



Official Gazette

No. 27

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GOVERNMENT NOTICES

The following Government Notices are published by Order of the President.

No. 494 of 2017

GAZETTE SUPPLEMENT

The following Regulations is published as a Legal Supplement to this number of the Official Gazette.

Gazette	Description	Price
27	Civil Aviation (Safety) Regulations, 2017. (S.I. 22 of 2017)	85.00

No. 495 of 2017

INTERNATIONAL BUSINESS COMPANIES ACT

(Act 15 of 2016)

Section 297(3) (a) and 297(5)

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from 30th March, 2017 in accordance with Section 297(3) (a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
VIM Telecom Ltd.	124001
Bonseta Consulting Ltd.	024997

Financial Services Authority

No. 496 of 2017

INTERNATIONAL BUSINESS COMPANIES ACT

(Act 15 of 2016)

Section 297(3) (a) and 297(5)

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from 31st March, 2017 in accordance with Section 297(3) (a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
ASHIRA LAB LTD	144349
Rinerio Business Ltd.	151539

ALPHA RESOURCES LTD.	078984
TBH TRANSPORT CO., LTD.	158950
PowerHead Limited	181245
MUTUAL IMPACTS LTD	154845
Worldwide Fish AG	093907
LUXURY WATCHES LIMITED	121248
BLUEWATER HOLDINGS LIMITED	068572
Tensi Holding, Inc.	133474

Financial Services Authority

No. 497 of 2017

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Section 297(3) (a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from 3rd April, 2017 in accordance with Section 297(3) (a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
Du Moulin Wealth Ltd	136739
Firstclass Trading Company Limited	125635
Bo Sultan Ltd.	106065
HAMILTON DESIGN LTD.	153496

Financial Services Authority

No. 498 of 2017

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Section 217(5) (c)**

Notice is hereby given pursuant to Section 217(5) (c) of the International Business Companies Act, 2016 that **Otley Investments Limited; IBC - 154921** has been struck off the register owing to continuation in another jurisdiction, with effect from 4th April, 2017.

Financial Services Authority

No. 499 of 2017

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Section 297(3) (a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from 4th April, 2017 in accordance with Section 297(3) (a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
TOOLBOX ENGINEERING LTD.	087906
GOODLUCK CORP.	045854
Sazerro Commerce Inc.	120576
Valeen Commerce Inc.	142628
YELLOW LANE Inc.	107021

MOON LINE LIMITED
PALMGROOVE LINE INC.

107020
107019

Financial Services Authority

No. 500 of 2017

FOUNDATIONS ACT

Section 95(4)

Notice is hereby given pursuant to Section 95(4) of the Foundations Act, 2009 that the following Foundations have been dissolved and struck off the register effective from 5th April, 2017.

<u>Foundation Name</u>	<u>Reg. No.</u>
THE SVAN TRADING FOUNDATION	000338
THE IRTYS FOUNDATION	000337
THE VVK FOUNDATION	000339

Financial Services Authority

No. 501 of 2017

INTERNATIONAL BUSINESS COMPANIES ACT

(Act 15 of 2016)

Section 297(3) (a) and 297(5)

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from 5th April, 2017 in accordance with Section 297(3) (a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
MC4U Trading & Investments Limited	056032
VICTORIA STEAMSHIP COMPANY	073984
Global timber investment limited	179142
PHATOS INVEST LTD.	071767
NARCISSE CORP.	026034
FINECOVER S.A.	054514

Financial Services Authority

No. 502 of 2017

INTERNATIONAL BUSINESS COMPANIES ACT

(Act 15 of 2016)

Section 297(3) (a) and 297(5)

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from 6th April, 2017 in accordance with Section 297(3) (a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
Wertex Holding Ltd.	089057
UNICORN INDUSTRIES LTD.	113776
BABEL Consultancy S.A.	148775
GERRARD CONSULTANTS LIMITED	008188
Six Dragon Development Co., Ltd	188253
PARYLA HOLDINGS LIMITED	027893

Financial Services Authority

No. 503 of 2017

LAND RECLAMATION NOTICE

Mr. Vincent, Andre Volcere acting on his own behalf has applied for authority, under Section 2 of Land Reclamation Act to fill in and reclaim an area of the foreshore of approximately 534 square metres at Pointe Conan, Mahe adjacent to Parcel H1334.

The proposed area to be reclaimed is bounded on the Northern, Eastern and Southern side by the sea and on the Western side by Parcel H1334.

The area to be reclaimed is demarcated as follows:

POINT NAME	EASTINGS	NORTHINGS
Point A	329053.36	9490668.06
Point B	329059.81	9490692.68
M146	329039.51	9490696.63
BCND	329032.75	9490671.58

All distances are approximate.

The plan of the area to be filled in and reclaimed deposited with this application, may be inspected at the Seychelles Planning Authority's Office at Independence House.

Any person having any objections to the proposed reclamation on any grounds specified in paragraph 5 of the 1st Schedule of the Act may lodge his or her objection in writing to the Chief Executive Officer Planning Authority at the Planning Authority's Office, Independence House no later than 14 days from date of the first publication of this notice.

Alf Esparon (Mr.)
Principal Engineer
For: CHIEF EXECUTIVE OFFICER

No. 504 of 2017

**COMPLETION OF DISSOLUTION OF
PINK COMPANY Ltd.**

In the matter of the International Business Companies Act, 2016 of the Republic of Seychelles and in the matter of PINK COMPANY Ltd., you are hereby informed that since 7th April 2017, the company has been dissolved under the International Business Companies Act and the said company has been struck off the Register of International Business Companies.

Dated this 11th day of April 2017.

Vladimír Šároický
Hviezdoslavova 262/18, 958 01
Slovak Republic
Liquidator

No. 505 of 2017

**COMPLETION OF DISSOLUTION OF
PTARMIGAN LTD**

In the matter of the International Business Companies Act, 2016 of the Republic of Seychelles and in the matter of PTARMIGAN LTD, you are hereby informed that since 7th April 2017, the company has been dissolved under the International Business Companies Act and the said company has been struck off the Register of International Business Companies.

Dated this 11th day of April 2017.

Iain Norman Blair
Tempos ME, 1008 Conrad Dubai
Sheik Zayed Road, Dubai, United Arab Emirates
Liquidator

No. 506 of 2017

**COMPLETION OF DISSOLUTION OF
Tasmeem Middle East Ltd**

In the matter of the International Business Companies Act, 2016 of the Republic of Seychelles and in the matter of Tasmeem Middle East Ltd, you are hereby informed that since 7th April 2017, the company has been dissolved under the International Business Companies Act and the said company has been struck off the Register of International Business Companies.

Dated this 11th day of April 2017.

Sammy Antoine Freminot
Anse Royale
Mahe, Seychelles
Liquidator

No. 507 of 2017

**COMPLETION OF DISSOLUTION OF
SMART TECHNICAL SOLUTIONS
(STS COMPANY) LTD**

In the matter of the International Business Companies Act, 2016 of the Republic of Seychelles and in the matter of SMART TECHNICAL SOLUTIONS (STS COMPANY) LTD, you are hereby informed that since 7th April 2017, the company has been dissolved under the International Business Companies Act and the said company has been struck off the Register of International Business Companies.

Dated this 11th day of April 2017.

Adrianus Brands
Golf street Apartment 2
Maadi, Cairo, 20030, Egypt
Liquidator

No. 508 of 2017

**MINING CONTROL SERVICES LTD
IBC No. 161286
(the "Company")**

Notice is hereby given that on the 24th March 2017, the Company commenced voluntary winding up under Sub-Part II of the International Business Act 2016.

For the purpose of the voluntary winding up, I, Teddy Lo Seen Chong, have been appointed as liquidator of the Company by the shareholders.

Teddy Lo Seen Chong, FCA
Liquidator
Intercontinental Trust Limited
Level 3, Alexander House
35, Cybercity Ebene 72201
Mauritius

No. 509 of 2017

NOTICE

International Business Companies Act, 2016
Section 286

RE: Voluntary Dissolution of Dating Media Limited ("the Company") incorporated in Seychelles

The Company hereby gives notice that:

- (a) the Company is in dissolution;
- (b) the date of commencement of the dissolution is 3rd April 2017;
- (c) the Liquidator of the Company is ARNALDO ANTAO of Glacis, Mahe, Seychelles.

Dated this 7th day of April 2017:

No. 510 of 2017

NOTICE OF DISSOLUTION

CliffBrook Limited IBC No: 98429

(In Voluntary Dissolution)

NOTICE is hereby given that in accordance with Section 286 of the International Business Companies Act 2016.

CliffBrook Limited IBC No: 98429

- The date of commencement of dissolution is 7th April 2017.
 - Petr Zika of 9 Valtetsiou Street, Nicosia, CY-1101, Cyprus is the Liquidator of the Company.
-

No. 511 of 2017

NOTICE

Notice is hereby given in pursuance of Section 96 of the Civil Status Act (Cap. 34) that the Chief Officer of the Civil Status has granted the under noted applications made under section 94 of Cap. 34.

Mr Ray Pierre Balette authorized to change his son name from Luigi Selby Balette to Luigi Selby Balette Dugasse.

M. Labrosse
For: Chief Officer of the Civil Status

No. 512 of 2017

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my daughter's name from Anorah Lilianne Rose to Anorah Lilianne Dookley agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Ms Tahiri Juliana Dookley
c/o Nichol Jr Gabriel
Attorney At Law
Maison Olivier Maradan
Victoria
Mahe
Seychelles

No. 513 of 2017

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Jeano Brown Sergio Horter to Jeano Brown Sergio Hortere agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Ms Jeano Brown Sergio Horter
C/o Bernard Selwyn Adonis
A & A Law and Consultancy Chambers
OJ'S Market Mall
Victoria
Mahe

No. 514 of 2017

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Priscilla Cindy Horter to Priscilla Cindy Hortere agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Ms Priscilla Cindy Horter
C/o Bernard Selwyn Adonis
A & A Law and Consultancy Chambers
OJ'S Market Mall
Victoria
Mahe

No. 515 of 2017

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Dothy Monia Horter to Dothy Monia Hortere agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Ms Dothy Monia Horter
C/o Bernard Selwyn Adonis
A & A Law and Consultancy Chambers
OJ'S Market Mall
Victoria
Mahe

No. 516 of 2017

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Maria Juana Horter to Maria Juana Hortere agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Ms Maria Juana Horter
C/o Bernard Selwyn Adonis
A & A Law and Consultancy Chambers
OJ'S Market Mall
Victoria
Mahe

S.I. 22 of 2017

CIVIL AVIATION ACT

(Act 4 of 2005)

CIVIL AVIATION (SAFETY) REGULATIONS, 2017

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2. Interpretation

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4. Registration of aircraft
5. Nationality and registration marks

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7. Design, production or distribution of aircraft, aircraft components or aircraft materials
8. Equipment of aircraft
9. Radio and radio navigation equipment of aircraft
10. Continuing airworthiness of aircraft
11. Maintenance organisation approval
12. Requirement for certificate of release to service
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16. Aircraft maintenance personnel
17. Air traffic controller
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36. Responsibilities of air traffic service providers
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39. Non-commercial operations
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- (1) The operator of the aircraft shall be the registered owner of the aircraft who shall be the holder of an aircraft dealer's certificate granted under these regulations.
- (2) The aircraft shall fly only for the purpose of—
 - (a) testing the aircraft;
 - (b) demonstrating the aircraft with a view to the sale of that aircraft or other similar aircraft;
 - (c) proceeding to or from a place at which the aircraft is to be tested or demonstrated as aforesaid or overhauled, repaired or modified;
 - (d) delivering the aircraft to a person who has agreed to buy or lease it; or
 - (e) proceeding to or from a place for the purpose of storage.
- (3) Without prejudice to pre-flight actions by the commander of a flight, the operator of the aircraft shall satisfy himself before the aircraft takes off that the aircraft is in every way fit for the intended flight.
- (4) The aircraft shall fly within the Republic only.

MADE this 7th day of April 2017.

MAURICE LOUSTAU-LALANNE
MINISTER TOURISM, CIVIL AVIATION,
PORTS AND MARINE

41. Operations requiring specific approval
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purpose referred to in items (a), (b) or (c) or at which installation of furnishings in, or the painting of, the aircraft is to be undertaken.

- (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 cargo, or any person other than the flight crew except the following—
 - (a) persons employed by the operator who carry out during the flight duties or are tested or receive training in connection with the purposes specified in item (3);
 - (b) persons employed by producers of component parts of the aircraft (including the engines) who carry out during the flight duties in connection with the purposes so specified;
 - (c) persons approved by the Authority under regulation 116 as qualified to furnish reports for the purposes of these regulations;
 - (d) persons, other than those carried under the preceding provisions of this item, who are carried in the aircraft in order to carry out a technical evaluation of the aircraft or its operation; and
 - (e) cargo which comprises equipment carried in connection with a purpose specified in item 3(d).

- (6) The aircraft shall not fly over any congested area of a city, town or settlement, except in accordance with procedures which have been approved by the Authority in relation to that flight.

C

Conditions—

The conditions in an aircraft dealer's certificate shall be as follows—

- (7) For the purpose of this Schedule 'a previously approved modification' shall mean a modification which has previously been approved by the Authority or by an organisation approved for that purpose by the Authority in respect of that aircraft or another aircraft of the same type.

B Conditions—

- (1) The flight shall be made under the supervision of a person approved by the Authority for the purposes of these Conditions, and subject to any additional condition which may be specified in such approval.
- (2) If it is not registered in the Republic or under the law of any country referred to in regulation 3, the aircraft shall be marked in a manner approved by the Authority for the purposes of these Conditions, and any additional condition set by the Authority shall be complied with in relation to the aircraft as if it was registered in the Republic so far as such provisions are applicable to the aircraft in the circumstances.
- (3) An aircraft shall only fly for the purpose of—
- (a) experimenting with or testing the aircraft (including in particular its engines) and its equipment; or
 - (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) the giving of flying training to or the testing of flight crew employed by the operator or the training or testing of other persons employed by the operator and who are carried or are intended to be carried under item (5)(a); or
 - (d) proceeding to or from a place at which any experiment, test, inspection, repair, modification, maintenance, approval, test or weighing of the aircraft or training is to take place for a

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- 87. Power to prevent aircraft flying
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- 96. Enforcement of directions and directives
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STATE SAFETY PROGRAMME**

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- 120. Small Aircraft

PART 26 - SAVINGS AND REPEAL

- 121. Savings and repeal provisions

- (iii) proceed to or from a place at which the aircraft is to be or has been stored;
- (b) for aircraft falling within item (1) (b), the aircraft shall fly only for the purpose of enabling it to—
 - (i) proceed to a place at which any inspection or maintenance required by virtue of regulation 6 (6) (b) (ii) is to take place; or
 - (ii) proceed to a place at which an inspection, maintenance or modification required by virtue of regulation 6 (6) (b) (i) or (c) is to take place and in respect of which flight the Authority has given written permission; or
 - (iii) carry out a functional check, test or in-flight adjustment in connection with the carrying out in a manner approved by the Authority of any overhaul, repair, previously approved modification, inspection or maintenance required by virtue of regulation 6(6).
- (3) A holder of an aircraft maintenance licence or a person approved by the Authority to issue certificates under this condition shall certify the aircraft and its engines as fit for flight.
- (4) The aircraft shall carry the minimum flight crew specified in any certificate of airworthiness or validation which has previously been in force under these regulations in respect of the aircraft, or is or has previously been in force in respect of any other aircraft of identical design.
- (5) The aircraft shall not carry any passenger or cargo except passengers performing duties in the aircraft in connection with the flight.
- (6) The aircraft shall not fly over a congested area of a city, town or settlement, except in accordance with procedures which have been approved by the Authority in relation to that flight.

SECOND SCHEDULE

Regulations 3, 4, 6, 14 and 51(7)

A, B AND C CONDITIONS**A Conditions —**

- (1) The aircraft shall be a Seychelles aircraft in respect of which either —
 - (a) a certificate of airworthiness or validation has not been issued or rendered valid under the provisions of these regulations, or
 - (b) the certificate of airworthiness or validation issued for the aircraft has ceased to be in force by virtue of any of the matters specified in regulation 6.
- (2) The purposes referred to in item (1) are —
 - (a) for aircraft falling within item (1) (a), the aircraft shall fly only for the purpose of enabling it to —
 - (i) qualify for the issue of a certificate of airworthiness or of the validation thereof after an application has been made for such issue or validation as the case may be, or carry out the functional check of a previously approved modification of the aircraft; or
 - (ii) proceed to or from a place at which any inspection, repair, modification, maintenance, approval, test or weighing of, or the installation of equipment in the aircraft is to take place for a purpose referred to in item 1 (a), after any relevant application has been made, or at which the installation of furnishings in, or the painting of, the aircraft is to be undertaken; or

S.I. 22 of 2017**CIVIL AVIATION ACT***(Act 4 of 2005)***Civil Aviation (Safety) Regulations, 2017**

In exercise of the powers conferred by sections 3(1) (c) and (2) (h) of the Civil Aviation Act, 2005, the Minister Tourism, Civil Aviation, Ports and Marine hereby makes the following Regulations —

1. These Regulations may be cited as the Civil Aviation (Safety) Regulations, 2017.

Citation

2.(1) In these regulations unless the context otherwise requires —

Interpretation

“Act” means the Civil Aviation Act, 2005;

“aerodrome” means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically;

“aerodrome traffic zone” in relation to any aerodrome means the defined airspace, which is notified, around an aerodrome for the protection of aerodrome traffic;

“aeronautical light” means a light installed for the purpose of aiding air navigation;

“aeronautical radio station” means a radio station on the surface which transmits or receives signals for the purpose of assisting aircraft;

“aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

“Airborne Collision Avoidance System” means an aircraft system based on secondary surveillance radar (SSR) transponder signals which operates independently of ground based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders;

“aircraft” means a machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

“aircraft component” means —

- (a) the engine, propeller or part of the engine or propeller fitted to or placed in an aircraft; and
- (b) aircraft equipment made available in an aircraft;

“airship” means a power-driven lighter-than-air aircraft;

“aircraft material” means material (including fluid) for use in the production, maintenance, servicing or operation of an aircraft or of an aircraft component, but does not include an aircraft component;

“air traffic” means aircraft in flight or aircraft

Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Aeroplane (amphibian)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Aeroplane (self launching motor glider)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Powered lift (tilt rotor)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Rotorcraft-Helicopter (land helicopter)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Rotorcraft-helicopter (sea helicopter)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Rotorcraft-helicopter (amphibian helicopter)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Rotorcraft-gyroplane (land gyroplane)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Rotorcraft-gyroplane (sea gyroplane)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Rotorcraft-gyroplane (amphibian gyroplane)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Ornithopter (land ornithopter)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Ornithopter (sea ornithopter)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Ornithopter (amphibian ornithopter)

4. TABLE OF GENERAL CLASSIFICATION OF AIRCRAFT

Column 1	Column 2	Column 3	Column 4
Aircraft	Lighter than air aircraft	Non-power-driven	Free balloon (spherical free balloon)
Aircraft	Lighter than air aircraft	Non-power-driven	Free balloon (non-spherical free balloon)
Aircraft	Lighter than air aircraft	Non-power-driven	Captive balloon (spherical captive balloon)
Aircraft	Lighter than air aircraft	Non-power-driven	Captive balloon (non-spherical captive balloon)
Aircraft	Lighter than air aircraft	Power-driven	Airship (rigid airship)
Aircraft	Lighter than air aircraft	Power-driven	Airship (semi-rigid airship)
Aircraft	Lighter than air aircraft	Power-driven	Airship (non-rigid airship)
Aircraft	Heavier than air aircraft	Non-power-driven	Glider (land glider)
Aircraft	Heavier than air aircraft	Non-power-driven	Glider (sea glider)
Aircraft	Heavier than air aircraft	Non-power-driven	Kite
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Aeroplane (landplane)
Aircraft	Heavier than air aircraft	Power-driven (flying machines)	Aeroplane (seaplane)

operating on the manoeuvring area of an aerodrome;

“air traffic controller licence” means an air traffic controller licence referred to in regulation 17;

“air traffic control unit” means an area control centre, approach control unit or aerodrome control tower;

“an ACAS equipped flight” means a flight on which an Airborne Collision Avoidance System is required to be carried on a flight conducting operations in accordance with regulations 38, 39 or 40;

“appropriate aeronautical radio station” in relation to an aircraft means, an aeronautical radio station serving the area in which the aircraft is located for the time being;

“Article 83” means the provisions of Article 83 of the Chicago Convention;

“Article 83 *bis* Agreement” means an agreement between two Contracting States that have ratified Article 83 *bis*, in terms of which the State of Registry transfers all or some of its functions and duties to the State of the Operator;

“authorised person” means a person authorised by the Authority either generally or in relation to a particular case or class of cases, and references to an authorised person include references to the holder for the time being of any office designated by the Authority;

“Authority” means the Seychelles Civil Aviation

Authority as defined in the Civil Aviation Authority Act;

“cabin crew member” means an appropriately qualified crew member, other than a flight crew member or technical crew member, who is assigned by an operator to perform duties related to the safety of passengers and flight during operations;

“cargo” includes mail and animals;

“captive balloon” means an unmanned, non-power driven balloon tethered on the surface of the earth or to a stationary structure on the surface of the earth;

“certificate” means an approval, licence or other document issued as a result of certification;

“certificate of maintenance review” means a certificate of maintenance review issued in accordance with regulation 13;

“certificate of release to service” means a certificate that certifies that —

- (a) the part of an aircraft or its equipment has been overhauled, repaired, replaced, modified or maintained, as the case may be, in a manner and with material of a type approved by the Authority and which the certificate identifies the overhaul, repair, replacement, modification or maintenance to which it relates and includes particulars of the work done; or
- (b) in relation to an inspection required by the Authority, the inspection has been made in accordance with the requirements of the

dimension including any basket or other equipment attached to the balloon;

- (b) any kite weighing not more than two kg; or
- (c) any other aircraft weighing not more than 7 kg without its fuel in cases where the aircraft requires fuel.

PART 26 - SAVING AND REPEAL

121.(1) The Air Navigation (Overseas Territories) Order is hereby revoked.

Saving and
Repeal
provisions

(2) Civil Aviation Regulations, 2000 is hereby repealed.

(3) Civil Aviation (Amendment) Regulations, 2007 is hereby repealed.

(4) Civil Aviation (Civil Aviation Directives) Regulations, 2005 is hereby repealed.

(5) Upon the commencement of these regulations any appointment, function, direction or act performed by the Authority under the repealed regulations referred to in subregulations (2), (3) and (4) or under the revoked order referred to in subregulation (1) shall continue to apply as if made under the provisions of these regulations.

FIRST SCHEDULE

(Regulation 4)

1. Aircraft shall be classified in accordance with the Table of General Classification of Aircraft.
2. An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.
3. Unmanned aircraft shall include unmanned balloons and remotely piloted aircraft.

service of the Government, not being military aircraft, as they apply to or in relation to other aircraft which are registered in the Republic or are capable of being so registered and for the purposes of such application, the department or other authority for the time being responsible on behalf of the Government for the management of the aircraft, shall be deemed to be the operator of the aircraft and in the case of an aircraft belonging to the Government, to be the owner of the interest of the Government in the aircraft:

Provided that nothing in this paragraph shall render liable to any penalty any department or other authority responsible on behalf of the Government for the management of any aircraft.

(2) Except as otherwise expressly provided, the naval, military and airforce authorities and members of any visiting force and property held or used for the purpose of such a force shall be exempt from the provisions of these regulations to the same extent as if that force formed part of the Seychelles People's Defence Forces and for the time being serving there.

(3) Except as otherwise provided by subregulation (4), regulations 54(2), 54(4), 67 and 68, nothing in these regulations shall apply to or in relation to any military aircraft.

(4) Where a military aircraft is flown by a civilian pilot and is not commanded by a person who is acting in the course of his duty, as a member of any of the Defence Forces of Seychelles or as a member of a visiting force, the provisions of regulations 25, 26, 27, 68 and 69 shall apply on the occasion of that flight.

Small aircraft

120. The provisions of these regulations, other than regulations 26, and 69 shall not apply to or in relation to —

- (a) any balloon which at any stage of its flight is not more than two metres in any linear

Authority and that any consequential repair, replacement or modification has been carried out;

“certification” means any form of recognition that a product, a part or appliance, organisation or person complies with applicable requirements including the provisions of these regulations;

“Chief Investigator of Accidents” means the Chief Investigator of Accidents appointed under the Civil Aviation (Investigation of Accidents and Incidents) Regulations, 2016;

“Chicago Convention” means the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944 as amended by any subsequent convention or agreement;

“commander” in relation to an aircraft, means a member of the flight crew designated as commander of that aircraft by the operator thereof, or otherwise the person who is for the time being the pilot in command of the aircraft;

“commercial air transport” means an aircraft operation which transports passengers or cargo for remuneration or other valuable consideration;

“commercial operation” means an operation of an aircraft which service is available to the public in return for remuneration or other valuable consideration or an operation which is performed under a contract between an operator and a customer where the customer has no control over the operator;

“competent authority” in relation to Seychelles means the Seychelles Civil Aviation Authority,

and, in relation to any other country, the authority responsible under the law of that country, for promoting the safety of civil aviation;

“complex motor-powered aircraft” means —

- (a) an aeroplane —
 - (i) with a maximum certificated take-off mass exceeding 5700 kg;
 - (ii) certificated for a maximum passenger seating configuration of more than nineteen passengers;
 - (iii) certificated for operation with a minimum crew of at least two pilots;
 - (iv) equipped with one or more turbojet engines; or
 - (v) equipped with more than one turboprop engine;
- (b) a helicopter certificated —
 - (i) for a maximum take-off mass exceeding 3175 kg;
 - (ii) for a maximum passenger seating configuration of more than nine passengers or seats;
 - (iii) for operation with a minimum crew of at least two pilots; or
- (c) a tilt rotor aircraft;

“congested area” in relation to a city, town or settlement, means an area which is substantially

PART 25 - GENERAL

116. The Authority may approve a person qualified to furnish reports to the Authority.

Approval of persons to furnish reports

117. Except where the context otherwise requires, the provisions of these regulations —

Extra territorial effect of these regulations

- (a) in so far as they apply, whether by express reference or otherwise, to a Seychelles aircraft, shall apply to such aircraft wherever they may be;
- (b) in so far as they apply, whether by express reference or otherwise, to foreign aircraft, shall apply to such aircraft when they are within the Republic;
- (c) in so far as they prohibit, require or regulate, whether by express reference or otherwise, the doing of anything by persons in, or by any of the crew of a Seychelles aircraft, shall apply to such persons and crew, wherever they may be; and
- (d) in so far as they prohibit, require or regulate as aforesaid the doing of anything in relation to a Seychelles aircraft by other persons, shall apply to them wherever they may be.

118. The Authority may direct that such of the provisions of these regulations as may be specified in the direction shall have effect as if reference in those provisions to aircraft registered in the Republic included references to the aircraft specified in the direction, being an aircraft not so registered but for the time being under the management of a person who, or of persons each of whom, is qualified to hold a legal or beneficial interest by way of ownership in an aircraft registered in the Republic.

Application of these regulations to Seychelles controlled foreign aircraft

119.(1) The provisions of these regulations apply to or in relation to aircraft belonging to or exclusively employed in the

Application of these regulations to the Government and visiting

- (b) the affected third-party States have been informed directly by at least one of the States party to the Article 83 *bis* agreement.

(2) The Authority is not obliged to recognise the transfer of functions and duties between States where —

- (a) the States are not parties to Article 83 *bis*;
- (b) the States are parties to the Agreement but have not registered the Article 83 *bis* Agreement with the International Civil Aviation Organisation; or
- (c) the Republic has not been informed directly by at least one of the States Party to the Article 83 *bis* Agreement, of the transfer.

(3) The Authority shall recognise the validity of licences and certificates where the Contracting States that have ratified Article 83 *bis* have transferred power from the State of Registry to the State of the Operator in accordance with Article 83 *bis*, to render valid or to renew crew licences, radio licences and certificates of airworthiness, if the Authority has been officially informed of such transfer, provided that these licences and certificates have been issued, rendered valid or renewed by the appropriate authority of the State of the Operator fully meeting the requirements of Annexes 1 and 8 to the Convention, as amended.

Transfer of
responsibilities-
State of the
Operator

115. The Authority may, in accordance with directives issued by the Authority and with the consent of the Government, enter into an arrangement for the transfer of certain or all the functions and duties of the State of the Operator of an aircraft to another State, where the functions and duties can more adequately be discharged by that Contracting State.

used for residential, industrial, commercial or recreational purposes;

“continuing oversight” means the task to be conducted and safeguard measures to be taken to ensure that the conditions under which a certificate has been granted continue to be fulfilled at any time during its period of validity;

“Contracting State” means a country (including Seychelles) which is a party to the Chicago Convention;

“country” includes a territory;

“crew” means a member of the flight crew, a cabin crew member or a person on the aircraft appointed by the operator of the aircraft to give or to supervise the training, practice and periodical tests;

‘Danger Area’ means airspace which has been notified as such within which activities dangerous to the flight of aircraft may take place or exist at such times as may be notified;

“dangerous goods” means any article or substance which is capable of posing a risk to health, safety, property or the environment and which is set out in the list of dangerous goods in the Technical Instructions or is classified as such according to the Technical Instructions;

“directives” means directives issued in accordance with regulation 110;

“flight” and “to fly” have the meanings respectively assigned to them by subregulation (2) of regulation 2;

“flight crew”, in relation to an aircraft, means members of the crew of the aircraft who in accordance with regulation 15, respectively undertake to act as pilot, flight navigator, flight engineer and flight radio operator of the aircraft;

“flight dispatcher”, which includes flight operations officers, means a person appointed by the operator of an aircraft to provide —

- (a) assistance to the pilot-in-command in pre-flight preparation for the dispatch release; and
- (b) supervision of flight while acting as a close link between the aircraft in flight and the ground services, and between the flight crew and the operator's ground staff;

“flight manual” means an approved document that contains information (limitations, operating procedures, performance information, etc) necessary to operate the aircraft at the level of safety established by the aircraft certification basis;

“flight visibility” means the visibility forward from the flight deck of an aircraft in flight;

“flying machine” means an aeroplane, a powered lift tilt rotor aircraft, a self-launching motor glider, a helicopter or a gyroplane.

“foreign aircraft” means an aircraft not registered in the Seychelles;

“Government” means the government of Seychelles;

“international aviation standard” means any international standard or recommended practice or

(b) the existence and scope of the Article 83 *bis* agreement have been directly communicated to the appropriate authorities of the other Contracting State or States concerned by a State party to the agreement.

(4) The Authority with the consent of the Government, may accept certain or all of the functions and duties of the appropriate authority of a State of Registry in respect of an aircraft on that State's aircraft register and deem, to the extent provided for in terms of the relevant Article 83 *bis* agreement, that such aircraft to be a Seychelles aircraft for the purpose of these regulations.

113.(1) The Article 83 *bis* agreement shall state the functions and duties to be transferred and those functions not stated will be deemed to remain with the State of Registry.

Transfer of responsibilities-
State of Registry

(2) Where an Article 83 *bis* agreement has been concluded, the State of Registry shall be relieved of responsibility and, where applicable, of liability in respect of the functions and duties duly transferred to the other State.

(3) A certified copy of the Article 83 *bis* agreement and the operating certificate under which the aircraft is operated and in which it is listed, shall for the purpose of identifying each State's responsibility regarding safety oversight, be carried on board the aircraft at all times whilst the Article 83 *bis* agreement is in force.

114.(1) The Authority shall recognise the Article 83 *bis* agreement between two Contracting States that have ratified or notified adherence to Article 83 *bis* whereby the State of the Operator is substituted for the State of Registry, within the limits established by the transfer arrangements, provided that —

Recognition

- (a) the Article 83 *bis* agreement has been duly registered with the International Civil Aviation Organisation; or

thereafter register such agreement with the Council of the International Civil Aviation Organisation.

(2) The functions and duties referred to in subregulation (1) are the functions and duties allocated by the Chicago Convention to the State of Registry in respect of —

- (a) Article 12 of the Chicago Convention: “Rules of the Air”, including the prosecution of all persons violating the rules and regulations relating to the flight and manoeuvre of aircraft in force in a particular Contracting State;
- (b) Article 30 of the Chicago Convention: “Aircraft radio equipment”, including the installation and operation of radio transmitting apparatus in aircraft operated in the air space of a Contracting State;
- (c) Article 31 of the Chicago Convention: “Certificates of Airworthiness”, the issuing or rendering valid thereof by the State of Registry; and
- (d) Article 32(a) of the Chicago Convention: “Licenses of Personnel”, the issuing or rendering valid thereof by the State of Registry.

(3) The transfer of a function or duty contemplated in subregulation (1) shall not have effect in respect of another Contracting State before either —

- (a) the Article 83 *bis* agreement between the States in which it is embodied has been registered with the Council of the International Civil Aviation Organisation and made public pursuant to Article 83; or

procedure consistent with Article 37 of the Chicago Convention;

“International Civil Aviation Organisation” means the organisation established by the Chicago Convention made up of an Assembly, a Council and any other bodies necessary;

“Instrument Flight Rules” means Instrument Flight Rules contained in technical standards incorporated in accordance with regulation 68;

“Instrument Meteorological Conditions” means weather precluding flight in compliance with the Visual Flight Rules;

“kite” means a pilotless framework covered with a material including cloth, synthetic fibre, plastic or paper and which is designed to be flown in the wind at the end of a string without mechanical propulsion;

“licence” includes any certificate of competency or certificate of validity issued with the licence or required to be held in connection with the licence by the law of the country in which the licence is granted;

“Load Sheet” means a document that specifies the load and its distribution to determine whether the mass and balance limits of an aircraft are not exceeded;

“maintenance” means the performance of tasks required to ensure the continued airworthiness of an aircraft, and includes the overhaul, inspection, replacement, defect rectification and the embodiment of a modification or repair;

“maintenance programme” means a document which describes the specific scheduled maintenance tasks and their frequency of completion necessary for the safe operation of the aircraft to which it applies;

“military aircraft” includes the naval, military or air force aircraft of any country;

“national aviation standard” means any national standard or recommended practice or procedure consistent with Article 37 of the Chicago Convention;

“nautical mile” means the International Nautical Mile being a distance of 1,852 metres;

“night” means the time between 20 minutes after sunset and 20 minutes before sunrise whereby sunset and sunrise are determined at surface level;

“Notam” or “Notice to Airmen” means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service or procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations;

“notified” means information shown in publications issued in the Republic entitled Notams (Notices to Airmen), Aeronautical Information Circulars, Advisory Circulars, Aeronautical Information Publication, Airworthiness Notices, and Seychelles Airworthiness Requirements or any other official publication so issued for the purpose of enabling any of the provisions of these regulations to be complied with;

(a) State safety policy and objectives;

(b) State safety risk management;

(c) State safety assurance; and

(d) State safety promotion.

PART 23 - AUTHORITY MATTERS - CIVIL AVIATION DIRECTIVES

110. The Authority may, by the promulgation of civil aviation directives or otherwise, prescribe conditions and technical standards relating to any national aviation standard or international aviation standard, not by stating the text thereof but by making reference to the number, title and year of issue of that aviation standard, or to any other particulars by which that aviation standard is sufficiently identified.

Power to issue civil aviation directives

111. If any national aviation standard or international aviation standard referred to in a civil aviation directive issued in accordance with regulation 110 is at any time after the incorporation thereof in the civil aviation directive amended or substituted, it shall be deemed to be a reference to that aviation standard as so amended or substituted, as the case may be, unless the contrary is expressly stated in the civil aviation directive.

Standards effective as amended

PART 24 - AUTHORITY MATTERS - TRANSFER OF RESPONSIBILITIES BETWEEN CONTRACTING STATES

112.(1) The Authority may, in accordance with directives prescribed and with the consent of the Government, in the case of dry or wet leased aircraft, enter into an Article 83 *bis* agreement for the transfer of certain or all the functions and duties of the State of Registry of an aircraft to the State of Operator, where such functions and duties can more adequately be discharged by the State of Operator and

Article 83 *bis* Agreement

- (b) be supported by documentation specifically intended to provide personnel responsible for safety oversight with guidance to perform their functions;
- (c) provide the persons and organisations concerned with the results of safety oversight activity; and
- (d) be based on audits and inspections, including ramp and unannounced inspections.

Continuing
oversight
programme

107.(1) The Authority shall establish and maintain a continuing oversight programme covering the oversight activities required by regulation 106(1)(b).

(2) The continuing oversight programme shall include records of the dates when audits, inspections and meetings are due and when the audits, inspections and meetings have been carried out.

Resolution
of safety
concerns

108.(1) The Authority shall use a documented process to take appropriate corrective actions including enforcement measures to resolve identified safety concerns.

(2) The Authority shall ensure that identified safety concerns are resolved in a timely manner through a system which monitors and records progress, including actions taken by an operator or service provider in resolving such concerns.

PART 22 - AUTHORITY MATTERS - STATE SAFETY PROGRAMME

State Safety
Programme

109.(1) The Authority shall establish a State Safety Programme for the management of safety, in order to achieve an acceptable level of safety performance in civil aviation.

(2) The State Safety Programme shall include the following components—

“obstacle” means any fixed (whether temporary or permanent) or mobile object or part thereof—

- (a) which is located in an area intended for the surface movement of aircraft; or
- (b) which extends above a defined surface which is intended to protect aircraft in flight;

“occurrence” means an operational interruption, defect, fault or other irregular circumstance that has or may have influenced flight safety and that has not resulted in an accident or serious incident as defined in the Civil Aviation (Investigation of Accidents and Incidents) Regulations, 2016;

“operations manual” means a manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.

“operator” means any legal or natural person, operating or proposing to operate, one or more aircraft or one or more aerodromes;

“ornithopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on planes to which a flapping motion is imparted;

“parascending parachute” means a parachute which is towed by cable in such a manner as to cause it to ascend;

“pilot-in-command”, in relation to an aircraft, means a person who for the time being is in charge of the piloting of the aircraft without being under the direction of any other pilot in the aircraft;

“principal place of business” means the State in which the administrative headquarters and the operator's financial, operational and continuing airworthiness management are based;

“problematic use of psychoactive substances” means the use of one or more psychoactive substances in a way that—

- (a) constitutes a direct hazard to the user or endangers the lives, health or welfare of any other person; or
- (b) causes or worsens an occupational, social, mental or physical problem or disorder suffered by the user;

“production” means the performance of tasks required for the manufacture or assembly of aircraft, aircraft components, aircraft materials or a part of an aircraft, an aircraft component or aircraft material;

“psychoactive substances” means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psycho-stimulants, hallucinogens and volatile solvents, but excludes coffee and tobacco;

“public use”, in relation to an aerodrome listed in the Aeronautical Information Publication and which does not require prior permission of the aerodrome operator for aircraft operations, means one which is available to all persons on equal terms and conditions whenever the aerodrome is available for the takeoff or landing of aircraft;

“ramp inspection” means an inspection that is intended to confirm that an aircraft is operating in

where the person making the report requests that his identity is not recorded on the databases.

105.(1) In this regulation “bird strike occurrence” means an incident in flight in which the commander of an aircraft has reason to believe that the aircraft has been in collision with one or more birds.

Mandatory reporting of bird strikes

(2) The commander of an aircraft shall, make a report to the Authority of any bird strike occurrence which occurs whilst the aircraft is in flight in or over the Republic.

(3) The report shall be made within such time, by such means and shall contain such information as is required in a directive issued by the Authority.

(4) A person shall not be required to report an occurrence which he or she has reported under regulation 100 or which he has reason to believe has been or will be reported by another person to the Authority in accordance with that regulation.

(5) A person shall not make a false report.

PART 21 - AUTHORITY MATTERS - SAFETY OVERSIGHT

106.(1) The Authority shall verify—

Verification of compliance

- (a) compliance with these regulations prior to certification; and
- (b) continued compliance with these regulations following such certification.

(2) This verification shall —

- (a) be based on technical evaluations by appropriately qualified technical personnel;

time, by such means and containing such information in accordance with directives issued by the Authority.

(4) A person listed in subregulation (2) shall furnish the Authority with a report, within such time and in such manner as the Authority specifies, in a notice addressed to that person, containing information which is in that person's possession or control and which relates to an occurrence which has been reported by that person or another person.

(5) A person shall not make a report under this regulation if the person knows or has reason to believe that the report is false in any particular.

Collection
and storage
of
information

101.(1) The Authority shall store reports of occurrences, accidents and serious incidents in the Authority's database.

(2) The Authority shall put in place a mechanism to collect, evaluate, process and store reports of occurrences reported in accordance with regulation 100(2).

Protection
of
information

102. Notwithstanding the type or classification of occurrence, accidents and serious incidents, the Authority shall ensure that the names or addresses of individual persons are not recorded on the databases referred to in regulation 101(1).

Use of
reported
occurrences

103. The Authority and the Chief Investigator of Accidents shall use information collected under regulation 101, solely for the purpose set out in Part 20 of these regulations.

Voluntary
reporting

104.(1) The Authority shall put in place a system of voluntary reporting to collect and analyse information on observed deficiencies in aviation which are not required to be reported under the system of mandatory reporting, but which are perceived by the reporter as an actual or potential hazard.

(2) Voluntary reports presented to the Authority under subregulation (1) are subject to a process of de-identification

accordance with Authority requirements; that it is equipped and configured correctly for the purpose of the completed or intended flight; that crew qualifications are appropriate; that the supporting documentation is appropriate and correct and that the aircraft is (as far as can reasonably be established) in an airworthy condition;

“Remotely Piloted Aircraft” means an aircraft without a human pilot on board, whose flight is controlled under the remote control of a pilot on the ground or in another vehicle;

“Remotely Piloted Aircraft System” means a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design;

“repair” means the restoration of an aeronautical product to an airworthy condition to ensure that the aircraft continues to comply with design aspects of the appropriate airworthiness requirements used for the issuance of the type certificate of the respective aircraft type, after it has been damaged or subject to wear;

“replacement”, in relation to any part of any aircraft or its equipment, includes the removal and replacement of that part whether or not by the same part, and whether or not any work is done on it, but does not include the removal and replacement of a part which is designed to be removable solely for the purpose of enabling another part to be inspected, repaired, removed or replaced or cargo to be loaded;

“Republic” means the Republic of Seychelles;

“safety oversight” means any function by means of which the Authority ensures effective implementation of these regulations as part of certification or continuing oversight;

“safety-sensitive personnel” means persons including, but not limited to flight dispatchers, crew members, aircraft maintenance personnel, air traffic controllers, ground operations personnel and aviation security officers who might endanger aviation safety if they perform their safety-critical duties and functions improperly;

“self-launching motor glider” means an aircraft with the characteristics of a non-power-driven glider, which is fitted with one or more power units and which is designed or intended to take off under its own power;

“self-sustaining glider” means an aircraft with the characteristics of a non-power-driven glider which is fitted with one or more power units capable of sustaining the aircraft in flight but which is not designed or intended to take off under its own power;

“Seychelles aircraft” means an aircraft which is registered in the Republic of Seychelles;

“small unmanned aircraft” means any unmanned aircraft, other than a balloon or a kite, having a mass of not more than 7kg without fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight;

“specialised operation” means any commercial operation other than commercial air transport and any non-commercial operation where—

release to service for a turbine-powered aircraft, which has a certificate of airworthiness issued by the Authority, and a person who signs an airworthiness review certificate or a certificate of release to service for any equipment or part of such an aircraft;

(g) a person who performs a maintenance or airworthiness review or signs a certificate of release to service for an aircraft conducting commercial air transport in accordance with the provisions of regulation 38 and a person who signs an airworthiness review certificate or a certificate of release to service for any equipment or part of such an aircraft;

(h) a person who performs a function which requires him to be authorised by the Authority as an air traffic controller or as a flight information service officer;

(i) a manager of an aerodrome operated in accordance with regulation 61;

(j) a person who performs a function concerning the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities which are utilised by a person who provides an air traffic control service under an approval issued by the Authority;

(k) a person who performs a function concerning the ground-handling of aircraft, including fuelling, servicing, load sheet preparation, loading, de-icing and towing at an airport.

(3) Reports of occurrences shall be made within such

cause danger to an aircraft, its occupants or any other person.

(2) The following persons shall report to the Authority an event which constitutes an occurrence which comes to that person's attention whether or not the occurrence occurs during the course of that person's duties —

- (a) the operator and the commander of a turbine-powered aircraft which has a certificate of airworthiness issued by the Authority;
- (b) the operator and the commander of an aircraft operated under an air operator certificate granted by the Authority;
- (c) a person who carries on in the Republic the business of manufacturing a turbine-powered aircraft, a commercial air transport aeroplane, or any equipment or part of an aircraft;
- (d) a person who carries on the business of maintaining or modifying a turbine powered aircraft which has a certificate of airworthiness issued by the Authority and a person who carries on the business of maintaining or modifying an equipment or part of such an aircraft;
- (e) a person who carries on the business of maintaining or modifying an aircraft, operated under an air operator certificate granted by the Authority, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;
- (f) a person who performs a maintenance or airworthiness review or signs a certificate of

- (a) the aircraft is flown close to the surface to fulfill the mission,
- (b) aerobatic manoeuvres are performed;
- (c) special equipment is necessary to fulfill the mission;
- (d) task specialists are required;
- (e) substances are released from the aircraft during the flight;
- (f) external loads or goods are lifted or towed;
- (g) persons enter or leave the aircraft during flight; or
- (h) the purpose of the mission is to display an aircraft, to advertise or to participate in a competition;

“State of the Operator” means the State in which the operator of an aircraft has his principal place of business or, if he has no place of business, his permanent residence;

“State Safety Programme” means an integrated set of requirements and activities aimed at improving safety;

“technical standards” means any technical standard incorporated by regulation 110;

“Unmanned Aircraft System” means an aircraft and its associated elements which are operated with no pilot on board;

“Visual Meteorological Conditions (VMC)” means meteorological conditions expressed in terms of

visibility, distance from cloud and ceiling, equal to or better than specified minima;

(2) An aircraft shall be deemed to be in flight —

- (a) in the case of an aeroplane or a pilotless flying machine or glider, from the moment it first moves for the purpose of taking off until the moment when it finally comes to rest after landing;
- (b) in the case of a helicopter or gyroplane, from the moment the rotor blades start turning until the moment when it finally comes to rest after landing and the rotor blades stop;
- (c) in the case of an airship or free balloon, from the moment when it first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon,

and the expressions “a flight”, “to fly” and “flight time” shall be construed accordingly.

PART 2 - REGISTRATION AND MARKING OF AIRCRAFT

Aircraft to be
registered

3.(1) An aircraft shall not fly in the Republic unless it is registered in —

- (a) the Republic;
- (b) a Contracting State; or
- (c) a country which has entered into an agreement between the Government and the government of that country in which the agreement makes

occurred without his or her consent or connivance and that he exercised all due diligence to prevent the contravention.

(2) Where a person commits an act or omits to do an act which would otherwise contravene the regulations or a directive despite the exercise of reasonable care, the act or omission is deemed to not have contravened the regulations or the directive if it is proved that the act or omission was done in the exercise of reasonable care.

(3) Where a person is charged with contravening a provision of these regulations or directives issued, by reason of him having been a member of the flight crew of an aircraft on a flight for the purpose of commercial operations, the flight shall be treated as not having been for that purpose if he proves that he neither knew nor had reason to know that the flight was for that purpose.

(4) Any person who contravenes any provision of these regulations or directives issued in accordance with these regulations, commits an offence and shall be liable to imprisonment not exceeding two years or to a fine of SR200,000.00 or to both.

PART 20 - MANDATORY REPORTING

100.(1) This part of the regulations aims at —

- (a) improving air safety by ensuring that relevant information on safety is reported, collected, stored, protected and disseminated;
- (b) preventing accidents and incidents by reporting and not for attributing blame or liability;
- (c) preventing of occurrences which cause danger to or which, if not corrected, would

Mandatory
reporting of
occurrences

- (b) any place where an aircraft has landed, for the purpose of inspecting the aircraft or a document which he has the power to demand under these regulations and for the purpose of detaining the aircraft under the provisions of these regulations.

Obstruction
of persons

95. A person shall not obstruct or impede another person from the exercise of the powers or the performance of his duties conferred upon him by these regulations.

Enforcement
of directions
and
directives

96.(1) A person who without reasonable excuse fails to comply with a direction or a directive given to him by the Authority or a person authorized by the Authority, commits an offence and contravenes regulation 99.

(2) Where any provision of these regulations gives to the Authority or authorised person the power to direct, the person to whom such a power is given also has the power to revoke or vary any such direction or directive.

Exercise of
powers

97. The Authority may authorise a person outside of the Republic to act on its behalf.

Exemption
from
regulations and
directives

98. The Authority may, after taking into account all safety-related aspects, operating circumstances and associated risks, exempt from any of these regulations or directives issued in accordance with these regulations, an aircraft or a person or class of aircraft or persons, either absolutely or subject to conditions as it thinks fit.

Offences and
penalties

99.(1) If any provision of these regulations or directives issued are contravened in relation to an aircraft, the operator of that aircraft and the commander thereof, if the operator or, as the case may be, the commander is not the person who contravened that provision, shall be deemed for the purposes of the following provisions of this paragraph to have contravened that provision unless he or she proves that the contravention

provision for the flight in the Republic of aircraft registered in that country.

(2) (a) Where an aircraft has not been registered in accordance with the requirements of subregulation (1), it may fly unregistered on any flight which—

(i) begins and ends in the Republic without passing over any other country; and

(ii) is in accordance with the conditions of a permit to fly issued by the Authority.

(b) This subregulation shall not apply to any kite or captive balloon.

(3) The Authority may, in such special circumstances and, subject to the conditions and limitations as he deems necessary, exempt temporarily from the requirement of subregulation (1) a foreign aircraft.

(4) An aircraft violates the provisions of these regulations if it flies in the Republic in contravention of subregulation (1).

4.(1) In this regulation “beneficial interest” means interest arising under a contract and includes other equitable interests.

Registration
of aircraft

(2) The Authority is the authority responsible for the registration of aircraft in the Republic.

(3) The Authority shall maintain a register and record the information specified in subregulation (9).

(4) Subject to this regulation an aircraft shall not be registered or continue to be registered in the Republic if it appears to the Authority that—

(a) the aircraft is registered outside the Republic and that such registration does not cease upon registration of that aircraft in the Republic;

(b) a person who is not qualified as per subregulation (5) is entitled as owner to any legal or beneficial interest in the aircraft or any share therein or;

(c) it would be against public interest for the aircraft to be registered or continue to be registered in the Republic.

(5) The following persons shall be qualified to be the owner of a legal or beneficial interest in an aircraft registered in the Republic or a share therein —

(a) the Government;

(b) citizens of Seychelles; and

(c) bodies incorporated in the Republic.

(6) The Authority may, notwithstanding subregulation (5), allow a person to register an aircraft in the Republic if that aircraft is not used for the purpose of commercial air transport or specified operations where the person —

(a) resides or has a place of business in the Republic; and

(b) is entitled as owner to a legal or beneficial interest in an aircraft or a share therein.

(7) The Authority may, if an aircraft is chartered by demise to a person qualified as aforesaid, whether or not an unqualified person is entitled as owner to a legal or beneficial interest therein, register the aircraft in the Republic in the name of the charterer upon being satisfied that the aircraft may

(2) A person authorised by the Authority may at all reasonable times, enter a place for the purpose of inspecting the production or assembly of an aircraft or part thereof or its equipment or any document relating to the production or assembly of an aircraft or a part thereof.

93.(1) The Authority may cause inspections and investigations to be made as it considers necessary for the purpose of carrying out an activity or operation notified as safety oversight.

Access and inspections for safety oversight purposes

(2) An authorised person may carry out the following safety oversight tasks —

(a) examine records, data, procedures and any other material relevant to the execution of the certification or continuing oversight task;

(b) take copies of or extracts from records, data, procedures and other material;

(c) request oral explanations on site;

(d) enter relevant premises, operating sites, facilities or means of transport;

(e) perform audits, investigations, assessments, inspections, including ramp inspections and unannounced inspections; and

(f) take or initiate enforcement measures as appropriate.

94. The Authority and an authorised person may at all reasonable times access —

(a) an aerodrome, for the purpose of detaining an aircraft, inspecting the aerodrome, inspecting an aircraft and documents; or

Right of access to aerodromes and other places

revoke a direction issued pursuant to regulation 88 without first being satisfied that the operator has obtained permission for the flight from all States over which it is intended to fly the aircraft.

Directions to operators of aircraft to make data available

91.(1) The Authority may give a direction to an operator of an aircraft which carries passengers from Seychelles to another country, to make available electronic data in respect of passengers and crew who are on the aircraft or who are expected to be on the aircraft.

(2) A direction referred to in subregulation (1) may be given in respect of—

- (a) all aircraft;
- (b) a particular aircraft; or
- (c) a class of aircraft, of which, at the time when the direction is given or at any subsequent time, the person is the operator.

(3) The Authority shall include the following in the direction—

- (a) the competent authorities of the country to whom the data is to be made available electronically; and
- (b) the type of data to which the direction relates.

(4) A direction only has effect in relation to data which is collected and contained in the operator's automated reservation system or departure control system.

Access and inspections for airworthiness purposes

92.(1) The Authority may cause an inspection, investigation, test, experiment and flight trial to be made as it considers necessary for the purpose of Part 3 of these regulations.

otherwise be properly so registered, and subject to this subregulation the aircraft may remain so registered during the continuation of the charter.

(8) (a) A person who wishes to register an aircraft in the Republic must lodge a written application to the Authority in the prescribed manner.

(b) An application for registration of an aircraft must contain—

- (i) information and evidence relating to the aircraft and the ownership and chartering thereof, which information is required to enable the Authority to determine whether—
 - (aa) the aircraft may be registered in the Republic; and
 - (ab) to issue the certificate of registration referred to in subregulation (10);
- (ii) a proper description of the aircraft according to the "TABLE OF GENERAL CLASSIFICATION OF AIRCRAFT" set out in the First Schedule.

(9) (a) The Authority may upon receiving an application for the registration of an aircraft and being satisfied that the aircraft may be registered, register the aircraft, wherever it may be.

(b) The Authority shall include the following particulars in the register—

- (i) the number of the certificate;

- (ii) the nationality mark of the aircraft, and the registration mark assigned to it by the Authority;
- (iii) the name of the constructor of the aircraft and its designation;
- (iv) the serial number of the aircraft;
- (v) the name and address of every person who is entitled as owner to a legal interest in the aircraft or a share therein, or, in the case of an aircraft which is the subject of a charter by demise, the name and address of the charterer by demise; and
- (vi) in the case of an aircraft registered in pursuance of subregulation (6) or (7), an indication that it is so registered.

(10) The Authority shall furnish to the person or persons in whose name the aircraft is registered, a certificate of registration, which shall include the particulars in subregulation (9) (b) and the date on which the certificate was issued.

(11) The Authority shall not be required to furnish a certificate of registration if the registered owner —

- (a) is the holder of an aircraft dealer's certificate granted under subregulation (12);
- (b) has made to the Authority, and has not withdrawn, a statement of his intention that the aircraft is to fly only in accordance with a permit to fly in accordance with directives issued by the Authority; and

- (c) in a condition unfit for the flight, whether or not the flight would otherwise be in contravention of any provision of these regulations or of any regulations made under the Act.

(2) For the purpose of subregulation (1), the Authority or a person authorised by the Authority, may enter and inspect an aircraft.

88. (1) An authorised person shall give to the person purporting to be in command of a foreign aircraft, a direction in writing not to permit the aircraft to take off until further notice and the authorised person should take such steps as may be necessary to detain that aircraft, if it appears to the authorised person that the foreign aircraft —

Power to prevent foreign aircraft from taking off

- (a) has a safety deficiency and does not comply with international safety standards;
- (b) would obviously be hazardous to flight safety; and
- (c) intends to fly or is likely to be flown without completing the appropriate corrective action to be carried out by the operator.

89. If an authorised person detains a foreign aircraft, the person shall immediately inform the competent authority of the country of the operator of the detention and, where necessary, of the country in which the aircraft is registered.

Notification of detention of foreign aircraft

90. If an aircraft has been prohibited from taking off pursuant to regulation 88 and the safety deficiency affects the validity of the certificate of airworthiness of the aircraft and the Authority has granted the operator of the aircraft an exemption from the requirement that the aircraft shall have a valid certificate of airworthiness, then an authorised person shall not

Revocation of regulation 88 direction

effect under these regulations pending inquiry into or consideration of a case.

(2) The Authority may, on sufficient grounds being shown to its satisfaction after inquiry, revoke, suspend or vary any certificate, licence, approval, permission, exemption, authorisation or other document.

(3) The holder or a person having 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 Authority within a reasonable time after being required to do so.

(4) If a person breaches a condition subject to which a certificate, licence, approval, permission, exemption or other document has been granted or issued, the document is deemed invalid.

Power to
prevent
aircraft flying

87.(1) The Authority or a person authorised by the Authority may direct the operator or the commander of an aircraft to stop an aircraft from making a particular flight or any other flight of such description as may be specified in the direction, until the direction has been revoked by the Authority or by a person authorised by the Authority, if it appears to the Authority or an authorised person that an aircraft is intended or likely to be flown—

- (a) in contravention of regulation 3, 5, 6, 15, 38, 39, 43(2) or 43(3) in relation to the flight;
- (b) in such circumstances that the flight would be in contravention of any other provision of these regulations or any regulations made under the Act and be a cause of danger to a person or property whether or not in the aircraft; or

- (c) shall use the aircraft only in accordance with the "C Conditions" set out in the Second Schedule.

(12) The Authority may grant an aircraft dealer's certificate to a person if it is satisfied that the person carries on the business of buying and selling aircraft in the Republic.

(13) Subject to subregulation (6) and (7), where after an aircraft has been registered in the Republic, an unqualified person becomes entitled as owner to a legal or beneficial interest in the aircraft or a share therein, the registration of the aircraft shall be void and the registered owner shall return the certificate of registration to the Authority for cancellation.

(14) The Authority may cancel the registration of an aircraft where it believes it is in the public interest to do so.

(15) A person who is registered as the owner of an aircraft registered in the Republic shall immediately inform the Authority in writing of—

- (a) changes in the particulars which were furnished to the Authority upon application being made for the registration of the aircraft;
- (b) the destruction of the aircraft, or its permanent withdrawal from use; or
- (c) in the case of an aircraft registered in pursuance of subregulation (7) the termination of the demise charter.
- (d) any change of ownership.

(16) A person who becomes the owner of an aircraft registered in the Republic shall immediately inform the Authority in writing of such ownership.

(17) The Authority may, whenever it appears necessary or appropriate for giving effect to this Part or for bringing up to date or otherwise correcting the particulars entered in the register, amend the register or, if it thinks fit, cancel the registration of the aircraft after being satisfied that there has been a change in the ownership of the aircraft.

(18) The registration of an aircraft which is the subject of an undischarged mortgage entered in the Register of Mortgages of Aircraft is valid, and the Authority shall not cancel the registration of such an aircraft unless, the mortgagees have consented to cancellation.

(19) (a) In this regulation references to "interest in an aircraft" does not include interest in an aircraft to which a person is entitled only by virtue of his membership in a flying club.

(b) The reference in subregulation (15) to the "registered owner" of an aircraft includes, in the case of a deceased person, his personal representative, and in the case of a body corporate which has been dissolved, its successor.

(20) In this regulation references to "Register of Mortgages of Aircraft" for the purpose of subregulation (18) means the register kept by the Authority under the Civil Aviation (Mortgage of Aircraft) Regulations, 1996;

5.(1) An aircraft, other than an aircraft permitted by or under these regulations to fly without being registered in the Republic, shall not fly unless it bears painted thereon or affixed thereto, the nationality and registration marks in the manner required by the country of registration.

(2) The marks to be borne by aircraft registered in the Republic shall comply with directives issued by the Authority.

(3) An aircraft shall not bear a mark which purports to indicate that —

(4) An entry made in writing in a log book and a record shall be written in ink or in indelible pencil.

(5) A person shall not omit a material particular from a load sheet or make an incorrect entry therein.

(6) A person shall not purport to issue a certificate unless he is authorised to do so under these regulations.

(7) A person shall not issue a certificate as aforesaid unless he has satisfied himself that all statements in the certificate are correct.

PART 19 - POWERS OF THE AUTHORITY AND PENALTIES

85.(1) The Authority may in the interest of safe operations, by means of an operational directive, direct that an operation is prohibited, limited or subject to specified conditions.

Operational
directives

(2) The Authority shall state the following in an operational directive—

- (a) the reason for its issue;
- (b) its applicability and duration; and
- (c) the action required by the operator.

(3) An operational directive may be made in respect of one or more operators or one or more classes of operators.

(4) An operational directive ceases to have effect if it is withdrawn by the Authority.

86.(1) The Authority may provisionally suspend or vary a certificate, licence, approval, permission, exemption, authorisation or other document issued, granted or which has

Revocation,
suspension and
variation of
certificates,
licences and

Nationality
and
registration
marks

representative shall deliver those records to that other person upon demand; and

- (d) it is the duty of the other person referred to in this regulation to deal with the documents or records delivered under those provisions as if they were the first operator.

Offences
relating to
documents
and records

84.(1) In this regulation, a reference to a certificate, licence, approval, permission, exemption, authorisation or other document includes a copy or purported copy thereof.

(2) A person shall not with intent to deceive—

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

(3) A person shall not mutilate or destroy a log book or record or alter or render its content illegible or assist in its destruction, alteration or the rendering of its content illegible during the period for which it has to be preserved.

(a) it is registered in a country in which it is not in fact registered; or

(b) it is owned by the government of a country if it is not in fact owned by the government of that country, unless the appropriate authority of that country has sanctioned the bearing of such marks, and proof of the sanctioning can be easily accessed.

PART 3 - AIRWORTHINESS OF AIRCRAFT

6.(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 or under the law of the State of the Operator;

Certificate of
airworthiness
to be in force

(2) A certificate of airworthiness need not be issued for—

- (a) a flight beginning and ending in the Republic without passing over any other country, of a Seychelles aircraft flying in accordance with the "A Conditions" or the "B Conditions" set out in the Second Schedule;
- (b) an aircraft flying in the Republic in accordance with the conditions of a permit to fly where the permit is issued by the Authority in respect of that aircraft;
- (c) a kite or captive balloon.

(3) A condition subject to which the certificate was issued or rendered valid in accordance with subregulation (1) shall be complied with.

(4) A certificate of airworthiness with respect of a Seychelles aircraft is a certificate issued or rendered valid in accordance with directives issued by the Authority.

(5) Subject to the provisions of this regulation and regulation 86, a certificate of airworthiness shall remain in force for such period as may be specified therein, and may be renewed from time to time by the Authority for such further period as the Authority deems necessary.

(6) A certificate of airworthiness issued in respect of a Seychelles aircraft shall cease to have effect —

- (a) if the aircraft, or its equipment necessary for the airworthiness of the aircraft, is overhauled, repaired or modified or if part of the aircraft or its equipment is removed or is replaced, otherwise than in a manner, and with material of a type, approved by the Authority;
- (b) until the satisfactory completion of an inspection made for the purpose of ascertaining whether the aircraft remains airworthy or until maintenance or inspection of the aircraft or of any equipment described in subregulation (6)(a) which inspection or maintenance has —
 - (i) been made mandatory by the Authority; or
 - (ii) become required by a maintenance programme approved by the Authority in relation to that aircraft;
- (c) until the completion to the satisfaction of the Authority of any modification of the aircraft or of any equipment necessary for the airworthiness of the aircraft, being a modification required by the Authority for the purpose of ensuring that the aircraft remains airworthy; or

82. A person authorised by the Authority may inspect and copy a certificate, licence, log book, document or record in accordance with these regulations.

Power to inspect and copy documents and records

83. A person required by these regulations to preserve a document by reason of him being the operator of an aircraft shall, if he ceases to be the operator of the aircraft, continue to preserve the document or record as if he had not ceased to be the operator, and in the event of his death, the duty to preserve the document or record shall fall upon his personal representative provided that if —

Preservation of documents and records

- (a) another person becomes the operator of the aircraft and it remains registered in the Republic, he or his personal representative shall deliver to that other person upon demand the certificates of maintenance review and release to service the log books, the weight schedule and any record made by a flight recorder preserved in accordance with these regulations which are in force or required to be preserved in respect of that aircraft;
- (b) an engine or variable pitch propeller is removed from the aircraft and installed in another aircraft operated by another person and registered in the Republic, he or his personal representative shall deliver to that other person upon demand the log book relating to that engine or propeller;
- (c) any person in respect of whom a record has been kept by him in accordance with regulation 33 (3) becomes a member of the flight crew of an aircraft used for commercial air transport, registered in the Republic and operated by another person he or his personal

- (iv) contacts with the operator's competent authority;
- (c) follow-up information concerning the operator, such as —
 - (i) corrective action implemented; and
 - (ii) recurrence of discrepancy.

PART 18 - DOCUMENTS AND RECORDS

Documents
to be carried

80. 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.

Production
of
documents
and records

81.(1) The commander of an aircraft shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced or produce to that person the following —

- (a) the certificate of registration and certificate of airworthiness in force in respect of the aircraft;
- (b) the licences of its flight crew;
- (c) the noise certificate; and
- (d) such other documents as the aircraft is required by regulation 80 to carry when in flight, under the law of the country in which it is registered.

(2) The holder of a licence granted or rendered valid under these regulations shall, within a reasonable time after being requested to do so by a person authorised by the Authority, cause to be produced or produce to the authorised person, his licence, including any certificate of validation.

- (d) if the aircraft, or such of its equipment as is necessary for the airworthiness of the aircraft, is not in compliance with the requirements contained in all Airworthiness Notices.

7. Where an aircraft is registered in the Republic, a person shall not, other than in accordance with directives issued by the Authority, engage in the design, production, change, repair or distribution of —

Design,
production or
distribution of
aircraft, aircraft
components
or aircraft
materials

- (a) the aircraft itself;
- (b) components installed or to be installed on the aircraft; or
- (c) materials for use in the production and maintenance of the aircraft

8.(1) An aircraft shall not fly unless it is so equipped with instruments and equipment as to comply with the law of the country in which it is registered.

Equipment
of aircraft

(2) The instruments and equipment referred to in subregulation (1) shall —

- (a) enable the flight crew to control the flight path of the aircraft, carry out the required procedural manoeuvre, and observe the operating limitations of the aircraft in the expected operating conditions; and
- (b) enable lights and markings to be displayed, and signals to be made, in accordance with these regulations and any regulations made and requirements notified thereunder.

(3) All equipment installed or carried in an aircraft, whether or not in compliance with this regulation, shall be 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 service necessary for the safety of the aircraft.

Radio and
radio
navigation
equipment
of aircraft

9.(1) An aircraft shall not fly unless it is so equipped with radio and radio navigation equipment as to comply with the law of the country in which the aircraft is registered or with the law of the State of the Operator.

(2) Radio and radio navigation equipment referred to in subregulation (1) shall be used to enable—

(a) communication; and

(b) an aircraft to navigate in accordance with the provisions of the Act and any regulations made under the Act.

(3) The Authority may direct that a Seychelles aircraft carry additional or special radio equipment to—

(a) facilitate the navigation of the aircraft;

(b) carry out search and rescue operations; or

(c) ensure survival of the persons carried in the aircraft.

Continuing
Airworthiness
of aircraft

10. A Seychelles aircraft shall not fly unless the continuing airworthiness of the aircraft is ensured in accordance with directives issued by the Authority.

Maintenance
organisation
approval

11. A person shall not engage in the maintenance of large aeroplanes or large helicopters or an aircraft used for commercial air transport registered in the Republic, or of any components intended for fitment thereto unless they have been approved to do so in accordance with directives issued by the Authority.

(b) report to the operator of the aircraft and to the competent authorities concerned of the significant defects that may have been found.

(5) The Authority or the person authorised by the Authority who performs a ramp inspection shall make all possible efforts to avoid an unreasonable delay of the inspected aircraft.

79.(1) The Authority shall put in place mechanisms to collect information on foreign operators which is deemed useful, to establish and maintain a high uniform level of civil aviation safety consistent with the Chicago Convention.

Collection of
Information

(2) In accordance with subregulation (1) the mechanisms shall include collecting—

(a) safety information accessible through—

(i) pilot reports;

(ii) maintenance organisation reports;

(iii) incident reports;

(iv) other organisations, independent from the Authority;

(v) complaints;

(b) information on action taken subsequent to a ramp inspection, such as—

(i) aircraft grounded;

(ii) aircraft or operator banned from a Contracting State concerned;

(iii) corrective action required;

(2) In implementing such measures, the Authority shall give particular attention to an aircraft regarding which —

- (a) information has been received indicating poor maintenance condition or obvious damage or defects;
- (b) a report has been received indicating the abnormal manoeuvres of an aircraft since it entered the airspace of another Contracting State and the manoeuvre gave or could give rise to serious safety concerns;
- (c) a previous ramp inspection has revealed deficiencies which give rise to serious concerns that the aircraft does not comply with international safety standards;
- (d) evidence shows that the competent authorities of the country of registration may not be exercising proper safety oversight;
- (e) information collected under regulation 79 gives cause for concern about the operator; or
- (f) a previous ramp inspection of an aircraft used by the same operator reveals deficiencies.

(3) The Authority may establish policies in order to carry out ramp inspections in accordance with a random procedure in the absence of any particular suspicion, provided that such procedures comply with international law.

(4) On completion of a ramp inspection, the Authority —

- (a) shall inform the commander of the aircraft or a representative of the aircraft operator of the ramp inspection findings; and

12.(1) This regulation applies to any aircraft registered in the Republic in respect of which a certificate of airworthiness has been or is to be issued under regulation 6.

Requirement
for certificate
of release to
service

(2) An aircraft shall not fly unless there is in force a certificate of release to service issued in accordance with subregulation (3) where the aircraft or any part of the aircraft or such of its equipment as is necessary for the airworthiness of the aircraft has been inspected, overhauled, repaired, replaced, modified, or following any maintenance for the continuing airworthiness of aircraft required by regulation 10.

(3) A certificate of release to service shall be issued in accordance with directives issued by the Authority.

(4) A certificate of release to service may only be issued —

- (a) by a person holding an aircraft maintenance licence required by regulation 16, being a licence which entitles him to issue that certificate for an aircraft which does not exceed 5700 kg and is not operated for the purpose of commercial air transport;
- (b) for an aircraft which is not operated for the purpose of commercial air transport, by the holder of an aircraft maintenance licence granted under the law of a country other than the Seychelles and rendered valid under these regulations, in accordance with the privileges endorsed on the licence and as authorised by the Authority to issue that certificate;
- (c) in the case of large aeroplanes or large helicopters and aircraft used for commercial air transport, by the holder of an authorisation

to issue that certificate granted by an organisation approved in accordance with regulation 11; or

- (d) by a person whom the Authority has authorised to issue that certificate in a particular case, and in accordance with that authority.

Certificate of
maintenance
review

13.(1) A Seychelles aircraft used for the purpose of commercial operations shall not fly unless there is in force a certificate of maintenance review certifying the date on which the maintenance review was carried out and the date of the next review.

(2) Notwithstanding subregulation (1), an aircraft may fly without a certificate of maintenance review relating to a radio station for the sole purpose of enabling persons to be trained to perform duties in the aircraft.

(3) A certificate of maintenance review may, for the purpose of this regulation be issued by —

- (a) the holder of an aircraft maintenance licence granted under these regulations, in accordance with the privileges of the rating endorsed on the licence;
- (b) the holder of an aircraft maintenance licence granted under the law of a country other than Seychelles and rendered valid under these regulations;

a person whom the Authority has authorised to issue a certificate of maintenance review in a particular case and in accordance with specific instructions given by the Authority;

(2) A person in charge of providing an air navigation service shall not provide the service in respect of Seychelles airspace or airspace outside the Republic for which the Republic has, in pursuance of international arrangements undertaken to provide air navigation services, otherwise than under and in accordance with directives issued by the Authority.

(3) A provider of the following air navigation services shall comply with specific directives issued by the Authority —

- (a) air traffic services,
- (b) aeronautical information services
- (c) aeronautical meteorological services,
- (d) communication, navigation or surveillance services,
- (e) aeronautical charting services; and
- (f) search and rescue services.

76. A person shall not construct visual or instrument flight procedures for use by aircraft other than in accordance with directives issued by the Authority for such purposes.

Construction
of visual and
instrument
flight
procedures

PART 17 - SAFETY ASSESSMENT OF FOREIGN OPERATORS AND AIRCRAFT

77. A foreign operator shall not conduct commercial air transport operations to and from the Republic other than in accordance with directives issued by the Authority.

Commercial
air transport-
foreign
operators

78.(1) The Authority shall put in place appropriate measures to ensure that foreign aircraft, whether or not suspected of non-compliance with international safety standards, landing at any aerodrome in the Republic, are subject to ramp inspections.

Ramp
inspection

traffic zone of a notified aerodrome during the notified operating hours of that aerodrome;

- (c) fly a kite at a height of more than 60 metres above ground level; and
- (d) launch a parascending parachute by winch and cable or by ground tow within the aerodrome traffic zone of a notified aerodrome during the notified operating hours of that aerodrome.

Operation of
Unmanned
Aircraft
Systems

73. A person shall not operate an Unmanned Aircraft System other than in accordance with directives issued by the Authority.

Operation of
Remotely
Piloted
Aircraft
Systems

74. A person shall not operate a Remotely Piloted Aircraft System other than in accordance with directives issued by the Authority.

PART 16 - AIR NAVIGATION SERVICE

Provision
of air
navigation
services

75.(1) In this regulation "air navigation service" means the direct or indirect provision of one or more of the following services by any public or private entity for air traffic—

- (a) air traffic services;
- (b) aeronautical information services;
- (c) aeronautical meteorological services;
- (d) communication, navigation or surveillance services;
- (e) aeronautical charting services; or
- (f) search and rescue services.

- (d) a person whom the Authority approves as being competent to issue such certificates in accordance with the terms of the approval.

(4) A person shall not issue a certificate of maintenance review unless he has first verified that—

- (a) maintenance has been carried out on the aircraft in accordance with the maintenance programme approved for that aircraft;
- (b) inspections and modifications required by the Authority have been completed as certified in the relevant certificate of release to service;
- (c) defects entered in the technical log of the aircraft have been rectified or the rectification thereof has been deferred in accordance with procedures approved by the Authority; and
- (d) certificates of release to service have been issued.

(5) For the purpose of subregulation (4), the operator of the aircraft shall furnish information required by the person issuing a certificate of maintenance review.

(6) (a) A certificate of maintenance review shall be issued in duplicate.

(b) The duplicate copy of the certificate of maintenance review shall, during the period of validity of the original certificate, be carried in the aircraft in accordance with regulation 80;

(c) The original certificate of maintenance review shall be kept by the operator in a place other than in the aircraft.

(7) Subject to regulation 83, a certificate of maintenance review 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 for such further period as the Authority requires.

PART 4 - AIRCRAFT NOISE

Control of
aircraft noise

14.(1) In this Part, unless the context otherwise requires —

“aircraft” means a subsonic jet aeroplane;

“Annex” means Volume I of Annex 16 to the Chicago Convention and any amendment thereto;

“noise certificate” means a certificate issued or validated or a document approved by the competent authority of a country certifying that the aircraft meets the applicable noise certification requirements in force in that country.

(2) This regulation applies to aircraft landing or taking off in the Republic except aircraft flying in accordance with “A Conditions” or “B Conditions” set out in the Second Schedule of these regulations.

(3) An aircraft shall not land or take off in the Republic unless —

(a) there is in force a valid noise certificate for that aircraft which is —

(i) issued by the Authority under subregulation (4);

(ii) issued or validated by the competent authority of the country in which the aircraft is registered, and the country applies standards which according to

(c) a group of small balloons greater than one thousand in number to be simultaneously released at a single site except with the permission of the Authority.

71.(1) This regulation applies to airships within the Republic.

Airships

(2) An airship with a capacity of more than three thousand cubic metres shall not be moored other than on a notified aerodrome except with the permission of the Authority.

(3) An airship with a capacity of three thousand cubic metres or less shall not be moored within 2 km of a congested area or within the aerodrome traffic zone of a notified aerodrome unless —

(a) it is moored on a notified aerodrome; and

(b) it has the permission of the Authority.

(4) An airship when moored in the open shall be securely moored and shall not be left unattended.

72.(1) This regulation applies to gliders, kites and parascending parachutes within the Republic.

Gliders, kites
and
parascending
parachutes

(2) A person shall not, except with the permission of the Authority —

(a) launch a glider or a parascending parachute, by winch and cable or by ground tow, to a height of more than 60 metres above ground level;

(b) fly a kite at a height of more than 30 metres above ground level within the aerodrome

(7) Except with the permission of the appropriate air traffic control unit, a controllable balloon shall not be flown in tethered flight —

- (a) within airspace notified for the purposes of this regulation; or
- (b) within the aerodrome traffic zone of a notified aerodrome.

(8) When in captive flight, a balloon shall be securely moored and must not be left unattended unless it is fitted with a device which ensures its automatic deflation if it breaks free of its moorings.

(9) A person shall not cause or permit —

- (a) a group of small balloons of more than one hundred in number to be simultaneously released at a single site wholly or partly within the Aerodrome Traffic Zone of a notified aerodrome during the notified operating hours of that aerodrome unless that person has given to the Authority at least twenty eight days prior notice in writing of the release;
- (b) a group of small balloons of more than two hundred but not more than one thousand in number to be simultaneously released at a single site —
 - (i) within airspace notified for the purpose of this subregulation; or
 - (ii) within the aerodrome traffic zone of a notified aerodrome during the notified operating hours of that aerodrome, except with the permission of the Authority; and

the Authority substantially reflect the provisions of the Annex to the Chicago Convention defined in subregulation (1);

- (iii) issued or validated in pursuance of the Annex defined in subregulation (1) by the competent authority of the country in which the aircraft is registered; and

- (b) all conditions subject to which the certificate was issued are complied with.

(4) A noise certificate is deemed to have been issued where the producer of an aircraft engaging in air navigation has included in the flight manual for the aircraft, a statement to the effect that the aircraft —

- (a) conforms with the relevant standards in respect of noise contained in the Annex; or
- (b) complies with the requirements of a Contracting State relating to the control of aircraft noise, the requirements of which in the opinion of the Authority are substantially equivalent to the Annex.

PART 5 - LICENSING AND TRAINING OF AVIATION PERSONNEL

15.(1) This regulation does not apply to a person, other than a radio operator who acts as a member of the flight crew of a glider, which is not flying for the purpose of commercial operations.

Members of
flight crew

(2) A person shall not act as a member of a flight crew of a Seychelles aircraft unless he holds an appropriate licence granted or rendered valid by the Authority.

(3) Licences granted or rendered valid under regulation 15 shall be issued in accordance with directives issued by the Authority.

(4) A person shall not perform the functions of a member of a flight crew required by or under these regulations to be carried out in a foreign aircraft unless he is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered.

(5) A licence, except a student pilot licence, granted under the law of a Contracting State which authorises the holder thereof to perform the functions of a member of a flight crew of an aircraft shall, unless the Authority in the particular case gives a direction to the contrary, be deemed to be a licence rendered valid under these regulations but shall not entitle the holder to—

- (a) perform the functions of a member of the flight crew of an aircraft flying for the purpose of a commercial operation; or
- (b) perform the functions of a pilot of any aircraft flying in a controlled airspace in circumstances requiring compliance with the Instrument Flight Rules or to give any instruction in flying.

(6) Notwithstanding subregulation (2), a person may, unless the flight manual otherwise requires, perform the functions of a pilot of a Seychelles aircraft without being the holder of an appropriate licence if he is undergoing training or doing tests for—

- (a) the grant or renewal of a pilot's licence; or
- (b) the inclusion, renewal or extension of a rating thereon.

minutes from within an area of not more than 1 km square.

(2) This regulation applies to or in relation to balloons within the Republic.

(3) A balloon in captive or tethered flight shall not be flown within 60 metres of a vessel, vehicle or structure except with the permission of the person in charge of the vessel, vehicle or structure.

(4) Except with the permission of the Authority—

- (a) a balloon in captive flight shall not be flown within the aerodrome traffic zone of a notified aerodrome during the notified operating hours of that aerodrome; and
- (b) a balloon in captive or tethered flight shall not be flown at a height measured to the top of the balloon of more than 60 metres above ground level.

(5) Except with the permission of the Authority, an uncontrollable balloon in captive or released flight shall not be flown in airspace notified for the purposes of this regulation.

(6) Except during the day and in Visual Meteorological Conditions, a controllable balloon shall not be flown in free controlled flight—

- (a) within airspace notified for the purpose of this regulation; or
- (b) within the aerodrome traffic zone of a notified aerodrome during the notified operating hours of that aerodrome.

which the Seychelles has, under international arrangements, undertaken to provide navigation services for aircraft.

(3) Notifications made under this regulation may apply either generally or in relation to a class of aircraft.

(4) A person shall not contravene, or permit the contravention of a notification made under this regulation.

(5) If the commander of an aircraft becomes aware that the aircraft is flying in contravention of a notification which has been made for a reason referred to in subregulation (1) (c), the commander shall, unless otherwise instructed under subregulation (6), cause the aircraft to leave the area to which the notification relates by flying over the area as little as possible and the aircraft shall not begin to descend while over that area.

(6) The commander of an aircraft flying either within an area for which notifications have been made for any reason referred to in subregulation (1) (c) or within airspace notified as a Danger Area shall immediately comply with instructions given by radio by the appropriate air traffic control unit or by, or on behalf of, the person responsible for safety within the relevant airspace.

Balloons

70.(1) In this regulation —

- (a) "day" means the time from half an hour before sunrise until half an hour after sunset where both times are exclusive and where sunset and sunrise are determined at surface level; and
- (b) "simultaneously released at a single site" means the release of a specified number of balloons during a period of not more than 15

(7) Where a person performs the functions of a pilot in accordance with subregulation (6), there shall be no other person on the aircraft or in an aircraft being towed thereby, unless the person is —

- (a) being carried as a member of the flight crew in compliance with these regulations;
- (b) authorised by the Authority to witness the aforesaid training or test, or to conduct the aforesaid tests or if the pilot in command of the aircraft is the holder of an appropriate licence; or
- (c) carried for the purpose of being trained or tested as a member of the flight crew of an aircraft.

(8) An appropriate licence for the purpose of this regulation means a licence which entitles the holder to perform his functions in relation to the aircraft concerned and the flight on which the aircraft is engaged.

16. A person shall not perform the functions of maintenance certifying staff unless he holds an appropriate and valid licence granted or rendered valid in accordance with directives issued by the Authority.

Aircraft
maintenance
personnel

17. A person shall not, unless he holds a licence granted or rendered valid in accordance with directives issued by the Authority —

- (a) provide an air traffic service;
- (b) hold himself out in any way as an air traffic controller;
- (c) perform the functions of an air traffic controller; and

Air traffic
controller

Flight
dispatcher

(d) supervise a person who provides an air traffic service.

18.(1) A person shall not perform the functions of a flight dispatcher who serves in an operator's method of operational control approved by the Authority unless —

- (a) he or she holds a licence granted or rendered valid in accordance with directives issued by the Authority; or
- (b) he or she has completed a course of training approved in accordance with directives issued by the Authority.

(2) The course of training approved in accordance with subregulation (1) (b) shall be equivalent to the training for a licence granted or rendered valid under subregulation (1) (a).

Cabin crew

19. A person shall not act as a cabin crew member involved in commercial air transport on an aircraft registered in the Republic unless the person is qualified in accordance with directives issued by the Authority.

Validation
of licences
and
certificates

20.(1) The Authority may issue a certificate of validation rendering valid, for the purpose of Part 5, a licence or a certificate granted under the law of any Contracting State other than Seychelles.

(2) Notwithstanding subregulation (1), the Authority shall render valid only licences and certificates that have been issued in accordance with Annex 1 to the Chicago Convention.

PART 6 - PROHIBITED BEHAVIOUR

Prohibition
to use
psychoactive
substances by
safety-sensitive
personnel

21.(1) A person whose duty or function is critical to the safety of aviation (safety-sensitive personnel) shall not undertake that function while under the influence of any psychoactive substance.

(4) If a deviation from the rules of the air is made for the purpose of avoiding immediate danger, the commander of the aircraft shall cause written particulars of the deviation 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 the deviation was made or if the deviation was made over the high seas, to the Authority.

(5) The rules of the air shall not be used to exonerate a person from the consequence of neglect in the use of lights or signals or of the failure to take a precaution required by ordinary aviation practice or by the special circumstances of the case.

69.(1) The Authority may, if it is in the public interest, restrict or prohibit flying by reason of —

Power to
prohibit flying

- (a) an intended gathering or movement of a large number of persons;
- (b) an intended holding of an aircraft race or contest or flying display; or
- (c) national defence or any other reason affecting the public interest, and thereby cause to be notified the prohibiting, restricting or imposing conditions on flights by aircraft specified in subregulation (2) flying in the circumstances specified in subregulation (2).

(2) The aircraft and circumstances referred to in subregulation (1), are —

- (a) aircraft, whether or not registered in the Republic, in any airspace over the Republic or in the area of an offshore installation;
- (b) aircraft which are registered in the Republic, in any other airspace, being airspace for

- (a) confuse, mislead or dazzle a pilot of an aircraft during air navigation; or
- (b) cause danger or adversely affect the operation of an aerodrome.

(2) If a light is exhibited in contravention to subregulation (1), the Authority may direct the occupier of the place where the light is exhibited or the person in charge of the light, to take steps within a reasonable time as is specified by the Authority to —

- (a) extinguish or screen the light; and
- (b) prevent in the future the display of any other light which may similarly cause danger to aircraft.

(3) A direction given by the Authority to extinguish a light, screen or prevent the future display of a light may be given either personally or by post or may be affixed in a conspicuous manner in a place close to that light.

PART 15 - AIRCRAFT IN FLIGHT

68.(1) Every person and every aircraft shall comply with the rules of the air applicable to them in accordance with directives issued by the Authority.

(2) A person shall not contravene or permit a person to contravene, the rules of the air.

(3) A person may deviate from the rules of the air to —

- (a) avoid immediate danger; or
- (b) comply with the law of a country other than Seychelles, if the aircraft is at the time of deviation, in that country.

Rules of the
air

(2) A person whose duty or function is critical to the safety of aviation (safety-sensitive personnel) shall not engage in any kind of problematic use of any psychoactive substances.

22.(1) An operator shall ensure that safety-sensitive personnel who contravene regulation 21 is removed from his duty or from the performance of his function.

(2) Safety-sensitive personnel removed from his duty or function in accordance with subregulation (1), may be considered for return to such duty or function after successful treatment or, in case where no treatment is necessary, after cessation of the problematic use of substances and upon determination that the person's continued performance of the function is unlikely to jeopardise safety.

23. Safety-sensitive personnel shall not —

- (a) consume alcohol less than 8 hours prior to the specified reporting time for duty or the commencement of a standby duty;
- (b) commence a duty period with a blood alcohol content in excess of 0.2 promille or its equivalent breath alcohol content;
- (c) consume alcohol during the duty period or whilst on standby duty.

24. The Authority, operator and any service provider, shall establish and implement a formal drug and alcohol testing programme or any other such means consistent with detection of such misuse for the purpose of detecting the misuse of psychoactive substances and alcohol by safety-sensitive personnel.

25. A person shall not recklessly or negligently act in a manner likely to cause danger to an aircraft or any person in an aircraft.

Removal from
and return to
duty of
aviation
safety-sensitive
personnel

Consumption
of alcohol

Testing for
alcohol or
psychoactive
substances

Endangering
safety of an
aircraft

Causing
danger to a
person or
property

26. A person shall not recklessly or negligently cause or permit an aircraft to cause danger to a person or property.

Intoxication
in aircraft

27.(1) A person shall not enter an aircraft when drunk, or be drunk in an aircraft.

(2) A person shall not enter or be in any aircraft if he is under the influence of a drug to such an extent as to impair his senses.

Prohibition
of smoking

28.(1) An operator of a Seychelles aircraft shall ensure that notices indicating when smoking is prohibited is exhibited in every aircraft so as to be visible from each passenger seat.

(2) A person shall not smoke in any compartment of a Seychelles aircraft at a time when smoking is prohibited by notice exhibited in that compartment by or on behalf of the commander of the aircraft.

Authority of
Commander

29. Every person in an aircraft shall obey all lawful commands which the commander of that aircraft gives for the purpose of securing the safety of the aircraft and of persons or property carried in the aircraft, or for the safety, efficiency or regularity of air navigation.

Disruptive
behavior

30. A person shall not while in an aircraft —

- (a) use any threatening, abusive or insulting words towards a member of the crew of the aircraft;
- (b) behave in a threatening, abusive, insulting or disorderly manner towards a member of the crew of the aircraft; or
- (c) intentionally interfere with the performance or duties of a member of the crew of the aircraft.

(b) not more than 45% or less than 20% of the minimum peak intensity specified for a light of this type is visible at the horizontal plane;

(c) not more than 10% of the minimum peak intensity specified for a light of this type is to be visible at a depression of 1.5 degrees or more below the horizontal plane.

(7) Subject to subregulation (8), the person in charge of a wind turbine generator shall ensure that by night, a light required to be fitted by this regulation is displayed.

(8) In the event of the failure of a light referred to by this regulation to be displayed by night, the person in charge of a wind turbine generator shall repair or replace the light as soon as reasonably practicable.

(9) If visibility in all directions from every wind turbine generator in a group is more than 5 km, the light intensity for the light required by this regulation to be fitted to a generator in the group and displayed may be reduced to not less than 10% of the minimum peak intensity specified for a light of this type.

(10) The Authority may direct that a wind turbine generator is fitted with additional lights and displayed in such positions and at such times as it may by notice specify.

(11) The Authority may in writing exempt the person in charge of the wind turbine generator from fitting and displaying lights in accordance with this regulation.

(12) A permission may be granted for the purpose of a particular case or class of cases or generally.

67.(1) A person shall not establish or maintain a source of light that may —

Confusing
misleading
and hazardous
lights

km of that other wind turbine generator;
or

- (ii) it is within 2 km of a wind turbine generator which is in the same group as that other wind turbine generator.

(2) Subject to subregulation (11), this regulation applies to a wind turbine generator —

- (a) of 60 metres or more in height above the level of the sea at the highest astronomical tide; and
- (b) which is situated in waters within or adjacent to the Republic, up to the seaward limits of the territorial sea.

(3) Subject to subregulation (4), the person in charge of a wind turbine generator shall ensure that it is fitted with at least one medium intensity steady red light as defined in Annex 14 of the Chicago Convention, positioned as close as reasonably practicable to the top of the fixed structure.

(4) If four or more wind turbine generators are located together in the same group, with the permission of the Authority, only those on the periphery of the group need be fitted with a light in accordance with subregulation (3).

(5) Subject to subregulation (6), the light or lights required by subregulation (3) shall be so fitted as to be shown in all directions when displayed without interruption.

(6) When the person who is in charge of the wind turbine displays light, he must ensure that —

- (a) the angle of the plane of the beam of peak intensity emitted by the light is elevated to between three and four degrees above the horizontal plane;

31. A person shall not hide himself for the purpose of being carried in an aircraft without the consent of either the operator or the commander or of any other person entitled to give consent to being carried in the aircraft.

Stowaway

PART 7 - FATIGUE OF CREW AND AIR TRAFFIC CONTROLLERS

32. Regulations 33, 34 and 35 apply in relation to Seychelles aircraft on a commercial air transport flight.

Application

33.(1) An operator of an aircraft under this Part shall not cause or permit an aircraft to fly unless —

Responsibilities
of operators

- (a) he has established a scheme for the regulation of flight times for every member of the crew;
- (b) the scheme mentioned in paragraph (a) has been approved by the Authority; and
- (c) the scheme is either incorporated in the operations manual or where an operations manual is not required, the scheme is incorporated in a document, and a copy thereof has been made available to every person flying as a member of the crew in the aircraft.
- (d) the operator has taken reasonable and practical measures to ensure that the provisions of the scheme are complied with by members of the crew.

(2) The operator of an aircraft under this Part shall not cause or permit a person to fly as a member of its crew if the operator knows or has reason to believe that the person is suffering from or, having regard to the circumstances of the flight to be undertaken, is likely to suffer from fatigue to the extent that he may cause danger to the aircraft or its occupants.

(3) The operator of an aircraft shall not cause or permit a person to fly in the aircraft as a member of its flight crew unless the operator possesses an accurate and the latest record concerning that person for the last 28 days immediately preceding the flight.

(4) The record in subregulation (3) must contain —

- (a) all flight times; and
- (b) brief details of the nature of the functions performed in the course of those flight times.

(5) The record referred to in subregulation (3) shall subject to regulation 83, be preserved by the operator of the aircraft until a date 12 months after the flight referred to in subregulation (3).

Responsibilities
of crew

34.(1) A person shall not act as a member of the crew if he knows or suspects that he is suffering from, or having regard to the circumstances of the flight to be undertaken, is likely to suffer from fatigue to the extent that he may cause danger to the aircraft or its occupants.

(2) A person shall not act as the member of a flight crew unless he has ensured that the operator of the aircraft is aware of his flight times during the 28 day period preceding the flight.

Flight times

35.(1) A person shall not act as a member of a flight crew of a Seychelles aircraft if at the beginning of the flight, the aggregate of all his previous flight times during the period of —

- (a) twenty eight consecutive days expiring at the end of the day on which the flight begins exceeds one hundred hours; or
- (b) one calendar year exceeds nine hundred hours; or

(4) In the event of the failure of a light which is required by this regulation to be displayed by night, the person in charge of the en-route obstacle shall repair or replace the light as soon as is reasonably practicable.

(5) At each level on the obstacle where lights are required to be fitted, sufficient lights shall be fitted and arranged so as to show when displayed in all directions.

(6) In any particular case, the Authority may direct that an en-route obstacle is fitted with displayed additional lights in such positions and at such times as it may specify.

(7) The Authority may grant permission for the purpose of this regulation for a particular case, class of cases or generally.

(8) This regulation does not apply to an en-route obstacle for which the Authority has granted a permission to the person in charge not to fit and display lights in accordance with this regulation.

66.(1) In this regulation —

- (a) “wind turbine generator” is a generating station which is wholly or mainly driven by wind;
- (b) the height of a wind turbine generator is the height of the fixed structure or if greater, the maximum vertical extent of any blade attached to that structure; and
- (c) a wind turbine generator is in the same group as another wind turbine generator if the same person is in charge of both —
 - (i) the wind turbine generator is within 2

Lighting of
wind turbine
generators

PART 14 - LIGHTS AND LIGHTING

Aeronautical
lights

64.(1) A person shall not establish or maintain an aeronautical light within the Republic, except with the permission of the Authority and in accordance with any condition the Authority may impose.

(2) A person shall not alter the character of an aeronautical light within the Republic, except with the permission of the Authority and in accordance with conditions set by the Authority.

(3) A person shall not damage or interfere with an aeronautical light established and maintained —

- (a) by the Authority; or
- (b) by an authorised person.

Lighting
en-route
obstacles

65.(1) In this regulation, an 'en-route obstacle' means any building, structure or erection, the height of which is 150 metres or more above ground level, but it does not include a building, structure or erection which is in the area of an aerodrome operated in accordance with regulation 61.

(2) The person in charge of an en-route obstacle shall ensure that it is fitted with medium intensity steady red lights positioned —

- (a) as close as possible to the top of the obstacle; and
- (b) at intermediate levels spaced, as far as practicable, equally between the top lights and ground level with an interval of not more than 52 metres.

(3) The person in charge of an en-route obstacle shall, subject to subregulation (4), ensure that the lights required to be fitted by this regulation are displayed.

- (c) twelve months expiring at the end of the previous month, exceeds one thousand hours.

36.(1) An air traffic service provider shall not cause or permit an air traffic service to be provided unless —

Responsibilities
of air traffic
service
providers

- (a) the service provider has established a scheme for the regulation of duty period for every person engaged in such services;
- (b) the scheme is approved by the Authority in accordance with directives issued by the Authority;
- (c) the scheme is incorporated in the operations manual;
- (d) the service provider has taken all reasonable and practicable measures to ensure that a person engaged in such a service complies with the provisions of the scheme.

(2) An air traffic service provider shall not cause or permit a person to provide a service if the service provider knows or has reason to believe that the person is suffering from, or having regard to the circumstances of the duty to be undertaken, is likely to suffer from fatigue while he is carrying out a duty.

37. A person who holds an air traffic controller licence shall not provide an air traffic service if he knows or has reason to believe that he is suffering from or is likely to suffer from fatigue which may render him unable to provide the air traffic service in a safe and proper manner.

Responsibilities
of air traffic
controllers

PART 8 - OPERATION OF AIRCRAFT

38. A person shall not conduct commercial air transport operations in a Seychelles registered aircraft other than in accordance with directives issued by the Authority.

Commercial
air transport

Non-commercial operations

39.(1) A person shall not conduct non-commercial operations with other than complex motor-powered Seychelles aircraft unless the operations are conducted in accordance with directives issued by the Authority.

(2) A person shall not conduct non-commercial operations with complex motor-powered Seychelles aircraft unless the operations are conducted in accordance with directives issued by the Authority.

Specialised operations

40. A person shall not conduct specialised operations unless the operations are conducted in accordance with directives issued by the Authority.

Operations requiring specific approval

41.(1) A person shall not conduct operations requiring specific approval unless the approval is issued in accordance with directives issued by the Authority.

(2) Operations requiring specific approval are defined in the directives mentioned in subregulation (1).

Foreign aircraft-aerodrome operating minima

42.(1) A foreign aircraft conducting commercial air transport shall not fly in or over the Republic unless the operator of that aircraft—

- (a) has provided to the Authority such particulars as it may require relating to the aerodrome operating minima specified by the operator in relation to aerodromes in the Republic for the purpose of limiting the use of the operator's aircraft for take-off or landing, including any instruction given by the operator in relation to such weather conditions;
- (b) has made amendments or additions to the aerodrome operating minima so specified and complies with instructions given by the Authority for the purpose of ensuring the

(4) Subregulation (2) does not apply to fuel which has been removed from an aircraft and is intended for use in another aircraft operated by the same operator.

(5) The aviation fuel installation manager shall keep a written record for each installation he controls containing details of—

- (a) the grade and quantity of aviation fuel delivered and the date of delivery;
- (b) samples taken of the aviation fuel and of the results of tests of those samples; and
- (c) the maintenance and cleaning of the installation.

(6) The aviation fuel installation manager shall —

- (a) preserve the written record required under subregulation (5) for twelve months or for a longer period as the Authority directs; and
- (b) within a reasonable time of being requested by an authorised person, to produce such record to that person.

(7) A person shall not cause or permit an aviation fuel to be dispensed for use in an aircraft if the person knows or has reason to believe that the aviation fuel is not suitable for use in aircraft.

(8) If it appears to the Authority or an authorised person that aviation fuel is intended or likely to be delivered in contravention of a provision of this regulation, the Authority or that authorised person shall direct the aviation fuel installation manager not to permit aviation fuel to be dispensed from that installation until the direction has been revoked by the Authority or by an authorised person.

Aviation fuel
at aerodromes

63.(1) In this regulation —

- (a) “an aviation fuel installation manager” means a person who manages any aviation fuel installation on an aerodrome in the Seychelles;
- (b) “aviation fuel” means fuel intended for use in aircraft; and
- (c) “aviation fuel installation” means an apparatus or container, including a vehicle, designed, manufactured or adapted for the storage of aviation fuel or for the delivery of aviation fuel to an aircraft.

(2) An aviation fuel installation manager shall not cause or permit fuel to be delivered to the aviation fuel installation unless he is satisfied that —

- (a) the installation is capable of storing and dispensing the fuel so as not to render it unsuitable for use in aircraft;
- (b) the installation is marked in a manner appropriate to the grade of fuel stored or if different grades are stored in different parts, that each part is marked accordingly; and
- (c) in the case of delivery from a vehicle or vessel, the fuel has been sampled, is of a grade appropriate to that installation and is suitable for use in an aircraft.

(3) An aviation fuel installation manager shall not cause or permit fuel to be dispensed from the installation to an aircraft unless he is satisfied with the result of sampling that the fuel is suitable for use in an aircraft.

safety of the aircraft or the safety, efficiency or regularity of air navigation.

(2) A foreign aircraft conducting commercial air transport shall not begin or end a flight at an aerodrome in the Republic in aerodrome operating minima less favourable than those specifically notified in relation to that aerodrome, or in contravention of the instructions referred to in subregulation (1).

(3) Notwithstanding subregulation (2), a foreign aircraft conducting commercial air transport shall not commence or continue an approach to landing at an aerodrome in the Republic if the runway visual range or visibility at that aerodrome is at the time less than the relevant minimum for landing established in accordance with subregulation (1).

(4) For the purpose of this regulation, “runway visual range”, in relation to a runway or landing strip, means the range over which the pilot of an aircraft on the centreline of a runway can—

- (a) see runway surface markings or the lights delineating the runway;
- (b) identify its centreline; or
- (c) in the case of an aerodrome in the Republic, the distance, if any, communicated to the commander of the aircraft by or on behalf of the person in charge of the aerodrome as being the runway visual range.

43.(1) A foreign aircraft, powered by one power unit only, shall not fly for the purpose of commercial air transport in the Seychelles other than in accordance with Annex 6 to the Chicago Convention.

Foreign
aircraft
operations

(2) A foreign aircraft shall not conduct commercial air transport operations to and from the Republic other than in accordance with directives issued by the Authority.

(3) A foreign aircraft shall not fly unless it carries a flight crew of the number and description required by the law of the country in which it is registered.

PART 9 - GENERAL OPERATIONS

Survival suit

44.(1) For offshore operations in helicopters, all occupants shall wear a survival suit when the sea temperature is less than ten degrees Celsius or when the estimated rescue time exceeds the calculated survival time.

(2) The flight crew shall not be required to wear a survival suit when the elevation and strength of the sun results in a high temperature hazard on the flight deck.

Operation of
Airborne
Collision
Avoidance
System

45. On an ACAS equipped flight, the system shall be operated—

- (a) in the case of an aircraft conducting operations in accordance with regulation 38, 39 or 40 required to provide an operations manual, in accordance with procedures contained in the operations manual for the aircraft;
- (b) in the case of Seychelles aircraft conducting operations in accordance with regulation 38, 39 or 40 not required to provide an operations manual, in accordance with procedures which are suitable having regard to the purposes of the equipment; or
- (c) in the case of a foreign aircraft, in accordance with any procedures with which it is required

that passenger or by the consignor to the operator before the flight commences; and

- (e) may be carried by the aircraft only with the operator's consent.

60. This Part does not apply to sporting weapons or munitions of war taken or carried on board a foreign aircraft, if the sporting weapon or munitions of war under the law of the country in which the aircraft is registered may be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board.

Exception
concerning
carriage of
sporting
weapons and
munitions
of war

PART 13 - AERODROMES

61.(1) A person shall not operate an aerodrome for international operations in the Republic unless the aerodrome is operated in accordance with directives issued by the Authority.

Operation of
aerodromes

(2) A person shall not, unless the aerodrome is operated in accordance with directives issued by the Authority, operate an aerodrome in the Republic—

- (a) which is open to public use and which serves commercial air transport;
- (b) where operations using instrument approach or departure procedures are provided, and—
 - (i) the aerodrome has a paved runway of 800 metres or above; or
 - (ii) the aerodrome exclusively serves helicopters.

62. The person in charge of an aerodrome in the Republic which is open to public use, shall cause the aerodrome and its air navigation facilities to be available for use by a foreign aircraft on the same terms and conditions as for use by a Seychelles aircraft.

Use of
aerodromes by
aircraft of
Contracting
States

- (a) the munitions are carried with the permission of the Authority; and
- (b) the commander of the aircraft is informed in writing by the operator before the flight commences of—
 - (i) the type, weight or quantity and location of munitions of war on board or suspended beneath the aircraft; and
 - (ii) the conditions on which the Authority gives the permission.

(2) Subject to regulation 60, it is unlawful for an aircraft to carry sporting weapons or munitions of war in a compartment or apparatus to which passengers have access.

Prohibition on carrying on board of sporting weapons and munitions of war

59.(1) Subject to regulation 60, a person shall not carry or have in his possession or take or cause to be taken on board an aircraft, suspend or cause to be suspended beneath an aircraft, or deliver or cause to be delivered for carriage on an aircraft, sporting weapons or munitions of war unless the provisions of subregulation (2) are complied with.

(2) The sporting weapons or munitions of war—

- (a) shall either be part of the baggage of a passenger on the aircraft or consigned as cargo;
- (b) shall be carried in a part of the aircraft, or in an apparatus attached to the aircraft which is inaccessible to passengers;
- (c) shall in the case of a firearm, be unloaded;
- (d) shall be accompanied by information given by

to comply under the law of the country in which the aircraft is registered.

46.(1) This regulation applies to aircraft conducting operations in accordance with regulation 38, 39 or 40 not required to provide an operations manual.

Training in operation of Airborne Collision Avoidance System

(2) Before commencing an ACAS equipped flight, the commander shall be satisfied on reasonable grounds that every member of the flight crew has had the training specified in subregulation (4).

(3) A person shall not act as a member of the flight crew on an ACAS equipped flight in an aircraft to which this regulation applies unless that person has had the training specified in subregulation (4).

(4) The training referred to in subregulations (2) and (3) is—

- (a) suitable training in the operation of the Airborne Collision Avoidance System in the aircraft; and
- (b) suitable training in the use of the procedures referred to in regulation 45 (b).

47.(1) A person shall not operate a radio station in an aircraft, whether or not the aircraft is in flight, except—

Operation of radio stations in aircraft

- (a) in accordance with the conditions of the licence issued for that station under the law of the country in which the aircraft is registered or under the law of the State of the Operator; and
- (b) where the person is duly licensed or otherwise permitted to operate the radio station under that law.

(2) Subject to subregulations (3) and (4), whenever an aircraft is in flight in circumstances where these regulations require the aircraft to be equipped with radio communication equipment, a continuous radio watch shall be maintained by a member of the flight crew listening to the signals transmitted on the frequency which can either be notified or designated for use by that aircraft, by a message received from an appropriate aeronautical radio station.

(3) A radio watch may, if a message from an appropriate aeronautical radio station permits, be discontinued or continued on another frequency.

(4) The radio watch may be kept by a device installed in the aircraft if—

- (a) the appropriate aeronautical radio station has been informed thereof and has raised no objection; and
- (b) the station is notified, or in the case of a station situated in a country other than Seychelles, is designated to transmit a signal suitable for that purpose.

(5) Whenever an aircraft is in flight in such circumstances that it is required by these regulations to be equipped with radio communication or radio navigation equipment, a member of the flight crew shall operate the equipment in the manner that the appropriate air traffic control unit instructs or as is notified in relation to the airspace in which the aircraft is flying.

(6) The radio station in an aircraft shall not be operated in a way so as to cause interference particularly through emissions which impair or is likely to impair the efficiency of aeronautical telecommunications or navigational services except if the emissions are—

(c) “Technical Instructions” means the Technical Instructions for the Safe Transport of Dangerous Goods by Air approved and issued in accordance with the procedure established by the Council of the International Civil Aviation Organisation.

57.(1) A person shall not transport dangerous goods by air on a Seychelles aircraft unless those goods are accepted, handled and transported in accordance with directives issued by the Authority.

Transport of
dangerous
goods by
air

(2) A person shall not label, mark, certify or offer packaging as meeting the requirements or standards under this regulation unless that packaging is manufactured, fabricated, marked, maintained, reconditioned or repaired in accordance with directives issued by the Authority.

(3) A person shall not offer or accept dangerous goods for transport by air on a Seychelles aircraft unless those goods are properly classified, documented, certificated, described, packaged, marked, labelled and they meet the conditions set out in the directives issued by the Authority.

(4) A person who performs a function required by this regulation on behalf of the person who offers dangerous goods for transport by air or on behalf of the operator, shall perform the function in accordance with this regulation.

(5) A person shall not carry dangerous goods or cause dangerous goods to be carried on board a Seychelles aircraft in either checked or carry-on baggage or on his person, unless permitted by directives issued by the Authority in accordance with subregulation (1).

58.(1) Subject to regulation 60, an aircraft shall not carry munitions of war unless—

Carriage of
weapons and
munitions
of war

(4) The exhibition organiser shall not permit a military aircraft to participate in an exhibition of flying, unless —

- (a) he complies with the conditions specified in respect of military aircraft; and
- (b) permission for the flight has been granted by the Authority.

PART 12 - DANGEROUS GOODS, WEAPONS AND MUNITIONS OF WAR

Definitions

56.(1) In this Part —

- (a) “munition of war” means —
 - (i) any weapon or ammunition;
 - (ii) any article containing an explosive, noxious liquid or gas; or
 - (iii) any other thing, which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article;
- (b) “sporting weapon” means —
 - (i) any weapon or ammunition;
 - (ii) any article containing an explosive, noxious liquid or gas; or
 - (iii) any other thing, including parts, whether components or accessories, for such weapon, ammunition or article, which is not a munition of war.

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

(7) In a flying machine registered in the Republic, the pilot or the flight engineer shall not use a handheld microphone, whether for the purpose of radio communication or of intercommunication within the aircraft, whilst the aircraft is —

- (a) taking off;
- (b) landing; or
- (c) flying in a controlled airspace below flight level 150.

48.(1) A person shall not be in or on any part of an aircraft in flight if that part is not designed for the accommodation of persons.

Carriage of
persons

(2) Notwithstanding subregulation (1), a person may have temporary access to —

- (a) part of an aircraft for the purpose of taking

action necessary for the safety of the aircraft or of any person or cargo therein; or

- (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.

(3) A person shall not be in or on any object towed by or attached to an aircraft in flight unless the object is a glider or a flying machine.

PART 10 - TOWING AND DROPPING

49.(1) An aircraft in flight shall not tow a glider unless the flight manual for the towing aircraft includes an express provision that the aircraft 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 metres.

(3) The commander of an aircraft which is about to tow a glider shall, before the aircraft takes off, ensure that —

- (a) the tow rope is in good condition and is of adequate strength for the purpose for which it is intended to be used;
- (b) the combination of the towing aircraft and glider being towed, having regard to its performance in the conditions to be expected on the intended flight and to any obstruction at the place of departure and on the intended route, is capable of safely taking off, reaching and maintaining a safe height at which the combination can be separated;
- (c) after separation from the glider, the towing

authorisation for the intended flight granted by the Authority or by the person whom the Authority authorises to make such grant.

55.(1) The Authority may grant permission, subject to such conditions, which may include conditions in respect of military aircraft, as the Authority deems fit for the exhibitions of flying of military aircraft and subject to regulation 86, the permission shall remain in force for the period specified in the permission.

Exhibitions of flying of military aircraft

(2) The Authority or a person authorised by the Authority shall, for the purpose of this subregulation, either without condition or subject to such conditions as the Authority thinks fit —

- (a) authorise a person seeking authorisation to pilot an aircraft to take part in an exhibition of flying, if the Authority is satisfied that person is fit to hold the authorisation and is qualified by reason of his knowledge, experience, competence, skill, physical and mental fitness to fly and for that purpose the applicant shall furnish evidence of his adeptness and undergo such examinations and tests as the Authority or such authorised person requires;
- (b) conduct such examinations or tests that the Authority may specify; and
- (c) approve a person as qualified to furnish reports to the Authority and accept such reports.

(3) Subregulation (1) shall not apply to an exhibition organiser at an organised event which takes place at an aerodrome or any other premises in the occupation or under the control of the military authorities.

Towing of gliders

satisfied that the person is a fit and competent person to safely organise the proposed exhibition of flying.

(3) A person organising an event referred to in subregulation (2) shall comply with the conditions that the Authority issues as part of the permission.

(4) (a) The commander of an aircraft intending to participate in an exhibition of flying shall take all reasonable steps to ensure that —

- (i) the exhibition organiser has been granted such permission;
- (ii) the exhibition organiser has been granted such permission;
- (iii) the flight complies with the conditions attached to the permission granted; and
- (iv) the pilot has been granted a display authorisation appropriate to the intended flight.

(b) The commander of an aircraft participating in an exhibition of flying shall comply with conditions subject to which that permission is granted.

(c) A person shall not act as or perform the duties of a pilot of an aircraft participating in an exhibition of flying, unless he holds a display authorisation appropriate to the intended flight granted to him by the Authority or by the person whom the Authority authorises to make such grant and unless he complies with the conditions of the grant.

(d) The exhibition organiser shall not permit a person to act as a pilot of an aircraft participating in an exhibition of flying, unless the person holds a display

aircraft can make a safe landing at the place of intended destination;

- (d) the pilots, the glider, the ground crew, and any other interested person have together with the trained persons suitably stationed, agreed and decided on the relevant signals to enable the glider to take off safely;
- (e) the commander of the towing aircraft and the commander of the glider have agreed on which emergency signals to be used —
 - (i) by the commander of the towing aircraft to indicate when the tow should immediately be released by the glider; and
 - (ii) by the commander of the glider to indicate when the tow cannot be released.

(4) The glider shall be attached to the towing aircraft by means of a rope before take-off.

50. The glider pilot shall ensure that a self-sustaining glider shall not take off under its own power.

Self-sustaining
gliders

51.(1) An aircraft in flight shall not, by means external to the aircraft, tow an article, other than a glider, or pick up or raise a person, animal or an article, unless —

Towing, picking
up and raising
of persons and
articles

- (a) a certificate of airworthiness has been issued or rendered valid for that aircraft under the law of the country in which the aircraft is registered; and
- (b) that certificate or the flight manual for the

aircraft includes an express provision that it may be used for that purpose.

(2) An aircraft, the operator or a member of the crew shall not launch or pick up tow ropes, banners or similar articles other than at an aerodrome.

(3) An aircraft in flight shall not tow an article, other than a glider, at night or when flight visibility is less than one nautical mile.

(4) The length of the combination of a towing aircraft, a tow rope, and an article in tow shall not exceed 150 metres.

(5) A helicopter shall not fly over a congested area of a city, town or settlement if an article, person or animal is suspended from the helicopter.

(6) A passenger shall not be carried in a helicopter when an article, person or animal is suspended from the helicopter unless the passenger —

- (a) will be performing duties in connection with the suspended article, person or animal;
- (b) has been picked up or raised by means external to the helicopter; or
- (c) will be lowered to the surface by means external to the helicopter.

(7) (a) Notwithstanding subregulation (6), an aircraft in flight may tow a radio aerial, an instrument used for experimental purposes, a signal or an apparatus or article required or permitted by or under these regulations to be towed or displayed by an aircraft in flight.

(b) An aircraft may pick up or raise a person, animal or article in an emergency or for the purpose of saving life;

(c) An aircraft may not tow or pick up a glider otherwise than in accordance with regulation 49.

(d) Subregulations (6) (a), (b) and (c) do not apply to an aircraft which flies in accordance with "B conditions" in the Second Schedule.

(e) The provisions in subregulations (6) and (7) apply to an aircraft which fly under the "B conditions" set out in the Second Schedule.

52.(1) In this regulation 'dropping' includes projecting and lowering.

Dropping of articles and animals

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

53. A person shall not drop, be dropped or be permitted to drop from an aircraft in flight so as to cause danger to persons or property unless he descends by parachute from the aircraft in an emergency or for the purpose of saving a life.

Dropping of persons

PART 11 - EXHIBITIONS OF FLYING

54.(1) A person shall not without the permission of the Authority organise an event —

Exhibitions of flying

(a) solely for the purpose of an exhibition of flying; or

(b) which partly includes an exhibition of flying.

(2) The Authority may grant to a person a permission mentioned in subregulation (1) and issue the person with or without conditions, a display authorisation which is appropriate to the intended flight, if having regard to the person's previous conduct and experience, his organisation skills, staffing and other arrangements, the Authority is