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PARTE PRIMA
ATTI LEGISLATIVI ED AMMINISTRATIVI
FIRST PART
LEGISLATIVE AND ADMINISTRATIVE ACTS

DECREE OF THE PRESIDENT OF THE SUPREME REVOLUTIONARY
COUNCIL No. of March, 1971
Civil Aviation (Air Navigation) Regulations.

THE PRESIDENT
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING SEEN the First Charter of the Revolution of 21 October 1969 and Law No. 1 of 21 October 1969;

HAVING SEEN article No. 22 of Decree-law No. 13 of 9 September 1965, concerning the organization of Civil Aviation, converted into law by Law No. 18 of 21 November 1965;

HAVING SEEN Law No. 47 of 18 August 1970 concerning the issue of regulations;

TAKING NOTE of the concurrence of the Ministry of Finance under articles 5 (2) and 6 (1) (b) and of the Ministry of Defence under article 14 of Decree-law No. 13 of 9 September 1965;

RECOGNIZING the necessity to promulgate further regulations for civil aviation;

ON THE PROPOSAL of the Secretary of State for Communications and Transport;

HEREBY DECREES

the following regulations and their relevant schedules numbered one to twelve to be known as the Civil Aviation (Air Navigation) Regulations:

CHAPTER I
PRELIMINARY PROVISIONS

Article 1

Interpretation

1. Unless the context otherwise requires, expressions used in these Regulations shall have the same respective meaning as in Law No. 13 of 9 September 1965.

2. In these Regulations, unless the context otherwise requires:

- «*aerial work*» — means any purpose for which an aircraft (other than public transport) is flown if hire or reward is given or promised in respect of the flight;
- «*aerial work aircraft*» — means an aircraft used or intended to be used for aerial work;
- «*authorized person*» — means a person authorized by the Secretary of State for Communications and Transport;
- «*congested area*» — in relation to a city, town or settlement, means any area which is substantially used for residential, industrial, commercial or recreational purposes;
- «*contracting State*» — means any State being a member of the International Civil Aviation Organization;
- «*controlled airspace*» — means an airspace of defined dimensions within which air traffic control service is provided to controlled flights;
- «*flight crew member*» — means a licensed crew member charged with duties essential to the operation of an aircraft during flight time;
- «*flight time*» — means the total time from the moment the aircraft first moves under its own power for the purpose of taking off until the moment it comes to rest at the end of the flight;
- «*maximum total weight authorized*» — in relation to an aircraft, means the maximum total weight of the aircraft and its contents at which the aircraft may take-off in the most favourable circumstances in accordance with the certificate of airworthiness in force in respect of the aircraft;
- «*night*» — means the time between half an hour after sunset and half an hour before sunrise; sunset and sunrise being determined at surface level;
- «*notified*» — means shown in any of the following publications issued in Somalia whether before or after the coming into operation of these Regulations, that is to say «NOTAMs» (Notices to Airmen), «Information Circulars», «Air Navigation Directions», «Aeronautical Information Publication» or such other official publication so issued for the purpose of enabling any of the provisions of these Regulations to be complied with;
- «*operator*» — means a person, organization or enterprise engaged in or offering to engage in an aircraft operation;
- «*pilot-in-command*» — means the pilot responsible for the operation and safety of the aircraft during flight time;

«*public transport*» — means the carriage of passengers or cargo (including mail) for hire or reward;

«*public transport aircraft*» — means an aircraft used or intended to be used for public transport;

«*scheduled journey*» — means one or a series of journeys which are undertaken between the same two places and which together amount to a systematic services;

«*Secretary of State*» — means the Secretary of State for Communications and Transport;

«*Somali aircraft*» — means an aircraft registered under Article 3 of these Regulations.

Article 2

Applicability

1. Except where the context otherwise requires, these regulations shall apply:

- (a) to Somali aircraft wherever they may be;
- (b) to foreign aircraft when within the territory of the Republic of Somalia.

2. In so far as they prohibit, require or regulate the doing of anything by persons in Somali aircraft, these Regulations shall apply to such persons whatever their nationality and wherever the aircraft may be.

3. In so far as they prohibit, required or regulate the doing of anything by persons in foreign aircraft, these Regulations shall apply to such persons whatever their nationality, when the aircraft is within the Republic of Somalia.

CHAPTER II

REGISTRATION AND MARKING OF AIRCRAFT

Article 3

Registration of Somali aircraft

1. Application for the registration of an aircraft in the Republic of Somalia shall be made in writing to the Secretary of State and shall include or be accompanied by such particulars and evidence relating to the aircraft and the ownership and leasing thereof as he may require to enable him to determine whether the aircraft may properly be registered in the Republic of Somalia and to issue the certificate referred to in paragraph (2) of this Article. In particular, the application shall include the proper description of the

aircraft according to column 4 of the «General classification of Aircraft» set forth in part A of the First Schedule to these Regulations.

2. The Secretary of State shall furnish to the person or persons in whose name the aircraft is registered a certificate of registration, which shall include the foregoing particulars and the date on which the certificate was issued.

3. Any person who is registered as the owner or part owner of a Somali aircraft shall forthwith inform the Secretary of State in writing of:

- (a) any change in the particulars which were furnished to the Secretary of State upon application being made for the registration of the aircraft;
- (b) the destruction of the aircraft, or its permanent withdrawal from use;

4. A person who becomes the owner or part owner of a Somali aircraft shall forthwith inform the Secretary of State in writing to that effect.

5. In this article references to an interest in an aircraft do not include references to an aircraft to which a person is entitled only by virtue of his membership of a flying club.

Article 4

Nationality and Registration Marks

Nationality and registration marks shall be borne on Somali aircraft in compliance with Part B of the First Schedule to these Regulations.

CHAPTER III

AIRWORTHINESS AND EQUIPMENT OF AIRCRAFT

Article 5

Certificate of Airworthiness to be in force

1. An aircraft shall not fly unless there is in force in respect thereof a certificate of airworthiness duly issued or rendered valid under the law of the country in which the aircraft is registered, and any conditions subject to which the certificate was issued or rendered valid are complied with:

Provided that the foregoing prohibition shall not apply to flight's beginning and ending in the Republic of Somalia without passing over any other country, of:

- (a) an aircraft flying for the purpose of gaining airworthiness certification, under the conditions set forth in the Second Schedule to these Regulations; or
- (b) an aircraft flying in accordance with the conditions of a permit to fly by the Secretary of State in respect of that aircraft.

2. In the case of a Somali aircraft the certificate of airworthiness referred to in paragraph (1) of this Article shall be a certificate issued or rendered valid in accordance with the provisions of Article 6 of these Regulations.

Article 6

Issue and renewal of Certificates of Airworthiness

1. The Secretary of State may issue in respect of any aircraft a certificate of airworthiness if he is satisfied that the aircraft is fit to fly having regard to:

- (a) the design, construction, workmanship and materials of the aircraft (including in particular any engines fitted therein), and of any equipment carried in the aircraft which he considers necessary for the airworthiness of the aircraft; and
- (b) the results of flying trials, and such other tests of the aircraft as he may require;

2. Every certificate of airworthiness shall specify such categories as are, in the opinion of the Secretary of State appropriate to the aircraft in accordance with the Third Schedule to these Regulations and the certificate shall be issued subject to the condition that the aircraft shall be flown only for the purpose indicated in the Schedule in relation to those categories.

3. The Secretary of State may issue the certificate of airworthiness subject to such other conditions relating to the airworthiness of the aircraft as he thinks fit.

4. The certificate of airworthiness may designate the performance group in which the aircraft belongs for the purposes of the requirements referred to in Article 24 of these Regulations.

5. The Secretary of State may, subject to such conditions as he thinks fit, issue a certificate of validation rendering valid for the purposes of these Regulations a certificate of airworthiness issued in respect of any aircraft under the law of any Contracting State other than the Republic of Somalia.

6. Subject to the provisions of these Regulations a certificate of airworthiness or validation issued under these Regulations shall

remain in force for such period as may be specified therein and may be renewed from time to time by the Secretary of State for such further period as he thinks fit.

7. A certificate of airworthiness or a certificate of validation issued in respect of an aircraft shall cease to be in force:

- (a) in the aircraft, or such of its equipment as is necessary for the airworthiness of the aircraft is overhauled, repaired or modified or if any part of the aircraft or of such equipment is removed or is replaced, otherwise than in a manner and with material of a type approved by the Secretary of State either generally or in relation to a class of aircraft or to the particular aircraft; or
- (b) until the completion of any inspection of the aircraft or of any of such equipment as aforesaid, being an inspection required by the Secretary of State to be made for the purpose of ascertaining whether the aircraft remains airworthy.

8. Without prejudice to any other provision of these Regulations, the Secretary of State may, for the purpose of these Regulations, accept reports furnished to him by a person or body whom he may approve either absolutely or subject to such conditions as he thinks fit as qualified to furnish such reports.

9. The Secretary of State shall cause to be prepared and preserved in relation to each Somali aircraft a record enabling the aircraft (including in particular its engines) and such of its equipment as he may have considered necessary for the airworthiness of the aircraft in issuing, varying or rendering valid a certificate of airworthiness, to be identified with the drawings and other documents on the basis of which the certificate was issued, varied or rendered valid. All equipment so identified shall for the purpose of these Regulations be deemed to be equipment necessary for the airworthiness of the aircraft. The Secretary of State shall cause such record to be produced for examination upon request being made therefor at any reasonable time by any persons having in the opinion of the Secretary of State, reasonable grounds for requiring to examine it.

Article 7

Certificates of Maintenance

1. A Somali aircraft shall not fly for the purpose of public transport or dropping or projecting any material for agricultural, public health or similar purposes unless:

- (a) The aircraft (including in particular its engines), together with its equipment and radio station, is maintained in ac-

cordance with maintenance schedules approved by the Secretary of State in relation to that aircraft;

- (b) there are in force in respect of that aircraft certificates (in these Regulations referred to as «certificates of maintenance») issued in accordance with the provisions of this Article and certifying that maintenance has been carried out in accordance with such maintenance schedules:

Provided that an aircraft may, notwithstanding that subparagraphs (a) and (b) have not been complied with in relation to the radio station therein, fly for the sole purpose of enabling persons to be trained to perform duties in aircraft.

2. Every certificate of maintenance shall come into force upon being issued and shall cease to be in force upon the expiration of the period of its validity in elapsed time or flying time, whichever may be the earlier, as specified in the relevant maintenance schedule, and the period of validity of the certificate shall be recorded in the certificate at the time when it is issued.

3. A certificate of maintenance may be issued for the purpose of this Article only by:

- (a) the holder of a licence granted under these Regulations as an aircraft maintenance engineer or aircraft radio maintenance engineer being a licence of a category appropriate in accordance with Article 9 of these Regulations and the Fourth Schedule thereto; or
- (b) the holder of a licence as such an engineer granted under the law of a Contracting State other than the Republic of Somalia and rendered valid under these Regulations, in accordance with the privileges endorsed on the licence; or
- (c) a person whom the Secretary of State has authorised to issue a certificate of maintenance in a particular case and in accordance with that authority:

Provided that, upon approving a maintenance schedule, the Secretary of State may direct that certificates of maintenance relating to the schedule, or to any part thereof specified in his direction, may be issued only by the holder of such a licence as is so specified.

4. Certificates of maintenance shall be issued in duplicate. One of the duplicates shall, during the period of validity of the certificate, be carried in the aircraft when so required, and, the other shall be kept by the operator elsewhere than in the aircraft. A copy of the certificate of maintenance shall be entered in the appropriate log-book and signed by the licensed maintenance engineer who signed the original.

5. On the termination of every flight the pilot-in-command of the aircraft shall enter in a technical log particulars of:

- (a) the times at which the flight began and ended;
- (b) any defect in any part of the aircraft or its equipment which may be known to him, being a part to which a maintenance schedule relates, and if no such defect is known to him he shall make an entry to that effect:

Provided that, in the case of consecutive flights beginning and ending on the same day and at the same aerodrome and with the same person as pilot-in-command of the aircraft, the pilot-in-command may enter the particulars as aforesaid in a technical log at the end of the last of these flights.

6. Upon the rectification of any defect which has been entered in a technical log in accordance with paragraph (5) of this Article, a copy of the certificate of compliance required by these Regulations, in respect of the work done for the rectification of the defect, shall be entered in the technical log in such a position or manner as to be readily identifiable with the entry of the defect to which it relates, and shall be certified by the licensed maintenance engineer who signed the original certificate.

7. The technical log referred to in paragraph (5) and (6) of this Article shall be carried in the aircraft when Article 51 of these Regulations so requires and copies of the entries referred to in those paragraphs shall be kept on the ground.

8. Subject to the provisions of Article 54 of these Regulations every certificate of maintenance shall be preserved by the operator of the aircraft for a period of two years following the expiry of the period of validity of the certificate and/or such further period as the Secretary of State may require in any particular case.

Article 8

Inspection, overhaul, repair, replacement and modification

1. A Somali aircraft, in respect of which a certificate of airworthiness issued or rendered valid under these Regulations is in force, shall not fly if any part of the aircraft or of such of its equipment as is necessary for the airworthiness of the aircraft has been overhauled, repaired, replaced or modified, or has been inspected as provided in paragraph 7 (b) of Article 6 of these Regulations unless there is in force a certificate of compliance issued in accordance with this Regulations and relating to the overhaul, repair, replacement, modification or inspection, as the case may be:

Provided that if a repair or replacement of a part of an aircraft or its equipment is carried out when the aircraft is at such a place that it is not reasonably practicable:

- (a) for the repair or replacement to be carried out in a manner that a certificate of compliance can be issued under these Regulations in respect thereof, or
- (b) for such a certificate to be issued while the aircraft is at a place,

the aircraft may fly to a place at which such a certificate can be issued, being the nearest place:

- (i) to which the aircraft can, in the reasonable opinion of the pilot-in-command thereof, safely fly by a route for which it is properly equipped, and
- (ii) to which it is reasonable to fly having regard to any hazards to the liberty or health of any person on board;

and in such a case the pilot-in-command of the aircraft shall cause written particulars of the flight, and the reasons for making it, to be given to the Secretary of State within ten days thereafter.

2. Neither:

- (a) equipment provided in compliance with the Fifth Schedule to these Regulations (except paragraph (3) thereof), nor
- (b) in the case of a public transport aircraft, radio apparatus provided for use therein or in any survival craft carried therein, whether or not such apparatus is provided in compliance with these Regulations,

shall be installed, or placed on board for use, in a Somali aircraft after being overhauled, repaired or modified, unless there is in force in respect thereof at the time when it is installed or placed on board a certificate of compliance issued in accordance with this Article and relating to the overhaul, repair or modification, as the case may be.

3. For the purpose of these Regulations «certificate of compliance» means a certificate that the part of the aircraft or its equipment has been overhauled, repaired, replaced or modified, as the case may be, in a manner and with material of a type approved by the Secretary of State either generally or in relation to a class of aircraft or the particular aircraft and which identifies the aircraft and the overhaul, repair, replacement or modification to which it relates and includes particulars of the work done; and in relation to an inspection required by the Secretary of State, that the inspection has been made in accordance with the requirements of the Secretary of State and that any consequential repair or replacement has been carried out as aforesaid.

4. A certificate of compliance may be issued for the purpose of this Article only by:

- (a) the holder of a licence granted under these Regulations as an aircraft maintenance engineer or aircraft radio maintenance engineer being a licence of a category appropriate in accordance with Article 9 of these Regulations and the Fourth Schedule thereto; or
- (b) the holder of a licence as such an engineer granted under the law of a Contracting State other than the Republic of Somalia and rendered valid under these Regulations, in accordance with the privileges endorsed on the licence; or
- (c) a person approved by the Secretary of State as being competent to issue such certificates; or
- (d) a person whom the Secretary of State has authorised to issue the certificate in a particular case.

5. Subject to the provisions of Article 54 of these Regulations if the aircraft which a certificate of compliance relates is a public transport aircraft or aerial work aircraft, the certificate of compliance shall be preserved by the operator of the aircraft for the period of time for which he is required to preserve the log-book relating to the same part of the aircraft or to the same equipment or apparatus, as the case may be. In the case of any other aircraft, the certificate shall be preserved by the operator of the aircraft for a period of two years.

6. A copy of the certificate of compliance shall be entered in the appropriate log-book and certified by the licensed maintenance engineer who signed the original.

Article 9

Licensing of maintenance engineers

1. The Secretary of State may grant to any person a licence to act for the purpose of these Regulations as an aircraft maintenance engineer, or an aircraft radio maintenance engineer, of one of the categories specified in the Fourth Schedule to these Regulations, upon his being satisfied that the applicant is a fit and proper person to hold the licence and is qualified by his age, knowledge, experience, competence and skill to do so and for that purpose the applicant shall furnish such evidence and undergo such examinations and test as the Secretary of State may require. The Secretary of State may include a rating in the licence limiting the licence to particular types of aircraft or equipment.

2. A licence of any category shall, subject to any rating as aforesaid, entitle the holder to issue certificates in accordance with the Fourth Schedule of these Regulations.

3. A licence and a rating shall, subject to the provisions of Article 55 of these Regulations remain in force for the period speci-

fied therein, not exceeding twelve months, but may be renewed by the Secretary of State from time to time upon his being satisfied that the applicant is a fit and proper person and is qualified as aforesaid.

4. Upon receiving a licence granted under these Regulations, the holder shall forthwith sign his name thereon in ink with his ordinary signature.

Article 10

Validation of licences

The Secretary of State may issue a certificate rendering valid for the purpose of these Regulations any licence as an aircraft maintenance engineer or aircraft radio maintenance engineer granted under the law of any Contracting State other than the Republic of Somalia. Such certificate may be issued subject to such conditions, and for such period, as the Secretary of State thinks fit.

Article 11

Equipment of aircraft

1. An aircraft shall not fly unless it is so equipped as to comply with the law of the country in which it is registered, and to enable lights and markings to be displayed and signals to be made in accordance with these Regulations.

2. In the case of Somali aircraft the equipment to be provided in addition to any other equipment required by or under these Regulations shall be that specified in such parts of the Fifth Schedule to these Regulations as are applicable in the circumstances and shall comply with the provisions of that Schedule. The equipment, except that specified in paragraph (3) of the said Schedule, shall be of a type approved by the Secretary of State either generally or in relation to a class of aircraft or in relation to that aircraft and shall be installed in a manner so approved.

3. In any particular case the Secretary of State may direct that an aircraft registered in the Republic of Somalia shall carry such additional or special equipment or supplies as he may specify for the purpose of facilitating the navigation of the aircraft, the carrying out of search and rescue operations, or the survival of the persons carried in the aircraft.

4. The equipment carried in compliance with this Article shall be so installed or stowed and kept stowed, and so maintained and so adjusted, as to be readily accessible and capable of being issued to the person for whose use it is intended.

5. The position of equipment provided for emergency use shall be indicated by clear marking in or on the aircraft. In particular there shall be exhibited in a prominent position in every passenger compartment of every public transport aircraft registered in the Republic of Somalia a notice stating where the life-jackets (if any) are to be found, and containing instructions as to how they are to be used.

6. All equipment installed or carried in an aircraft, whether or not in compliance with this Article shall be so installed or stowed and kept stowed and so maintained and adjusted as not to be a source of danger in itself or to impair the airworthiness of the aircraft or the proper functioning of any equipment or services necessary for the safety of the aircraft.

7. This Article shall not apply in relation to radio apparatus except that specified in the Fifth Schedule to these Regulations.

Article 12

Radio Equipment of Aircraft

1. An aircraft shall not fly unless it is so equipped with radio apparatus as to comply with the law of the country in which the aircraft is registered and to enable communications to be made, and the aircraft to be navigated, in accordance with the provisions of these Regulations.

2. Somali Aircraft shall be equipped with radio apparatus in accordance with the Sixth Schedule to these Regulations.

3. In any particular case the Secretary of State may direct that a Somali aircraft shall carry such additional or special radio apparatus as he may specify for the purpose of facilitating the navigation of the aircraft for the carrying out of search and rescue operations or the survival of the persons carried in the aircraft.

4. The radio apparatus provided in compliance with this Article in a Somali aircraft shall always be maintained in serviceable condition.

5. All radio apparatus installed in Somali aircraft (whether or not in compliance with these Regulations) shall be of a type approved by the Secretary of State in relation to the purpose for which it is to be used, and shall be installed in a manner approved by the Secretary of State. Neither the apparatus nor the manner in which it is installed shall be modified except with the approval of the Secretary of State.

Article 13

Aircraft, engine and propeller log-books

1. In addition to any other log-books required by or under these Regulations, the following log-books shall be kept in respect of every public transport aircraft and aerial work aircraft registered in the Republic of Somalia:

- (a) an aircraft log-book; and
- (b) a separate log-book in respect of each engine fitted in the aircraft; and
- (c) a separate log-book in respect of each variable pitch propeller fitted to the aircraft.

The log-book shall include the particulars respectively specified in the Seventh Schedule to these Regulations.

2. Each entry in the book shall be made as soon as is practicable after the occurrence to which it relates, but in no event more than seven days after the expiration of the certificate of maintenance (if any) in force in respect of the aircraft at the time of the occurrence.

3. Entries in a log-book may refer to other documents, which shall be clearly identified, and any other document so referred to shall be deemed to be part of the log-book.

4. It shall be the duty of the operator of every aircraft in respect of which log-books are required to be kept as aforesaid to keep them or cause them to be kept in accordance with the foregoing provisions of this Article.

5. Every log-book shall be preserved by the operator of the aircraft until a date two years after the aircraft, the engine or the variable pitch propeller, as the case may be, has been destroyed or has been permanently withdrawn from use.

Article 14

Aircraft weight schedule

1. Every Somali aircraft shall be weighed, and the position of its centre of gravity determined, at such times and in such manner as the Secretary of State may require.

2. Upon the aircraft being weighed as aforesaid the operator of the aircraft shall prepare a weight schedule showing the basic weight of the aircraft, that is to say, the weight of the aircraft empty together with the weight of unusable fuel and unusable oil in the aircraft and of such items of equipment as are indicated in

the weight schedule, and showing the position of the centre of gravity of the aircraft when the aircraft contains only the items included in the basic weight.

3. The weight schedule shall be preserved by the operator of the aircraft until the expiry of a period of six months following the next occasion on which the aircraft is weighed for the purpose of this Article.

Article 15

Access and inspection for airworthiness purposes

The Secretary of State may cause such inspections, investigations, tests, experiments and flight trials to be made as he deems necessary for the purposes of this Chapter of these Regulations and any authorised person may at any reasonable time inspect any part of, or material intended to be incorporated in or used in the manufacture of any part of, an aircraft or its equipment or any documents relating thereto, and may for that purpose go upon any aerodrome.

CHAPTER IV

AIRCRAFT CREW AND LICENSING

Article 16

Composition of crew of aircraft

1. No aircraft shall fly over Somali territory unless it carries a flight crew of the number and description required by the law of the country in which it is registered.

2. A Somali aircraft shall carry a flight crew adequate in number and description to ensure the safety of the aircraft and of at least the number and description specified in the certificate of airworthiness of the aircraft or the aircraft Flight Manual.

3. A Somali aircraft flying for the purpose of public transport, having a maximum total weight authorised of more than 10,000 kilograms (22,500 Lbs), shall carry not less than two pilots as members of the flight crew thereof.

4. A Somali aircraft engaged on a flight for the purpose of public transport may be required by the Secretary of State to carry a flight navigator as a member of the flight crew on a particular route if he thinks it necessary to do so in the interest of safe navigation on that route. The flight navigator carried in compliance with this paragraph shall be carried in accordance with this Article to perform other duties.

5. A Somali aircraft which is required by law to be equipped with radio communication apparatus shall carry a flight radio operator as a member of the flight crew, who, if he is required to operate radio telegraph apparatus, shall be carried in addition to any other person who is carried in accordance with this Article to perform other duties.

6. If it appears to him to be expedient to do so in the interest of safety, the Secretary of State may direct any particular operator that the aircraft operated by him or any such aircraft shall not fly in such circumstances as the Secretary of State may specify unless they carry in addition to the flight crew required to be carried therein by the foregoing provision of this Article such additional persons as members of the flight crew as he may specify in the direction.

7. When a Somali aircraft carries twenty or more passengers on a flight for the purpose of public transport, the crew of the aircraft shall include a person or persons of the number specified in the Eight Schedule to these Regulations to be carried for the purpose of performing in the interest of the safety of passengers duties to be assigned by the operator or the pilot-in-command of the aircraft, but who shall not act as a member of the flight crew.

Article 17

Licences of members of flight crew

1. A person shall not act as a member of the flight crew of an aircraft registered in the Republic of Somalia unless he is the holder of an appropriate licence granted or rendered valid under these Regulations, provided that he may so act in the course of his duties as a member of the Somali Air Force or Somali Police Force, without being a holder of an appropriate licence.

2. The Secretary of State may grant licences, subject to such conditions as he thinks fit, of any of the following classes:

- Student pilot licence;
- Private pilot licence;
- Commercial pilot licence;
- Senior commercial pilot licence;
- Airline transport pilot licence;
- Private pilot licence (helicopters);
- Commercial pilot licence (helicopters);
- Airline transport pilot licence (helicopters);
- Pilot licence (gliders);
- Flight navigator licence;
- Flight engineer licence;
- Flight radio telephony operator licence;
- Flight radio telegraphy operator licence;

upon his being satisfied that the applicant is a fit and proper person to hold the licence and is qualified by reason of his age, knowledge, experience, competence, skill and physical fitness to act in the capacity to which the licence relates, and for that purpose the applicant shall furnish such evidence, and undergo such examinations and tests (including in particular medical examinations) as the Secretary of State may require.

3. Subject to any conditions of the licence, a licence of any class shall entitle the holder to perform the functions specified in respect of that licence in Part A of the Ninth Schedule of these Regulations under the heading «privileges»; provided that:

- (i) subject to the provisions of Article 20 of these Regulations a person shall not be entitled to perform any of the functions specified in Part B of the Ninth Schedule in respect of a rating unless his licence includes that rating;
- (ii) a person shall not be entitled to perform any of the functions to which his licence relates if he knows or has reason to believe that his physical condition renders him temporarily unfit to perform such function.
- (iii) a pilot licence and a flight engineer licence shall only entitle the holder to act respectively as pilot and flight engineer of an aircraft of the types specified in the aircraft rating included in the licence.

4. The Secretary of State may, if he is satisfied that the applicant is qualified as aforesaid to act in the capacity to which the rating relates, include in a licence a rating of any of the classes specified in Part B of the Ninth Schedule and such rating shall be deemed to form part of the licence and shall entitle the holder to perform such functions as are specified in Part B of the said Schedule in respect of that rating, subject however to any conditions of the licence. An Instrument rating (referred to in the said Schedule) may be renewed by any person appointed by the Secretary of State for that purpose, if that person is satisfied by a test that the applicant continues to be competent to perform the functions to which the rating relates. The test shall be carried out either in flight or by means of apparatus approved by the Secretary of State in which flight conditions are simulated on the ground.

5. A licence and a rating shall, subject to the provisions of Article 55 of these Regulations remain in force for the periods indicated in the licence not exceeding those respectively specified in the Eleventh Schedule to these Regulations and may be renewed by the Secretary of State from time to time upon his being satisfied that the applicant is a fit and proper person and is qualified as aforesaid.

6. Upon receiving a licence granted under this Article the holder shall forthwith sign his name thereon in ink with his ordinary signature.

7. Every holder of licence, other than a flight radiotelephony operator licence, granted under this Article shall submit himself to a medical examination, by a person approved by the Secretary of State upon applying for the renewal of the licence and upon such other occasions at the Secretary of State may require.

8. Every holder of a licence, other than a flight radiotelephony operator licence granted under this Article or rendered valid under Article 18 of these Regulations, who suffers:

- (a) any personal injury involving incapacity to undertake the functions to which his licence relates; or
- (b) any illness involving incapacity to undertake those functions throughout a period of twenty days or more,

shall inform the Secretary of State in writing of such injury or illness, as soon as possible in the case of an injury, and as soon as the period of twenty days has elapsed in the case of illness.

9. A licence other than a flight radiotelephony operator licence, granted or rendered valid under this Chapter, shall be deemed to be suspended upon the occurrence of such an injury, or the elapse of such period of illness as is referred to in paragraph (8) of this Article. The suspension of the licence shall cease:

- (i) upon the holder being medically examined under arrangements made by the Secretary of State and pronounced fit to resume his functions under the licence, or
- (ii) upon the Secretary of State exempting the holder from the requirements of a medical examination, subject to such conditions as the Secretary of State may think fit.

Article 18

Validation of licences

The Secretary of State may issue a certificate of validation rendering valid for the purpose of these Regulations any licence as a member of the flight crew of an aircraft granted under the law of any Contracting State other than the Republic of Somalia. A certificate of validation may be issued subject to such conditions and for such period as the Secretary of State thinks fit.

Article 19

Personal flying log-book

Every member of the flight crew of a Somali aircraft and every person who engages in flying for the purpose of qualifying for the

grant or renewal of a licence under these Regulations shall keep a personal flying log-book in which the following particulars shall be recorded:

- (i) The name and address of the holder of the log-book.
- (ii) Particulars of holder's licence (if any) to act as a member of the flight crew of an aircraft.
- (iii) The name and address of his employer (if any).
- (iv) Particulars of all flights made as member of the flight crew of aircraft, including:
 - (a) the date, time, duration and places of arrival and departure of each flight;
 - (b) the type and registration marks of the aircraft;
 - (c) the capacity in which the holder acted in flight;
 - (d) the particulars of any special conditions under which the flight was conducted, including night flying and instrument flying.
 - (e) particulars of any test or examination undertaken whilst in flight.

Article 20

Instruction in flying

1. A person shall not give any instruction in flying to any person flying or about to fly a flying machine for the purpose of becoming qualified for:

- (a) the grant of a pilot licence; or
- (b) the inclusion in a pilot licence of an aircraft rating, or
- (c) the inclusion or variation of any rating, other than an aircraft rating, in a pilot licence, unless:
 - (i) the person giving the instruction holds a licence, granted or rendered valid under these Regulations, entitling him to act as pilot-in-command of the aircraft for the purpose and in the circumstances under which instruction is to be given; and
 - (ii) his licence includes a flight instructor rating entitling the holder, in accordance with the privileges specified in the Ninth Schedule to these Regulations in respect of that rating, to give the instruction; and

- (iii) if payment is made for the instruction, his licence entitles the holder to act as pilot-in-command of an aircraft flying for the purpose of public transport.

Provided that sub-paragraph (iii) of this paragraph shall not apply if the aircraft is owned, or is operated under arrangements entered into, by a flying club of which both the person giving and the person receiving the instruction are members.

2. For the purpose of this Article payment shall be deemed to be made for instruction if any reward is given or promised by any person to any other person in consideration of the flight being made or of the instruction being given or if the instruction is being given by a person employed for reward primarily for the purpose of giving such instruction.

CHAPTER V

OPERATION OF AIRCRAFT

Article 21

Operations Manual

1. Paragraph (2) of this Article shall apply to public transport aircraft registered in the Republic of Somalia except aircraft used for the time being solely for flights not intended to exceed 40 minutes in duration which are either:

- (a) flights solely for training persons to perform duties in an aircraft; or
 - (b) flights intended to begin and end at the same aerodrome.
2. (a) The operator of every aircraft to which this paragraph applies shall:
- (i) make available to each member of his operating staff an operations manual; and
 - (ii) ensure that each copy of the operations manual is kept up-to-date and that one copy thereof is carried on each flight so as to be available to the members of the flight crew.
- (b) each operations manual shall contain all such information and instructions as may be necessary to enable the operating staff to perform their duties as such, including in particular information and instructions relating to matters specified in the Tenth Schedule to these Regulations;

Provided that the operations manual shall not be required to contain any information or instructions available in a flight manual accessible to the persons by whom the information or instructions may be required.

3. The operator of an aircraft to which paragraph (2) of this Article applies shall, if the Secretary of State shall so require, furnish the Secretary of State with a copy of the whole of the operations manual for the time being in effect, or of such parts thereof as the Secretary of State may specify. The operator shall make such amendments of or additions to the operations manual as the Secretary of State may require for the purpose of ensuring the safety of the aircraft or of persons or property carried therein or the safety, efficiency or regularity of airnavigation.

4. In this Article «operating staff» means the servants and agents employed by the operator, whether or not as members of the crew of the aircraft, to ensure that the flights of the aircraft are carried out in a safe manner and includes an operator who personally performs those functions.

Article 22

Public transport operator's responsibilities

1. The operator of a Somali aircraft shall not permit the aircraft to fly for the purpose of public transport without first:

- (a) designating from among the flight crew a pilot to be the pilot-in-command for the flight; and
- (b) satisfying himself by every reasonable means that the aeronautical radio station and navigational aids serving the intended route or any planned diversion therefrom are adequate for the safe navigation of the aircraft; and
- (c) satisfying himself by every reasonable means that the aerodromes at which it is intended to take-off or land and any alternate aerodrome at which a landing may be made are suitable for the purpose and in particular are adequately manned and equipped to ensure the safety of the aircraft and its passengers.

Provided that the operator of the aircraft shall not be required to satisfy himself as to the adequacy of fire fighting, search and rescue or other services which are required only after the occurrence of an accident.

2. The operator of a Somali aircraft shall not permit any person to be a member of the crew thereof during any flight for the purpose of public transport (except a flight for the sole purpose of training persons to perform duties in aircraft), unless such a person has had the training, experience, practice and periodical tests specified in the Eleventh Schedule to these Regulations in respect of the duties which he has to perform and unless the operator has satisfied himself that such a person is competent to perform his duties and to use the equipment provided in the aircraft for that purpose. The

operator shall maintain, preserve, produce and furnish information respecting records relating to the foregoing matters in accordance with the Eleventh Schedule.

Article 23

Loading and suspended loads

1. The operator of a Somali aircraft shall not cause or permit it to be loaded for a flight for the purpose of public transport, or any load to be suspended therefrom, except under the supervision of a person whom he has caused to be furnished with written instructions as to the distribution and securing of the load so as to ensure that:

- (a) the load may be carried safely on the flight, and
- (b) any conditions subject to which the certificate of airworthiness in force in respect of the aircraft was issued or rendered valid being conditions relating to the loading of the aircraft, are complied with.

2. The instructions shall indicate the weight of the aircraft prepared for service, that is to say the aggregate of the basic weight (shown in the weight schedule referred to in Article 14) and the weight of such additional items in or on the aircraft as the operator thinks fit to include; and the instructions shall indicate the additional items included; in the weight of the aircraft prepared for service, and shall show the position of the centre gravity of the aircraft at that weight:

Provided that this paragraph shall not apply in relation to a flight if:

- (a) the aircraft's maximum total weight authorized does not exceed 1135 kgms (2500 lbs), or
- (b) the aircraft's maximum total weight does not exceed 2725 kgms (6000 lbs) and the flight is intended not to exceed 60 minutes in duration and is either:
 - (i) a flight solely for training persons to perform duties in an aircraft, or
 - (ii) a flight intended to begin and end at the same aerodrome.

3. The operator of an aircraft shall not cause or permit it to be loaded in contravention of the instructions referred to in paragraph (1) of this Article.

4. The person supervising the loading of the aircraft shall, before the commencement of any such flight, prepare and sign a loadsheet in duplicate in a form approved by the Secretary of State

and shall (unless he is himself the pilot-in-command of the aircraft) submit the loadsheet for examination of the pilot-in-command of the aircraft who shall sign his name thereon. Provided that the foregoing requirements of this paragraph shall not apply if:

- (a) the load and the distributing and the securing thereof upon the next intended flight are to be unchanged from the previous flight and the pilot-in-command of the aircraft makes and signs an endorsement to that effect upon the load sheet for the previous flight, indicating the date of the endorsement, the place of departure upon the next intended flight and the next intended place of destination; or
- (b) paragraph (2) of this Article does not apply in relation to the flight.

5. One copy of the load sheet shall be carried in the aircraft when Article 52 of these Regulations so requires until the flights to which it relates have been completed and one copy of that load sheet and of the instructions referred to in this Article shall be preserved by the operator until the expiration of a period of six months thereafter and shall not be carried in the aircraft.

Article 24

Public transport operating conditions

1. A Somali aircraft shall not fly for the purpose of public transport except for the sole purpose of training persons to perform duties in aircraft, unless such requirements as are approved by the Secretary of State in respect of its weight and related performance are complied with.

2. The assessment of the ability of an aircraft to comply with paragraph (1) of this Article shall be based on the information as to its performance contained in the certificate of airworthiness relating to the aircraft. In the event of the information given therein being insufficient for that purpose such assessment shall be based on the best information available to the pilot-in-command of the aircraft.

3. Such requirements as are approved by the Secretary of State in respect of the minimum weather conditions required for take-off, approach to landing and landing shall be complied with in respect of every aircraft to which paragraph (2) of Article 21 of these Regulations applies.

4. A Somali aircraft when flying over water for the purpose of public transport shall fly, except as may be necessary for the purpose of take-off or landing, at such an altitude as would enable the aircraft:

- (a) if it has one engine only, in the event of the failure of that engine;
- (b) if it has more than one engine, in the event of the failure of one of those engines and with the remaining engine or engines operating within the maximum continuous power conditions specified in the certificate of airworthiness relating to the aircraft,

to search a place at which it can safely land at a height sufficient to enable it to do so.

Article 25

Foreign aircraft — weather minima

1. An aircraft registered in a country other than the Republic of Somalia shall not fly over the territory of Somalia for the purpose of public transport unless the operator thereof shall have furnished to the Secretary of State such particulars as he may from time to time have required relating to the minimum weather conditions specified by the operator in relation to aerodromes in the Republic of Somalia for the purpose of limiting their use by the aircraft for take-off or landing, including any instructions given by the operator in relation to such weather conditions.

2. The aircraft shall not begin or end a flight at an aerodrome in the Republic of Somalia in weather conditions worse than those so specified in relation to that aerodrome, or in contravention of the instructions referred to in paragraph (1) of this Article.

Article 26

Pre-flight action by pilot-in-command

The pilot-in-command of a Somali aircraft shall satisfy himself before the aircraft takes off:

- (a) that the flight can safely be made, taking into account the latest information available as to the route and aerodromes to be used, the weather reports and forecasts available, and any alternative course of action which can be adopted in case the flight cannot be completed as planned;
- (b) that the equipment (including radio apparatus) required by or under these Regulations to be carried in the circumstances of the intended flight is carried and is in a fit condition for use;
- (c) that the aircraft is in every way fit for the intended flight; and that where certificates of maintenance are required by Article 7 of these Regulations to be in force, they are in

force and will not cease to be in force during the intended flight;

(d) that the load carried by the aircraft is of such weight, and is so distributed and secured, that it may safely be carried on the intended flight;

(e) that sufficient fuel, oil and engine coolant (if required) are carried for the intended flight, and that a safe margin has been allowed for contingencies, and in case of a flight for the purpose of public transport, that the instructions in the operations manual relating to fuel, oil and engine coolant have been complied with;

(f) in the case of an airship, or balloon, that sufficient balast is carried for the intended flight;

(g) that, having regard for the performance of the aircraft in the conditions to be expected on the intended flight, and to any obstructions at the places of departure and intended destination and on the intended route, it is capable of safely taking off, reaching and maintaining a safe height thereafter, and making a safe landing at the place of intended destination;

(h) that any pre-flight check system established by the operator and set forth in the operations manual or elsewhere has been complied with by each member of the crew of the aircraft.

Article 27

Pilots to remain at controls

The pilot-in-command of a Somali aircraft, it being a flying machine or glider, shall cause one pilot to remain at the controls at all times while the aircraft is in flight. If the aircraft is required by or under these Regulations to carry two pilots, the pilot-in-command shall cause both pilots to remain at the controls during take-off and landing. Each pilot at the controls shall be secured by either a safety belt or a safety harness except that during take-off and landing a safety harness shall be used if it is required by Article 11 of these Regulations to be provided.

Article 28

Public transport of passengers — duties of pilot-in-command

1. This Article applies to flights for the purpose of the public transport of passengers by Somali aircraft.

2. In relation to every flight to which this Article applies the pilot-in-command shall:

- (a) before the aircraft takes off, take all reasonable steps to ensure that all passengers are made familiar with the position and methods of use of emergency exits, safety belts, safety harnesses, oxygen equipment and life-jackets, and devices required by or under these Regulations and intended for use by passengers individually in case of an emergency to the aircraft;

Provided that in relation to life-jackets this requirement may be complied with at any time before the aircraft reaches a point beyond gliding distance from land;

- (b) if the aircraft is intended in the course of the flight to reach a point more than 30 minutes flying time (while flying in still air at the speed specified in the relevant certificate of airworthiness as the speed for compliance with regulations governing flights over water) from the nearest land, take all reasonable steps to ensure that before that point is reached all passengers are given a practical demonstration of the method of use of the life-jackets required by or under these Regulations for the use of passengers;
- (c) before the aircraft takes off and before it lands, take all reasonable steps to ensure that the crew of the aircraft are properly secured in their seats and that any person carried in compliance with paragraph (7) of Article 16 of these Regulations are secured in seats which shall be in a passenger compartment and which shall be so situated that they can readily assist passengers;
- (d) before the aircraft takes off, and before it lands, and whenever by reason of turbulent air or any emergency occurring during flight he considers the precaution necessary, take all reasonable steps to ensure that all passengers are properly secured in their seats by safety belts or safety harnesses;
- (e) in any emergency, take all reasonable steps to ensure that all passengers are instructed in the emergency action which they should take;
- (f) except in a case where a pressure greater than 700 millibars is maintained in all passenger and crew compartments throughout the flight, take all reasonable steps to ensure that:
 - (i) before the aircraft reaches flight level 130, the method of use of oxygen provided in the aircraft, is demonstrated to all passengers;
 - (ii) on reaching such altitude all passengers are recommended to use oxygen;

- (iii) during any continuous period exceeding 30 minutes when the aircraft is flying above flight level 100 but not above flight level 130, and whenever the aircraft is flying above flight level 130, oxygen is used by all the crew of the aircraft.

Article 29

Operation of radio in aircraft

1. The radio station in an aircraft shall not be operated, whether or not the aircraft is in flight, except in accordance with the conditions of the licence issued in respect of that station under the law of the country in which the aircraft is registered, and by a person duly licensed or otherwise permitted to operate the radio station under that law.

2. Whenever an aircraft is in flight in such circumstances that it is required by or under these Regulations to be equipped with radio apparatus, a continuous radio watch shall be maintained by a member of the flight crew listening to the signals transmitted upon the frequency notified, or designated by a message received from an appropriate aeronautical radio station, for use by that aircraft.

Provided that the radio watch may be discontinued or continued on another frequency to the extent as a message as aforesaid so permits.

3. The radio station in an aircraft shall not be operated so as to cause interference which impairs the efficiency of aeronautical telecommunications or navigation services, and in particular emissions shall not be made except as follows:

- (a) emission of the class and frequency for the time being in use, in accordance with general international aeronautical practice, in the airspace in which the aircraft is flying;
- (b) distress, urgency and safety messages and signals, in accordance with general international aeronautical practice;
- (c) messages and signals relating to the flight of the aircraft in accordance with general international aeronautical practice;
- (d) such public correspondence messages as may be permitted by or under the aircraft station referred to in paragraph (1) of this Article.

4. In every Somali aircraft which is equipped with radio communication apparatus a telecommunication log-book shall be kept in which the following entries shall be made:

- (a) the identification of the aircraft radio station;

- (b) the date and time of the beginning and the end of every radio watch maintained in the aircraft and of the frequency on which it was maintained;
- (c) the date and time and particulars of all messages and signals sent or received, including in particular details of any distress traffic sent or received;
- (d) particulars of any action taken upon the receipt of a distress signal or message;
- (e) particulars of any failure or interruption of radio communication and the cause thereof.

Provided that a telecommunication log-book shall not be required to be kept in respect of communication by radiotelephony with a radio station on land or on a ship which provides a radio service for aircraft.

5. The flight radio operator maintaining watch shall sign the entries in the telecommunications log-book indicating the times at which he began and ended the maintenance of such watch.

6. The telecommunications log-book shall be preserved by the operator of the aircraft until a date six months after the date of the last entry therein.

7. In any Somali aircraft which is engaged on a flight for the purpose of public transport, the pilot and the flight engineer (if any) shall not make use of a hand-held microphone (whether for the purpose of radio communication or of intercommunication within the aircraft) whilst the aircraft is flying in controlled airspace at an altitude less than 15,000 feet above mean sea level or is taking off or landing.

Article 30

Towing of Gliders

1. An aircraft in flight shall not tow a glider unless the certificate of airworthiness issued or rendered valid in respect to the towing aircraft under the law of the country in which that aircraft is registered includes an express provision that it may be used for that purpose.

2. The length of the combination of towing aircraft, tow rope and glider in flight shall not exceed 150 meters (500 feet).

3. The commander of an aircraft which is about to tow a glider shall satisfy himself, before the towing aircraft takes off:

- (a) that the tow rope is in good condition and is of adequate strength for the purpose, and that the combination of tow-

ing aircraft and glider is capable of flying in the manner referred to in paragraph (g) of Article 26 of these Regulations;

- (b) that signals have been agreed and communication established with persons suitably stationed so as to enable the glider to take off safely;
- (c) that emergency signals have been agreed between the commander of the towing aircraft and the commander of the glider, to be used, respectively, by the commander of the towing aircraft to indicate that the tow should be immediately released by the glider, and by the commander of the glider to indicate that the tow cannot be released.

4. The glider shall be attached to the towing aircraft by means of the tow rope before the aircraft takes off.

Article 31

Towing, picking up and raising of persons and articles

1. Subject to the provisions of this article, an aircraft in flight shall not, by means external to the aircraft, tow any article, other than a glider, or pick up or raise any person, animal or article, unless the certificate of airworthiness issued or rendered valid in respect of that aircraft under the law of the country in which the aircraft is registered includes an express provision that it may be used for that purpose.

2. An aircraft in flight shall not tow any article, other than a glider, at night or when flight visibility is less than 1.5 km. (1 mile).

3. The length of the combination of towing aircraft, tow rope and article in tow, shall not exceed 150 meters (500-feet).

4. A helicopter shall not fly at any height over a congested area or a city, town or settlement at any time when an article, person or animal is suspended from the helicopter.

5. Nothing in this article shall:

- (a) prohibit the towing in a reasonable manner by an aircraft in flight of any radio aerial, any instrument which is being used for experimental purposes, or any signal, apparatus or article required or permitted by or under these regulations to be towed or displayed by an aircraft in flight;
- (b) prohibit the picking up or raising any person, animal or article in an emergency or for the purpose of saving life;
- (c) be taken to permit the towing or picking up of a glider otherwise than in accordance with article 30 of these Regulations.

Article 32

Dropping of persons and articles

1. Articles and animals (whether or not attached to a parachute) shall not be dropped, or permitted to drop, from an aircraft in flight so as to endanger persons or property.

2. Articles, animals and persons (whether or not attached to a parachute shall not be dropped, or permitted to drop, to the surface from an aircraft flying over Somalia:

Provided that this paragraph shall not apply to the descent of persons by parachute from an aircraft in an emergency, or to the dropping of articles by, or with the authority of, the pilot-in-command of the aircraft in the following circumstances:

- (a) the dropping of articles for the purpose of saving life;
- (b) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
- (c) the dropping of balast in the form of fine sand or water;
- (d) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of these Regulations;
- (e) the dropping at an aerodrome in accordance with prescribed regulations, of ropes, banners or similar articles towed by aircraft.

3. For the purpose of this Article dropping includes projecting and lowering.

4. Nothing in this article shall prohibit the lowering of any person, animal or article from a helicopter to the surface, if the certificate of airworthiness issued or rendered valid in respect of the helicopter under the law of the country in which it is registered includes an express provision that it may be used for that purpose.

Article 33

Carriage of munitions of war

1. A civil aircraft shall not carry any munitions of war.

2. It shall be unlawful for any person to take or cause to be taken on board an aircraft, or to deliver or cause to be delivered for carriage thereon, any goods which he knows or has reasons to believe or suspect to be munitions of war.

3. For the purpose of this Article «munitions of war» means such weapons and ammunition as are designed for use in warfare.

Article 34

Carriage of dangerous goods

1. Dangerous goods shall not be carried in an aircraft except as follows:

- (a) goods carried in accordance with safety regulations issued from time to time by the International Air Transport Association with regard to the carriage of dangerous goods;
- (b) goods carried with the written permission of the Secretary of State and in accordance with any conditions to which such permission may be subject;
- (c) goods carried in an aircraft with the consent of its operator for the purpose of ensuring the proper navigation or safety of the aircraft or the well-being of any person on board;
- (d) goods permitted to be carried under the laws of the country in which the aircraft is registered if there is in force in relation to that country an agreement between the Government of the Somali Republic and the Government of that country permitting the carriage of dangerous goods within the Republic of Somalia in aircraft registered in that country.

2. Dangerous goods permitted by or under these Regulations to be carried in an aircraft shall not be loaded as cargo therein unless:

- (a) the consignor of the goods has furnished the operator of the aircraft with particulars in writing of the nature of the goods and the danger to which they give rise; and
- (b) the goods or any container in which they are packed are clearly marked so as to indicate that danger to the person loading the goods in the aircraft.

The operator of the aircraft shall, before the flight begins inform the pilot-in-command of the aircraft of the identity of the goods, the danger to which they give rise and the weight or quantity of the goods.

3. It shall be unlawful for any person to take or cause to be taken on board an aircraft or to deliver or cause to be delivered for loading thereon, any goods which he knows or has reason to believe or suspect to be dangerous goods the carriage of which is prohibited by this Article.

4. The provisions of this article shall be additional to and not in derogation from the provisions of Article 33 of these Regulations.

Article 35

Method of carriage of persons

A person shall not be in or on any part of an aircraft in flight which is not a part designed for the accommodation of persons and in particular a person shall not be on the wings or under-carriage of an aircraft. A person shall not be in or on any object, other than a glider or flying machine, towed by or attached to an aircraft in flight:

Provided that a person may have temporary access to:

- (a) any part of an aircraft for the purpose of taking action necessary for the safety of the aircraft or of any person, animal or goods therein;
- (b) any part of an aircraft in which cargo or stores are carried, being a part which is designed to enable a person to have access thereto while the aircraft is in flight.

Article 36

Exits and break-in markings

1. This Article shall apply to every public transport aircraft registered in the Republic of Somalia.

2. Whenever an aircraft to which this Article applies is carrying passengers, every exit therefrom and every internal door in the aircraft shall, during take-off and landing and during any emergency, be kept free of obstruction and shall not be fastened by locking or otherwise so as to prevent, hinder or delay its use by passengers:

Provide that an exit may be obstructed by cargo if it is an exit which in accordance with arrangements approved by the Secretary of State, either generally or in relation to a class of aircraft or a particular aircraft, is not required for use by passengers, and a door between the flight crew compartment and any adjacent compartment to which passengers have access may be locked or bolted, if the pilot-in-command of the aircraft so determines, for the purpose of preventing access to the flight crew compartment.

3. Every exit from an aircraft to which this Article applies, being an exit to be used by passengers in normal circumstances, shall be marked with the word «Exit» in both the English and Italian languages and every exit, being an exit intended to be used by passengers in an emergency only, shall be so marked with the word «Emergency Exit».

4. (a) Every exit from the aircraft shall be marked with instructions in both the English and Italian languages and with diagrams, to indicate the correct method of opening the exit;
- (b) the marking shall be placed on or near the inside surface of the door or other closure of the exit and, if it is openable from the outside of the aircraft, on or near the exterior surface.
5. (a) Every aircraft to which this Article applies, being an aircraft of which the maximum total weight authorised exceeds 3.635 kgms (8.000 lbs), shall be marked upon the exterior surface of its fuselage with markings to show the areas (in this paragraph referred to as «break-in areas») which can, for purposes of rescue in an emergency, be most readily and effectively broken into by person outside the aircraft.
- (b) the break-in areas shall be rectangular in shape and shall be marked by right angled corner markings, each arm of which shall be 10 cms (4 inches) in length along its outer edge and 2,5 cms (1 inch) in width.
- (c) The words «Cut Here in Emergency» shall be marked across the centre of each break-in area in both the English and Italian languages.
6. The markings required by this Article shall:
 - (a) be red in colour and, in any case in which the colour of the adjacent background is such as to render red marking not readily visible, be outlined in white or some other contrasting colour in such a manner as to render them readily visible; and
 - (b) be kept at all times clean and unobscured.

Article 37

Imperilling safety of aircraft

A person shall not wilfully or negligently act in a manner likely to endanger an aircraft, or any person therein.

Article 38

Imperilling safety of persons or property

A person shall not wilfully or negligently cause or permit to cause an aircraft to endanger any person or property.

Article 39

Drunkenness in aircraft

- (a) A person shall not enter any aircraft when drunk, or be drunk in any aircraft.
- (b) A person shall not, when acting as the member of the crew of any aircraft or being carried in any aircraft for the purpose of so acting, be under the influence of drink or a drug to such an extent as to impair his capacity so to act.

Article 40

Smoking in aircraft

1. Notices in both the English and Italian languages indicating when smoking is prohibited shall be exhibited in every Somali Aircraft so as to be visible from each passenger seat therein.

2. A person shall not smoke in any compartment of a Somali aircraft at a time when smoking is prohibited in that compartment by a notice to that effect exhibited by or on behalf of the pilot-in-command of the aircraft.

Article 41

Authority of pilot-in-command

Every person in a Somali aircraft shall obey all lawful commands which the pilot-in-command may give for the purpose of securing the safety of the aircraft and of the persons or property carried therein or the safety, efficiency or regularity of air navigation.

Article 42

Stowaways

A person shall not secrete himself for the purpose of being carried in an aircraft without the consent of either the operator of the pilot-in-command thereof or any other person entitled to give consent to his being carried in the aircraft.

CHAPTER VI

FATIGUE OF FLIGHT CREW

Article 43

Application, interpretation and modification of Chapter VI

1. Articles 44 to 48 inclusive, of these Regulations apply in relation to an aircraft if, but only if, it is an aircraft registered in

Somalia which is either:

- (a) engaged on-a flight for the purpose of public transport, or
- (b) operated by an air transport undertaking:

Provided that the said articles shall not apply in relation to a flight made only for the purpose of instruction in flying given by or on behalf of a flying club or a flying school, or a person who is not an air transport undertaking.

2. In this chapter of these Regulations, the following expressions shall, except where the context otherwise requires, have the meanings hereby respectively assigned to them, that is to say:

- (a) «flight time», in relation to any person, means all time spent by that person in an aircraft while it is in flight and he is carried therein as a member of the flight crew thereof;
- (b) «duty period», in relation to any person who flies in an aircraft as member of the flight crew thereof, means any continuous period throughout which he is, under the provisions of paragraph (3) or (4) of this article, to be treated as being on duty;

Provided that where two or more periods which would, but for this provision, be separated duty periods, are separated by an interval of less than 10 hours, the period starting when the first of those duty periods began and finishing when the last of them ended shall be treated as constituting a single continuous duty period;

- (c) «rest period», in relation to any person, means any continuous period no part of which forms part of a duty period of that person.

3. For the purpose of this Chapter of these Regulations, a person who is employed under a contract of service to fly in an aircraft as a member of the flight crew thereof shall be treated as being on duty any time when in the course of that employment he flies in any aircraft (whether as a member of its crew or as a passenger and whether or not the aircraft is such as is referred to in paragraph (1) of this article) or he is otherwise acting in the course of that employment:

Provided that when he is not flying in an aircraft:

- (a) subject to paragraph (c) of this article, he shall not be treated as being on duty during any period which he is allowed for rest;
- (b) subject to paragraph (c) of this article, he shall not be treated as being on duty at any time by reason only of his

being required at that time to be available at a particular place to report for duty if required to do so;

- (c) he shall be treated as being on duty at any time when he is required to be available at a particular place to report for duty if required to do so if:
 - (i) that place is at an aerodrome, or
 - (ii) that place, not being at an aerodrome, is a place at which his employer requires persons similarly employed to be available as aforesaid and adequate facilities for rest are not available for his use while he is required to be available.

4. For the purposes of this chapter of these Regulations, a person who flies in an aircraft as a member of the flight crew thereof, otherwise than in the course of his employment under a contract of service to fly as aforesaid, shall be treated as being on duty at any time when, in connection with any business of operating aircraft, he flies in an aircraft (whether as a member of its crew or as a passenger and whether or not the aircraft is such an aircraft as is referred to in paragraph (1) of this article) or does any work.

5. For the purpose of this chapter of these Regulations, references to a person flying in an aircraft as a member of the flight crew thereof include references to the operator of the aircraft who himself flies in the aircraft in any such capacity and references to the work and other duties which a person is required or permitted by an operator to carry out shall in any such case be construed as references to any work carried out by that operator in connection with the management of aircraft or with any business which includes the flying of aircraft.

6. Notwithstanding the provisions of this article and articles 44 to 50 of these Regulations, the Secretary of State may by regulations modify or replace the provisions of this article (other than this paragraph) or any or all of those articles in their application to Somalia if he considers that the prevention of excessive fatigue of the flight crew of aircraft registered in Somalia will thereby be more suitably ensured.

Article 44

Duties of operators to prevent excessive fatigue of flight crew

It shall be the duty of every operator of an aircraft to which this article applies to ensure, as respects each person flying as a member of the flight crew of that aircraft, that the periods during which that person is required or permitted by that operator to carry out any work or other duties are so limited in length and frequency, and that person is afforded such periods for rest, that his said work

and duties are not likely to cause him such fatigue while he is flying in the aircraft as may endanger the safety thereof.

Article 45

Establishment of the limits of the flight times, flying duty periods and rest periods

1. Without prejudice to the provisions of article 44 of these Regulations and for the purpose of securing that the requirements of those provisions are complied with, every operator of an aircraft to which this article applies shall establish for every person flying in that aircraft as a member of the flight crew thereof:

- (a) limits on the aggregate of all his flight times during every period of 28 consecutive days,
- (b) limits on his flying periods, and
- (c) minimum rest periods which he is to have immediately before any duty period in the course of which he makes any such flight as aforesaid,

being limits and minimum rest periods which the operator is satisfied after taking into account the matters mentioned in paragraph (2) of this article, are such that, if every member of the flight crew observes those limits and has those minimum rest periods, the safety of the aircraft on any flight is not likely to be endangered by reason of any fatigue which may be caused by the work or other duties which the members of the flight crew are required or permitted by that operator to carry out. Different limits and different minimum rest periods may be established either for different persons or for different classes of persons and for different circumstances.

2. The matters which an operator shall take into account in establishing under paragraph (1) of this article limits and minimum rest periods as therein mentioned for the persons therein mentioned are the nature of the work and other duties which those persons will carry out and those duties which may affect the degree of fatigue from which those persons may suffer while they are making a flight in an aircraft to which this article applies in any such capacity as is mentioned in the said paragraph (1).

3. No limits or minimum rest periods may be established under paragraph (1) of this article which would require or permit any person to fly in any aircraft at a time when such flying would constitute a contravention of any of the provisions of articles 46, 47 and 49 of these Regulations.

4. An operator of an aircraft to which this article applies shall not permit that aircraft to make a flight unless limits and minimum rest periods have been established in accordance with the foregoing

provisions of this article so as to apply to every member of the flight crew thereof.

5. Every operator of an aircraft to which this article applies shall take all such steps as are reasonably practicable to secure that all limits for the time being established by that operator in accordance with the foregoing provisions of this article are observed and that no person for whom minimum rest periods are for the time being so established makes any flight in an aircraft to which this article applies unless, immediately before the duty period in the course of which he makes the flight, he has had the appropriate rest period so established.

6. Notwithstanding anything contained in the foregoing provisions of this article, an operator of an aircraft to which this article applies may confer upon the pilot-in-command of that aircraft a discretion to make, or authorise any person to make a flight in that aircraft in such circumstances that the pilot-in-command or, as the case may be, that other person will not observe the limits or will not have had the minimum rest period established by that operator under the foregoing provisions of this article and applicable to pilot-in-command or that other person:

Provided that the said discretion shall not be exercisable unless the following conditions are fulfilled, that is to say:

- (a) that it appears to the pilot-in-command:
 - (i) that arrangements had been made for the flight to be made with such crew and so as to begin and end at such times that if the flight had been made in accordance with those arrangements each member of the crew would have observed the limits and have had the minimum rest periods established by the operator and applicable to them as aforesaid, and that since those arrangements by reason of exceptional circumstances which were not foreseen as likely to prevent that flight from being so made, or
 - (ii) that the flight is one that ought to be carried out in the interest of the safety or health of any person, and
- (b) that the pilot-in-command is satisfied that the safety of the aircraft on that flight will not be endangered if he or that other person makes that flight.

7. Every operator of an aircraft to which this article applies shall include in every operations manual to be provided under article 21 of these Regulations for the use and guidance of the members of the flight crew of that aircraft, or, in any case where no such manual is required to be provided by that article, in a document which shall be provided for the use and guidance of those members, full particulars of all limits and minimum rest periods

for the time being established under the foregoing provisions of this article which may affect any of those members, and of any discretion conferred upon the pilot-in-command of that aircraft under paragraph (6) of this article and (without prejudice to the provisions of article 21 of these Regulations) every such operator shall, whenever requested to do so by a person authorised in that behalf by the Secretary of State, furnish that person with a copy of all particulars from time to time included in any such operations manual or document in accordance with the requirements of this paragraph.

8. In this article the expression «flying duty period», in relation to any person, means the time, reckoned from the beginning of each duty period of that person, in the course of which he is permitted, to make any flight to which this article applies and after expiration of which he is not in the course of the same duty period, to make any such flight.

Article 46

Maximum flying duty periods for pilots and flight engineers

1. Without prejudice to article 44 of these Regulations a person shall not fly in an aircraft to which this article applies as a pilot or a flight engineer thereof in the course of any duty period of that person after more than the specified time has elapsed since the beginning of that duty period.

2. In paragraph (1) of this article the expression «the specified time» means:

- (a) in relation to a person who flies in an aircraft as the only pilot thereof, 12 hours:

Provided that if before the commencement of that flight and during the duty period in the course of which he makes that flight, there has been a period of not less than seven continuous hours throughout which that person has not flown in any aircraft, the foregoing provisions in this sub-paragraph shall have effect in relation to that flight as if 14 hours were substituted therein for 12 hours:

- (b) in relation to a person who flies as a pilot of an aircraft in which two or more persons are carried as pilots thereof, 16 hours:

Provided that the foregoing provisions of this sub-paragraph shall have effect in relation to that flight as if 24 hours were substituted therein for 16 hours if three or more persons are carried in the aircraft as pilots thereof and the following conditions are fulfilled:

- (i) at least two pilots are duly qualified by their respective licences to act as pilot-in-command of the aircraft for the purposes of that flight;
 - (ii) at least one of the pilots is carried in addition to those members of the flight crew who are required to be carried in the circumstances of the flight by or under these Regulations;
 - (iii) suitable facilities for sleeping are available for the use of at least one of the pilots at all times throughout the flight; and
 - (iv) each of the pilots has, during the duty period in the course of which that flight is made and before the end of that flight, been afforded opportunities or resting for a reasonable time;
- (c) in relation to a person who flies as a flight engineer of an aircraft, 16 hours:

Provided that the foregoing provisions of this sub-paragraph shall have effect in relation to that flight as if 24 hours were substituted therein for 16 hours if two or more persons are carried in the aircraft as flight engineers thereof and the following conditions are fulfilled:

- (i) at least one of the flight engineers is carried in addition to the members of the flight crew who are required to be carried in the circumstances of the flight by or under these Regulations;
- (ii) suitable facilities for sleeping are available for the use of at least one of the flight engineers at all times throughout the flight, and
- (iii) each of the flight engineers has, during the duty period in the course of which that flight is made and before the end of that flight, been afforded opportunities of resting for a reasonable time.

Article 47

Minimum rest period for flight crew

Without prejudice to the provisions of article 44 of these Regulations a person shall not fly in an aircraft to which this article applies as a member of the flight crew thereof, unless immediately before the duty period in the course of which he makes that flight he had a sufficient rest period, that is to say, a rest period of a length not less than the minimum length specified in the first column of the Table set out at the end of this article and therein set opposite to the length specified in the second column of that Table which corresponds to the length of the duty period of that person which immediately precedes that rest period.

T A B L E

Minimum length of sufficient rest period	Length of immediately preceeding duty period
10 hours	Not exceeding 10 hours
11 »	Exceeding 10 but not exceeding 11 hours
12 »	» 11 » » » 12 »
13 »	» 12 » » » 13 »
14 »	» 13 » » » 14 »
15 »	» 14 » » » 15 »
16 »	» 15 » » » 16 »
18 »	» 16 » » » 17 »
20 »	» 17 » » » 18 »
22 »	» 18 » » » 19 »
24 »	» 19 » » » 20 »
26 »	» 20 » » » 21 »
28 »	» 21 » » » 22 »
30 »	» 22 » » » 23 »
32 »	» 23 hours

Article 48

Records of flight times, duty periods and rest periods

1. The operator of an aircraft to which this article applies shall not cause or permit any person to fly therein as a member of the flight crew thereof unless the operator has in his possession an accurate and up-to-date record maintained by him or by another operator of aircraft in respect of that person and in respect of the 28 days immediately preceeding the flight showing:

- (a) the times of the beginning and end of each flight in any aircraft made by that person in the course of any of his duty periods, and
- (b) the times of the beginning and end of each duty period of that person. and

(c) brief particulars of the nature of the work or other duties carried out by that person during each of his duty periods.

2. The Secretary of State may prescribe the form and manner in which any records required to be kept under the last foregoing paragraph shall be kept and where he has so prescribed the said records shall be kept accordingly.

3. Subject to the provisions of article 54 of these Regulations the operator of the aircraft shall preserve the records referred to in paragraph (1) of this article for a period of at least 12 months after the end of the flight duty period or rest period to which they relate.

Article 49

Maximum flight times for flight crew

A person shall not fly in any aircraft registered in Somalia as a member of the flight crew thereof at any time on any day after the aggregate of all his flight times (whether arising from flight in an aircraft to which this article applies or in any other aircraft) during the period of 28 consecutive days expiring at the end of that day amounts to 115 hours;

Provided that the foregoing prohibition shall not apply to a flight made in an aircraft which is not such an aircraft as is described in paragraph (1) of article 43 of these Regulations if at the time of the flight aggregate of all the flight times of the person making the flight since he was last medically examined under these Regulations and found fit does not exceed 115 hours.

Article 50

Provision for particular cases

1. Notwithstanding anything contained in articles 46, 47 and 49 of these Regulations (hereinafter referred to as «the relevant articles») a person shall be deemed not to have contravened any of the provisions of those articles by reason of a flight made at any time by that person or by another person if the first mentioned person proves:

- (a) that it was due to an unavoidable delay in the completion of the flight that the person so flying was flying at that time, and
- (b) that the said first mentioned person could not reasonably be expected to have foreseen before the flight began that the delay was likely to occur.

2. Notwithstanding anything contained in the relevant articles, the pilot-in-command of an aircraft may make, or authorise any other person to make, and that other person if so authorised may make, a flight in that aircraft which he would, but for this paragraph, be prohibited from making by virtue of any provision contained in the relevant articles if:

- (a) it appears to the pilot-in-command:
 - (i) that arrangements had been made for the flight to be made with such a crew and so as to begin and end at such times that no member of that crew would have been prohibited from making the flight in accordance with those arrangements by any provision contained in the relevant articles, and that since those arrangements were made the flight has been or will be prevented from being made in accordance with those arrangements by reason of exceptional circumstances or by reason of circumstances which were not foreseen as likely to prevent that flight from being so made, or
 - (ii) that the flight is one which ought to be carried out in the interest of the safety or health of any person, and
- (b) the pilot-in-command is satisfied that the safety of the aircraft on that flight will not be endangered if he or that other person makes that flight.

3. Where the pilot-in-command or any other person makes a flight in an aircraft which he or that other person is permitted to make under the last foregoing paragraph, a report in writing that he or that other person has made that flight, giving full particulars of the circumstances in which it was made and the reasons why the pilot-in-command made that flight or, as the case may be, authorised that other person to do so, shall be made as soon as is reasonably practicable by the pilot-in-command to the operator of the aircraft and in any event by the operator to the Secretary of State; and the operator and the pilot-in-command shall furnish any authorised person with such further information in his possession relating to the flight and to the circumstances in which it was made as that person may require.

CHAPTER VII

AIR TRAFFIC

Article 51

Rules of the air and air traffic control

1. Subject to the provisions of paragraph (2) of this article it shall be an offence to contravene, to permit the contravention of,

or to fail to comply with the Rules of the Air and Air Traffic Control Regulations.

2. It shall be lawful for the Rules of the Air and Air Traffic Control Regulations to be departed from to the extent necessary:

- (a) for avoiding immediate danger, or
- (b) for complying with the laws of any country other than the Republic of Somalia within which the aircraft then is, or
- (c) for complying with Service Flying Orders in relation to an aircraft of which the pilot-in-command is acting as such in the course of his duty as a member of the Somali Air Force.

3. If any departure from the Rules of the Air and Air Traffic Control is made for the purpose of avoiding immediate danger, the pilot-in-command shall cause written particulars of the departure, and of the circumstances giving rise to it, to be given within ten days thereafter to the competent authority of the country in whose territory departure was made or if the departure was made over the high seas to the Secretary of State.

4. Nothing in the Rules of the Air and Air Traffic Control shall exonerate any person from the consequences of any neglect in the use of lights or signals or of the neglect of any precautions required by ordinary aviation practice or by the special circumstances of the case.

CHAPTER VIII DOCUMENTS AND RECORDS

Article 52

Documents to be carried

1. An aircraft shall not fly unless it carries the documents which it is required to carry under the law of the country in which it is registered.

2. A Somali aircraft shall, when in flight, carry documents in accordance with the Twelfth Schedule to these Regulations; provided that, if the flight is intended to begin and end at the same aerodrome and does not include passage over the territory of any country other than the Republic of Somalia the documents may be kept at the aerodrome instead of being carried in the aircraft.

Article 53

Production of documents and records

1. The pilot-in-command shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person:

- (a) the certificates of registration and airworthiness in force in respect of that aircraft;
- (b) the licences of its flight crew; and
- (c) such other documents as the aircraft is required to carry when in flight.

2. The operator of a Somali aircraft shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person such of the following documents as may have been requested by that person being documents or records which are required by or under these Regulations to be in force or to be carried or preserved:

- (a) the documents referred to in the Fourteenth Schedule to these Regulations as Documents A, B and C;
- (b) the aircraft log-book, engine log-book and variable pitch propeller log-books required under these Regulations to be kept;
- (c) the weight schedule, if any, required to be preserved under these Regulations; and
- (d) in the case of a public transport aircraft or aerial work aircraft, the documents referred to in the Fourteenth Schedule as Documents D, E and F;
- (e) any records of flight time, duty periods and rest periods which he is required by paragraph (3) of article 48 of these Regulations to preserve, and such other documents and information in possession or control of the operator, as the authorised person may require for the purpose of determining whether those records are complete and accurate.

3. The holder of a licence granted or rendered valid under these Regulations shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person his licence including any certificate of validation. The requirements of this paragraph shall be deemed to have been complied with, except in relation to licences required by article 41 of these Regulations to be carried in the aircraft or kept at an aerodrome, if the licence requested is produced within five days after the request has been made for scrutiny by the Secretary of State.

4. Every person required by article 19 of these Regulations to keep a personal flying log-book shall cause it to be produced within a reasonable time to an authorised person after being requested to do so by him within two years after the date of the last entry therein.

Article 54

Preservation of documents and records

A person required by these Regulations to preserve any documents or records by reason of his being the operator of an aircraft shall, if he ceases to be the operator of the aircraft, continue to preserve the documents or records as if he had not ceased to be the operator, and in the event of his death the duty to preserve the documents shall fall upon his personal representative:

Provided that if:

- (a) another person becomes the operator of the aircraft and it remains registered in the Republic of Somalia he or his personal representative shall deliver to that other person upon demand the certificates of maintenance and compliance, the log-books and the weight schedules which are in force or required to be preserved in respect of that aircraft;
- (b) an engine or variable pitch propellor is removed from the aircraft and installed in an other aircraft operated by another person and registered in the Republic of Somalia he or his personal representative shall deliver to that person upon demand the log-book relating to that engine or propellor;
- (c) any person in respect of whom a record has been kept by him in accordance with article 48 of these Regulations becomes a member of the flight crew of a public transport aircraft registered in Somalia and operated by another person he or his personal representative shall deliver those records to that other person upon demand;

and it shall be the duty of that other person to deal with the documents or records delivered to him as if he were the first mentioned operator.

Article 55

Revocation, suspension and variation of certificates, licences and other documents

1. The Secretary of State may, if he thinks fit, provisionally suspend any certificate, licence, approval, permission, exemption or other document issued or granted under these Regulations pending investigation of the case. The Secretary of State may, on sufficient ground being shown to his satisfaction after due inquiry, revoke, suspend, or vary any such certificate, licence, approval, permission, exemption or other document.

2. The holder or any person having the possession or custody of any certificate, licence, approval, permission, exemption or other

document which has been revoked, suspended or varied under these Regulations shall surrender it to the Secretary of State within a reasonable time after being required to do so by him.

3. The breach of any condition subject to which any certificate, licence, approval, permission, exemption or other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

Article 56

Offences in relation to documents or records

1. A person shall not with intent to deceive:

- (a) use any certificate, licence, approval, permission, exemption or other document issued or required by or under these Regulations which has been forged, unlawfully altered, or revoked or suspended, or to which he is not entitled; or
- (b) lend any certificate, licence, permission, approval, exemption or other documents issued or required under these Regulations to, or allow to be used by any other person; or
- (c) make any false representation for the purpose of procuring for himself or any other person the grant, issue, renewal or variation of any such certificates, licence, approval, permission or exemption or other document.

2. A person shall not wilfully mutilate, alter or render illegible any log-book or other record required by or under these Regulations to be maintained or any entry made therein, or knowingly make, or procure or assist in the making of any false entry in or material omission from any such log-book or record or destroy any such log-book or record during the period for which it is required under these Regulations to be preserved.

(3) All entries made in the log-book or record shall be made in ink or indelible pencil.

4. A person shall not wilfully or negligently make in a load sheet any entry which is incorrect in any material particular, or any material omission from such a load sheet.

5. A person shall not purport to issue any certificate of maintenance or certificate of compliance or any certificate under Condition (3) of the Conditions set forth in the Second Schedule to these Regulations unless he is authorised to do so under these Regulations.

6. A person shall not issue any such certificate as aforesaid unless he has satisfied himself that all statements in the certificate are correct.

CHAPTER IX
GENERAL PROVISIONS

Article 57

*Restriction with respect to carriage for hire or
reward in foreign aircraft*

An aircraft registered in a country other than the Republic of Somalia shall not take on board or discharge any passengers or cargo in the Republic of Somalia, being passengers or cargo carried for hire or reward except with the permission of the Secretary of State granted under this article to the operator or the charterer of the aircraft or to the Government of the country in which the aircraft is registered, and in accordance with any conditions to which such permission may be subject.

Article 58

Power to prevent aircraft flying

1. If it appears to the Secretary of State or any authorised person that any aircraft is intended or likely to be flown:

- (a) in such circumstances that the flight would be in contravention of any provision of these Regulations and be a cause of danger to any person or property whether or not in the aircraft; or
- (b) while in a condition unfit for the flight whether or not the flight would otherwise be in contravention of any provision of the Regulations,

the Secretary of State or that authorised person may direct the operator or pilot-in-command of the aircraft that he is not to permit the aircraft to make the flight, and the Secretary of State or that authorised person may take such steps as are necessary to detain the aircraft.

2. For the purpose of paragraph (1) of this Article the Secretary of State or any authorised person may enter upon and inspect any aircraft.

Article 59

Right of access to aerodromes and other places

The Secretary of State or any authorised person shall have the right of access at all reasonable times:-

- (a) to any aerodrome, for the purpose of inspecting the aerodrome;

- (b) to any aerodrome for the purpose of inspecting any aircraft on the aerodrome or any document which he has power to demand, or for the purpose of detaining any aircraft; and
- (c) to any other place where an aircraft has landed, for the purpose of inspecting the aircraft or any document which he has the power to demand and for the purpose of detaining the aircraft.

Article 60

Obstruction of persons

A person shall not wilfully obstruct or impede any person acting in the exercise of his power or the performance of his duties under these Regulations.

Article 61

Enforcement of directions

Any person who fails to comply with any direction given to him by the Secretary of State or any authorized person under any provision of these Regulations shall be deemed to have contravened that provision.

Article 62

Exemption from Regulations

The Secretary of State may exempt from any of the provisions of these Regulations any aircraft or person or class of aircraft or persons, either absolutely or subject to such conditions as he thinks fit.

Article 63

Contraventions

1. Any person who is the operator or pilot-in-command of an aircraft when a provision of these Regulations is contravened in relation to that aircraft shall be deemed to have contravened that provision unless he proves that he did not connive at the contravention and took reasonable care to prevent it. Nothing in this paragraph shall prejudice the liability of any other person for that contravention.

2. If it is proved that an act or omission of any person was due to a cause not avoidable by reasonable care on his part, his act or omission shall be deemed not to be a contravention by him of these Regulations.

CHAPTER X
FINAL PROVISIONS

Article 64
Abrogation

Any provision contrary to or inconsistent with the Regulations is hereby abrogated.

Article 65
Coming into force

These Regulations shall come into force on the day following the date of their publication in the Official Bulletin.

Mogadiscio, 20 February, 1971.

Major General Mohamed Siad Barre
PRESIDENT
of the Supreme Revolutionary Council

FIRST SCHEDULE

(See Article 3)

PART A

TABLE OF GENERAL CLASSIFICATION OF AIRCRAFT

Col. 1	Col. 2	Col. 3	Col. 4
			(Free ballon
		(Non-power	(
		(driven	(
	(Lighter-than-	((Captive balloon
	(air aircraft	(
	(((
	((Power driven	(Airship
	(((
Aircraft	(
	(((Glider
	((Non-power	(
	((driven	(
	(((Kite
	(Heavier-than-	(
	(air aircraft	((Aeroplane
		(Power	(Rotorcraft
		(driven	(Ornithopter

PART B

(See Article 4)

**NATIONALITY AND REGISTRATION MARKS OF
SOMALI AIRCRAFT**

1. Subject to the provisions of paragraph 3, the nationality and registration marks shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence, in the following manner.

Heavier-than-air aircraft

- (i) Wings: The marks shall appear once on the upper surface of the wing structure and once on the lower surface of the wing structure. They shall be located on the right half of the upper surface and on the left half of the lower surface of the wing structure unless they extend across the whole

of both the upper and the lower surface of the wing structure. So far as possible, the marks shall be located equidistant from the leading and trailing edges of the wing. The tops of the letters shall be towards the leading edge of the wing.

- (ii) Fuselage (or equivalent structure): The marks shall also appear either on each side of the fuselage (or equivalent structure) between the wing and the tail surfaces or on the upper halves of the vertical tail surfaces.

2. Subject to the provisions of paragraph 3 and 4, the following provisions concerning the letters constituting the marks shall be complied with:

Heavier-than-aircraft

- (i) Wings: The letters constituting each group of marks shall be of equal height. The height of the marks shall be at least 50 centimeters (20 inches).
- (ii) Fuselage (or equivalent structure): The marks on the fuselage (or equivalent structure) shall not interfere with visible outlines of the fuselage (or equivalent structure). The letters constituting each group of marks shall be of equal height. The height of the marks shall be at least 30 centimeters (12 inches).

3. In cases where the constructional features of the aircraft do not admit compliance with any of the provisions of paragraph 1 and 2, the nationality and registration marks shall be affixed to the aircraft in such manner, and the letters constituting the marks shall be of such height, as may be approved by the Secretary of State.

- 4. (1) The letters shall be capital letters in Roman characters without ornamentation.
- (2) The width of each letter (except the letter I) and the length of the hyphen between the nationality and registration mark shall be two-thirds of the height of a letter.
- (3) The letters and hyphen shall be formed by solid lines and shall be of a colour clearly contrasting throughout with the background on which they appear. The thickness of the lines shall be one-sixth of the height of a letter.
- (4) As nearly as the constructional features of the aircraft admit, each letter shall be separated from the letter which immediately precedes or follows it (the hyphen for this purpose being regarded as a letter) by a space of not less than one-quarter of the width of the individual letters.

5. The nationality and registration marks shall be displayed to the best advantage, taking into consideration the constructional features of the aircraft.

6. The nationality mark of a Somali aircraft will consist of the cipher six (6), followed by the letter O. The registration mark will consist of three letters following the nationality mark and separated therefrom by a hyphen.

SECOND SCHEDULE

(See Article 5)

A AND B CONDITIONS

A Conditions.

1. The aircraft shall be either an aircraft in respect of which a certificate of airworthiness or validation has previously been in force under the provisions of these Regulations, or an aircraft identical in design with an aircraft in respect of which such a certificate is or has been in force.

2. The aircraft shall fly only for the purpose of enabling it to:

- (a) qualify for the issue or renewal of a certificate of airworthiness or of the validation thereof or the approval of a modification of the aircraft, after an application has been made for such issue, renewal, validation or approval, as the case may be; or
- (b) proceed to or from a place at which any inspection, test or weighing of the aircraft is to take place for a purpose referred to in sub-paragraph (a).

3. The aircraft and its engines shall be certified as fit for flight by the holder of a licence as an aircraft maintenance engineer entitled in accordance with the provisions of the Fourth Schedule to these Regulations so to certify, or by a person approved by the Secretary of State for the purpose of issuing certificates under this condition.

4. The aircraft shall carry the minimum flight crew specified in any certificate of airworthiness or validation which has been previously been in force under these Regulations in respect of the aircraft, or is or has been previously in force in respect of any other aircraft of identical design.

5. The aircraft shall not carry any passengers or cargo except passengers performing duties in the aircraft in connection with the flight.

6. The aircraft shall not fly over any congested area of a city, town or settlement except to the extent that it is necessary to do so in order to take-off from or land at a Government aerodrome in accordance with normal aviation practice.

7. Without prejudice to the provisions of paragraph (2) of Article 16 of these Regulations, the aircraft shall carry such flight crew as may be necessary to ensure the safety of the aircraft.

B Conditions.

1. The flight shall be made under the supervision of a person approved by the Secretary of State for the purpose of these Conditions, and subject to any additional conditions which may be specified in such approval.

2. If it is not registered in Somalia or under the law of any country, the aircraft shall be marked in a manner approved by the Secretary of State for the purpose of these Conditions, and the provisions of Articles 12, 13, 17, 26, 29, 52 and 53 of these Regulations shall be complied with in relation to the aircraft as if it were registered in Somalia so far as such provisions are applicable to the aircraft in the circumstances.

3. The aircraft shall fly only for the purpose of:

- (a) Experimenting with or testing the aircraft (including in particular its engines) and its equipment;
- (b) enabling the aircraft to qualify for the issue or validation of a certificate of airworthiness or the approval of a modification of the aircraft; or
- (c) proceeding to or from a place at which any experiment, test, inspection or weighing of the aircraft is to take place for a purpose referred to in sub-paragraph (a) or (b).

4. The aircraft shall carry such flight crew as may be necessary to ensure the safety of the aircraft.

5. The aircraft shall not carry any passengers or cargo except passengers performing duties in the aircraft in connection with the flight.

6. The aircraft shall not fly over any congested area of a city, town or settlement except to the extent that it is necessary to do so in order to take-off from or land at a Government aerodrome, a licensed aerodrome or in accordance with normal aviation practice, or at a place approved by the Secretary of State under paragraph (1).

THIRD SCHEDULE

(See Article 6)

CATEGORIES OF AIRCRAFT

FOR AIRWORTHINESS PURPOSES

1. Categories of Aircraft:
 - Transport Category (Passenger)
 - Transport Category (Cargo)

Aerial Work Category
Private Category
Special Category.

2. Purposes for which aircraft may fly are as follows:

Transport Category (Passengers): Any purpose

Transport Category (Cargo): Any purpose, other than the public transport of passengers

Aerial Work Category: Aerial work only

Private Category: Any purpose other than public transport or aerial work.

Special Category: Any other purpose specified in the certificate of airworthiness but not including the carriage of passengers unless expressly permitted.

FOURTH SCHEDULE

(See Articles 7, 8 and 9)

MAINTENANCE ENGINEERS: PRIVILEGES LICENCES

An aircraft maintenance engineer may, subject to the conditions of his licence, issue certificates as follows:

Aircraft Maintenance Engineers — Category A (Aircraft).

In relation to aircraft (not including engines):

- (a) certificates of maintenance in accordance with the maintenance schedules approved under these Regulations;
- (b) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved;
- (c) certificates of fitness of aircraft for flight under the «A» Conditions.

Aircraft Maintenance Engineers — Category B (Aircraft).

In relation to aircraft (not including engines):

Certificates of compliance in respect of inspections, overhauls, repairs, replacement, and modifications approved under these Regulations.

Aircraft Maintenance Engineers — Category C (Engines).

In relation to engines:

- (a) certificates of maintenance in accordance with the maintenance schedules approved under these Regulations;

- (b) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved;
- (c) certificates of fitness of aircraft, engines for flight under the «A» Conditions.

Aircraft Maintenance Engineers — Category D (Engines).

In relation to engines:

Certificates of compliance in respect of inspections, overhauls, repairs replacements and modifications approved under these Regulations.

Aircraft Maintenance Engineers:

- Category X (Compasses)
- Category X (Instruments)
- Category X (Electrical)
- Category X (Automatic Pilots)

In relation respectively to compasses, instruments, electrical equipment or automatic pilots:

- (a) certificates of maintenance in accordance with the maintenance schedules approved under these Regulations;
- (b) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved.

Aircraft Radio Maintenance Engineers — Category A (Radio).

In relation to aircraft radio stations:

- (a) certificates of maintenance in accordance with the maintenance schedules approved under these Regulations;
- (b) certificates of compliance in respect of inspections, repairs, replacements and modifications so approved.

Aircraft Radio Maintenance Engineers — Category B (Radio).

Certificates of compliance in respect of inspections, overhauls, repairs, replacements and modifications of any aircraft radio apparatus approved under these Regulations.

FIFTH SCHEDULE

(See Article 11)

EQUIPMENT OF AIRCRAFT

1. Every Somali aircraft shall be provided, when flying in the circumstances specified in the first column of the Table set forth in paragraph 5 of this Schedule, with the scales of equipment respectively indicated in that Table:

Provided that, if the aircraft is flying in a combination of such circumstances the scales of equipment shall not on that account be required to be duplicated.

2. The equipment carried in an aircraft as being necessary for the airworthiness of the aircraft shall be taken into account in determining whether this Schedule is complied with in respect of that aircraft.

3. The following items of equipment shall not be required to be of a type approved by the Secretary of State:

- (i) The equipment referred to in Scale A (ii).
- (ii) First Aid Equipment and Handbook, referred to in Scale B.
- (iii) Time-pieces, referred to in Scale F.
- (iv) Torches, referred to in Scale G. H. and J.
- (v) Whistles, referred to in Scale H.
- (vi) Sea anchors, referred to in Scale I and J.
- (vii) Rocket signal, referred to in Scale I.
- (viii) Equipment for mooring, anchoring or manoeuvring aircraft on the water, referred to in Scale I.
- (ix) Paddles referred to in Scale J.
- (x) Food and water, referred to in Scale J.

4. The scales of equipment indicated in the Table in paragraph 5 of this Schedule shall be as follows:

Scale A

- (i) Spare fuses for all electrical circuits the fuses of which can be replaced in flight, consisting of 10 per cent of the number of each rating or three of each rating, whichever is the greater;
- (ii) Maps, charts, codes and other documents and navigational equipment necessary, in addition to any other equipment required by or under these Regulations, for the intended flight of the aircraft, including any diversion which may reasonably be expected.
- (iii) Subject to Scale B (iii), a safety belt or safety harness for every seat in use.

Scale B

- (i) First-Aid equipment of good quality, sufficient in quantity, having regard to the number of persons on board the air-

craft, and including the following;

Roller bandages, triangular bandages, absorbent gauze, adhesive plaster, white absorbent lint, cotton wool (or wound dressings in place of the lint and cotton wool), burn dressings, safety pins, haemostatic bandage or tourniquet, scissors;

Antiseptic, analgesic and stimulant drugs;

A handbook on First-Aid.

- (ii) In the case of an aircraft used for the public transport of passengers in which, while the aircraft is at rest on the ground, the sill of any external door intended for the disembarkation of passengers, whether normally or in an emergency;
 - (a) is more than one hundred and eightyfive centimetres (six feet) from the ground when the undercarriage of the aircraft is in the normal position for taxiing, or
 - (b) would be more than one hundred and eightyfive centimetres (six feet) from the ground if the undercarriage or any part thereof should collapse, break or fail to function,

apparatus readily available for use at such door consisting of a device or devices which will enable passengers to reach the ground safely in an emergency while the aircraft is on the ground, and can be readily fixed in position for use.

- (iii) If the maximum total weight of the aircraft authorised exceeds 2,750 kgs. (6,000 lbs.) a safety harness for every pilot's seat in use, in place of the safety belt referred to under Scale A:

Provided that the Secretary of State may permit a safety belt to be fitted if he is satisfied that it is not reasonably practicable to fit a safety harness.

- (iv) If the pilot-in-command cannot, from his own seat, see all the passengers' seats in the aircraft, a means of indicating to the passengers that seat belts should be fastened.

Scale C

- (i) Equipment for displaying the lights required by the Rules of the Air and Air Traffic Control;
- (ii) Electrical equipment, supplied from the main source of supply in the aircraft, to provide sufficient illumination to enable the flight crew properly to carry out their duties during flight;

- (iii) Unless the aircraft is equipped with radio, devices for making the visual signals specified in the Rules of the Air and Air Traffic Control as indicating a request for permission to land.

Scale D

- (i) Either (a) a turn and slip indicator; or
(b) a gyroscopic bank and pitch indicator and a gyroscopic direction indicator;
- (ii) A sensitive pressure altimeter adjustable for changes in barometric pressure.

Scale E

- (i) A turn and slip indicator;
- (ii) A gyroscopic bank and pitch indicator;
- (iii) A gyroscopic direction indicator;
- (iv) A sensitive pressure altimeter adjustable for changes in barometric pressure.

Scale F

- (i) A time-piece with a sweep second hand;
- (ii) A means of indicating whether the power supply to the gyroscopic instruments is adequate;
- (iii) A rate of climb and descent indicator;
- (iv) If the maximum total weight authorized of the aircraft is more than 5.700 Kilograms (12.500 lbs.), a means of indicating the outside air temperature;
- (v) If the maximum total weight authorized of the aircraft is more than 5.700 Kilograms (12.500 lbs.), two air speed indicators.

Scale G

- (i) Landing lights consisting of two single filament lamps, or one dual filament lamp with separately energised filaments;
- (ii) An electric lighting system to provide illumination in every passenger compartment;
- (iii) (a) If the aircraft, in accordance with its certificate of airworthiness, may carry more than nineteen persons over three years of age: two electric torches and an emergency lighting system to provide illumination in the passenger compartments sufficient to facilitate the

evacuation of the aircraft notwithstanding the failure of the lighting systems specified in subparagraph (ii);

- (b) In the case of any other aircraft, one electric torch for each member of the crew of the aircraft;
- (iv) In the case of an aircraft of which the maximum total weight authorized exceeds 5.700 Kilograms (12.500 lbs.), means of observing the existence and build up of ice on the aircraft.

Scale H

For each person on board, a life jacket equipment with a whistle and waterproof torch:

Provided that life jackets constructed and carried solely for use by children under three years of age need not be equipped with a whistle. «Life jackets» includes any device designed to support a person individually in the water.

Scale I

- (i) Additional floatation equipment, capable of supporting one-fifth of the number of persons on board, and provided in a place of stowage accessible from outside the flying machine;
- (ii) Parachute distress rocket signals capable of making from the surface of the water, the pyrotechnical signal of distress specified in Annex 2 to the Chicago Convention;
- (iii) A sea anchor and other equipment necessary to facilitate mooring, anchoring or manoeuvring the flying machine on water, appropriate to its size, weight, and handling characteristics.

Scale J

- (i) Dinghies sufficient to accommodate all persons on board the flying machine with the following equipment:
 - (a) means for maintaining buoyancy;
 - (b) a sea anchor;
 - (c) life lines, and means of attaching one dinghy to another;
 - (d) paddles or other means of propulsion;
 - (e) means of protecting the occupants from the elements;
 - (f) a waterproof torch;
 - (g) marine type pyrotechnical distress signals;

- (h) means of making sea water drinkable;
- (i) for each person the dinghy is designed to carry — 225 grams (8 ounces) of glucose toffee tablets; 115 grams (4 ounces) of sweetened condensed milk in durable containers; 1 litre (2 pints) of fresh water in durable container.

Provided that in any case, in which it is not reasonably practicable owing to lack of stowage space in the dinghy to carry the quantities of condensed milk and water above prescribed, an equal quantity by weight of glucose toffee tablets may be substituted for the former and as large a quantity of fresh water as is reasonably practicable in the circumstances may be substituted for the latter. In no case however shall the quantity of water carried be less than is sufficient, when added to the amount of fresh water capable of being produced by means of the equipment specified in item (h) of this subparagraph, to provide 1 litre (2 pints) of water for each person the dinghy is designed to carry;

- (j) first-aid equipment.

Item (f) to (j) inclusive, shall be contained in a pack stowed with the dinghy.

- (ii) For every four, or proportion of four, dinghies: one dinghy radio transmitter.

Scale K

PART I

- (i) In every flying machine which is provided with means for maintaining a pressure greater than 700 millibars throughout the flight in the control compartment and in the compartments in which the passengers are carried:
 - (a) a supply of oxygen sufficient, in the event of failure to maintain such pressure, occurring in the circumstances specified in columns 1 and 2 of the Tables set forth in Part II of this Scale, for continuous use, during the periods specified in column 3 of the said Table, by the persons for whom oxygen is to be provided in accordance with column 4 of that Table; and
 - (b) in addition, in every case where the flying machine flies at an altitude exceeding 35,000 feet above mean sea level, a supply of oxygen in a portable container sufficient for the simultaneous first aid treatment of two passengers, together with suitable and sufficient apparatus to enable such persons to use the oxygen.

(ii) In any other flying machine:

- (a) a supply of oxygen sufficient for continuous use by all of the crew and, if passengers are carried, by ten per cent of the number of passengers, for any period exceeding 30 minutes during which the flying machine flies at an altitude exceeding 10,000 feet, but not exceeding 13,000 feet above mean sea level; and
- (b) a supply of oxygen sufficient for continuous use by all persons on board for the whole time during which the flying machine flies at an altitude exceeding 13,000 feet above mean sea level; together with suitable and sufficient apparatus to enable such persons to use oxygen.

(iii) The quantity of oxygen required for the purpose of complying with paragraphs (i) and (ii) of this Part of this Scale shall be computed in accordance with the information and instructions relating thereto specified in the operations manual relating to the aircraft pursuant to item (viii) of the Tenth Schedule to these Regulations.

PART II

Column 1	Column 2	Column 3	Column 4
Altitude mean sea level at which flying machine flies	Capability of flying machine to descent (where relevant)	Period of supply of oxygen	Persons for whom oxygen is to be provided
Exceeding 10,000 feet	—	30 minutes or the period specified at A hereunder whichever is the greater	In addition to any passengers for whom oxygen is provided as specified below, all the crew
Exceeding 10,000 feet but not exceeding 30,000 feet	Flying machine is either flying at an altitude not exceeding 15,000 feet or is capable of descending and continuing to destination as specified at X hereunder	30 minutes or the period specified at A hereunder whichever is the greater	10 per cent of number of passengers
	Flying machine is flying at an altitude exceeding 15,000 feet and is not so capable	30 minutes or the period specified at B hereunder whichever is the greater	All passengers
Exceeding 30,000 feet but not exceeding 35,000 feet	Flying machine is capable of descending and continuing to destination as specified at Y hereunder	30 minutes or the period specified at A hereunder whichever is the greater	15 per cent of number of passengers

Column 1	Column 2	Column 3	Column 4
Altitude mean sea level at which flying machine flies	Capability of flying machine to descent (where relevant)	Period of supply of oxygen	Persons for whom oxygen is to be provided
—	Flying machine is not so capable	30 minutes or the period specified at B hereunder whichever is the greater	All passengers
Exceeding 35,000 feet	—	30 minutes or the period specified at B hereunder whichever is the greater	All passengers
		and in addition	
		30 minutes or the period specified at C hereunder whichever is the greater	15 per cent of number of passengers

- A. The whole period during which, after a failure to maintain a pressure greater than 700 millibars in the control compartment and in the compartments in which passengers are carried has occurred, the flying machine flies at an altitude exceeding 10,000 feet above mean sea level.
- B. The whole period during which, after failure to maintain such pressure has occurred, the flying machine flies at an altitude exceeding 15,000 feet above mean sea level.
- C. The whole period during which, after a failure to maintain such pressure has occurred, the flying machine flies at an altitude exceeding 10,000 feet, but not exceeding 15,000 feet above mean sea level.
- D. The flying machine is capable, at the time when a failure to maintain such pressure occurs, of descending in accordance with the emergency descent procedure specified in the relevant flight manual and without flying below the minimum altitudes for safe flight specified in the operations manual relating to the aircraft, from the altitude at which it is then flying to an altitude 15,000 feet above mean sea level within 6 minutes, and of continuing at or below that altitude to its place of intended destination or any other place at which a safe landing can be made.
- Y. The flying machine is capable, at the time when a failure maintain such pressure occurs, of descending in accordance with the emergency descent procedures specified in the relevant flight manual and without flying below the minimum altitudes for safe flights specified in the operations manual relating to the aircraft, from the altitude at which it is then flying to an altitude of 15,000 feet above mean sea level within 4 minutes and of continuing at or below that altitude to its place of intended destination or any other place at which a safe landing can be made.

Scale L

Equipment to prevent the impairment through ice formation of the functioning of the controls, means of propulsion, lifting surfaces, windows or equipment of the aircraft so as endanger the safety of the aircraft.

Scale M

Safety harness for every seat in use.

Scale N

An intercommunication system for use by all members of the flight crew and including microphones, not of a hand-held type, for use by the pilot and flight engineer (if any).

Scale O

A radar set capable of giving warning to the pilot-in-command of the aircraft of the presence of cumulo nimbus clouds and other potentially hazardous weather conditions.

Scale P

A flight recorder which is capable of recording, by reference to a time scale, the following data:

- a) indicated air speed;
- b) indicated altitude;
- c) vertical acceleration;
- d) magnetic heading;
- e) pitch attitude.

The recorder shall be so constructed that the record would be likely to be preserved in the event of an accident to the aircraft.

Aircraft and Circumstances of Flight	Scale of Equipment Required														Extra		
	A	B	C	D	E	F	G	H	I	J	K	L	M	N		O	P
1. Flying machines flying for purposes other than public transport																	
a) when flying at night	A		C	D													
b) when flying under the Instrument Flight Rules																	
(i) outside controlled airspace	A			D													
(ii) within controlled airspace	A				E	F											E (iv) duplicated
c) when carrying out acrobatic manoeuvres	A												M				
d) on all other flights	A																
2. Flying machines flying for the purpose of public transport																	
a) when flying under Instrument Flight Rules																	
(i) in the case of flying machines of which the maximum total weight authorised exceeds 1,250 kgs.	A	B			E	F											E (iv) duplicated
(ii) in the case of flying machines of which the maximum total weight authorised does not exceed 1,250 kgs.																	
a) outside controlled airspace	A	B		D		F (i) only											
b) within controlled airspace	A	B			E	F											E (iv) duplicated

Aircraft and Circumstances of Flight

Scale of Equipment Required

A B C D E F G H I J K L M N O P Extra

b) when flying at night

(i) in the case of flying machines of which the maximum total weight authorised exceeds 1,250 kgs.

A B C E F G

E (iv)
duplicated

(ii) in the case of flying machines of which the maximum total weight authorised does not exceed 1,250 kgs.

A B C D F(i) G
only

c) when flying over water beyond gliding distance from land

A B D F(i) H
only

d) when flying over water at such a distance from the nearest land that, when flying in still air at the speed specified in the relevant certificate of airworthiness as the speed for compliance with regulations governing flights over water, it would be unable to reach the nearest land in the following times:

(i) in the case of an aeroplane classified in

Aircraft and Circumstances of Flight

Scale of Equipment Required

A B C D E F G H I J K L M N O P Extra

	its certificate of airworthiness as being of performance group A, C or X — 90 minutes																		
(ii)	in the case of an aeroplane having no performance group classification in the certificate of airworthiness and of such a weight and performance that it is capable of a gradient of climb of at least 1 in 200 at an altitude of 5,000 feet in the international standard atmosphere specified in, or ascertainable by reference to, the certificate of airworthiness in force in respect of that aircraft — 90 minutes																		
(iii)	in the case of all other flying machines — 30 minutes	A	B		D		F (i)		H		J								
c)	on all flights which involve manoeuvres on water	A	B		D		F (i)		H	I	J								
f)	when flying at a height of 10,000 feet or more above mean sea level	A	B		D		F (i)		H		K								

Scale of Equipment Required

Aircraft and Circumstances of Flight

A B C D E F G H I J K L M N O P Extra

g) on flights when weather reports or forecasts available at the aerodrome at the time of departure indicate that conditions favouring ice formation are likely to be met	A	B		D		F (i) only							L				
h) when carrying out acrobatic manoeuvres	A	B		D		F (i) only								M			
i) on all flights on which the aircraft carries a flight crew of more than one person																	N
j) on all flights by:																	
i) flying machines powered by turbine jet engines, and of which the maximum total weight authorised exceeds 12,500 kgs.																	O P
ii) flying machines powered by propeller turbine engines and of which the maximum total weight authorised exceeds 45,500 kgs.																	O P
iii) any other flying machine, if the Secretary of State so directs in a particular case, with the exception of any flight on which the radar set specified in Scale O in paragraph 4 of this Schedule is unserviceable																	

Aircraft and Circumstances of Flight

Scale of Equipment Required

A B C D E F G H I J K L M N O P Extra

on take-off but the weather report or forecast available to the pilot-in-command of the aircraft at that time indicates that cumulo-nimbus cloud or other potentially hazardous weather conditions which can be detected on the set when in working order are unlikely to be encountered on the intended route or any planned diversion therefrom, or the pilot-in-command has satisfied himself that any such weather conditions will be encountered in daylight and can be seen and avoided, and the aircraft is in either case operated throughout the flight in accordance with any relevant instructions given in the operations manual

k) on all other flights

A B D F(i) only

3. Gliders flying for purposes other than public transport or aerial work

a) when flying at night

A (ii) C only

4. Gliders when flying for the purposes of public transport or aerial work:

O

Scale of Equipment Required

Aircraft and Circumstances of Flight

A B C D E F G H I J K L M N O P Extra

a) when outside controlled airspace under Instrument Flight Rules	A	B		D	F (i) only														
b) when flying by night	A	B	C	D	F (i) only	G													
c) when carrying out acrobatic manoeuvres	A	B		D	F (i) only								M						
d) on all other flights	A	B		D	F (i) only														

SIXTH SCHEDULE

(See Article 12)

RADIO EQUIPMENT OF AIRCRAFT

1. Every Somali aircraft shall be provided, when flying in the circumstances specified in the first column of the Table set forth in paragraph (2) of this Schedule, with the scales of equipment respectively indicated in that Table:

Provided that, if the aircraft is flying in a combination of such circumstances the scales of equipment shall not an that account be required to be duplicated.

2. TABLE

Aircraft and Circumstances of Flight	Scale of Equipment Required			
	A	B	C	D
(i) All aircraft:				
a) when flying under Instrument Flight Rules within controlled airspace	A	B		
b) where required to comply in whole or in part with Instrument Flight Rules in Visual Meteorological Conditions	A*	B*		
c) when flying within any airspace in respect of which special rules apply in relation to a particular aerodrome, so as to require two-way radio communication with that aerodrome	A*			
(ii) All aircraft when flying for the purpose of public transport:				
a) Under Instrument Flight Rules:				
(i) while making an approach to landing	A	B	C	D
(ii) on all other occasions	A	B	C	
b) Under Visual Flight Rules:				
(i) over a route on which navigation is not effected solely by visual reference to landmarks	A	B		
(ii) over water beyond gliding distance from any land	A			

* Unless the appropriate unit of the Air Traffic Control Service otherwise permits in relation to the particular flight.

3. The scales of radio apparatus indicated in the foregoing Table shall be as follow:

Scale A

Radio apparatus capable of maintaining two-way communications with appropriate aeronautical stations.

Scale B

Radio apparatus capable of enabling the aircraft to be navigated on the intended route.

Scale C

Radio apparatus capable of receiving from the appropriate aeronautical radio station meteorological broadcasts to the intended flight.

Scale D

Radio apparatus capable of receiving signals from one or more aeronautical radio stations on the surface to enable the aircraft to be guided to a point from which a visual landing can be made at the aerodrome at which the aircraft is to land.

SEVENTH SCHEDULE

AIRCRAFT, ENGINE AND PROPELLER LOG BOOK

1. Aircraft Log Book.

The following entries shall be included in the aircraft log book:

- (a) the name of the constructor, the type of the aircraft, the number assigned to it by the constructor and the date of the construction of the aircraft;
- (b) the nationality and registration marks of the aircraft;
- (c) the name and address of the operator of the aircraft;
- (d) particulars of the date and duration of each flight, or, if more than one flight was made on one day, the number of flights and total duration of flights on that day;
- (e) particulars of all maintenance work carried out on the aircraft or its equipment;

- (f) particulars of any defects occurring in the aircraft or in any equipment required to be carried therein by or under these Regulations and of the action taken to rectify such defects including a reference to the relevant entries in the technical log required by paragraph (5) and (6) of Article 7 of these Regulations.
- (g) particulars of any overhauls, repairs, replacement and modifications relating to the aircraft or any such equipment as aforesaid;
Provided that entries shall not be required to be made under sub-paragraph (3), (f) and (g) hereafter, in respect of any engine or variable pitch propeller.

2. Engine Log Book.

The following entries shall be included in the engine log book:

- (a) the name of the constructor, the type of the engine, the number assigned to it by the constructor and the date of the construction of the engine;
- (b) the nationality and registration marks of each aircraft in which the engine is fitted;
- (c) the name and address of the operator of each such aircraft;
- (d) particulars of the date and duration of each occasion on which the engine is run in flight, or, if the engine is run on more than one occasion on one day, the number of occasions and the total duration of the running of the engine on that day;
- (e) particulars of all maintenance work done the engine;
- (f) particulars of any defects occurring in the engine, and of the rectification of such defects, including a reference to the relevant entries in the technical log required by paragraph (5) and (6) of Article 7 of these Regulations;
- (g) particulars of all overhauls, repairs, replacements and modifications relating to the engine or any of its accessories.

3. Variable Pitch Propeller Log Book.

The following entries shall be included in the variable pitch propeller log book:

- (a) the name of the constructor, the type of the propeller, the number assigned to it by the constructor and the date of the construction of the propeller;
- (b) the nationality and registration marks of each aircraft, and the type and number of each engine, to which the propeller is fitted;
- (c) the name and address of the operator of each such aircraft;

- (d) particulars of the date and duration of each occasion on which the propeller is run in flight, or, if the propeller is run on more than one occasion on one day, the number of occasions and the total duration of the running of the propeller on that day;
- (e) particulars of all maintenance work done on the propeller;
- (f) particulars of any defects occurring in the propeller, and of the rectification of such defects, including a reference to the relevant entries in the technical log required by paragraph (5) and (6) of Article 7 of these Regulations;
- (g) particulars of any overhauls, repairs, replacements and modifications relating to the propeller.

EIGHTH SCHEDULE

(See Article 16)

NUMBER OF CABIN ATTENDANTS

Minimum number of aircraft cabin attendants required to be carried on aircraft flying for the purposes of public transport:

Number of passenger for which aircraft is designed:	Number of cabin attendants:
Under 20	None
20 — 50	1 person
51 — 100	2 persons
101 — 150	3 persons
Over 150	4 persons

NINTH SCHEDULE

(See Article 17)

FLIGHT CREW OF AIRCRAFT — LICENCES AND RATINGS

PART A — LICENCES

Minimum Age, Period of Validity, Privileges

1. Student Pilots.

Student Pilot Licence (Flying machines, Balloons and Airships)

Minimum age — 18 years.

Maximum period of validity:

- (a) 24 months, if the holder is less than 40 years of age on the date on which the licence is granted or renewed; or
- (b) 12 months, if the holder is 40 years of age or more on that date.

Privileges — The licence:

- (a) shall entitle the holder to fly as pilot-in-command of an aircraft for the purpose of becoming qualified for the grant or renewal of a pilot licence;
- (b) shall be valid only for flights within Somalia and within any other territory specified in the licence;
- (c) shall not entitle the holder to fly as pilot-in-command of an aircraft in which any person is carried;
- (d) shall be valid only for flights carried out in accordance with instructions given by a person holding a pilot licence granted or rendered valid under these Regulations, being a licence which includes a flying instructor's rating or an assistant flying instructor's rating entitling him to give instruction in flying the type of aircraft to be flown.

2. Flying Machine Pilots.

Private Pilot Licence (Flying machines).

Minimum age — 18 years.

Maximum period of validity:

- (a) 24 months, if the holder is less than 40 years of age on the date on which the licence is granted or renewed;
- (b) 12 months, if the holder is 40 years of age or more on that date.

Privileges — The licence:

- (a) shall entitle the holder to fly as pilot-in-command or co-pilot of a flying machine of any of the types specified in the aircraft rating included in the licence, when the aircraft is flying for any purpose other than public transport or aerial work;
- (b) shall not entitle the holder to act as pilot-in-command by night while carrying any passenger in the aircraft unless a night rating is included in the licence, and unless an instrument rating is included therein or he has within the preceding six months carried out as pilot-in-command not less than 5 (five) take-offs and 5 (five) landings at a time when the depression of the centre of the sun is not less than 12 (twelve) degrees below the horizon.

Commercial Pilot Licence (Flying machines).

Minimum age — 21 years.

Maximum period of validity: 6 months *)

Privileges: In addition to the privileges given above for the private pilot licence the holder of the licence shall be entitled to fly as:

- (a) pilot-in-command of any flying machine of which the maximum total weight authorized does not exceed 5,750 kgs. and which is of type specified in part I of the aircraft rating included in the licence, when the flying machine is engaged in a flight for the purpose of public transport or aerial work,

Provided that:

- (i) he shall not, unless his licence includes an instrument rating, fly such an aircraft on any scheduled journey;
 - (ii) he shall not fly such an aircraft on a flight carrying passengers at night unless an instrument rating is included in his licence or he has within the immediately preceding 90 days carried out as a pilot-in-command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun is not less than 12 degrees below the horizon.
- (b) co-pilot of any flying machine of a type specified in part I and part II of such aircraft rating when the flying machine is engaged in a flight for the purpose of public transport or aerial work.

Senior Commercial Pilot Licence (Flying machines).

Minimum age — 21 years.

Maximum period of validity: 6 months *).

Privileges. In addition to the privileges given above for the private pilot licence the holder of the licence shall be entitled to fly as:

- (a) pilot-in-command of any flying machine of which the maximum total weight authorized does not exceed 12,500 kgs. and which is of a type specified in part I of the aircraft rating included in the licence, when the flying machine is engaged in a flight for the purpose of public transport or aerial work,

Provided that:

- (i) he shall not, unless his licence includes an instrument rating, fly such an aircraft on any scheduled journey;

*) In respect of the privileges of a Private Pilot licence the maximum period of validity shall be as given for that licence.

- (ii) he shall not fly such an aircraft on a flight carrying passengers at night unless an instrument rating is included in his licence or he has within the immediately preceding 90 days carried out as pilot-in-command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun is not less than 12 degrees below the horizon.

- (b) co-pilot of any flying machine of a type specified in part I or part II of such aircraft rating when the flying machine is engaged in a flight for the purpose of public transport or aerial work.

Airline Transport Pilot Licence (Flying machines).

Minimum age — 21 years.

Maximum period of validity: 6 months *).

Privileges: In addition to the privileges given above for the private pilot licence the holder of the licence shall be entitled to fly as:

- (a) pilot-in-command of any flying machine of a type specified in part I of the aircraft rating included in the licence when the flying machine is engaged in a flight for the purpose of public transport or aerial work;
- (b) as co-pilot of any flying machine of a type specified in part I or part II of such aircraft rating when the flying machine is engaged in a flight for the purpose of public transport or aerial work.

3. Balloon and Airship Pilots.

Private Pilot Licence (Balloons and airships).

Minimum age — 18 years.

Maximum period of validity:

- (a) 24 months, if the holder is less than 40 years of age on the date on which the licence is granted or renewed; or
- (b) 12 months, if the holder is 40 years of age or more on that date.

Privileges: The holder of the licence shall be entitled to fly, when the balloon or airship is flying for any purpose other than public transport or aerial work as:

- (i) pilot-in-command of any type of balloon or airship specified in part I of the aircraft type rating included in the licence;
- (ii) co-pilot of any type of balloon or airship specified in part I or part II of such aircraft rating.

* In respect of the privileges of a Private Pilot licence the maximum period of validity shall be as given for that licence.

Commercial Pilot Licence (Balloons).

Minimum age — 21 years.

Maximum period of validity: 6 months *).

Privileges: In addition to the privileges given above for the private pilot licence in respect of balloons, the holder of the licence shall be entitled to fly as pilot-in-command or co-pilot of any type of balloon, specified in the aircraft rating included in the licence.

Commercial Pilot Licence (Airships).

Minimum age — 21 years.

Maximum period of validity: 6 months *).

Privileges: In addition to the privileges given above for the private pilot licence in respect of airships, the holder of the licence shall be entitled to fly as:

- (a) pilot-in-command of any airship of a type specified in part I of the aircraft rating included in the licence;
- (b) co-pilot of any airship of a type specified in part II of such aircraft rating.

4. Glider Pilots.

Commercial Pilot Licence (Gliders).

Minimum age — 21 years.

Maximum period of validity: 6 months.

Privileges: The holder of the licence shall be entitled to fly as pilot-in-command or co-pilot of:

- (a) any glider of which the maximum total weight authorised does not exceed 700 kgs.;
- (b) any glider of which the maximum total weight authorised exceeds 700 kgs. and which is of a type specified in the rating included in the licence.

5. Other Flight Licence.

Flight Navigator Licence.

Minimum age — 21 years.

Maximum period of validity: 12 months.

Privileges: The holder of the licence shall be entitled to act as flight navigator in any aircraft.

*) In respect of the privileges of a Private Pilot licence the maximum period of validity shall be as given for that licence.

Flight Engineer Licence.

Minimum age — 21 years.

Maximum period of validity: 12 months.

Privileges: The holder of the licence shall be entitled to act as flight engineer in any type of aircraft specified in the aircraft rating included in the licence.

Flight Radiotelephony Operator General Licence.

Minimum age — 18 years.

Maximum period of validity: 24 months.

Privileges: The holder of the licence shall be entitled to operate radiotelephony apparatus in any aircraft.

Flight Radiotelephony Operator Restricted Licence.

Minimum age — 17 years.

Maximum period of validity: 24 months.

Privileges: The holder of the licence shall be entitled to operate radiotelephony apparatus in any aircraft if the stability of the frequency radiated by the transmitter is maintained automatically but shall not be entitled to operate the transmitter, or to adjust its frequency, except by the use of external switching devices.

Flight Radiotelegraphy Operator Licence.

Minimum age — 21 years.

Maximum period of validity: 12 months.

Privileges: The holder of the licence shall be entitled to operate radiotelegraphy and radiotelephony apparatus in any aircraft.

Flight Radiotelegraphy Operator Temporary Licence.

Minimum age — 18 years.

Maximum period of validity: 12 months.

Privileges: The holder of the licence shall be entitled to operate radiotelegraphy and radiotelephony in any aircraft under the supervision of a person who is the holder of a flight radiotelegraphy operator licence.

PART B — RATINGS

1. The following ratings may be included in a pilot licence (other than a student pilot licence) granted under Chapter IV of these Regulations, and, subject to the provisions of these Regulations and of the licence, the inclusions of a rating in a licence shall have the consequences respectively specified as follows:

Aircraft rating: The licence shall entitle the holder to act as pilot only of aircraft of the types specified in the aircraft rating and different types of aircraft may be specified in respect of different privileges of a licence.

Instrument rating: (Flying machines): shall entitle the holder of the licence to act as pilot of a flying machine in controlled air-space in accordance with the Instrument Flight Rules:

Provided that the holder shall not be so entitled unless the licence bears a certificate, signed by a person authorised by the Secretary of State for that purpose, indicating that the holder has, within the previous 13 months, passed an instrument flying test conducted by that person.

Night rating: — (Private Pilot Licence-Flying machines): shall entitle the holder of a private pilot licence to act as pilot-in-command of a flying machine carrying passengers by night.

Towing rating: — (Flying machines): shall entitle the holder of the licence to act as pilot of a flying machine while towing a glider in flight for the purpose of public transport or aerial work.

Flying Instructor rating: shall entitle the holder of the licence to give instruction in flying aircraft of such types as may be specified in the rating for that purpose. The maximum period of validity of a flying instructor rating shall be 12 months.

Assistant Flying Instructor rating: shall entitle the holder of the licence to give instruction in flying aircraft of such types as may be specified in the rating for that purpose;

Provided that:

- (a) such instruction shall only be given under the supervision of a person present during the take-off and landing at the aerodrome at which the instruction is to begin and end and holding a pilot licence endorsed with the flying instructor rating; and
- (b) an assistant flying instructor rating shall not entitle the holder of the licence to give directions to the person undergoing the instruction in respect of the performance by that persons of:
 - (i) his first solo flight;
 - (ii) his first solo flight by night;
 - (iii) his first solo cross-country flight otherwise than by night;
 - (iv) his first solo cross-country flight by night.

The maximum period of validity of an assistant flying instructor rating shall be 12 months.

2. An aircraft rating may be included in every flight engineer licence. The licence shall entitle the holder to act as a flight engineer only of aircraft of a type specified in the aircraft rating.

3. For the purposes of this Schedule:

«Solo flight» means a flight on which the pilot of the aircraft is not accompanied by a person holding a pilot licence granted or rendered valid under these Regulations.

«Cross-country flight» means any flight during the course of which the aircraft is more than 5 kms. (3 miles) from the aerodrome of departure.

TENTH SCHEDULE

(See Article 21)

PUBLIC TRANSPORT — OPERATIONS MANUAL

Information and instructions relating to the following matters shall be included in the operations manual referred to in paragraph

(2) of Article 21 of these Regulations:

- (i) the number of the crew to be carried in the aircraft, on each stage of any route to be flown, and the respective capacities in which they are to act, and instructions as to the order and circumstances in which command is to be assumed by members of the crew;
- (ii) the respective duties of each member of the crew and the other members of the operating staff, including the method of supervision of flight operations;
- (iii) the particulars referred to in paragraph (7) of Article 45 of these Regulations;
- (iv) such technical particulars (not being particulars contained in a flight manual forming part of the certificate of airworthiness) concerning the aircraft, its engines and equipment and concerning the performance of the aircraft as may be necessary to enable the flight crew of the aircraft to perform their respective duties;
- (v) the manner in which the quantities of fuel and oil to be carried by the aircraft are to be computed and records of fuel and oil carried and consumed on each stage of the route to be flown are to be maintained; the instructions shall take account of all circumstances likely to be encountered on the flight including the possibility of failure of one or more of the aircraft engines;
- (vi) the manner in which the quantity (if any) of oxygen and oxygen equipment to be carried in the aircraft is to be computed;

- (vii) the check system to be followed by the crew of the aircraft prior to and on take-off, on landing and in an emergency, so as to ensure that the operating procedures contained in the operations manual and in the flight manual forming part of the relevant certificate of airworthiness are complied with;
- (viii) the circumstances in which a radio watch is to be maintained;
- (ix) the circumstances in which oxygen is to be used by the crew of the aircraft, and by the passengers;
- (x) communications, search and rescue facilities, navigational aids, aerodromes, local regulations, in flight procedures, instrument approach and landing procedures and such other information as the operator may deem necessary for the proper conduct of flight operations; the information referred to in this paragraph shall be contained in a route guide, which may be in the form of a separate volume;
- (xi) the reporting in flight to the notified authorities of meteorological observations;
- (xii) the minimum altitude for safe flight on each stage of the route to be flown and any planned diversion there from, such minimum altitudes not being lower than any which may be applicable under the law of the Republic of Somalia or of the countries whose territory is to be flown over;
- (xiii) particulars of weather conditions for take-off, approach to landing and landing, approved by the Secretary of State under paragraph (3) of Article 24 of these Regulations;
- (xiv) emergency flight procedures, including procedures for the instruction of passengers in the position and use of emergency equipment, procedures for the reporting to search and rescue agencies of particulars of emergency and survival equipment carried on board the aircraft, and procedures to be adopted when the pilot-in-command of the aircraft becomes aware that another aircraft or a vessel is in distress and needs assistance;

Provided that in relation to any flight which is not one of a series of flights between the same two places it shall be sufficient it, to the extent that it is not practicable to comply with paragraph (x), (xii) and (xiii), the manual contains such information and instructions as will enable the equivalent data to be ascertained before take-off.

ELEVENTH SCHEDULE

(See Article 22)

CREW TRAINING AND TESTS

1. The training, experience, practice and periodical tests required under paragraph (2) of Article 22 of these Regulations in

the case of members of the crew of a Somali aircraft engaged on a flight for the purpose of public transport shall be as follows:

(1) The Crew.

Every member of the crew shall:

- (a) have been tested within the relevant period by or on behalf of the operator as to his knowledge of the use of the emergency and life saving equipment required to be carried on the aircraft on the flight; and
- (b) have practised within the relevant period under the supervision of the operator or of a person appointed by him for the purpose of the carrying out of the duties required of him in case of an emergency occurring to the aircraft, either in an aircraft of the type to be used on the flight or in an apparatus approved by the Secretary of State for the purpose and controlled by persons so approved.

(2) Pilots.

- (a) Every pilot included in the flight crew who is intended by the operator to fly as pilot in conditions requiring compliance with Instrument Flight Rules (which conditions hereafter in this Schedule are referred to as «IMC») shall within the relevant period have been tested by or on behalf of the operator as to his competence to perform his duties in an aircraft of the type to be used on the flight, including a test of his ability:

- (i) to execute normal and emergency manoeuvres and procedures in flight in such aircraft in IMC, actual or simulated, and
- (ii) to use in IMC, actual or simulated, the instruments and equipment provided for the use in such conditions in the aircraft to be used on the flight.

A pilot's ability to carry out normal manoeuvres and procedures shall be tested in the aircraft in flight.

The other tests required by this sub-paragraph may be conducted either in the aircraft in flight, or under the supervision of a person approved by the Secretary of State for the purpose, by means of apparatus so approved in which flight conditions are simulated on the ground.

- (b) Every pilot included in the flight crew whose licence does not include an instrument rating or who, notwithstanding the inclusion of such rating in his licence, is not intended by the operator to fly as pilot in IMC, shall within the relevant period have been tested, by or on behalf of the operator, in flight in an aircraft of the type to be used on the flight as to his competence to act as pilot thereof, includ-

ing a test of his ability to execute normal and emergency manoeuvres and procedures.

(3) Flight Engineers.

Every flight engineer included in the flight crew shall within the relevant period have been tested by or on behalf of the operator, either in flight or under the supervision of a person approved by the Secretary of State for the purpose by means of apparatus so approved in which flight conditions are simulated on the ground, as to his competence to perform the duties of flight engineer in aircraft of the type to be used on the flight, including his ability to execute emergency procedures in the course of such duties.

(4) Flight Navigators and Flight Radio Operators.

Every flight navigator and flight radio operator whose inclusion in the flight crew is required under paragraph (4) and (5) respectively of Article 16 of these Regulations shall within the relevant period have been tested by or on behalf of the operator as to his competence to perform his duties in conditions corresponding to those likely to be encountered on the flight:

- (a) in the case of a flight navigator, using equipment of the type to be used in the aircraft on the flight for the purpose of navigation;
- (b) in the case of a flight radio operator using radio equipment of the type installed in the aircraft to be used in the flight, and including a test of his ability to carry out emergency procedures.

(5) Pilots-in-command.

(a) The pilot designated as pilot-in-command of the aircraft for the flight shall within the relevant period:

- (i) have demonstrated to the satisfaction of the operator that he has adequate knowledge of the route to be flown, the aerodromes of take-off and landing, and any alternate aerodromes, including in particular his knowledge of
 - the terrain,
 - the seasonal meteorological conditions,
 - the meteorological, communications, and air traffic facilities, services and procedures,
 - the search and rescue procedures, and
 - the navigational facilities,relevant to the route;
- (ii) have been tested as to proficiency in using instrument approach to land systems of the type in use at the aerodrome of intended landing and any alternate aerodromes, such test being carried out either in flight in IMC, or IMC simulated by means approved

by the Secretary of State for the purpose by means of apparatus so approved in which flight conditions are simulated on the ground; and

(iii) have carried out as pilot-in-command not less than 3 take-offs and 3 landings in aircraft of the type to be used on the flight.

(b) In determining whether a pilot's knowledge of the matters referred to in sub-paragraph (a) (i) is sufficient to render him competent to perform the duties of pilot-in-command on the flight, the operator shall take into account the pilot's flying experience in conjunction with the following:

(i) the experience of other members of the intended flight crew;

(ii) the influence of terrain and obstructions on departure and approach procedures at the aerodromes of take-off and intended landing and at alternate aerodromes;

(iii) the similarity of the instrument approach procedures and let-down aids to those with which the pilot is familiar;

(iv) the dimension of runways which may be used in the course of the flight in relation to the performance limits of the aircraft of the type to be used in the flight;

(v) the reliability of meteorological forecast and the probability of difficult meteorological conditions in the areas to be traversed;

(vi) the adequacy of the information available regarding the aerodrome of intended landing and any alternate aerodromes;

(vii) the nature of air traffic control procedures and familiarity of the pilot with such procedures;

(viii) the influence of terrain on route conditions and the extent of the assistance obtainable en route from navigation aids and air-to-ground communication facilities; and

(ix) the extent to which it is possible for the pilot to become familiar with unusual aerodrome procedures and features of the route by means of ground instructions and training devices.

(6) For the purpose of this Schedule, the expression «relevant period» means a period which immediately precedes the commencement of the flight, being a period:

- (a) in the case of sub-paragraph (5) (a) (iii) of this paragraph, of three months;
 - (b) in the case of sub-paragraphs (2), (3) and (5) (a) (ii) of this paragraph, of six months;
 - (c) in the case of sub-paragraph (1), (4) and (5) (a) (i) of this paragraph, of twelve months;
- provided that:

- (i) any pilot to whom the provisions of sub-paragraphs (2) or (5) (a) (ii) and any flight engineer to whom the provisions of sub-paragraph (3) of this paragraph apply shall for the purpose of the flight be deemed to have complied with those provisions within the relevant period if he has qualified to perform his duties in accordance therewith on two occasions within the period of twelve months immediately preceding the flight, such occasions being separated by an interval of not less than four months;
- (ii) the requirements of sub-paragraph (5) (a) (i) shall be deemed to have been complied with within the relevant period by a pilot designated as pilot-in-command of the aircraft for the flight if, having become qualified so to act on flights between the same places over the same route more than twelve months before commencement of the flight, he has within the period of twelve months immediately preceding the flight flown as pilot of an aircraft between those places over that route.

2. (1) The records required to be maintained by an operator under paragraph (2) of Article 22 of these Regulations shall be accurate and up to date records, so kept as to show, on any date, in relation to each person who has during the period of two years immediately preceding that date flown as a member of the crew of any public transport aircraft operated by that operator:

- (a) the date and particulars of each test required by this Schedule undergone by that person during the said period, including the name and qualifications of the examiner;
- (b) the date upon which that person last practised the carrying out of the duties referred to in paragraph 1 (1) (b) of this Schedule;
- (c) the operator's conclusions based on each test and practice as to that person's competence to perform his duties;
- (d) the date and particulars of any decision taken by the operator during the said period in pursuance of paragraph 1 (5) (a) (i) of this Schedule, including parti-

culars of the evidence upon which that decision was based,

- (2) The operator shall whenever called upon to do so by any authorized person produce for the inspection of any person so authorized all records referred to in the preceding subparagraph and furnish to any such person all such records and produce for his inspection all log books, certificates, papers and other documents whatsoever which he may reasonably require to see for the purpose of determining whether such records are completed or of verifying the accuracy of their contents.
- (3) The operator shall at the request of any person in respect of whom he is required to keep records as aforesaid furnish to that person, or to any operator of aircraft for the purpose of public transport by whom that person may subsequently be employed, particulars of any qualification in accordance with this Schedule obtained by such person whilst in his service.

TWELFTH SCHEDULE

(See Article 52)

DOCUMENTS TO BE CARRIED BY SOMALI AIRCRAFT

On a flight for the purpose of public transport:

Documents A, B, C, D, E, F, H and, if the flight is international air navigator, Document G.

On a flight for the purpose of aerial work:

Documents A, B, C, E, F, and, if the flight is international air navigation, Document G.

On a flight, being international air navigation, for a purpose other than public transport or aerial work:

Document A, B, C and G.

For the purpose of this Schedule:

- « A » means any licence to install and operate radio apparatus in the aircraft, for the time being in force, and the current telecommunication log book required by these Regulations.
- « B » means the certificate of airworthiness in force in respect of the aircraft.
- « C » means the licences of the members of the flight crew of the aircraft.
- « D » means one copy of the load sheet, if any, required to be made under paragraph (4) of Article 23 of these Regulations in respect of the flight.

- « E » means one copy of each certificate of maintenance, if any, in force in respect of the aircraft.
 - « F » means the technical log, if any, in which entries are required to be made under paragraph (5) of Article 7 of these Regulations.
 - « G » means the certificate of registration in force in respect of the aircraft.
 - « H » means a copy of the operations manual as required under Article 21 of these Regulations.
 - « International air navigation » means any flight which includes passage over the territory of any country other than the Republic of Somalia.
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