
FDP – Flight Duty Period
FMC – Flight Management Computer
FRMS – Fatigue Risk Management System
HUD – Head-up display
IFR – Instrument flight rules
IMC – Instrument meteorological conditions
JRCC – Joint rescue coordination centre
LED – Light Emitting Diode
LDP – Landing decision point
MDA – Minimum descent altitude
MDH – Minimum descent height
MEL – Minimum equipment list
MMEL – Master minimum equipment list
MNPS – Minimum Navigation Performance Specifications
NM – Nautical mile
NPRM – Notice of Proposed Rule Making
NVIS – Night Vision Imaging Systems
OCA – Obstacle clearance altitude
OCH – Obstacle clearance height
PBC – Performance-based communications
PBN – Performance-based navigation
PBS – Performance-based surveillance
RCC – Rescue coordination centre
RCP – Required Communications Performance
RNP – Required navigation performance
RPA – Remotely piloted aircraft
RPAS – Remotely piloted aircraft system
RPL – Repetitive flight plan
RSC – Rescue sub centre
RVR – Runway visual range
RVSM – Reduced Vertical Separation Minimums
SMS – Safety Management System
SRR – Search and rescue region

SSP – State Safety Program
SVS – Synthetic Vision System
TLS – Target level of safety
TVE – Total vertical error
VFR – Visual flight rules
VLOS – Visual line-of-sight (VLOS) operation
VMC - Visual meteorological conditions

(b) The abbreviations provided in this appendix apply to requirements included in the Civil Aviation Regulations and its Schedules—

Ampere (**A**)
Becquerel (**Bq**)
Candela (**cd**)
Celsius temperature (**t°C**)
Coulomb (**C**)
Degree Celsius (**°C**)
Farad (**F**)
Foot (**ft**)
Gray (**Gy**)
Henry (**H**)
Hertz (**Hz**)
Joule (**J**)
Kelvin (**K**)
Kilogram (**kg**)
Knot (**kt**)
Litre (**L**)
Lumen (**lm**)
Lux (**lx**)
Metre (**m**)
Mole (**mol**)
Newton (**N**)
Ohm (**Ω**)
Pascal (**Pa**)
Radian (**rad**)
Second (**s**)
Siemens (**S**)
Sievert (**Sv**)
Steradian (**sr**)
Testa (**T**)
Tonne (**t**)
Volt (**V**)
Watt (**W**)
Weber (**Wb**)

APPENDIX 1 TO 1.075: LIST OF PSYCHOACTIVE SUBSTANCES

(a) The following are deemed to be psychoactive substances—
(1) Alcohol;

- (2) Opioids;
- (3) Cannabinoids;
- (4) Sedatives and hypnotics;
- (5) Cocaine and other stimulants (except caffeine);
- (6) Hallucinogens;
- (7) Volatile solvents.

APPENDIX 1 TO 1.380: FRAMEWORK OF SAFETY MANAGEMENT SYSTEM

- (a) This Implementing Standard specifies the framework for the implementation and maintenance of an SMS.
- (b) The framework comprises four components and twelve elements as the minimum requirements for SMS implementation—
 - (1) Safety policy and objectives—
 - (i) Management commitment and responsibility;
 - (ii) Safety accountabilities;
 - (iii) Appointment of key safety personnel;
 - (iv) Coordination of emergency response planning; and
 - (v) SMS documentation.
 - (2) Safety risk management—
 - (i) Hazard identification; and
 - (ii) Safety risk assessment and mitigation.
 - (3) Safety assurance—
 - (i) Safety performance monitoring and measurement;
 - (ii) The management of change; and
 - (iii) Continuous improvement of the SMS; and
 - (4) Safety promotion—
 - (i) Training and education;
 - (ii) Safety communication.

APPENDIX 2 TO 1.380: SAFETY POLICY & OBJECTIVES

- (a) **Management commitment and responsibility.** The service provider shall define its safety policy in accordance with international and national requirements. The safety policy shall—
 - (1) Reflect organisational commitment regarding safety;
 - (2) Include a clear statement about the provision of the necessary resources for the implementation of the safety policy;
 - (3) Include safety reporting procedures;
 - (4) Clearly indicate which types of behaviours are unacceptable related to the service provider's aviation activities and include the circumstances under which disciplinary action would not apply;
 - (5) Be signed by the accountable executive of the organisation;
 - (6) Be communicated, with visible endorsement, throughout the organisation; and
 - (7) Be periodically reviewed to ensure it remains relevant and appropriate to the service provider.
- (b) **Safety accountabilities.** The service provider shall—
 - (1) Identify the accountable executive who, irrespective of other functions, has ultimate responsibility and accountability, on behalf of the organisation, for the implementation and maintenance of the SMS;
 - (2) Clearly define lines of safety accountability throughout the organisation, including a direct accountability for safety on the part of senior management;

- (3) Identify the accountabilities of all members of management, irrespective of other functions, as well as of employees, with respect to the safety performance of the SMS;
 - (4) Document and communicate safety responsibilities, accountabilities and authorities throughout the organisation; and
 - (5) Define the levels of management with authority to make decisions regarding safety risk tolerability.
- (c) **Appointment of key safety personnel.** The service provider shall appoint a safety manager who is responsible for the implementation and maintenance of an effective SMS.
- (d) **Coordination of emergency response planning.** The service provider shall ensure that an emergency response plan is properly coordinated with the emergency response plans of those organisations it must interface with during the provision of its products and services.
- (e) **SMS documentation—**
- (1) The service provider shall develop an SMS implementation plan, formally endorsed by the organisation that defines the organisation's approach to the management of safety in a manner that meets the organisation's safety objectives;
 - (2) The service provider shall develop and maintain SMS documentation that describes—
 - (i) Safety policy and objectives;
 - (ii) SMS requirements;
 - (iii) SMS processes and procedures;
 - (iv) Accountabilities, responsibilities and authorities for SMS processes and procedures; and
 - (v) SMS outputs; and
 - (3) The service provider shall develop and maintain an SMS manual as part of its SMS documentation.

APPENDIX 3 TO 1.380: SAFETY RISK MANAGEMENT

- (a) **Hazard identification—**
- (1) The service provider shall develop and maintain a process that ensures that hazards associated with its aviation products or services are identified.
 - (2) Hazard identification shall be based on a combination of reactive, proactive and predictive methods of safety data collection.
- (b) **Safety risk assessment and mitigation -**
- (1) The service provider shall develop and maintain a process that ensures analysis, assessment, and control of the safety risks associated with identified hazards.

APPENDIX 4 TO 1.380: SAFETY ASSURANCE

- (a) **Safety performance monitoring and measurement—**
- (1) The service provider shall develop and maintain the means to verify the safety performance of the organisation and to validate the effectiveness of safety risk controls.
 - (2) The service provider's safety performance shall be verified in reference to the safety performance indicators and safety performance targets of the SMS.
- (b) **The management of change.** The service provider shall develop and maintain a process to identify changes which may affect the level of safety risk associated with its aviation products or services and to identify and manage the safety risks that may arise from those changes.
- (c) **Continuous improvement of the SMS.** The Service provider shall monitor and assess the effectiveness of their SMS processes to enable continuous improvement of the overall performance of the SMS.

APPENDIX 5 TO 1.380: SAFETY PROMOTION

- (a) **Training and education—**

- (1) The service provider shall develop and maintain a safety training program that ensures that personnel are trained and competent to perform their SMS duties.
 - (2) The scope of the safety training program shall be appropriate to each individual's involvement in the SMS.
- (b) **Safety communication.** The service provider shall develop and maintain a formal means for safety communication that—
- (1) Ensures personnel are aware of the SMS to a degree commensurate with their positions;
 - (2) Conveys safety-critical information;
 - (3) Explains why particular safety actions are taken; and
 - (4) Explains why safety procedures are introduced or changed.

End of Schedule 1

