
**THE CIVIL AVIATION
REGULATIONS – PART X- FOREIGN AIR
OPERATOR**

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SUBSIDIARY LEGISLATION

**THE CIVIL AVIATION
(FOREIGN OPERATOR) REGULATIONS**

MADE BY THE MINISTER IN ACCORDANCE WITH
SECTION 140 OF THE CIVIL AVIATION ACT

Citation. 1. These Regulations may be cited as the Civil Aviation
Regulations Part X -Foreign Air Operator.

Interpretation. 2. In these Regulations—

(a) “foreign air operator” means an operator, not being a Guyana air operator, who undertakes, whether directly, indirectly, by lease or any other arrangement, to engage in commercial air transport operations within the airspace of Guyana whether on a scheduled or charter basis;

(b) “foreign authority” means the Civil Aviation Authority that issued an Air Operator Certificate to a foreign air operator who does not hold an air operator certificate issued by the Authority;

(c) “foreign operator” means an operator, not being a Guyana operator, who undertakes, whether directly, indirectly, by lease or any other arrangement, to engage in air transport operations within the airspace of Guyana.

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Applicability
of Regulations.

3. (1) These Regulations apply to the operations of a civil aircraft to and from Guyana for –

(a) the purpose of commercial air transport operations by an air operator whose air operator certificate was issued by a foreign authority; and

(b) general aviation operations of a foreign operator.

(2) These Regulations shall not apply to operations of aircraft when used by the military, customs and police services which are not used for compensation or hire.

Prohibition of
Foreign
Registered
Aircraft to
Operate.

4. (1) An operator shall not operate a foreign registered aircraft to, from or within Guyana, unless the operation of such aircraft –

(a) was approved by the Director General; and

(b) is conducted in accordance with the terms, conditions and limitations prescribed by the Director General.

(2) No person may operate a foreign registered aircraft in Guyana for other than commercial air transport for more than thirty (30) days in any calendar year unless that person has received approval from the Director General to do so.

(3) An application for an approval pursuant to sub-regulation (2) shall be made to the Authority in writing and shall contain the following information –

(a) aircraft make, model and series.

- (b) Manufacturer's serial number of the aircraft;
- (c) Aerodrome where aircraft will be based;
- (d) Operator's name, address and telephone;
- (e) A current copy of the Certificate of Registration of aircraft;
- (f) A current copy of the Certificate of Airworthiness for the aircraft;
- (g) A current copy of the Aircraft Insurance Certificate;
- (h) A current copy of the pilot's license;
- (i) Purpose for which the aircraft will be used;
- (j) Length of time for which the operator intends to keep the aircraft in Guyana.

(4) Based on the information received the Director General may allow the aircraft to remain in Guyana for the period requested with appropriate conditions or restrictions applied.

PART I GENERAL REQUIREMENTS

General
Applicability
of Part I.

5. This Part prescribes the requirements for the application, issue and continued validity of a foreign air operator Operations Specifications.

General
Requirements.

6. (1) An air operator who does not hold an Air Operator Certificate issued by the Authority shall not operate an aircraft to and from Guyana unless he holds an Operations Specifications issued to him by the Authority.

(2) Where an air operator under sub-regulation (1), wishes to apply to operate to and from Guyana he shall—

- (a) make such application to the Authority in the form and manner prescribed; and

(b) pay the prescribed fee.

(3) An application under sub-regulation (2), shall be accompanied by—

- (a) a copy of a valid air operator certificate or equivalent document issued by the foreign authority;
- (b) a copy of the licence or authorisation granted to the air operator by the appropriate authority of the State of the air operator to operate an air transport service to and from Guyana;
- (c) a copy of a Company Operations Manual including the Cabin Attendant Manual where it is published as a separate document;
- (d) a copy of the approval page for a Minimum Equipment List for each aircraft type intended to be operated by the air operator in Guyana;
- (e) a copy of a valid Certificate of Airworthiness for each aircraft type intended to be operated by the foreign air operator in Guyana;
- (f) a representative copy of a Certificate of Registration issued for the aircraft types proposed to be operated by the air operator in Guyana;
- (g) a copy of a document identifying the

- maintenance checks that are required to be carried out for aircraft of the air operator while they are operated in Guyana;
- (h) a copy of the maintenance contract between the air operator and the Approved Maintenance Organisation, where the maintenance under subparagraph (g), is carried out by an Approved Maintenance Organisation approved by the foreign authority;
 - (i) a copy of the lease agreement for any aircraft operated by the air operator who does not hold an Air Operator Certificate issued by the Authority which is not registered by the foreign authority;
 - (j) a copy of any equivalent Operations Specifications issued by the foreign authority for any specialised flight operations specifications requested by the foreign air operator for operations in Guyana;
 - (k) a proposed Aircraft Operator Security Programme for the foreign air operator who does not hold an Air Operator Certificate issued by the Authority which meets the requirements of the Civil Aviation Security Regulations, for the acceptance and subsequent approval of the Authority; and
 - (l) any other document the Authority considers necessary to ensure that the intended operations will be conducted safely.
- (4) An applicant under these Regulations shall apply

for the initial issue of a foreign air operator Operations Specifications at least ninety (90) days before the date of commencement of intended operation.

Issue of
Operations
Specifications
to Foreign Air
Operator.

7. (1) The Director General may issue Operations Specifications to an air operator who does not hold an Air Operator Certificate issued by the Authority to conduct commercial air operations to and from Guyana where he is satisfied that such air operator –

- (a) has a valid Air Operator Certificate issued by a foreign authority;
- (b) has had his Aircraft Operator Security Programme approved under the Civil Aviation Security Regulations;
- (c) meets the applicable requirements of the Civil Aviation Operations Regulations; the Civil Aviation Airworthiness Regulations and the Civil Aviation Instruments and Equipment Regulations;
- (d) meets the standards contained in the Annexes of the Chicago Convention;
- (e) has sufficient financial resources to conduct safe operations; and
- (f) meets the requirements of these Regulations.

(2) A foreign air operator shall not commence commercial air transport operations to and from Guyana unless such foreign air operator has been issued by the Authority –

- (a) Operations Specifications issued under these Regulations; and

(b) a licence under the Civil Aviation Economic Regulations.

Contents of
Operations
Specifications.

8. (1) Operations Specifications issued under regulation 6 shall specify which specific operations are authorised, prohibited, limited or subject to certain conditions, in the interest of public safety.

(2) Operations Specifications issued under sub-regulation (1), shall contain details of the following:

- (a) the purpose of issuance;
- (b) application and duration;
- (c) limitations to, or actions required by, the operator;
- (d) general provisions;
- (e) en-route authorisation and limitations;
- (f) aerodrome authorisations and limitations;
- (g) maintenance;
- (h) mass and balance;
- (i) interchange of equipment operations;
and
- (j) aircraft leasing operations.

(3) The Operations Specification issued to a foreign air operator by the Authority shall be supplementary to these Regulations.

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Conditions for
Continued
Validity.

9. (1) A foreign air operator shall, when conducting operations to, from or within Guyana, ensure that he complies at all times with the requirements of—

- (a) his operations specifications;
- (b) his approved Aircraft Operator Security Programme;
- (c) the security for aircraft operators under the Civil Aviation (Aviation Security) Regulations; and
- (d) all applicable Guyana aviation laws, regulations and procedures.

(2) Where the Director General identifies—

- (a) a case of non-compliance or suspected non-compliance by a foreign air operator with the requirements of sub-regulation (1); or
- (b) any serious safety issue with the operations of a foreign air operator, the Director General shall immediately notify the foreign air operator and where circumstances warrant it inform—
 - (i) the State of the Operator; and
 - (ii) the State of Registry.

(3) The Director General may, where circumstances as specified under sub-regulation (2) arise, engage in consultations with the State of the Operator and the State of Registry concerning the safety standards maintained by the foreign air operator.

(4) In addition to the provisions of sub-regulations (2) and (3), the Director General may —

- (a) limit;
- (b) suspend; or
- (c) revoke, an aviation document issued by the Authority, where —
- (d) safety or security of flight is affected; or
- (e) the Director General is not satisfied that the holder continues to meet —
 - (i) the conditions of issuance of such aviation document; or
 - (ii) the requirements prescribed under the Act or Regulations made thereunder.

(5) Before limiting, suspending or revoking an aviation document under sub-regulation (4), the affected party shall be —

- (a) given at least twenty-eight (28) days' notice in writing of the intention so to do and the reasons for such proposed action; and
- (b) offered an opportunity to make representations.

(6) Notwithstanding sub-regulation (5), where it is determined that the safe operation of an aircraft is adversely affected, the Director General may suspend the aviation document in part or in whole without prior notice.

(7) The Director General may remove the limitation and suspension or re-issue the aviation document where he is satisfied that the conditions which caused such limitation, suspension or revocation under sub-regulation (5) or suspension under sub-regulation (6) have been adequately and appropriately addressed.

Contents of Aircraft Technical Log of Foreign Air Operator.

10. A foreign air operator shall, when conducting operations to and from Guyana use an aircraft technical log containing the following in respect of each aircraft:

- (a) information about each flight necessary to ensure continued flight safety;
- (b) the current Certificate of Release to Service for the aircraft;
- (c) the current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere;
- (d) all outstanding deferred defects that affect the operation of the aircraft; and
- (e) any necessary guidance instructions on maintenance support.

Documents Required to be Carried by Foreign Air Operator.

11. A foreign air operator shall ensure that the following are carried on each flight, when conducting operations to and from Guyana:

- (a) the current parts of the Operations Manual relevant to the duties of the

crew;

- (b) those parts of the Operations Manual which are required for the conduct of a flight are easily accessible to the crew on board the aircraft;
- (c) the current approved Aircraft Flight Manual for the aircraft being flown;
- (d) the current certificate of registration, and airworthiness certificate in force in respect of that aircraft;
- (e) the appropriate licences of the members of the flight crew;
- (f) the mass and balance document for the aircraft certifying that the load carried is properly distributed and safely secured; and
- (g) appropriate approval for radio operation.

Additional Documents Required to be Carried by Foreign Air Operator.

12. (1) A foreign air operator shall ensure that, in addition to the documents and manuals required by regulations 9 and 10, the following information and forms, relevant to the type and area of operation, are carried on each flight conducted to and from Guyana:

- (a) an Operational Flight Plan;
- (b) the aircraft technical log containing at least the information required in regulation 9;
- (c) appropriate notices to airmen and aero-

nautical information services briefing documentation;

- (d) appropriate meteorological information;
- (e) copy of applicable operations specifications required under these Regulations;
- (f) notification of special loads including any dangerous goods; and
- (g) current maps and charts for the area of operation.

(2) The Director General may authorise the information detailed under sub-regulation (1) or parts thereof, to be presented in a form other than on printed paper, provided the information is accessible for inspection.

Inspection by Authority.

13. A foreign air operator shall ensure that any person authorised by the Authority, is permitted at any time, without prior notice, to board any of his aircraft operated for commercial air transportation in Guyana, inspect the documents and manuals required by regulations 9, 10 and 11, and inspections required by regulation 18, and such other inspections as are deemed necessary under the Chicago Convention.

Requirement to Produce Documentation, Manuals and Records when Requested.

14. (1) A foreign air operator shall—
- (a) give any person authorised by the Authority access to any documents, manuals and records which are related to flight operations and maintenance; and
 - (b) produce all such documents, manuals and records, when requested to do so by

the Authority, within a reasonable period of time.

(2) The pilot-in-command of an aircraft of a foreign air operator shall, when requested to do so by a person authorised by the Authority, produce to such person the documentation, manuals and records required to be carried on board the aircraft.

Requirement to Preserve Flight Data Recorder Recordings.

15. Following an accident or incident in Guyana involving an aircraft of a foreign air operator, or when the Authority so directs, the foreign air operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of sixty (60) days unless otherwise directed by the Authority.

Requirement to Compute Passenger and Baggage Weight.

16. (1) A foreign air operator conducting operations to and from Guyana shall compute the mass of passengers and checked baggage using –

(a) the actual mass of each person and the actual mass of baggage; or

(b) the standard mass values specified by the foreign authority.

(2) The Director General may require a foreign air operator conducting operations to and from Guyana to produce evidence validating any standard mass values used.

Restrictions on the Operations of Single-Engine Aircraft by a Foreign Air Operator.

17. A foreign air operator conducting operations to and from Guyana shall not operate a single-engine aircraft –

(a) at night; or

(b) in Instrument Meteorological Conditions except under Special Visual Flight Rules.

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Required
Procedures for
Approach and
Landings.

18. Before initiating an approach to land in Guyana, the pilot-in-command of an aircraft of a foreign air operator, shall determine from the information available—

- (a) weather at the aerodrome and the conditions of the runway are safe for the approach and landing; and
- (b) in the case of missed approach, he will be able to meet the performance requirements contained in the Operations Manual.

Foreign Air
Operator to
give Authority
Access.

19. A foreign air operator, when conducting operations to and from Guyana, shall—

- (a) give any person authorised by the Authority access to his aircraft and associated facilities to inspect to determine compliance with these Regulations;
- (b) satisfactorily respond to findings arising under paragraph (a), prior to further flight in the case of findings prejudicing safe flight and for all the findings within reasonable time but no more than three (3) days.

PART II SECURITY

[Subsidiary]*Civil Aviation Regulations- Part X- Foreign Operator*Applicability
of Part II.

20. This Part prescribes the security requirements for a foreign air operator operating to and from Guyana.

Carriage of
Weapons of
War and
Munitions of
War.

21. A foreign air operator conducting commercial air transportation operations to and from Guyana shall—

- (a) not transport weapons of war and munitions of war by air unless an approval to do so has been granted by the Authority;
- (b) ensure that when approval under paragraph (a) is granted, weapons of war and munitions of war are—
 - (i) stowed in the aircraft in a place which is inaccessible to passengers during flight;
 - (ii) in the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by the Authority that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this subparagraph; and
 - (iii) paragraph (ii) does not apply to a foreign air operator that has been approved to transport an air marshal under an approved programme;
- (c) ensure that the pilot-in-command is notified before the flight begins of the details and location on board the aircraft

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of any weapon of war and munition of war that are intended to be carried.

Carriage of
Sporting
Weapons and
Ammunition.

22. (1) The carriage of sporting weapons and ammunition by a foreign air operator conducting commercial air transportation shall be in accordance with the procedures and requirements of the approved dangerous goods programme approved by the foreign authority.

(2) A foreign air operator conducting commercial air transportation operations to and from Guyana shall take all measures necessary to ensure that where a sporting weapon is offered for transport by air, such transportation is reported to him.

(3) A foreign air operator accepting the transport of a sporting weapon shall ensure that such sporting weapon is—

- (a) stowed in the aircraft, in which he conducts or intends to conduct operations, in a place which is inaccessible to passengers during flight unless the Authority has determined that compliance is impracticable and has approved other procedures; and
- (b) in the case of a firearm or other weapon that can contain ammunition, unloaded.

(4) A foreign air operator may allow a passenger to carry ammunition for a sporting weapon in his checked baggage, as approved by the foreign authority.

Requirement
to Hold
Firearm

23. A foreign air operator shall ensure that where a person submits a firearm for transport by air on his aircraft to

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Import Licence
by Passenger.

Guyana, such person holds a Firearm Import Permit for such firearm issued in accordance with the Firearms Act.

Security
Programme
for Foreign Air
Operator.

24. A foreign air operator shall—

- (a) ensure that all appropriate personnel are familiar and comply with the relevant requirements of the national security programmes of Guyana;
- (b) establish, maintain and conduct approved training programmes which enable the personnel of the foreign air operator to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimise the consequences of such events should they occur;
- (c) following an act of unlawful interference on board an aircraft the pilot-in-command or, in his absence a flight crew member of the foreign air operator, shall submit, without delay, a report of such an act to the designated local authority and the Authority of Guyana;
- (d) ensure that all aircraft carry a checklist of the procedures to be followed for that aircraft type in searching for concealed weapons, explosives or other dangerous devices; and
- (e) ensure that the flight crew compartment door of all aircraft, if installed and where such aircraft is operated for the purpose of carrying passengers is capable of being locked from within the compart-

ment in order to prevent unauthorised access.

Unauthorised Carriage.

25. A foreign air operator shall take measures to ensure that no person conceals himself or cargo on board an aircraft.

PART III DANGEROUS GOODS

Applicability of Part III.

26. This Part prescribes the requirements for the transport of dangerous goods by air, by a foreign air operator.

Offering Dangerous Goods for Transport by Air.

27. (1) A foreign air operator shall not accept dangerous goods for transport by air to and from Guyana unless he has –

- (a) been authorised to do so by the foreign authority;
- (b) conducted the required personnel training; and
- (c) provided a copy of his approved dangerous good programme to the Authority.

(2) A foreign air operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport of, dangerous goods as required by the dangerous goods programme of the foreign air operator as approved by the foreign authority.

(3) The foreign air operator shall state in his Operations Specifications required in regulation 7 whether or not he has been authorised to accept dangerous goods by the foreign authority.

(4) Where the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods programme authorised by the foreign authority, the foreign operator shall provide a copy of such dangerous goods programme to the Authority.

Transitional
Provisions.

28. (1) The foreign air operator Operations Specifications requirements under these Regulations shall come into effect ten (10) months from the date of publication of these Regulations.

(2) Notwithstanding sub-regulation (1), on the commencement of these Regulations a foreign air operator who wishes to apply for Operations Specifications to operate to and from Guyana shall meet the requirements of these Regulations.

Director
General to
Amend
Schedules.

29. The Director General may, by Order amend any of the Schedules.

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