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LEGAL SUPPLEMENT — B

GUYANA **No. 17 of 2024**

GUYANA CIVIL AVIATION AUTHORITY

REQUIREMENTS FOR COMMERCIAL AIR TRANSPORT BY FOREIGN OPERATORS 2024

Made Under

THE CIVIL AVIATION ACT 2018

(Act No. 21 of 2018)

In exercise of the powers conferred upon the Guyana Civil Aviation Authority by section 142 of the Civil Aviation Act 2018, the Guyana Civil Aviation Authority prescribe the following Requirements which may be cited as the Civil Aviation Requirements for Commercial Air Transport by Foreign Carriers 2024.

These Requirements are prescribed in respect of the Civil Aviation (Operations) Regulations 2024 and contain –

(a) applicable standards;

(b) rules and recommended practices of international aviation organisations; and

(c) other requirements of the Authority.

These Requirements are numbered 10.1.1.1 to 10.3.1.3.

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GENERAL

10.1.1.1 APPLICABILITY

These Requirements apply to the operation of any civil aircraft (aeroplane or helicopter) for the purpose of commercial air transportation operations by any air carrier whose Air Operator Certificate is issued and controlled by a civil aviation authority other than Guyana. These Requirements do not apply to aircraft (aeroplanes and helicopters) when used by military, customs, and police services, which are not used for compensation or hire.

10.1.1.2 DEFINITIONS

(a) For the purpose of these Requirements, the following definitions shall apply:

(1) **Foreign air operator.** Any operator, not being an air operator holding an Air Operator Certificate issued by Guyana] under the provisions of ICAO Annex 6, Part 1, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of Guyana, whether on a scheduled or charter basis.

(2) **Foreign Authority.** The civil aviation authority that issues and oversees the Air Operator Certificate of the foreign operator.

10.1.1.3 COMPLIANCE

(a) A foreign air operator may not operate an aircraft (aeroplane or helicopter) in commercial air transportation operations contrary to the requirements of—

(1) these Requirements;

(2)Applicable paragraphs of any civil aviation regulations or requirements made under the Civil Aviation Act with regard to instruments and equipment, and operations; and

(3)Standards contained in ICAO Annex 6, Parts I and III.

(b) Part (a) applies also to any person who engages in an operation governed by this Part without the appropriate certificate and operations specification or similar document required as part of the certification.

(c) Contracting States shall recognize as valid an air operator certificate issued by another Contracting State provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in this Annex and in Annex 19.

10.1.1.4 AUTHORITY TO INSPECT

A foreign air operator shall ensure that any person authorized by the Authority, will be permitted at any time, without prior notice, to board any aeroplane or helicopter operated for commercial air transportation to Guyana to inspect the documents and manuals required by 10.1.2.1 and 10.1.2.3.

10.1.1.5 OPERATIONS SPECIFICATIONS

(a) Operations Specifications issued shall specify which specific operations are authorized, prohibited, limited, or subject to certain conditions, in the interest of public safety.

(b) Operations Specifications issued under this section shall contain details of the following:

(1) The purpose of issuance;

(2) Application and duration;

(3) Limitations to, or actions required by, the operator;

(4) General provisions;

(5) En-route authorization and limitations;

(6) Aerodrome authorizations and limitations;

(7) Maintenance;

(8) Mass and balance;

(9) Interchange of equipment operations; and

(10) Aircraft leasing operations.

(c) The Operations Specification issued to a foreign air operator by the Authority shall be supplementary to the provisions of the Civil Aviation (Operations) Regulations and any requirements issued by the Authority pursuant to those Regulations.

10.1.1.6 GENERAL REQUIREMENTS FOR APPLICATION FOR FOREIGN AIR OPERATOR OPERATIONS

SPECIFICATIONS

(a) A foreign air operator shall not operate an aircraft in Guyana unless it holds Operations Specifications issued to it by the Authority.

(b) Where a foreign air operator wishes to apply to operate in Guyana it shall— (1) make such application to the Authority in the form and manner prescribed; and
(2) pay the prescribed fee

(c) An application for Operations Specifications, shall be accompanied by—
(1) a copy of a valid air operator certificate or equivalent document issued by the foreign authority;
(2) a copy of the Operations Specifications or equivalent document issued by the foreign authority;
(3) a copy of the licence or authorization granted to the foreign air operator by the appropriate authority of the State of the air operator to operate an air transport service to and from Guyana;
(4) a copy of the approval page for a Minimum Equipment List for each aircraft type intended to be operated by the foreign air operator in Guyana;

(5) a representative copy of a Certificate of Registration issued for the aircraft types proposed to be operated by the foreign air operator in Guyana;

(6) a copy of a document identifying the maintenance checks that are required to be carried out for aircraft of the foreign air operator while they are operated in Guyana;

(7) a copy of the maintenance contract between the foreign air operator and the Approved Maintenance Organization, where the maintenance under subparagraph (c)(6), is carried out by an Approved Maintenance Organization approved by the foreign authority;

(8) a copy of the lease agreement for any aircraft operated by the foreign air operator which is not registered by the foreign authority;

(9) a copy of any equivalent Operations Specifications issued by the foreign authority for any specialized flight operations specifications requested by the foreign air operator for operations in Guyana;

(10) a proposed Airline Security Programme for the foreign air operator, which complies with any regulations made under the Civil Aviation Act with regard to security, for the acceptance and subsequent approval of the Authority; and

(11) any other document the Authority considers necessary to ensure that the intended operations will be conducted safely.

(d) An applicant under these Requirements shall apply for the initial issue of a foreign air operator Operations Specifications at least ninety days before the date of commencement of intended operation.

10.1.1.7 CONDITIONS FOR THE ISSUANCE OF FOREIGN AIR OPERATOR OPERATIONS SPECIFICATIONS

(a) The Authority may issue Operations Specifications to a foreign air operator to conduct commercial air operations in Guyana where it is satisfied that such foreign air operator—

(1) has a valid Air Operator Certificate issued by a foreign authority;
(2) has had its Airline Security Programme approved under any regulations made under the Civil Aviation Act with regard to security;
(3) meets the applicable provisions of the Guyana Aviation Requirements (GARs) Parts 6,7 & 8;
(4) meets the standards contained in Annex 6, Parts I and III and Annex 8 of the Chicago Convention;
(5) has sufficient financial resources to conduct safe operations; and
(6) meets the provisions of these Requirements.

(b) Where the Operations Specifications are issued under this requirement to a foreign air operator, such foreign air operator may commence commercial air transport operations to, from and in Guyana.

10.1.1.8 OPERATIONS SPECIFICATIONS

(a) Operations Specifications issued shall specify which specific operations are authorized, prohibited, limited or subject to certain conditions, in the interest of public safety.

(b) Operations Specifications issued under this section shall contain details of the following:

(1)the purpose of issuance;

(2)application and duration;
(3)limitations to, or actions required by, the operator;
(4)general provisions;
(5)en-route authorization and limitations;
(6)aerodrome authorizations and limitations;
(7)maintenance;
(8)mass and balance;
(9)interchange of equipment operations; and
(10) aircraft leasing operations.

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

10.1.1.9 CONTINUED VALIDITY of OPERATIONS SPECIFICATIONS

(a) A foreign air operator shall, when conducting operations in and to Guyana, ensure that it complies at all times with the requirements of—
(1)its Operations Specifications;
(2)its approved Airline Security Programme; and
(3)the security requirements for aircraft operators under any regulations made under the Civil Aviation Act with regard to security.

10.1.2 Documents

10.1.2.1 FOREIGN AIR OPERATOR'S AEROPLANE/HELICOPTER TECHNICAL LOG

(a)A foreign air operator shall use an aeroplane or helicopter technical log system containing the following information for each aircraft—

(1)Information about each flight necessary to ensure continued flight safety;
(2)The current aeroplane/helicopter certificate of release to service;
(3)The current maintenance statement giving the aeroplane/helicopter maintenance status of what scheduled and out of phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere;
(4)All outstanding deferred defects that affect the operation of the aeroplane/helicopter, and (5)Any necessary guidance instructions on maintenance support.

10.1.2.2 AIR OPERATOR MANUALS AND DOCUEMNTS TO BE CARRIED

(a) A foreign air operator shall ensure that the following are carried on each flight:
(1) The current parts of the Operations Manual relevant to the duties of the crew (the parts of the Operations Manual which are required for the conduct of a flight must be easily accessible to the crew on board the aircraft) ;
(2) The current approved AFM, RFM, or AOM relevant to the aircraft.. This manual shall be updated by implementing changes made mandatory by the State of Registry.
(3) The current certificate of registration, and airworthiness certificate in force in respect of that aircraft;
(4) The appropriate licences of the members of the flight crew;
(5) The mass and balance document for the aircraft certifying that the load carried is properly distributed and safely secured; and

(6) Appropriate approval/licence of crewmembers for aircraft radio operation.

10.1.2.3 ADDITIONAL INFORMATION AND FORMS TO BE CARRIED

(a) A foreign air operator shall ensure that, in addition to the documents and manuals prescribed 10.1.2.1 and 10.1.2.2, the following information and forms, relevant to the type and area of operation, are carried on each flight—

(1)Operational Flight Plan;
(2)Aircraft Technical Log containing at least the information required in 10.1.2.1(a);
(3)Appropriate NOTAM/AIS briefing documentation;
(4)Appropriate meteorological information;
(5)Mass and balance documentation;
(6)Copy of applicable operations specifications required under these Requirements; (7)Notification of special loads including any dangerous goods; and (8)Current maps and charts for the area of operation.

(b) The Authority may authorize the information detailed in subparagraph (a) above, or parts thereof, to be presented in a form other than on printed paper provided the information is accessible for inspection.

10.1.2.4 PRODUCTION OF DOCUMENTATION, MANUALS AND RECORDS

(a)A foreign air operator shall—

(1)Give any person authorized by the Authority access to any documents, manuals and records which are related to flight operations and maintenance; and
(2)Produce all such documents, manuals and records, when requested to do so by the Authority, within a reasonable period of time.

(b)The pilot in command shall, within a reasonable time of being requested to do so by a person authorized by the Authority, produce to that person the documentation, manuals and records required to be carried on board.

10.1.2.5 PRESERVATION, PRODUCTION AND USE OF FLIGHT RECORDER RECORDINGS

Following an accident, incident, or when the Authority so directs, the operator of an aeroplane or helicopter on which a fight recorder is carried shall preserve the original recorded data for a period of 60 days unless otherwise directed by the investigating authority.

10.1.3 Performance

10.1.3.1 COMPUTATION OF PASSENGER AND BAGGAGE WEIGHTS

(a) A foreign air operator shall compute the mass of passengers and checked baggage using—

(1)The actual weighed mass of each person and the actual weighed mass of baggage; or
(2)The standard mass values specified by the foreign Authority.

(b) The Authority may require a foreign air operator to produce evidence validating any standard mass values used.

10.1.3.2 SINGLE-ENGINE AEROPLANES AT NIGHT OR IN IMC

(c) A foreign air operator may not operate a single-engine, non-turbine aircraft—

(1) At night; or

(2) In Instrument Meteorological Conditions except under Special Visual Flight Rules.

(d) A foreign air operator may operate a single-engine turbine aircraft at night and in IMC conditions provided that:

(1) The State of the Operator has ensured the reliability of the turbine engine through appropriate operator maintenance procedures, operating practices, flight dispatch procedures and crew training programmes;

(2) The aeroplane is appropriately equipped for flight at night and in IMC;

(3) The aeroplane shall have an engine trend monitoring system, and for an aeroplane for which the individual certificate of airworthiness is first issued on or after January 1st 2005, the system shall be automatic

10.1.3.3 SINGLE PILOT OPERATIONS UNDER IFR OR AT NIGHT

(a) A foreign air operator shall not operate an aeroplane under IFR or at night by a single pilot unless approved by the State of the Operator and the aeroplane meets the following conditions –

(1) The flight manual does not require a flight crew of more than one pilot;

(2) The aeroplane is propeller-driven;

(3) The maximum approved passenger seating configuration is not more than nine;

(4) The maximum certificated take-off mass does not exceed 5,700 kg.;

(5) The aeroplane is equipped with:

(i) A serviceable autopilot that has at least altitude hold and heading select modes;

(ii) A headset with a boom microphone or equivalent; and

(iii) Means of displaying charts that enables them to be readable in all ambient light conditions.

(6) The PIC has satisfied the requirements of experience, training, checking and recency.

10.1.4 Operations

10.1.4.1 FLIGHT RULES WITHIN GUYANA

(a) Within the territorial boundaries of Guyana foreign air carriers shall comply with the flight rules and limitations contained in the civil aviation regulations and requirements made under the Civil Aviation Act with respect to operations.

(b) Foreign air carriers shall ensure that their flight crew have available and have become familiar with the flight rules in regulations and requirements made under the Civil Aviation Act.

10.1.5 Flight Crew Member Qualifications

10.1.5.1 GENERAL

(a)Foreign air carriers shall ensure that their flightcrew have the appropriate licences and ratings for the operations to be conducted in Guyana.

10.1.5.2 AGE LIMITATIONS

(a) Foreign air carriers shall ensure that the required PIC engaged in single pilot operations on aircraft operating in Guyana shall be less than 60 years of age.

(b) Foreign air carriers shall ensure, for aircraft engaged in operations in Guyana requiring more than one pilot as flight crew members, that if one pilot is up to age 65 the other pilot is less than age 60.

10.1.5.3 LANGUAGE PROFICIENCY

(a) As of March 5, 2008, foreign air carriers shall ensure that flight crew operating aircraft in Guyana meet the language proficiency requirement of least the operational level 4 as contained in ICAO Annex 1 for the English language and that such proficiency is endorsed on the license.

10.2 SECURITY

10.2.1.1 AIRCRAFT SECURITY

(a)A foreign air operator shall—

(1)Ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national security programs of the State of the operator;

(2)Establish, maintain and conduct approved training programs which enable the operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimize the consequences of such events should they occur;

(3)Following an act of unlawful interference on board an aircraft the commander or, in their absence the operator, shall submit, without delay, a report of such an act to the designated local authority and the Authority in the State of the operator;

(4)Ensure that all aircraft carry a checklist of the procedures' to be followed for that type in searching for concealed weapons. explosives or other dangerous devices; and

(5)If installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access.

10.2.1.2 UNAUTHORIZED CARRIAGE

A foreign air operator shall take measures to ensure that no persons conceal themselves or cargo on board an aeroplane or helicopter.

10.3 DANGEROUS GOODS

10.3.1.1 OFFERING DANGEROUS GOODS FOR TRANSPORT BY AIR

(a)No foreign air operator may accept dangerous goods for transport by air in Guyana unless the foreign air operator—

(1)Has been authorized to do so by the foreign Authority; and

(2)Has conducted the required personnel training.

(b)The foreign air operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods program as approved by the foreign Authority.

(c)The foreign air operator shall state in the operations specifications required in 10.1.1.5 whether or not that operator has been authorised to accept dangerous goods by the foreign Authority.

(d)Where the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods program authorised by the foreign Authority, the foreign operator may shall a copy of its dangerous goods program with the Authority.

10.3.1.2 CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR

(a)A foreign air operator conducting commercial air transportation operations to Guyana shall:

(1)Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned.

(2)Ensure that weapons of war and munitions of war are:

(i)Stowed in the aeroplane or helicopter in a place which is inaccessible to passengers during flight; and

(ii) In the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned 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.

(3)Ensure that the pilot in command is notified before the flight begins of the details and location on board the aeroplane or helicopter of any weapons of war and munitions of war that are intended to be carried.

10.3.1.3 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION

(a) A foreign air operator conducting commercial air transportation operations to Guyana shall take all measures necessary to ensure that any sporting weapons intended to be carried by air are reported.

(b) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are—

(1)Stowed in the aeroplane or helicopter 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

(2)In the case of firearms or other weapons that can contain ammunition, unloaded.

(c) A foreign air operator may allow a passenger to carry ammunition for sporting weapons in passenger's checked baggage, as approved by the Authority.

Made this 16th day of May, 2024.

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Director-General

For the Guyana Civil Aviation Authority