

**SUBSIDIARY LEGISLATION**

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THE CIVIL AVIATION ACT  
(CAP. 80)

**REGULATIONS**

*(Made under section 4)*

THE CIVIL AVIATION (AIRWORTHINESS) (AMENDMENT)  
REGULATIONS, 2013

Citation  
GN. No.  
31 of 2012

1. These Regulations may be cited as the Civil Aviation (Airworthiness) (Amendment) Regulations, 2013 and shall be read as one with the Civil Aviation (Airworthiness) Regulations, 2012 hereinafter referred to as the “principal Regulations”.

Amendment  
of regulation  
2

2. The principal Regulations are amended in regulation 2, by inserting in its appropriate alphabetical order the following new definitions-  
“appropriate airworthiness requirements” means the comprehensive and detailed airworthiness codes established, adopted or accepted by a Contracting

- State for the class of aircraft, engine or propeller under consideration;
- “associated aircraft systems” means aircraft systems drawing electrical/pneumatic power from an auxiliary power unit during ground operations;
- “Auxiliary Power-Unit (APU)” means a self-contained power-unit on an aircraft providing electrical/pneumatic power to aircraft systems during ground operations;
- “bypass ratio” means the ratio of the air mass flow through the bypass ducts of a gas turbine engine to the air mass flow through the combustion chambers calculated at maximum thrust when the engine is stationary in an international standard atmosphere at sea level;
- “continuing airworthiness” means the set of processes by which an aircraft, engine, propeller or part complies with the applicable airworthiness requirements and remains in a condition for safe operation throughout its operating life;
- “date of manufacture or Construction” means the date of issue of the document attesting that the individual aircraft or engine as appropriate conforms to the requirements of the type or the date of an analogous document;
- “operator” means a person, organization or enterprise, engaged in or offering to engage in an aircraft organization;
- “powerplant” means the system consisting of all the engines, drive system components (if applicable), and propellers (if installed), their accessories, ancillary parts, and fuel and oil systems installed on an aircraft but excluding the rotors for a helicopter;
- “satisfactory evidence” means a set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement;
- “smoke” means-
- (a). hot vapor or cloud like gases or visible gaseous

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*G.N. No. 113 (contd.)*

or soot containing fine particles of carbon being produced by combustion;

- (b). the carbonaceous materials in exhaust emissions which obscure the transmission of light;

“state of design” means the State having jurisdiction over the organization responsible for the type design;

“type certificate” means a document issued by a Contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of that State;

“validation” means confirmation by a contracting state on the basis of satisfactory evidence that the specific intended use or application complies with the requirements or standards of the state.

Amendment  
of  
regulation 8

3. The principal Regulations are amended in regulation 8, by adding the following sub regulation-

“(2) The Certificate of Airworthiness shall contain information in the Schedule to these Regulations.”

Amendment  
of regulation  
14

4. The principal Regulations are amended in regulation 14 (2), by-

- (a). inserting the following paragraph immediately after paragraph (a) as follows:

“(b) the applicant submit an Export Certificate of Airworthiness or satisfactory evidence of airworthiness status of the aircraft as applicable issued by the state of manufacture or previous state of registry.”

- (b). designating paragraphs (b), (c), (d), (e) and (f) as paragraphs (c), (d), (e), (f) and (g) respectively.

Amendment  
of regulation  
22

5. The principal Regulations are amended in regulation 22, by-

- (a) designating it as sub regulation (1);  
(b) adding the following new sub regulation:

“(2) Any failure to maintain an aircraft in an airworthy condition as defined by the appropriate airworthiness requirements shall render the aircraft ineligible for operation until the aircraft is restored to an airworthy condition.”

Amendment  
of regulation  
23

6. The principal Regulations are amended in regulation 23, by-

- (a) designating it as sub regulation (1);
- (b) deleting figure “7” appearing in the paragraph (a) of the designated sub regulation (1) and substituting for it with figure “14”; and
- (c) adding the following new sub regulations-

“(2) When an aircraft has sustained damage, the Authority shall judge whether the damage is of a nature such that the aircraft is no longer airworthy as defined by the appropriate airworthiness requirements.

(3) Where the damage of aircraft is sustained or ascertained in the territory of another Contracting State, the authorities of the other Contracting State shall be entitled to prevent the aircraft from resuming its flight on the condition that they shall advise the Authority immediately, communicating to it all details necessary to formulate the judgment referred to in (3).

(4) When the Authority considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, it shall prohibit the

aircraft from resuming flight until it is restored to an airworthy condition.

(5) The Authority may, however, in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft to fly a noncommercial air transport operation to an aerodrome at which it shall be restored to an airworthy condition.

(6) In prescribing particular limiting conditions the Authority shall consider all limitations proposed by the Contracting State that had originally, in accordance to sub regulation (3), prevented the aircraft from resuming its flight, that Contracting State shall permit such flight or flights within the prescribed limitations.

(7) When the Authority considers that the damage sustained is of a nature such that the aircraft is still airworthy, the aircraft shall be allowed to resume its flight.”

Amendment  
of regulation  
34

7. The principal Regulations are amended in regulation 34, by adding the following new sub regulation-

“(5) The provisions of sub regulation 2 to 4 shall apply to all engines included in the classifications defined for emission certification purposes where such engines are fitted to aircraft engaged in international air navigation.”

Addition of  
new  
regulation

8. The principal Regulations are amended by adding after regulation 34 the following new regulation-

“Emission  
certificati  
ons

34A.-(1) Emissions certification shall be granted by the certifying authority on the basis of satisfactory evidence that the engine complies with requirements which are at least equal to the stringency of the provisions of these Regulation.”

(2) The document attesting emissions certification for each individual engine shall include at least the following information which is applicable to the engine type-

- (a). name of certifying authority;
- (b). manufacturers type and model designation;
- (c). statement of any additional modifications incorporated for the purpose of compliance with the applicable emissions certification requirements;
- (d). rated thrust;
- (e). reference pressure ratio;
- (f). a statement indicating compliance with Smoke Number requirements;

a statement indicating compliance with gaseous pollutant requirements.

(3) The Authority shall recognize as valid emissions certification granted by the certifying authority of another State provided that the requirements under which such certification was granted are not less stringent than the provisions of these Regulations”.

Amendment  
of the First  
Schedule

9. The principal Regulations are amended in Part B of the First Schedule by deleting paragraph (1) and substituting for it the following-

“(1) The following information shall be included on the document attesting noise certification of an aircraft-

1. Name of State;
2. Title of the noise document;
3. Number of the document;
4. Nationality or common mark and registration marks;
5. Manufacturer and manufacturer’s designation of aircraft;
6. Aircraft serial number;
7. Engine manufacturer, type and model;
8. Propeller type and model for propeller-driven aeroplanes;
9. Maximum take-off mass and unit;
10. Maximum landing mass and unit for certificates issued;
11. The chapter and section of the Regulations according to which the aircraft is certificated;
12. Additional modifications incorporated for the purpose of compliance with the applicable noise certification Standards;
13. The lateral/full-power noise level in the corresponding unit for documents issued;
14. The approach noise level in the corresponding unit for documents issued;

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15. The flyover noise level in the corresponding unit for documents issued;
16. The overflight noise level in the corresponding unit for documents;
17. The take-off noise level in the corresponding unit for documents issued;
18. Statement of compliance;
19. Date of issuance of the noise certification document;
20. Signature of the officer issuing it.”

Addition of  
Fifth  
Schedule

10. The principal Regulations are amended by adding the following new Schedule.



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“FIFTH SCHEDULE

*(Made under regulation 8)*

For use by State of Registry	1. <State of Registry>		3. Document number:		
2. NOISE CERTIFICATE					
4. Nationality and registration marks:	5. Manufacturer and manufacturer's designation of aircraft:			6. Aircraft serial number:	
7. Engine:			8. Propeller:*		
9. Maximum take-off mass: kg	10. Maximum landing mass:*		11. Noise certification Standard:		
12. Additional modifications incorporated for the purpose of compliance with the applicable noise certification Standards:					
13. Lateral/full-power noise level:*	14. Approach noise level:*	15. Flyover noise level:*	16. Overflight noise level:*	17. Take-off noise level:*	
Remarks:					
18. This noise certificate is issued pursuant to Volume I of Annex 16 to the Convention on International Civil Aviation, in respect of the above-mentioned aircraft, which is considered to comply with the indicated noise Standard when maintained and operated in accordance with the relevant requirements and operating limitations.					
19. Date of issue ..... 20.....					
Signature.....					

\* These boxes may be omitted depending on the noise certification Standard.”

Dar es Salaam,  
10<sup>th</sup> May, 2013

HARRISON G. MWAKYEMBE,  
*Minister for Transport*