
CERTIFICATION OF AN AIR OPERATOR

1.0 PURPOSE

1.1 This Advisory Circular (AC) describes the process of applying for and obtaining an Air Operator Certificate (AOC) to conduct commercial air transport operations under the Civil Aviation Regulations. The certification process may appear to be a complex undertaking, particularly to a “first-time” operator. This AC provides basic information applicable to the certification process.

1.2 CANCELLATION; This AC cancels CAA-AC-OPS001C, March 2018

1.3 Because there are a variety of acceptable methods for preparing manuals, including training manuals, a detailed discussion of acceptable methods for preparing these documents is not included in this AC. Operators will be briefed in as much detail as necessary regarding the preparation of manuals and other required documents during meetings with the Authority personnel. The information in this AC and the reading material referenced will assist the operator in completing the process with minimal delays and complications.

2.0 REFERENCE

- 2.1 The Civil Aviation Act;
- 2.2 The Civil Aviation (Air Operators Certification and Administration) Regulations;
- 2.3 The Civil Aviation (Operation of Aircraft-Commercial Air Transport) Regulations;
- 2.4 The Civil Aviation (Operation of Aircraft-Helicopters) Regulations;
- 2.5 The Civil Aviation (Personnel Licensing) Regulations;
- 2.6 The Civil Aviation (Approved Maintenance Organisation) Regulations;
- 2.7 The Civil Aviation (Instruments and Equipment) Regulations;
- 2.8 The Civil Aviation (Airworthiness) Regulations;

3.0 AIR SERVICE LICENSE

A prospective operator will not be granted an AOC before applying for and being granted an Air Service License (ASL) issued under respective Air Services Licensing Regulation as required by Regulation 6(1) (d) of the Civil Aviation (Air Operator Certification and Administration) Regulations as amended

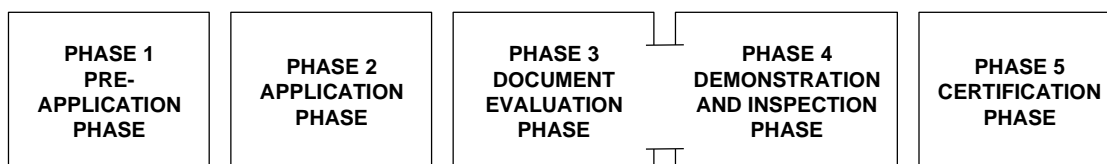
4.0 BACKGROUND

4.1 To conduct commercial air transport operations under the Civil Aviation Regulations, an operator must have his principal place of business located and registered in Kenya. The Authority recognises the responsibility of commercial air transport operators to provide air transportation with the highest degree of

safety possible in the public interest. The certification process is designed to ensure that prospective AOC holders understand and are capable of fulfilling this duty. When satisfactorily completed, the certification process should ensure that the operator is able to comply with the applicable Aviation Laws and Regulations and the international standards pertaining to the operation of aircraft as published in relevant Annexes to the Convention on International Civil Aviation.

4.2 There are five phases in the air operator certification process. Each phase is described in sufficient detail to provide a general understanding of the entire certification process. (See Appendix 6 for a detailed flow chart of the entire certification process). The five phases are:

- a) Pre-application
- b) Formal Application
- c) Document Evaluation
- d) Demonstration and Inspection
- e) Certification



4.3 In some cases, the guidance and suggested sequence of events in this AC may not be entirely appropriate. In such situations, the Authority and the operator would proceed in a manner that considers existing conditions and circumstances. The operator, however, should not expect to be certified until the Authority is assured that the aviation law and Regulations will be complied with in an appropriate and continuing manner.

4.4 Currently certificated air operators will require aligning their documentations in line with the Civil Aviation Regulations and will be subjected to the five phase certification process as detailed in this AC. However, as specified in parts of this AC, the operator may be exempted from certain processes, particularly in the demonstration phase, if the Authority deems the operator complies with the requirements.

5.0 PRE-APPLICATION PHASE

5.1 As far in advance as possible (90 days minimum) of an anticipated start of operations, an applicant should contact the Authority and inform it of his intent to apply for a CAA Certificate. The applicant will be invited to meet briefly with the Authority personnel. During this initial meeting, only basic information and general certification requirements will be discussed. If the applicant intends to proceed with the certification, **Form: AC-OPS001** [Pre-Application Statement of Intent (PASI)] will be furnished. A sample of this form with instructions for completing it is at Appendix 1. The PASI should be completed, signed by the applicant, and returned to the Authority.

5.2 The Authority personnel will review the PASI. If the information is incomplete or erroneous, the PASI will be returned to the applicant with the reasons for its return noted in Section 2. If the information

is complete and acceptable, the Authority will schedule a pre-application meeting with the applicant and the selected Authority certification team members.

5.3 The Authority office will designate one certification team member as the Certification Project Manager (CPM). The CPM is the official Authority spokesperson throughout the certification project.

5.4 The purpose of the pre-application meeting is to confirm the information on the PASI and to provide critical certification information to the applicant. It is recommended that the operator's key management and staff attend these pre-application meetings and be prepared to discuss in general terms the plans and specific aspects of the proposed operation. Many problems can be avoided by discussing all aspects of the proposed operation and the specific requirements, which must be met to be certified as an air operator.

5.5 It is important to establish good working relationships and clear understandings between the Authority and the operator's representatives. The Authority recognises that a wide range of capabilities and expertise exists among operators. This background experience will be considered by the Authority and adjusted to during these initial meetings.

5.6 To help promote understanding throughout the certification process, an application information package will be provided during the pre-application meeting. The application information package includes the following:

- a) The certification job aid that will be used by Authority inspectors during the certification project;
- b) A schedule of events which must be completed and submitted with the formal application letter;
- c) An example set of Operations Specifications (OpSpecs); and
- d) Other publications or documents the CPM believes will be useful to the operator.

5.7 Regulation 5 (1) of the Civil Aviation (Air Operator Certification and Administration) Regulations specify that an application for an AOC shall be made in a form and manner prescribed by the Authority; and, containing any information the Authority requires the applicant to submit. It is important to understand the minimum documentation necessary to be considered acceptable for a formal application. Formal application must be made by a letter [see Appendix 2] requesting certification as an air operator. The Accountable Manager must sign the letter. The letter shall include a statement that it serves as the formal application for an Air Operator Certificate. It shall also contain the full and official name of the applicant. The letter shall contain the physical location address of the applicant's intended primary operating location. The applicant's mailing address shall also be included in the formal application letter if different from that on its letterhead. The letter shall also include the full name and address of the applicant's agent for service. Additionally, the letter will confirm the identity of key management personnel such as the Accountable Manager, Head of Operations, Chief Pilot, Head of Safety, Head of Maintenance, Head of Quality, as applicable. Certain documents must be submitted with the formal application. These documents (attachments) are briefly described in the following subparagraphs 5.7.1 through 5.7.14 and will be discussed in detail during the pre-application meeting.

5.7.1 Draft Operations Specifications Attachment – This attachment describes the applicant's intended authorisations, limitations, provisions, and privileges specific to the operator's operations.

5.7.2 Air Operator Certification Job Aid and Schedule of Events Attachment – The schedule of events (see Appendix 3) is a key document that lists items, activities, programmes, and aircraft and/or facility acquisitions that must be accomplished or made ready for the Authority's inspection before

certification. It should include dates when the crewmembers will start company indoctrination procedures. In addition, the schedule of events should include dates when maintenance personnel training will start; when maintenance facilities will be ready for the Authority's inspection; when each of the required manuals will be available for evaluation; when aircraft will be ready for inspection; when terminal facilities will be ready for inspection; when emergency evacuation demonstrations, ditching demonstrations, and demonstration flights are planned to be performed, and the date of the proposed assessment of approved persons. These estimated dates must be logical in terms of sequence. For example, the estimated date for crewmember basic company procedures indoctrination ground training to begin should be after the date that sections of the company manuals pertinent to crewmember performance will be completed and submitted. Reasonable time for the Authority to review, inspect and approve each item or event should also be provided when approval is required before beginning a subsequent event or item. Failure to accomplish an item or event in a satisfactory manner or in accordance with the schedule of events could delay the certification. If at any time during the certification process the operator finds it necessary to revise the schedule of events, the CPM should be notified as soon as practical.

5.7.3 Company General Manuals Attachment – These manuals, which may be issued in separate parts for specific users, contain information about the operator's general policies, duties and responsibilities of personnel, operational control policy, and procedures. These are commonly referred to as the Operations Manual and the Maintenance Control Manual. The Regulations require these manuals to include instructions and information necessary to permit flight, ground, and contract personnel to perform their duties and responsibilities with a high degree of safety. Civil Aviation (Air Operator Certification and Administration) Regulations including the Schedules prescribe the content of these manuals. The entire manual system, as required by applicable regulations shall be completely developed at the time of formal application.

5.7.4 Training and Checking Manuals. It is recognised that aircraft acquisition, facility arrangements, and certain training programme elements may not be fully developed at the time of formal application. The company initial training curriculum portion of the Training Manual (completed to the extent possible) must be attached to the formal application letter or form. Initial training curricula must include at least the curricula segments identified in Operations Manual Part D section of CAA-AC-OPS022 structure of operations manual as amended.

5.7.5 Management Structure and Qualification Attachment – The Regulations establish basic management positions and the minimum qualifications for air operators proposing to conduct scheduled or charter commercial air transportation operations. It may be possible to obtain a deviation from these required basic management positions and qualifications, depending on the complexity of the planned operation. Individuals assigned to the required management positions are expected to have a thorough knowledge of the operator's company manuals, operating provisions, the Regulations and the planned operations relevant to the position. This attachment must contain resumes of the qualifications, licenses (including license numbers), ratings, and aviation experience for each of the following positions, or their equivalent:

- a) Accountable Manager (Chief Executive Officer);
- b) Head of Operations,;
- c) Chief Pilot;
- d) Head of Safety;
- e) Head of Quality; and

- f) Head of Maintenance.

5.7.6 If a deviation from the management requirements is anticipated, it should be noted in the formal application letter. The actual request for deviation, however, must be made in a separate petition, which presents specific justification. This request for a deviation should be made to the Authority as soon as practicable to enable the individual who will hold the position to be involved early in the certification process.

5.7.7 For the already certificated air operators requiring recertification to the new Regulations are advised to address qualifications of Accountable Manager and key management personnel in order to demonstrate their full compliance with the Regulations. However, the Authority may consider deviation in line with paragraph 5.7.6.

5.7.8 Documents of Purchase, Leases, Contracts, and/or Letters of Intent Attachments – These attachments should provide evidence that the operator is in the process of actively procuring aircraft, facilities, and services appropriate to the type of operation proposed. If formal contracts are not completed, letters or other documents showing preliminary agreements or intent will suffice until such date as determined by the Authority. Examples of the types of equipment, facilities, and services that should be addressed in these documents are as follows:

- a) Aircraft;
- b) Station facilities and services;
- c) Weather gathering facilities and services;
- d) Communications facilities and services;
- e) Maintenance facilities and services;
- f) Maintenance contractual arrangements;
- g) Aeronautical charts and related publications;
- h) Aerodrome analysis and obstruction data; and
- i) Contract training and training facilities.

5.7.9 Initial Statement of Compliance – This attachment should be a complete listing of all Regulations applicable to the proposed operation. Pertinent subparts and each relevant section of the regulation should be identified and accompanied by a brief description, or preferably a specific reference, to a manual or other document. The brief description or reference must describe the method of compliance for each regulation listed. If the precise method of compliance has not been developed at the time of formal application, an indication of the date that this information will be provided will suffice, if the date provided is reasonable and acceptable to the Authority. The following examples are samples of how relevant sections of Regulations should be presented in a Statement of Compliance.

EXAMPLE 1

Statement of Compliance - method of compliance *not developed* at time of formal application.
Regulation 45 of the Civil Aviation (Air Operator Certification and Administration) Regulations -
Aeronautical Data Control System: This system is currently under development and will be submitted for approval on (date).

EXAMPLE 2

Statement of Compliance - method of compliance *fully developed - preferred presentation*.

Regulation 48 of the Civil Aviation (Air Operator Certification and Administration) Regulations – ‘De-icing and Anti-icing Programme’: Flight Operations Manual (FOM) page 129, para. 243; Maintenance Control Manual (MCM) page 45, Para. 12.5

EXAMPLE 3

Statement of Compliance - method of compliance **fully developed - acceptable presentation**.

Regulation 63 of the Civil Aviation (Operation of Aircraft) Regulations – ‘Reporting mechanical irregularities’: The air operator instructs the pilot in command (PIC) on the requirements for and methods of completing the technical log of the aeroplane. The PIC is required to review the technical log before each flight and to ascertain the airworthiness status of the aeroplane by checking each previous log entry. The MCM instructs maintenance personnel on the requirement to record discrepancies discovered during pre-flight checks and other types of checks.

5.7.10 Financial Economic and Legal Matters Assessment – This attachment should consist of written evidence that the applicant has undergone, is undergoing, or is scheduled to undergo a financial, economic, and legal matters assessment. A copy of an Air Service License and a business plan will serve as prove of compliance.

5.7.11 List of Aircraft – This attachment should consist of a list of aircraft, (by make, model, and series) that the applicant intends to operate.

5.7.12 List of Designated Destination and Alternate Aerodromes – This attachment is required if the applicant is applying for scheduled operations.

5.7.13 Familiarity with Pertinent Regulations and Advisories – A thorough understanding of pertinent regulations and advisory materials is critical to the success of the entire certification process. The operator and key management personnel must understand which regulations apply to the intended operation. A sample list of Regulations as they apply to various kinds and types of operations is in Appendix 4.

5.7.14 Informal Co-ordination of Draft Manuals – During the pre-application phase and throughout the certification process, the operator will have to prepare documents and manuals for the Authority’s evaluation and approval or acceptance. The operator is encouraged to informally co-ordinate drafts of these documents with the CPM and other inspectors assigned to the certification project. Time spent on informal co-ordination can significantly reduce the workload for the operator and the inspectors once the formal application is submitted. The inspectors will give advice and guidance; however, the actual development of acceptable documents and manuals is always the responsibility of the operator.

6.0 FORMAL APPLICATION PHASE

6.1 It is required that the formal application be submitted at least 90 days before revenue operations are expected to begin, although the application should be submitted to the Authority as far in advance of the proposed start-up date as possible.

6.2 The Authority will review the application to determine that it contains the required information and attachments. If there are omissions or errors, the formal application and all attachments will be returned with a letter outlining the reasons for its return. If the operator has a good understanding of the

requirements, the formal application should be of sufficient quality to allow any omission, deficiency, or open question to be resolved during the formal application meeting.

6.3 The operator's key management personnel should attend the formal application meeting. The purpose of the meeting is to discuss the formal application and resolve omissions, deficiencies, or answer questions from either party. For example, this meeting may be used to resolve questions concerning the applicant's package or scheduling date conflicts, or to ensure the applicant understands the certification process. This meeting should also be used to reinforce open communication and working relationships.

6.4 If the formal application meeting is successful, the operator is provided with a letter acknowledging receipt and acceptance of the package. The Authority's acceptance of a formal application does not constitute approval or acceptance of individual attachments. These documents will be evaluated thoroughly during subsequent phases of the certification process. If the formal application is not accepted, it will be returned with a written explanation of the reasons for its return.

7.0 DOCUMENT EVALUATION PHASE

7.1 Evaluation of Manuals and Documents for Acceptance or Approval – After the formal application has been accepted, inspectors will begin a thorough evaluation of all the manuals and documents that are required by regulation to be submitted to the Authority. The Authority will endeavour to complete these evaluations in accordance with the operator's schedule of events. If a manual or document is incomplete or deficient, or if non-compliance with the regulations or safe operating practices is detected, the manual or document will be returned for corrective action. If the manuals and documents are satisfactory, they will be approved or accepted, as required by the Regulations. Approvals may be indicated by letter as appropriate, or by approval of Operations Specifications (OpSpecs). Acceptance of information that does not require formal approval will be indicated by letter or by the lack of the Authority's objection to the information.

7.2 Documents Review – The time involved in the processing of information which must be addressed in the operator's manuals and other documents depends on the complexity of the planned operation. The following list provides examples of information that must be provided by the operator and evaluated by the Authority during this phase:

- a) Management personnel resume outlining proposed management qualifications and civil aviation compliance histories.
- b) Operations Manual (may be in one or more parts).
- c) Maintenance Control Manual (may be in one or more parts).
- d) Aircraft maintenance programmes and supporting manuals such as Maintenance Review Board (MRB) and Corrosion Prevention Control Programme (CPCP).
- e) Mass and balance procedures/programme.
- f) Training Programme Manual.
- g) Approved Aircraft Flight Manual.
- h) Aircraft Operating Manual.
- i) Minimum Equipment List (MEL) and MEL Management Programme
- j) Configuration Deviation List (CDL).

- k) Cockpit checklist.
- l) Passenger briefing cards.
- m) Noise and emission plan (if applicable).
- n) Airport Runway Analysis
- o) Deviation requests.
- p) Dangerous Goods.
- q) Cabin Attendant Manual.
- r) Dispatch/flight following/flight locating procedures.
- s) Draft Operations Specifications (operations and airworthiness).
- t) Maintenance Reliability Programme (optional).
- u) Plan for Demonstration Flights.
- v) Emergency evacuation demonstration plan.
- w) Ditching demonstration plan.
- x) Fully completed Statement of Compliance.

7.3 The Fully Completed Statement of Compliance – This is the final evolution of the Initial Statement of Compliance that was submitted with the formal application. The fully completed Statement of Compliance ensures each applicable regulatory requirement has been adequately addressed in the appropriate manuals, programmes, and/or procedures.

8.0 DEMONSTRATION AND INSPECTION PHASE

8.1 The Regulations require an operator to demonstrate his ability to comply with regulations and safe operating practices before beginning actual commercial operations. These demonstrations include actual performance of activities and/or operations while being observed by Authority inspectors. This includes on-site evaluations of aircraft maintenance equipment and support facilities. During these demonstrations and inspections, the Authority evaluates the effectiveness of the policies, methods, procedures, and instructions as described in the operator's manuals and other documents. Emphasis is placed on the operator's management effectiveness during this phase. Deficiencies will be brought to the attention of the operator and corrective action must be taken before a certificate is issued.

8.2 Although the document evaluation and the demonstration and inspection phases have been discussed separately in this AC, these phases overlap, or are accomplished simultaneously in actual practice. The following list provides examples of the types of items, equipment, facilities, and activities evaluated during the demonstration and inspection phase:

- a) Conduct of training programmes (classroom, simulators, aircraft, and flight and ground personnel training).
- b) Crewmember and Flight Operations Officer testing and certification.
- c) Station facilities (equipment, procedures, personnel, fuelling/de-fuelling, de-icing, technical data).
- d) Recordkeeping procedures (documentation of training, flight and duty times, flight papers).
- e) Flight control (Flight Supervision and Monitoring system or Flight Following system)

- f) Maintenance and inspection programmes (procedures, record keeping).
- g) Aircraft (conformity inspection, aircraft maintenance records, etc.).
- h) MELs and CDLs (compliance with operating and maintenance procedures, etc., if applicable).
- i) Mass and balance programme (procedures, accuracy, and document control).
- j) Passenger emergency evacuation demonstration (aborted takeoff demonstration and ditching demonstration).
- k) Demonstration Flights. Includes full-scale simulation of revenue operations to demonstrate the ability to operate independently, safely, and in compliance with all applicable Regulations.

8.3 The Demonstration and Inspection Phase outline under paragraph 8.1 and 8.2 is only applicable to the initial certification of an air operator.

8.4 Those air operators, who are already certificated and/or have done demonstration flights during their initial certification or recertification, need not do the demonstrations a second time unless the Authority deems it necessary for safety reasons. The existing operators who have never done the demonstration flights will be required to demonstrate their compliance with the new Regulations. However, full demonstration flights will not be necessary for them. But, inspectors should ensure they observe the operations of the operator in a sample route(s), chosen by the Authority, as a minimum. Routes that are inherently different from others and pose unique challenges should be demonstrated separately. The terms and conditions of operations will be specified in the applicable Operations Specifications (OpSpecs).

***NOTE:** An applicant for an air operator certificate (AOC) may concurrently seek Authority approval of its AMO. The applicant needs to co-ordinate the progress of both certification projects. Both certification projects must be in the Demonstration and Inspection Phase at the same time. This is because the Demonstration Flights cited under Regulation 27 of the Civil Aviation (Air Operator Certification and Administration) Regulations require the applicant to demonstrate to the Authority all proposed flight and ground operations. The applicant therefore will also be expected to demonstrate use of its Approved Maintenance Organisation to ensure that procedures in the Maintenance Control Manual (MCM) and Maintenance Procedures Manual (MPM) are in agreement.*

9.0 CERTIFICATION PHASE

9.1 After the document compliance and the demonstration and inspection phases have been completed satisfactorily, the Authority will prepare an Air Operator Certificate and approve the OpSpecs. The OpSpecs contain authorisations, limitations, and provisions specific to an operator's operation. The operator must acknowledge receipt of these documents.

9.2 The certificate holder is responsible for continued compliance with the Regulations and the authorisations, limitations, and provisions of its certificate and OpSpecs.

10.0 VALIDITY OF AN AIR OPERATOR CERTIFICATE

10.1 An AOC is valid for a period twelve months from the date of issue, or as stated on the AOC.

10.2 The AOC shall cease to be valid if :

- i. the Authority amends, suspends, revokes or otherwise terminates the AOC

- ii. the AOC holder surrenders the certificate to the Authority
- iii. the Authority establishes that the Air Operator has suspended operations for more than 60 continuous days; or
- iv. the AOC holder notifies the Authority of the suspension of operations.

11.0 RENEWAL OF AN AIR OPERATOR CERTIFICATE

- 10.1** Unless the AOC is suspended or revoked, the AOC will be renewed provided the AOC holder demonstrates continuous compliance with the applicable regulations.
- 10.2** The Authority is responsible for conducting periodic inspections of the certificate holder's operation to ensure continued compliance with the Regulations and safe operating practices.
- 10.3** The application for the renewal of an AOC must be submitted to the Authority at least 60 days, or as otherwise agreed, before the end of the existing period of validity.
- 10.4** This application for renewal of AOC should contain the following:
 - i. A letter of request for renewal of the AOC
 - ii. Duly filled out Form: AC-OPS001: Pre-Application Statement of Intent (PASI)
 - iii. Applicable attachments that are called by the Form: AC-OPS001: Pre-Application Statement of Intent (PASI) such as copy of the ASL, financial data (audited financial statements), copies of lease agreements for foreign registered aircrafts etc.
 - iv. Proof of payment of the AOC renewal fee
- 10.5** The Authority may schedule an inspection to ascertain compliance with the regulations prior to renewal of the AOC.

11.0 AMENDMENT OF AN AIR OPERATOR CERTIFICATE

- 11.1** An operator's AOC (of which the OpSpecs are a part) can be amended as a result of the operator's request or because the Authority determines that safety in commercial air transport, and the public interest requires the amendment.
- 11.2** An amendment may be initiated either at the operator's request, or by the Authority. The procedures for these two methods of initiating an amendment are as follows;
 - 11.2.1 Amendment of OpSpecs at the operator's request**
 - a) An operator may apply to the Authority to amend its OpSpecs by submitting an application for an amendment.
 - b) The process of amendment of the OpSpecs may be complex or less complex depending on the nature of amendment.
 - c) Amendment involving major operations such as initial approvals or authorizations of Special Operations e.g dangerous goods authorization, PBN authorizations etc, will require the applicant to undergo a process as described in the pre-application phase, formal application phase, document evaluation phase, and demonstration and inspection phase, prior to approval/authorization.
 - d) The application for the amendment must be submitted at least 30 days, or as otherwise agreed, before the date of intended operation.
 - e) When applicable, the operator shall include the following information in the application for amendment/variation to an AOC

- i. A letter highlighting the proposed amendment/variation to the AOC containing the following;
 - a. Details of the amendment
 - b. Reason for the amendment
 - c. Effective date of the amendment
 - ii. Duly filled out Form: AC-OPS001: Pre-Application Statement of Intent (PASI)
 - iii. All supporting information including applicable attachments that are called by the Form: AC-OPS001: Pre-Application Statement of Intent (PASI) such as copy of the ASL, financial data (audited financial statements)
 - iv. Relevant amendments to the operations manual
- f) If the application is incomplete (usually as a result of insufficient supporting information), the Authority will inform the applicant that the application is not acceptable in the presented form, and will be considered upon receipt of appropriate specified supporting documents and/or information
- g) The Authority may deem the application not acceptable on the following grounds:
 - a. The operators request does not provide an adequate level of safety in commercial air transport
 - b. The proposed amendment may not be to the best interest of the public
 - c. The proposed amendment is in conflict with The Kenya Civil Aviation Regulations
- h) An applicant whose application is deemed not acceptable will be informed in writing with an explanation as to why the application was not acceptable.

11.2.2 Authority initiated amendment of the OpSpecs

- a) The Authority may initiate an amendment to the AOC if it determines the amendment is necessary for safety in commercial air transport and in the interest of the public.
- b) Amendments stipulated by the Authority, other than emergency amendments, shall become effective thirty days after the notice is issued to the AOC holder.
- c) Emergency amendments are issued by the Authority where an emergency exists involving safety in commercial air transportation, or in the interest of the public. Where such an amendment exists, the Authority shall notify the AOC holder in writing, and the amendment shall become effective the date the AOC holder receives notice of the amendment.

13.0 RECERTIFICATION/RE-VALIDATION OF OPERATORS CERTIFICATED TO THE OLD REGULATIONS

Currently certificated operators are encouraged to consult the Authority and work out a schedule of events for their recertification before the date of expiry of their AOC and within the transition period.

10.1 An evaluation of the operator's Operations Manual and other documents, once submitted, will be carried out to check for conformity to the Regulations. Particular reference will be paid to the following areas:-

- 10.1.1 Areas of previous deficiencies.
- 10.1.2 Qualifications of Accountable Manager and key management personnel.
- 10.1.3 Carriage of Dangerous Good.
- 10.1.4 Statement of Compliance.
- 10.1.5 All other new requirements by the Regulations

14.0 EXPLANATION OF APPENDICES IN THIS ADVISORY CIRCULAR

14.1 Appendix 1 provides instructions on how Authority **Form: AC-OPS001**: Pre-Application Statement of Intent (PASI)/Application Form should be completed. Section 1, items 1 through 17, should be completed and signed by the applicant and returned to the appropriate Authority office. Sections 2 and 3 are reserved for Authority use.

14.2 Appendix 2 provides a sample formal application letter.

14.3 Appendix 3 provides a certification job aid and schedule of events.

14.4 Appendix 4 provides a list of applicable CARs

14.5 Appendix 4 provides definitions of terms as they are used in the certification process.

14.6 Appendix 5 provides a detailed flow chart of the entire certification process.



Kenya Civil Aviation Authority

APPENDIX 1

INSTRUCTIONS FOR COMPLETING FORM: AC-OPS001 PRE-APPLICATION STATEMENT OF INTENT (PASI)/ APPLICATION FORM

(TO BE COMPLETED BY AN APPLICANT FOR AN AIR OPERATOR CERTIFICATE)

SECTION 1A: All applicants shall complete this section

1. Enter the company's official name and mailing address. Include any other business name if different from the company name).
2. Provide the address of the main base of operations. It is where the offices of management required by regulation are located. If the address is the same as in item 1, enter "same." State secondary business addresses (if applicable) of operation and identify the type of operation conducted at each address.
3. Enter the estimated commencement date of operations.
4. The information provided in this block in (1), (2), and (3) will be used to assign a company identification number. You may indicate up to three (3), 3-letter identifiers, such as ABC, XYZ, etc. If all choices have been assigned to other operators or maintenance organisations, a randomly selected number will be assigned.
5. Enter the names, titles, and telephone numbers of management personnel required by Regulation -- of The Civil Aviation (Air Operator Certification and Administration) Regulations.

NOTE: Management personnel qualification requirements are specified in Regulation 14 of the Civil Aviation (Air Operator Certification and Administration) Regulations.

SECTION 1B: All applicants shall complete this section, as appropriate

6. Indicate if the applicant for an Air Operator Certificate intends to perform maintenance as an Approved Maintenance Organisation (AMO) or intends to contract out all or part of his maintenance.
7. The proposed type of operation shall be indicated. Check as many boxes as applicable.
8. The proposed type of Approved Maintenance Organisation ratings shall be indicated. Check as many boxes as applicable. Refer to Regulation 11 of the Civil Aviation (Approved Maintenance Organisation) Regulations for information on the ratings of an AMO.
9. The proposed courses to be conducted by ATO shall be indicated. Check as many boxes as applicable.

Section 1C. Training Aircraft and Simulator Information

10. Identify the type of aircraft and/or simulators.

An applicant for an AOC should identify the type of aircraft and/or simulators intended to be used for training.

SECTION 1D: *Air Operators shall complete blocks 11, 12*

11. To be filled by AOC applicant showing Data for Aircraft used for Operations. Indicate number and types of aircraft by make, model, series, and number of passenger seats or cargo payload capacity. For foreign registered aircraft, provide a copy of the lease agreement.
12. Indicate geographic areas of intended operation and proposed route structure.

SECTION 1E: *All applicants shall complete this section*

13. List any Special Authorizations that are required/requested for operations such as RVSM, PBN, EDTO, CAT II/III, Dangerous Goods, Single Engine Turbine Powered Operations etc.
14. Any additional information that provides the Authority a better understanding of the proposed operation or business
15. Any proposed training that the prospective operator intends to conduct such as Initial and Recurrency Training, Special Approvals Training, Route Training, Upgrade Training, Proficiency Checks, Night training etc
16. Provide details of the expiry date of the Air Service License and respective financial data. Attach a copy of the Air Service License, and for prospective operators, a copy of the proposed business plan. Operators seeking renewal of the Air Operator Certificate to attach copies of audited financial statements as required by The Civil Aviation (Air Licensing) Regulations
17. The Accountable Manager (Regulation 13 of The Civil Aviation (Air Operator Certification and Administration) Regulations must sign the PASI Form. If the PASI Form is signed by another individual who is not the Accountable Manager, the Accountable Manager must submit with the PASI Form a letter authorizing the signatory to sign on his behalf.

SECTIONS 2: For Authority use

The prospective applicant must address this PASI form to the Office of the Director General, Kenya Civil Aviation Authority. The fields in this section are filled out upon receipt of the PASI. The form is then forwarded to the Certification Project Manager (CPM).

SECTIONS 3: For Authority use

Upon receipt of the PASI the Certification Project Manager will fill out the fields in this section. The CPM will complete the “Assigned Certification Team Members” “Pre-application number”. The “Assigned Certification Number” field will be filled out during the Certification Phase of the Air Operator

Section 1C. Training Aircraft and Simulator Information

10. Training Aircraft Data.		Simulator Information	
		[Authority Assigned ID] :	
Aircraft Type Make, Model and Series (M/M/S).	Number of Aircraft Type	Make, Model and Series (M/M/S) of Aircraft being Simulated	Qualification Level Assigned

Section 1D. Blocks 11 and 12 to be completed by Air Operator.

11. Data for Aircraft used for operations (For foreign registered aircraft, please provide a copy of the lease agreement).		12. Geographic areas of intended operations and proposed route structure.
Numbers and types of aircraft (By make, model, and series).	Number of passenger seats or cargo payload capacity.	

PRE-ASSESSMENT STATEMENT OF INTENT (PASI)/ APPLICATION FORM

Section 1E. Additional Information		
13. Any Special Authorizations Requested (RVSM, PBN, EDTO, CAT II/III, Dangerous Goods, Single Engine Turbine Powered Operations etc.)		
14. Additional information that provides a better understanding of the proposed operation or business (Attach additional sheets, if necessary).		
15. Proposed Training (Aircraft and/or Simulator).		
16. Air Service Licence expiry date accompanied with financial data (Provide copies of the ASL and latest audited financial statements or business plan)		
17. The statement and information contained on this form denotes an intention to apply for the Authority Certificate.		
Type of Organisation:		
Signature.	Date (day/month/year).	Name and Title (Block Letters).
Section 2. To be completed by the Authority.		
Received by (Name and Office):		Date received (day/month/year).
Assigned Certification Project Manager:		
Date forwarded to the Certification Project Manager (CPM) (day/month/year):		For: <input type="checkbox"/> Action <input type="checkbox"/> Information only.
Remarks:		
Section 3. To be completed by the Manager Flight Operations.		
Received by:		Date (day/month/year):
Pre-application Number:		Assigned Certification Number:
Assigned FOI:		Date:

Remarks:

APPENDIX 2

SAMPLE FORMAL APPLICATION LETTER

(Name of Applicant)
(Appropriate Address)

[Date]
Civil Aviation Authority
Attn: Director Flight Safety Standards and Regulations

Dear (Name):

This letter serves as a formal application for the Authority Air Operator Certificate. (Name of Applicant), initially intends to be certificated and operate as a [scheduled or charter passenger, aerial work cargo, or passenger and cargo] commercial air transport operation under the Civil Aviation Regulations. We intend to use (Number and Type) aeroplane(s) between (location) and (location). We have enclosed a copy of our Air Service License which has been issued by the Authority.

Our company will have its principal base of operations and corporate offices located at (appropriate address). Our maintenance base will be located at (appropriate address). A copy of our contract with (name of approved maintenance organisation) is enclosed. Our management personnel are as follows:

Accountable Manager – Mr. Peter Kamau
Head of Operations – Mr. Peter Smith
Head of Maintenance – Mr. Patrick Oprong
Head of Quality – Mr. Samuel Muthomi
Chief Pilot – Mr. Fredrick Miller
Head of Safety – Mr. Rodney Lewis

Also enclosed is the revised Schedule-of-Events and Initial Statement of Compliance which was agreed to at our last meeting with your representatives. We have retained the services of Mr. Louis Regent (appropriate address) as our agent for service.

Sincerely,

Peter Kamau
Accountable Manager

Encl

APPENDIX 3

**FORM: AC-OPS001-1 AIR OPERATOR CERTIFICATION JOB AID AND SCHEDULE OF
EVENTS FOR COMMERCIAL AIR TRANSPORT OPERATORS**

OFFICIAL NAME OF COMPANY	LOCATION ADDRESS																																																									
	Scheduled Date	Inspectors Initial	Date Received/ Accomplished	Date Returned for Changes	Folio No.																																																					
I. PRE-APPLICATION PHASE																																																										
<p>A. Initial Orientation: Inspector:</p> <ol style="list-style-type: none"> 1. Certification Advisory Circular provided to applicant. 2. Pre-Application Statement of Intent (PASI). <ol style="list-style-type: none"> a. Forwarded to the Authority. 																																																										
<p>B. Certification Team Designated (at least one operations, one airworthiness inspector)</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 20%;">Name</th> <th style="width: 15%;">Specialty</th> <th style="width: 15%;"></th> <th style="width: 15%;"></th> <th style="width: 15%;"></th> </tr> </thead> <tbody> <tr> <td>CPM</td> <td>_____</td> <td>_____</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>_____</td> <td>_____</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>_____</td> <td>_____</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>_____</td> <td>_____</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>_____</td> <td>_____</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>_____</td> <td>_____</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>_____</td> <td>_____</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>							Name	Specialty				CPM	_____	_____					_____	_____					_____	_____					_____	_____					_____	_____					_____	_____					_____	_____								
	Name	Specialty																																																								
CPM	_____	_____																																																								
	_____	_____																																																								
	_____	_____																																																								
	_____	_____																																																								
	_____	_____																																																								
	_____	_____																																																								
	_____	_____																																																								

C. Conduct Pre-application Meeting

1. Verify PASI Information
2. Overview of Certification Process
3. Provide Certification Package
Containing:
 - a. Certification Job Aid
 - b. Schedule of events
 - c. Model Operations Specifications
 - d. Other Applicable Publications and Documents
4. Explain Formal Application Submissions

Remarks:

_____ FOPS _____

_____ FOPS _____

_____ FOPS _____

_____ A/W _____

_____ A/W _____

_____ A/W _____

AIR OPERATOR CERTIFICATION JOB AID AND SCHEDULE OF EVENTS FOR COMMERCIAL AIR TRANSPORT OPERATORS

II. FORMAL APPLICATION PHASE	Scheduled Date	Inspectors Initial	Date Received/ Accomplished	Date Returned for Changes	Folio No.
Formal Application Submission					
A. Review Applicant's Submission					
1. Formal Application Letter/Form					
a. Full and Official name (Legal)					
b. Mailing Address					
c. Primary Operating Location (Principal Operations/ Maintenance Base)					
d. Name and address of applicants agent for service					
e. Key Management Personnel Names					
2. Formal Application Attachments					
a. Schedule of events					
b. Initial compliance statement					
c. Company Operations Manuals					
i. Operations Manual.					
ii. Maintenance Control Manual					
iii Aircraft Maintenance Programme					
d. Initial new hire training curricula (Crewmembers & Flt/Ops/Officers)					
e. Management and Key Staff qualifications/resumes					
f. Documents of purchase/contract(s)/lease(s)/letters of intent					
B. Evaluation of Authority Resources Based on Schedule of Events					
REMARKS					
_____ FOPS _____ FOPS _____ FOPS					
_____ A/W _____ A/W _____ A/W					

<p>C. Formal Application Meeting</p> <ol style="list-style-type: none"> 1. Schedule of events Date: _____ Time: _____ 2. Discuss each Submission 3. Resolve Discrepancies/Open Items 4. Review Certification Process 5. Review Impact if Schedule of Events items are not met 					
<p>D. Issue Letter Accepting/Rejecting Application</p>					

REMARKS:

_____ **FOPS** _____ **FOPS** _____ **FOPS**

_____ **A/W** _____ **A/W** _____ **A/W**

AIR OPERATOR CERTIFICATION JOB AID AND SCHEDULE OF EVENTS FOR COMMERCIAL AIR TRANSPORT OPERATORS

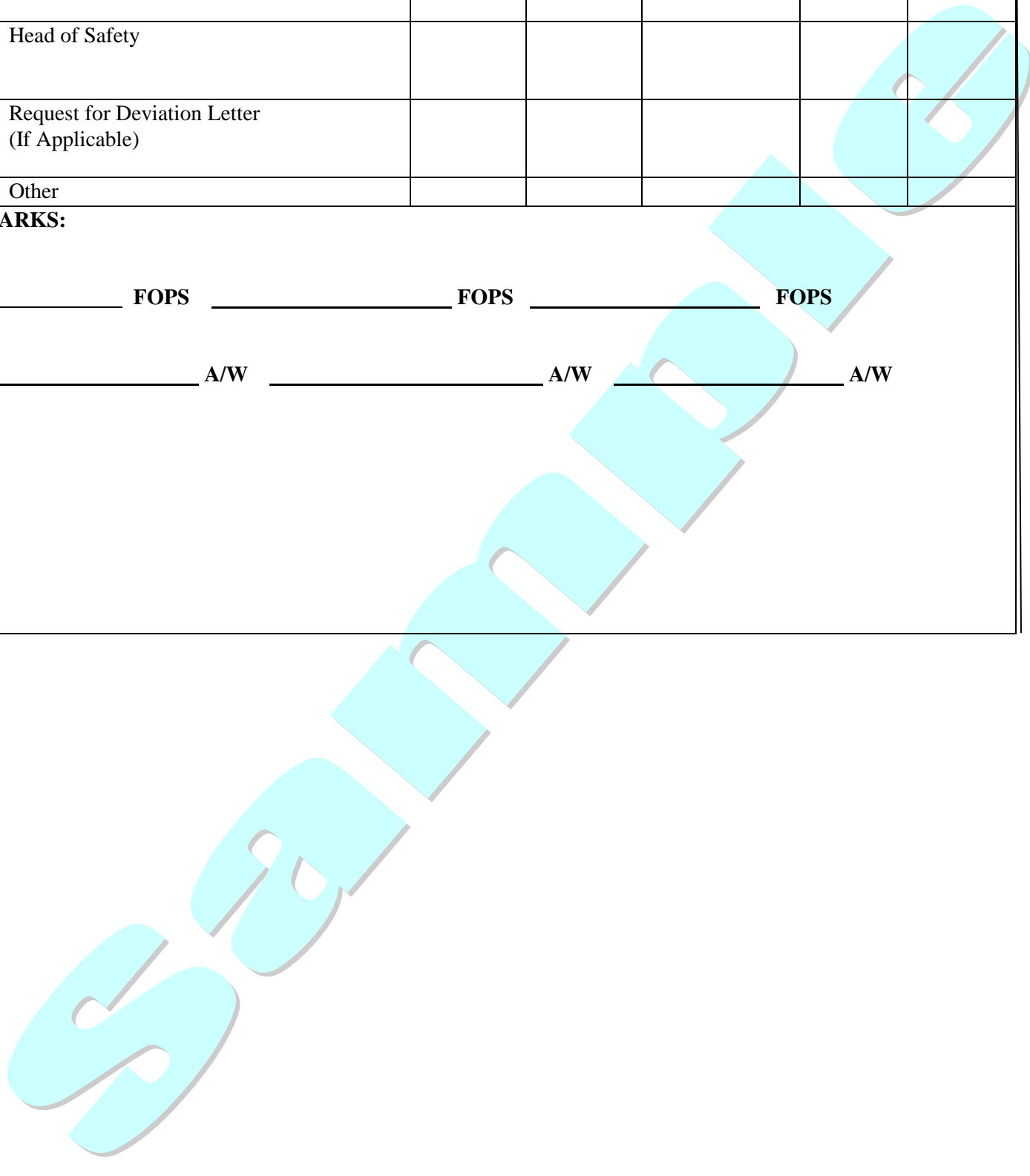
III. DOCUMENT EVALUATION PHASE	Scheduled Date	Inspectors Initial	Date Received/ Accomplished	Date Returned for Changes	Folio No.
A. Evaluate Applicable Training Programmes					
1. Flight Crew & Cabin Crew Curricula					
a. Company Procedures Indoctrination					
b. Emergency Equipment Drills Training					
c. Ground Training (Handling/Service/De-icing)					
d. Flight Training					
e. Recurrent Training					
f. Transition/Upgrade Training					
g. Differences Training					
h. Re-Qualification Training					
i. Specialised Training					
j. Security					
k. Dangerous Goods					
l. Instructor and Check Pilot/Cabin Evaluator					
m. Crew Resource Management					

2. Flt/Ops/Officer Training					
a. Initial Training					
b. Recurrent Training					
c.					
d. Familiarisation Training					
e. Dangerous Goods					
f. Security					
g. Crew Resource Management					
h. Instructor Training					
REMARKS:					
_____ FOPS _____ FOPS _____ FOPS					
_____ A/W _____ A/W _____ A/W					
B. Evaluate Management Qualifications					
1. Accountable Manager					
2. Head of Operations					
3. Head of Maintenance					
4. Head of Quality					
a. Head of Quality for Operations (if applicable)					
b. Head of Quality for Maintenance (if applicable)					

5. Chief Pilot					
6. Head of Safety					
8. Request for Deviation Letter (If Applicable)					
9. Other					

REMARKS:

_____ FOPS _____ FOPS _____ FOPS
 _____ A/W _____ A/W _____ A/W



AIR OPERATOR CERTIFICATION JOB AID AND SCHEDULE OF EVENTS FOR COMMERCIAL AIR TRANSPORT OPERATORS

III. DOCUMENT EVALUATION PHASE (CONTINUED)	Scheduled Date	Inspectors Initial	Date Received/ Accomplishe d	Date Returned for Changes	Folio No.
C. Evaluate Operator's Manual System					
1. Completed Operations Manual					
a. Operations Manual Part A					
b. Operations Manual Part B					
c. Operations Manual Part C					
d. Operations Manual Part D					
e. Emergency exit plan					
f. Carry-on Baggage plan					
2. Completed Maintenance Control Manual					
3. Authority Accepted Aircraft Flight Manual					
4. Aircraft Checklists					
a. Normal					
b. Abnormal					
c. Emergency					
5. Cabin Attendant Manual					
6. Safety Management Manual					
7. Company Emergency Response Manual					
8. Quality Manual					
9. Performance Manual (if applicable)					
10. Minimum Equipment List					
11. Configuration Deviation List					
12. Aircraft Maintenance Procedures Manual					

13. Ground Handling Manual (if applicable)					
14. Mass and Balance Control Programme					
15. Dangerous Goods					
16. Security					
17. Reliability Programme					
18. Passenger Briefing Cards					

Remarks:

_____ **FOPS** _____ **FOPS** _____ **FOPS**
 _____ **A/W** _____ **A/W** _____ **A/W**

AIR OPERATOR CERTIFICATION JOB AID AND SCHEDULE OF EVENTS FOR COMMERCIAL AIR TRANSPORT OPERATORS

III. DOCUMENT EVALUATION PHASE (CONTINUED)	Scheduled Date	Inspector's Initial	Date Received/ Accomplished	Date Returned for Changes	Folio No.
D. Other Evaluations					
1. Aircraft Lease					
2. Maintenance Contracts/Agreements					
3. Servicing Contracts/Agreements					
4. Exemption/Deviation Requests/Justification					
5. Plan for Emergency Evacuation Demonstration					
6. Plan for Ditching Demonstration					
7. Plan for Demonstration Flight					
8. Final Compliance Statement					
9. Training Contracts					
10. De-icing/Anti Icing					
11. Any other evaluation					
Remarks:					
_____ FOPS _____ FOPS _____ FOPS _____ A/W _____ A/W _____ A/W					

AIR OPERATOR CERTIFICATION JOB AID AND SCHEDULE OF EVENTS FOR COMMERCIAL AIR TRANSPORT OPERATORS

IV. DEMONSTRATION & INSPECTION PHASE	Scheduled Date	Inspectors Initial	Date Received/ Accomplish ed	Date Returned for Changes	Folio No.
A. Evaluate Operator Conducting Training					
1. Training Facilities					
2. Training Schedules:					
3. Flight Crewmember Training					
a. Company Procedures Indoctrination					
b. Emergency Equip. Drills Training					
c. Ground Training					
d. Flight Training					
4. Check Pilot/Instructor					
5. Cabin Crew Training					
a. Company Procedures Indoctrination					
b. Emergency Equip. Drills Training					
c. Initial Training					
d. Instructor/Evaluator					
6. Crew Resource Management					
7. Flight Operations Officer Training					
a. Indoctrination					

b. Initial Training					
c. Familiarisation					
d. Instructor					
8. Dangerous Goods Training					
a. Crewmembers					
b. Ground personnel					
9. Security Training					
10. Safety Management Training					
11. Crew Resource Management					

Remarks:

_____ **FOPS** _____ **FOPS** _____ **FOPS**

_____ **A/W** _____ **A/W** _____ **A/W**

AIR OPERATOR CERTIFICATION JOB AID AND SCHEDULE OF EVENTS FOR COMMERCIAL AIR TRANSPORT OPERATORS

IV. DEMONSTRATION & INSPECTION PHASE (CONTINUED)	Scheduled Date	Inspector Initial	Date Received/ Accomplished	Date Returned for Changes	Folio No.
B. Testing/Certification					
1. Pilots					
2. Flight Engineers					
3. Flt/Ops/Officers					
4. Cabin Crew Members					
C. Main Operations Base					
D. AOC Maintenance Participation					
E. Dangerous Goods Inspection					
F. Station/Facilities					
G. Emergency Evacuation Demonstration					
H. Ditching Demonstration					
I. Demonstration Flight Evaluation					
J. Proof of Economic Authority (ASL)					
Remarks: <div style="display: flex; justify-content: space-between; margin-bottom: 10px;"> _____ FOPS _____ FOPS _____ FOPS </div> <div style="display: flex; justify-content: space-between;"> _____ A/W _____ A/W _____ A/W </div>					

V. CERTIFICATION PHASE	Scheduled Date	Inspectors Initial	Date Received/ Accomplished	Date Returned for Changes	Folio No.
A. Approve Operations Specifications					
B. Present Certificate & Operations Specifications					
Remarks:					
C. Prepare Certification Report					
1. Assemble Report					
a. Section 1 - A copy of the AOC and Operations Specifications					
b. Section 2 – Copy of the Formal Application Letter					
c. Section 3 - A copy of the operations certification report					
d. Section 4 – A copy of all operations approvals issued					
e. Section 5 – A copy of the airworthiness certification report;					
f. Section 6 – A copy of all airworthiness approvals issued					
g. Section 7 – A copy of the final compliance report					
h. Section 8 – Copies of the operations inspection and demonstration reports					
i. Section 9 – Copies of the airworthiness inspection and demonstration reports					
j. Section 10 - A summary of major difficulties					
2. Distribute Report					
Remarks:					
D. Develop Post Certification Surveillance Programme					
Remarks:					

APPENDIX 4

THE CIVIL AVIATION REGULATIONS

SECTION 1 – Applicable Parts of the Regulations as amended

1. The Civil Aviation (Operation Of Aircraft-Commercial Air Transport) Regulations;
2. The Civil Aviation (Operation Of Aircraft-Helicopters) Regulations;
3. The Civil Aviation (Air Operator Certification And Administration) Regulations;
4. The Civil Aviation (Aircraft Registration And Marking) Regulations;
5. The Civil Aviation (Airworthiness) Regulations;
6. The Civil Aviation (Approved Maintenance Organisation) Regulations;
7. The Civil Aviation (Instruments and Equipment) Regulations;
8. The Civil Aviation (Aviation Security) Regulations;
9. The Civil Aviation (Approved Training Organization) Regulations;
10. The Civil Aviation (Commercial Air Transport Operations by Foreign Air Operator in and out of Kenya) Regulations;
11. The Civil Aviation (Aerial Work) Regulations;
12. The Civil Aviation (Aerodrome Certification) Regulations; and
13. The Civil Aviation (Rules of the Air and Air Traffic Control) Regulations.

SECTION 2 – Other References that May be Applicable to Certification as an AOC Holder

All other issued Advisory Circulars.

APPENDIX 5: DEFINITIONS

The following appendix defines terms used in this Advisory Circular and/or the certification process.

“Agent for Service” The person upon whom service of all notices and processes and all orders, decisions, and requirements of the Kenya Civil Aviation Authority shall be made.

“Inspectorate Office” means the AUTHORITY Office, which has responsibility for administering the certificate and is charged with the overall inspection of the certificate holder’s operations.

“Commercial Air Transport” means an aircraft operation involving the transport of passengers, cargo, or mail for remuneration or hire.

“Scheduled operation” means an aircraft operation conducted by a commercial air transport operator for which the certificate holder or its representative offers in advance the departure location, departure time, and arrival location.

“Charter operation” means operations for which the departure time, departure location and arrival locations are specifically negotiated with the operator’s customer or the customer’s representative.

“Passenger carrying operation” means any aircraft operation carrying any person other than a crewmember, company employee, authorised government representative, or person accompanying a shipment.

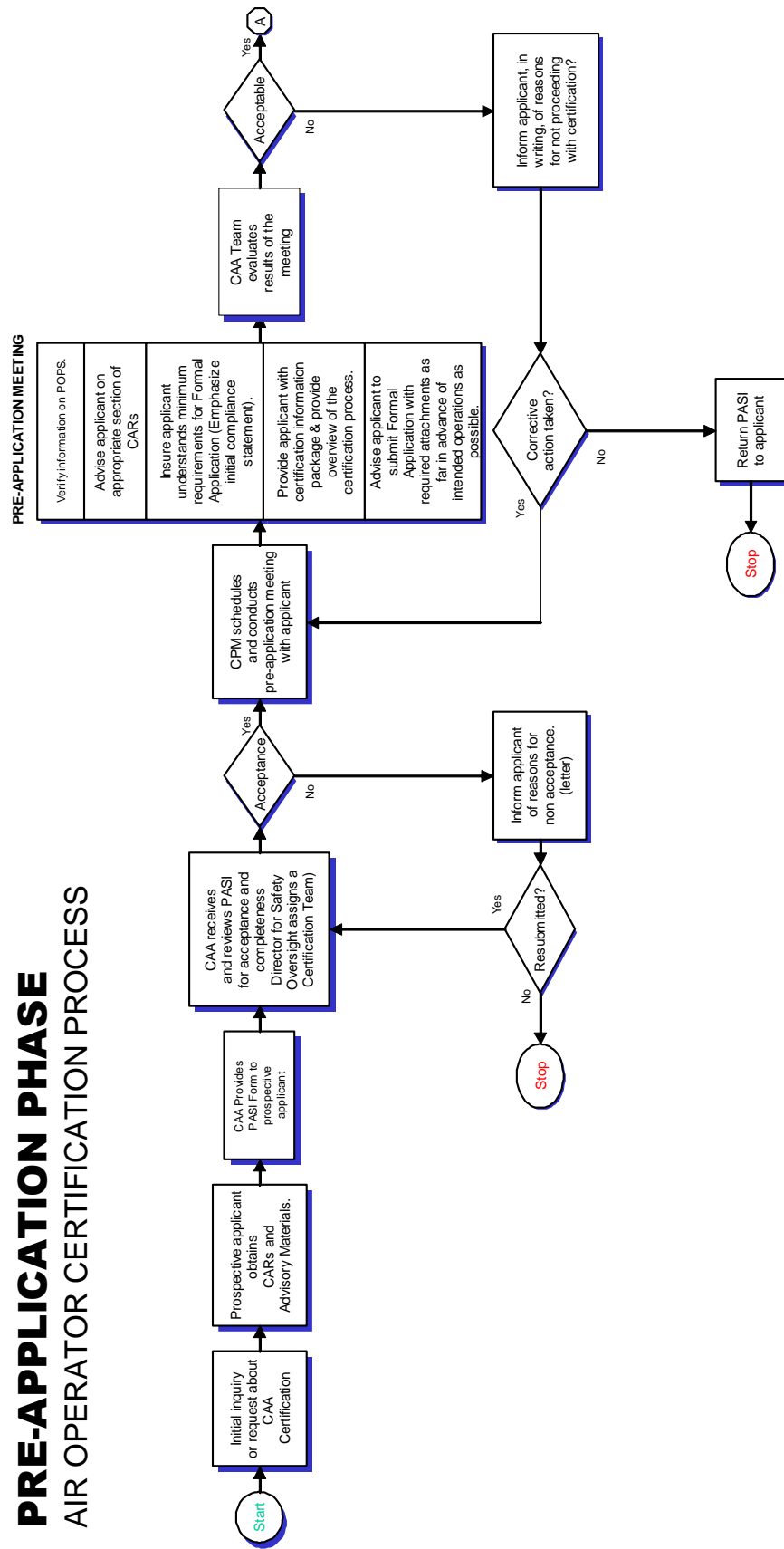
“Principal base of operations” means the primary operating location of a certificate holder as designated by the Authority.

**APPENDIX 6 -
CERTIFICATION
PROCESS FLOW
CHART.**

Page 1 of 5

The flow charts on the following pages are representative of the Air Operator Certification Process. This chart also represents the process for the certification of an Approved Maintenance Organisation.

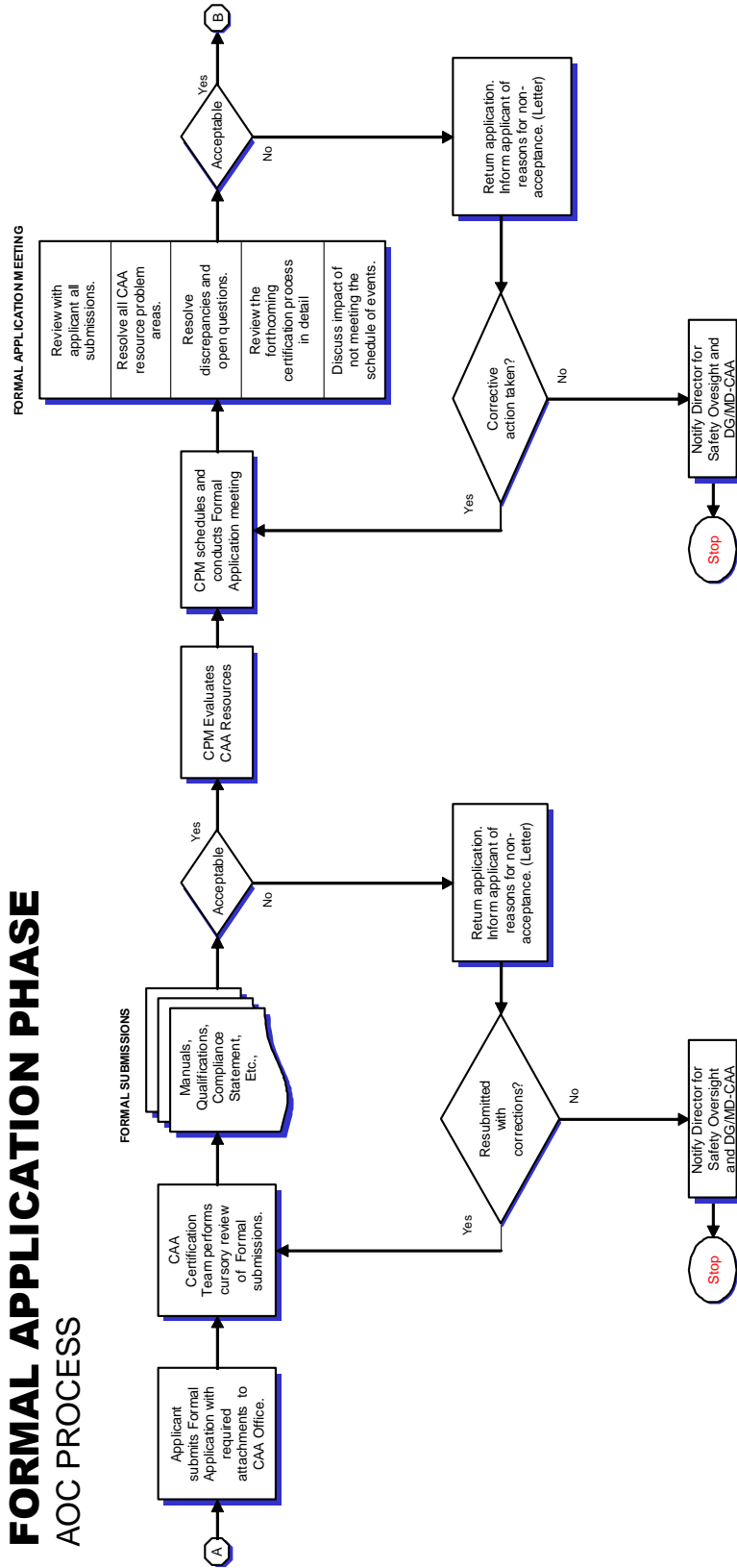
**PRE-APPLICATION PHASE
AIR OPERATOR CERTIFICATION PROCESS**



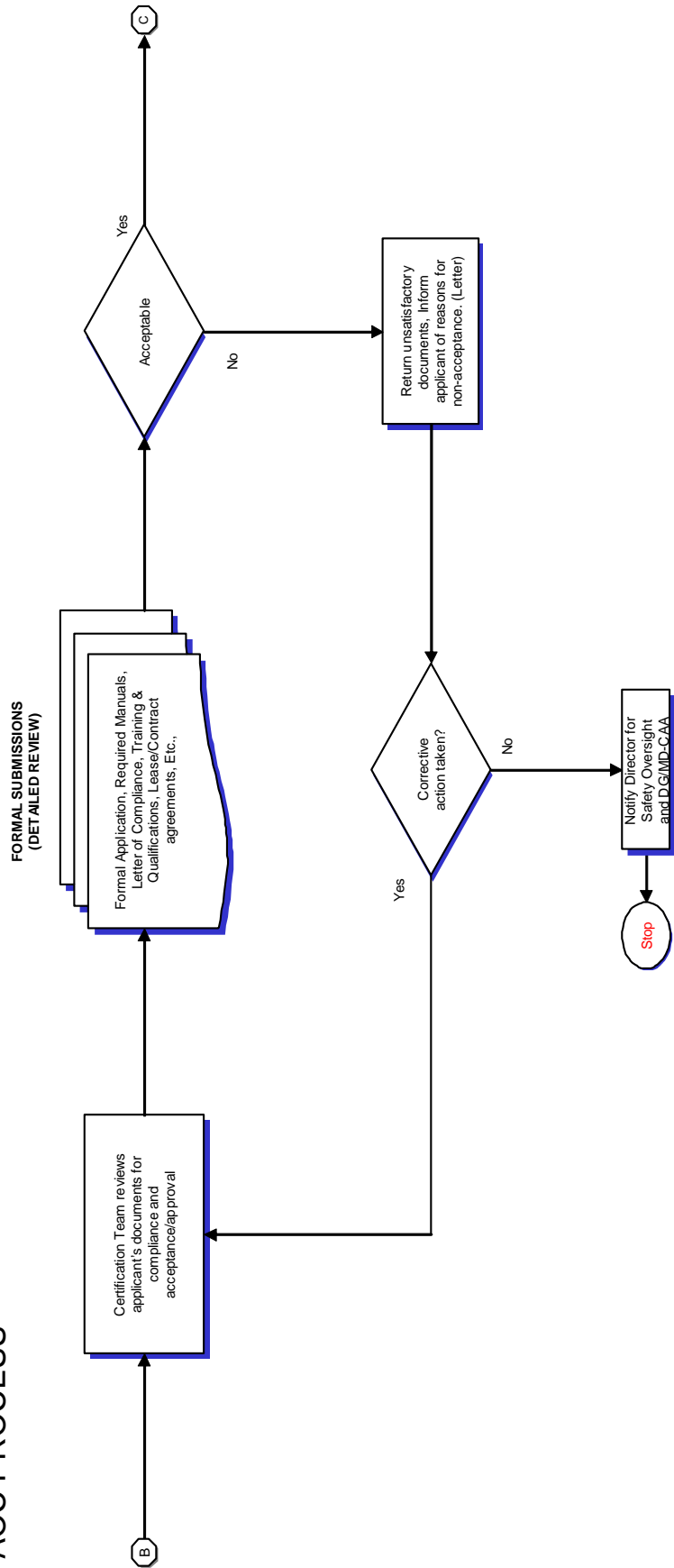
**APPENDIX 6 -
CERTIFICATION
PROCESS FLOW
CHART.**

Page 2 of 5

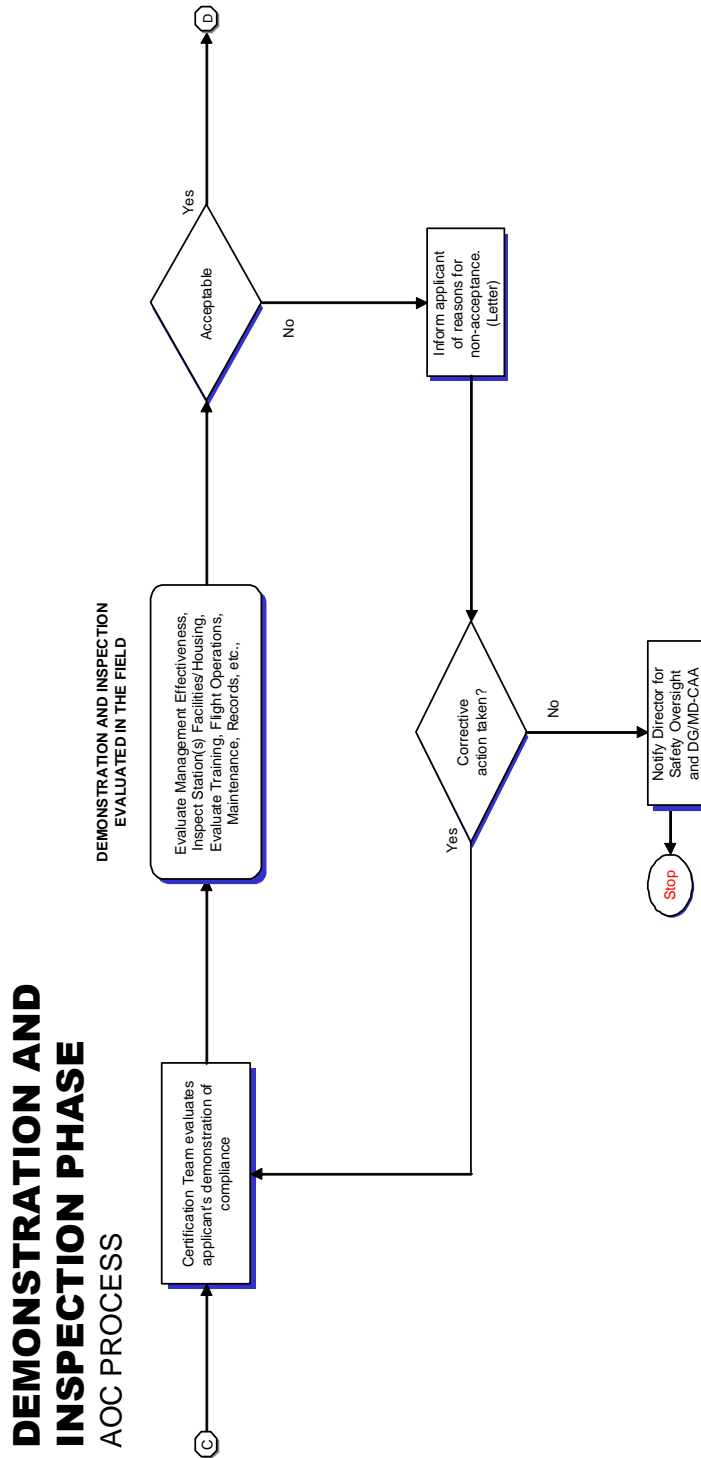
**FORMAL APPLICATION PHASE
AOC PROCESS**



DOCUMENT COMPLIANCE PHASE AOC PROCESS



**APPENDIX 6 -
CERTIFICATION
PROCESS FLOW
CHART.**
Page 4 of 5



**APPENDIX 6 -
CERTIFICATION
PROCESS FLOW
CHART.**
Page 5 of 5

**CERTIFICATION PHASE
AOC PROCESS**

