



# **OVERSEAS TERRITORIES AVIATION REQUIREMENTS (OTARs)**

## **Part 119**

# **AIR OPERATOR CERTIFICATION**

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## Revisions

| OTAR Issue                   | Subject  |
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| Issue 1                      | First issue published for information.   |
| Issue 2                      | Revised issue published for information.   |
| Issue 3                      | Option of using SMS; removal of requirement on flight following system; minor textual and terminological changes. References changed to apply to AN(OT)O 2007.   |
| Issue 4                      | Corrections to some cross-references   |
| Issue 5                      | SMS no longer optional following passing of compliance date in Annex 6; inclusion of example AOC and Ops Spec; other changes following the restructuring of Parts 91, 121 & 135.   |
| Issue 6                      | Correction of cross-references in paragraph 119.71(c). Relocation of AOC document to Appendix B.   |
| Issue 7                      | References in 119.15 and 119.71 amended for consistency with AN(OT)O article 64 definition of "principal place of business". Clarification of maintenance responsibilities in 119.73 and 119.77.   |
| Issue 8                      | Para 119.1 amendment due to AN(OT)O reference changes and inclusion of mention of 'police authority'.<br>Para 119.21 correction of reference<br>Para 119.61 updated in accordance with ICAO Annex 6 Pt 1.<br>Para 119.79 Security Responsibilities, amendment due to publication of OTAR 178, Aviation Security.<br>Para 119.103 MTWA replaced with MTOM.<br>Para 119.115 Emergency Response Plan, amendment due to reference errors and change of name.   |
| Issue 9                      | Para 119.13 inclusion of ICAO 5 Phase Application Process, renewal procedure.<br>Para 119-15(a)(1) clarification on Principal Place of Business.<br>Para 119-17(a) clarification of duration of certificate.<br>Para 119-25 addition of requirement regarding third party contracts.<br>Para 119-53(b)(6) inclusion of requirement for the management of ground handling functions.<br>Para 119-53(e) requirement for nominated persons for more than one AOC holder.<br>Para 119-55(a) amendment to requirements for nominated postholders.<br>Para 119-59 amendment to Safety Management Systems requirements in line with ICAO Annex 19 amendment.<br>Para 119.67 title amended to Quality Assurance Programme.<br>Para 119-71(b)(10)(ii) updating of references.<br>Para 119.71(d) deleted reference to AFM forming part of the Operations Manual.<br>Appendix B updating of ICAO template for AOC and OPS SPEC. |
| Draft v9.02 for consultation | Change of ASSI address.<br>Para 119.67 – 'person' changed to 'nominated postholder'<br>Para 119.111(b) – amendment to require an application not less than 10 working days before the effective change:<br>Para 119.111(e) – amendment to require changes to be forwarded not less than 30 days from the effective date.<br>Appendix A A1, nominated postholder for air transport operations – requirements for licences changed from 'should hold' to 'should hold or have held'.   |

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## **Subpart A – General**

### **119.1 Purpose**

- (a) This OTAR Part is applicable to any air transport undertaking, and any operator in the service of the police authority, required to hold an air operator's certificate under the Air Navigation (Overseas Territories) Order, ("the Order") and must be read in conjunction with other OTAR Parts, in particular Part 91 and Part 121 or 135 according to the type of aircraft operated as described in paragraph 119.103.
- (b) These Requirements are not in themselves Law. Failure to comply may not constitute an offence. However, the Requirements encompass many of the provisions of the Order, including the Rules of the Air set out in the Order. Therefore, failure to comply with these Requirements may:
  - (1) constitute a breach of the Order; and
  - (2) result in proceedings for breaches of the Order; or
  - (3) result in the refusal of an application for the grant or renewal of a certificate or licence; or
  - (4) result in action to suspend or revoke a certificate.
- (c) The Order details the legal obligations governing the operation and piloting of aircraft, the planning and preparation for flight, and the maintenance and equipment of aircraft. The Order specifies these obligations in rather general terms, therefore there is a provision in the Order which requires the Governor to publish Requirements to augment, amplify and detail more precisely the manner in which these obligations shall be met. The Requirements are the means by which the operator will be able to satisfy the Governor as to the fulfilment of the obligations in respect of the operation of an aircraft or their entitlement to hold a certificate.
- (d) The issue of a certificate indicates only that the holder is considered competent to secure the safe operation of aircraft. The possession of such a document does not relieve the operator of an aircraft, or the pilot-in-command, from the responsibility for compliance with the Order and any other legislation in force. Neither does it relieve them of their responsibility for the safe conduct of any particular flight, as the ultimate responsibility for the safety of flight operations always rests with the operator and the pilot-in-command.
- (e) Other OTAR Parts, in addition to those referred to in paragraph 119.1(a), may impinge upon activities conducted under this Part. In particular, Part 1 contains definitions which apply, unless otherwise stated, to all Parts. A full list of OTAR Parts, a description of the legislative structure and the place of OTARs and OTACs within it can be viewed on the ASSI website [www.airsafety.aero](http://www.airsafety.aero). OTACs relevant to this Part can be viewed at: <http://www.airsafety.aero/Requirements-and-Policy/OTACs.aspx>.
- (f) References to the Governor in this OTAR Part mean the regulator designated by the Governor of the Territory to exercise his functions under the Order.

## 119.11 Requirement for certificate

- (a) Each person having operational responsibility for a commercial air transport operation shall hold, and comply with, an air operator's certificate issued under this OTAR Part, and any specified authorisations, conditions and limitations as may be specified therein.
- (b) For the purpose of paragraph 119.11(a) a person has operational responsibility for a commercial air transport operation if the person has responsibility for two or more of the following functions:
  - (1) determining whether the operation may be operated safely;
  - (2) assigning crew members for the operation;
  - (3) employing, contracting, or otherwise engaging crew members for the operation;
  - (4) making a decision to vary the operation, other than a decision by the pilot-in-command taken on the grounds of safety.

## 119.13 Application for certificate

- (a) The process for the initial application and granting of an AOC by the Governor will be organised by the OTAA and may be similar to ICAO's 5 phase approach, which has the following sequence:
  - (1) Pre-Application Phase;
  - (2) Formal Application Phase;
  - (3) Document Evaluation Phase;
  - (4) Demonstration and Inspection Phase;
  - (5) Certification Phase.
- (b) Renewal applications should be forwarded at least 90 days prior to the AOC expiry date.

## 119.15 Issue of certificate

- (a) Each applicant for the grant of an air operator's certificate is entitled to an air operator's certificate if, following completion of the Overseas Territory's documented certification procedure, the Governor is satisfied that:
  - (1) the applicant's Principal Place of Business is located within the Territory, in accordance with the definition within the Air Navigation (Overseas Territories) Order; and
  - (2) the applicant meets the applicable requirements of Subpart B; and

- (3) the accountable manager for the operation is a person competent to take overall responsibility for operation and for the safety of each flight operated; and
  - (4) the applicant's nominated postholders required by paragraph 119.53(a)(1) and (2) are fit and proper persons; and
  - (5) the granting of the certificate is not contrary to the interests of aviation safety.
- (b) the AOC contains the information specified in Appendix B of this OTAR Part.

### **119.17 Duration of certificate**

- (a) An air operator's certificate remains in force from the date of issue until the expiry date, if any is stated, is reached or the certificate is superseded, suspended or revoked by the Governor.
- (b) The holder of an air operator's certificate that is suspended or is revoked shall forthwith surrender the certificate to the Governor.

### **119.19 Privileges of certificate holder**

- (a) An air operator's certificate specifies the privileges that the certificate holder is authorised to exercise.
- (b) An air operator's certificate shall authorise the certificate holder to perform:
  - (1) commercial air transport operations as listed in the certificate holder's air operator's certificate; and
  - (2) ground or flight training appropriate to the aircraft operated or intended to be operated; and
  - (3) test or check flights to determine the competence of flight crew; and
  - (4) tests or checks to determine the competence of other persons providing the services or carrying out the operations listed in the certificate holder's operations manual.

### **119.21 Operations specifications**

- (a) The holder of an air operator's certificate shall comply with the operations specifications on the certificate.
- (b) Operations specifications contain the information specified in Appendix B of this OTAR Part.

### **119.23 Notification of ceasing operations**

Each holder of an air operator's certificate that ceases commercial air transport operations shall notify the Governor of the cessation in writing within 30 days of the date of termination.

### **119.25 Third party contracts**

- (a) An operator shall maintain responsibility for functions and tasks that have been contracted to third parties.
- (b) An operator shall develop policies and procedures relevant to third parties that are contracted to perform work on its behalf.

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## **Subpart B – Certification Requirements**

### **119.51 Applicability**

This Subpart prescribes requirements for the grant and continuation of an air operator's certificate to any person operating aircraft in accordance with OTAR Parts 121 and 135.

### **119.53 Personnel requirements**

- (a) Each applicant for the grant of an air operator's certificate shall employ, contract, or otherwise engage:
  - (1) a nominated person identified as the accountable manager who:
    - (i) has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this and any other OTAR Part; and
    - (ii) is responsible for ensuring that the staffing, procedures and practices of the organisation are such that flights can be conducted safely across the whole of the intended route network; and
    - (iii) is responsible for ensuring that the organisation complies with the requirements of this and any other OTAR Part; and
  - (2) other nominated postholders:
    - (i) responsible for ensuring that the applicant's organisation complies with its operations manual; and
    - (ii) responsible for the functions referred to in paragraph 119.53(b); and
    - (iii) ultimately responsible to the accountable manager; and
  - (3) sufficient personnel to plan, perform, supervise, inspect, and certify the operations listed in the applicant's operations manual.
- (b) The nominated postholders required by paragraph 119.53(a) shall, unless otherwise acceptable to the Governor as a consequence of the size and expected scope of the applicant's organisation, each be responsible for no more than one of the following functions:
  - (1) air transport operations, including the flight operations and the supporting ground operations; or
  - (2) crew training and crew competency assessment; or
  - (3) continued airworthiness management; or
  - (4) internal quality assurance; or
  - (5) where an air operator security programme is required by paragraph 119.79, air operator security; or

- (6) management of ground handling functions, including training, ramp operations and passenger services; and.
- (7) conducting occurrence investigations in accordance with OTAR Part 13; and
- (c) Notwithstanding paragraph 119.53(b), and if applicable to the structure of the applicant's organisation, the nominated postholder responsibilities for crew competency assessment may be assumed by the nominated postholder responsible for air transport operations under paragraph 119.53(b)(1).
- (d) Any function referred to in paragraph 119.53(b)(1) may be delegated to other personnel provided the nominated postholder responsible for the function retains accountability and the delegation is acceptable to the Governor.
- (e) A person nominated under 119.53(a), shall not be nominated by another holder of an AOC, unless acceptable to the Governor.

### **119.55 Personnel competency requirements**

- (a) Nominated postholders, including those nominated as a result of postholder changes, within the operator's organisation, shall be formally notified to and acceptable to the Governor, meet the competency requirements at Appendix A and would normally be interviewed by the Governor for the post.
- (b) An applicant for the grant of an air operator's certificate shall establish procedures:
  - (1) to initially assess and then to maintain the competence of personnel authorised to plan, perform, supervise, inspect, or certify the air transport operations listed in the applicant's operations manual; and
  - (2) to ensure personnel are provided with written evidence of the scope of their authorisation.
- (c) An applicant may contract a training organisation acceptable to the Governor to perform the functions of checking to assess, or training to maintain, the competence of the applicant's personnel in accordance with paragraph 119.55(b)(1).
- (d) An applicant that contracts with an organisation under paragraph 119.55(c) shall include in its operations manual details of:
  - (1) the functions to be transferred to the organisation; and
  - (2) the scope of the checking or training to be carried out by the organisation; and
  - (3) the authority of the organisation in respect of the checking or training functions to be carried out; and
  - (4) the nominated person responsible, within the organisation, for the management of the contract.

## 119.57 Resource requirements

- (a) Each applicant for the grant of an air operator's certificate shall provide resources, acceptable to the Governor:
  - (1) that enable the satisfactory provision of the operations listed in the applicant's operations manual; and
  - (2) that shall, where appropriate, include:
    - (i) accommodation, offices, workshops, hangars, and buildings; and
    - (ii) equipment, tools, material, training aids, data, and documentation necessary to perform the operations listed in the applicant's operations manual.
- (b) The applicant shall ensure that the environment provided:
  - (1) is appropriate for the tasks to be performed; and
  - (2) where appropriate, offers protection from weather elements.

## 119.59 Safety management system

- (a) Each applicant for the grant of an air operator's certificate shall establish a safety management system.
- (b) The safety management system shall include:
  - (1) a safety policy and objectives signed by the Accountable Manager which reflects an organisational commitment towards safety throughout the organisation and sets out:
    - (i) management commitment; and
    - (ii) safety accountability and responsibilities within the SMS; and
    - (iii) appointment of key safety personnel including a Safety Manager who is responsible for the implementation and maintenance of an effective SMS; and
    - (iv) SMS documentation; and
    - (v) coordination of emergency response planning
  - (2) provision for safety risk management including:
    - (i) hazard identification based on reactive and proactive methods; and
    - (ii) safety reporting and investigation processes; and
    - (iii) safety risk assessment and mitigation.
  - (3) provision for safety assurance including:
    - (i) safety performance monitoring and measurement; and
    - (ii) the management of change; and
    - (iii) continuous improvement of the SMS.

- (4) safety promotion including:
  - (i) training and education, appropriate to each individual's involvement in the SMS, to ensure that personnel are trained and competent to perform their duties; and
  - (ii) safety communication.
- (c) The safety management system shall be described, or reference made to a separate document, in the Operations Manual and shall be acceptable to the Governor.

### 119.61 Flight data analysis

- (a) An operator shall establish and maintain a flight data monitoring system, which shall be integrated in the management system:
  - (1) for aeroplanes with a MTOM of more than 20,000 kg; and
  - (2) for helicopters with a MTOM of more than 7,000 kg or having a MAPSC of more than 9.
- (b) The flight data monitoring system shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.

### 119.65 Flight safety documents system

- (a) Each applicant for the grant of an air operator's certificate shall establish a flight safety documents system for the use and guidance of all operations personnel.
- (b) The flight safety documents system shall contain all information necessary for flight and ground operations, and comprise, as a minimum, the operations manual and the operator's maintenance control manual.
- (c) The flight safety documents system shall ensure that operational documents are consistent with each other, with regulations, manufacturers' requirements and human factors principles.

### 119.67 Quality assurance programme

- (a) Each holder of an Air Operator's Certificate shall establish a quality assurance programme to verify that all air operations are being carried out in accordance with the applicable regulations, requirements and procedures.
- (b) The nominated postholder responsible for the quality assurance programme shall be named within the Operations Manual.
- (c) The quality assurance programme shall be described in the Operations Manual and include procedures to cover at least the following elements:
  - (1) use of internal/external auditors; and
  - (2) scope of audit to be conducted; and

- (3) responsibilities of the auditor; and
- (4) quality audit which shall include inspections of at least the following areas:
  - (i) actual flight operations; and
  - (ii) ground deicing/anticing if applicable; and
  - (iii) flight support services, including contracted services; and
  - (iv) load control; and
  - (v) maintenance; and
  - (vi) technical standards; and
  - (vii) training standards; and
  - (viii) the flight safety documents system.
- (5) audit scheduling; and
- (6) monitoring and corrective actions; and
- (7) management evaluation; and
- (8) audit record keeping.

## 119.69 Control of documentation

- (a) An applicant for the grant of an air operator's certificate shall establish procedures to control, amend, and distribute its operational, safety, and maintenance data.
- (b) An applicant for the grant of an air operator's certificate shall establish a procedure for the control of documentation required by any applicable OTAR Part, including but not limited to OTAR Parts 91, 121 and 135.
- (c) The procedures required by paragraphs 119.69(a) and (b) shall ensure that:
  - (1) all documentation is reviewed and authorised by appropriate personnel before issue; and
  - (2) any amendments to documentation are reviewed and approved by appropriate personnel; and
  - (3) current issues of all relevant documents are available to personnel at all locations where they need access to such documentation, in either hard copy, electronic, or other form acceptable to the Governor; and
  - (4) the current version of each document can be identified to preclude the use of superseded material; and
  - (5) all obsolete documentation is promptly removed from all points of issue or use.

## 119.71 Operations manual

- (a) All operational requirements, information and procedures collectively form the operations manual.

- (b) The operations manual shall include:
- (1) a statement signed by the accountable manager on behalf of the applicant's organisation confirming that the material submitted accurately defines:
    - (i) the organisation and demonstrate its means and methods for ensuring ongoing compliance with this and any other OTAR Part; and
    - (ii) operating procedures that are required to be complied with by its personnel at all times; and
  - (2) the titles and names of the accountable manager and nominated postholders required by paragraph 119.53(a)(1) and (2); and
  - (3) the duties and responsibilities of the nominated postholders specified under paragraph 119.53(a)(2) including matters for which they have responsibility to deal directly with the Governor on behalf of the organisation; and
  - (4) a summary of the scope of activities at each location where operations personnel are based for the purpose of providing air transport operations; and
  - (5) an organisation chart showing lines of responsibility of the nominated postholders specified under paragraph 119.53(a)(2) and extending to each location listed under paragraph 119.71(b)(4); and
  - (6) a summary of the applicant's staffing structure at each location listed under paragraph 119.71(b)(4); and
  - (7) details of the principal place of business, the main maintenance base and such other operating bases as may be used; and
  - (8) details of the resources required by paragraph 119.57; and
  - (9) details of the applicant's procedures required by Appendix A of OTAR Part 121 or 135, as applicable; and
  - (10) details of the maintenance:
    - (i) programme required by OTAR Parts 121 Subpart G or 135 Subpart G; and
    - (ii) procedures required by paragraphs 119.73 and 119.75; and
    - (iii) organisation that performs its maintenance; and
  - (11) details of the programmes required by OTAR Part 121 or OTAR Part 135; and
  - (12) details of the applicant's procedures that enable it to comply with the laws of any foreign State in which it operates; and
  - (13) procedures to control, amend, and distribute the operations manual with an initial copy and all subsequent amendments to be provided to the Governor. Every amendment is to be provided to the Governor a minimum of 30 days before effective date to allow appropriate review acceptance and where required approval.

- (c) The operations manual shall be structured in accordance with and contain at least that information required by Appendix 1 to OTAR Part 121.1250 or 135.1250 as applicable.

### **119.73 Maintenance responsibilities**

- (a) Each applicant for the grant of an air operator's certificate shall have continued airworthiness management arrangements in compliance with OTAR Part 39.
- (b) Each applicant or holder of an air operator's certificate that contracts with another organisation to perform its maintenance shall establish a formal maintenance support contract acceptable to the Governor with all maintenance organisations undertaking maintenance on its aircraft.
- (c) Each holder of an air operator's certificate shall ensure that contracted maintenance organisations are approved by the Governor to the requirements of OTAR Part 145.

### **119.75 Maintenance programme**

Each applicant for an air operator's certificate shall have for each aircraft a maintenance programme approved by the Governor to the applicable requirements of OTAR Part 39 Subpart C.

### **119.77 Maintenance control manual**

Each applicant for the grant of an air operator's certificate shall ensure that the maintenance control manual provided in accordance with OTAR Part 39 is appropriate to the types of aircraft to be operated.

### **119.79 Security responsibilities**

- (a) Each applicant for the grant of or holder of an air operator's certificate intending to conduct air transport operations shall establish and maintain an air operator security programme, acceptable to the Governor.
- (b) Each applicant for the grant of or holder of an air operator's certificate intending to conduct air transport operations shall comply with OTAR Part 178 and OTAR Part 179, as applicable.

### **119.81 Flight authorisation and control**

An applicant for the grant of or holder of an air operator's certificate shall establish and maintain procedures to ensure that the initiation, continuation, and termination of a flight or series of flights is authorised by the person required by paragraph 119.53(b)(1).



## 119.83 Proving flights or tests

- (a) Each applicant for the grant or amendment of an air operator's certificate shall, if required by the Governor, perform proving flights representative of the operation or tests to satisfy the Governor that it can meet any relevant prescribed requirement.
- (b) The proving flights or tests shall be conducted in a manner acceptable to the Governor.
- (c) Each applicant for or holder of an air operator's certificate that carries out a proving flight shall restrict the carriage of personnel during the flight to necessary crew members and to personnel who are:
  - (1) receiving familiarisation or training; or
  - (2) gaining line operating flight time; or
  - (3) authorised to represent the Governor.

## 119.85 Records – personnel

An applicant for the grant of an air operator's certificate shall establish procedures to ensure that:

- (a) an accurate record is maintained of:
  - (1) each employee who, in the performance of their duties, is required to hold a licence or rating; and
  - (2) each employee who is exercising responsibilities as an approved person; and
  - (3) each employee who is exercising any authorisation granted by the certificate holder; and
- (b) the record includes details of:
  - (1) the employees full names, and base of operations; and
  - (2) the relevant experience, qualifications, and training, and where relevant, medical certificates of each employee listed under paragraph 119.85(a); and
  - (3) the scope, validity, and currency of any licence or rating referred to in paragraph 119.85(a)(1); and
  - (4) the responsibilities referred to in paragraph 119.85(a)(2); and
  - (5) the authorisations referred to in paragraph 119.85(a)(3); and
- (c) the record is retained for one year from the date that the employee:
  - (1) ceases to perform duties requiring a licence or rating; or



- (2) exercises any responsibilities.

## **119.87 Records – resources**

An applicant for the grant of an air operator's certificate shall:

- (a) establish procedures to ensure details are accurately recorded of testing, checking, and calibration of any safety-critical resources used in carrying out the operations specified on the certificate; and
- (b) retain the record of details required by paragraph 119.87(a) for two years from the date the details are recorded.

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## **Subpart C – Operating Requirements**

### **119.101 Continued compliance**

Each holder of an air operator's certificate shall:

- (a) continue to meet the standards and comply with the requirements of Subpart B; and
- (b) comply with all procedures and programmes detailed in its flight safety documents system; and hold at least one current copy of its operations specifications and the relevant sections of its operations manual applicable to the operation in hard copy, electronic, or other form acceptable to the Governor, at each location specified by the operator in its application.

### **119.103 Flight operation requirements**

Each holder of an air operator's certificate conducting a commercial air transport operation with:

- (a) an aeroplane that has a maximum approved passenger seating configuration of more than 19 seats, excluding any required crew member seat, or is in excess of 5,700 kg MTOM, shall comply with the applicable operating requirements of OTAR Part 121.
- (b) an aeroplane that has a maximum approved passenger seating configuration of 19 seats or less, excluding any required crew member seat, and is 5,700 kg MTOM or less; or a helicopter, shall comply with the applicable operating requirements of OTAR Part 135.

### **119.107 Charter, leasing and interchange of aircraft**

No operator may charter, lease or interchange aircraft with another operator without the approval of the Governor.

### **119.109 Business or trading name**

- (a) Each holder of an air operator's certificate shall conduct its commercial air transport operations using the trading or business name that appears on the air operator's certificate.
- (b) No person shall perform a commercial air transport operation unless the trading or business name of the certificate holder conducting the operation is displayed in such a manner that it is clearly identifiable, visible, and legible to any intending passenger before boarding the aircraft.
- (c) The certificate holder shall clearly identify, when it advertises any commercial air transport operation conducted by it, the business or trading name that appears on the certificate.

## 119.111 Changes to certificate holder's organisation

- (a) Each holder of an air operator's certificate shall:
  - (1) ensure that its operations manual is amended so as to remain a current description of its organisation; and
  - (2) ensure that any amendments made to its operations manual meet the applicable requirements of this or any other OTAR Part and comply with the amendment procedures contained in its operations manual; and
  - (3) forward to the Governor for retention a copy of each amendment to its operations manual as soon as practicable after the amendment is incorporated into its operations manual; and
  - (4) make such amendments to its operations manual as the Governor considers necessary in the interests of aviation safety.
- (b) Where the certificate holder proposes to make a change to any of the following, application for and approval by the Governor is required, not less than 10 working days before the effective change:
  - (1) the accountable manager; or
  - (2) the nominated postholders; or
  - (3) the locations nominated in paragraph 119.71(b)(4) from which the certificate holder conducts air transport operations; or
  - (4) the scope of the certificate holder's certificate; or
  - (5) the overall scope or intent of the organisation's internal quality assurance procedures; or
  - (6) the maintenance programme; or
  - (7) any contractor carrying out the certificate holder's maintenance or training; or
  - (8) the flight and duty scheme; or
  - (9) the air operator security programme.
- (c) The Governor may prescribe conditions on the air operator's certificate during or following any of the changes specified in paragraph 119.111(b).
- (d) The certificate holder shall comply with any conditions prescribed under paragraph 119.111(c).
- (e) Where any of the changes referred to in paragraph 119.111(b) requires an amendment to the certificate, the certificate holder shall forward the certificate to the Governor not less than 30 days from the effective date.

## 119.113 Changes to the maintenance programme

The holder of an air operator's certificate shall make any revisions to a maintenance programme found by the Governor to be necessary to satisfy the continuing airworthiness requirements of that programme.

## 119.115 Emergency response plan

Each holder of an air operator's certificate shall:

- (a) ensure that an emergency response plan is developed for handling in-air and on-ground emergency situations and minimising risk of injury to persons; and
- (b) base the emergency response plan on data including but not restricted to:
  - (1) type and length of routes over which operations are carried out; and
  - (2) aerodrome ground facilities; and
  - (3) aerodrome emergency planning and facilities; and
  - (4) ATC facilities; and
  - (5) type, seating configuration, and payload of the aeroplane likely to be involved.
- (c) include in the emergency in-flight plan the following procedures:
  - (1) if management personnel become aware of an emergency situation arising on an aeroplane during flight that requires immediate decision and action, procedures to be followed by those personnel to ensure that:
    - (i) the pilot-in-command is advised of the emergency; and
    - (ii) the decision of the pilot-in-command is ascertained; and
    - (iii) the decision is recorded; and
  - (2) if management personnel are unable to communicate with the pilot-in-command in accordance with paragraph 119.115(c)(1) procedures to be followed by those personnel to ensure that:
    - (i) an emergency is declared; and
    - (ii) any action considered necessary under the circumstances is taken.
- (d) ensure appropriate staff are trained and competent to perform during emergencies in accordance with the emergency response plan.

## 119.117 Restriction or suspension of operations

Each holder of an air operator's certificate shall, on becoming aware of any condition that is a hazard to safe operations, restrict or suspend operations as necessary until the hazard has been removed or appropriate mitigation applied.

## **Appendix A – Competency requirements for Nominated Postholders**

This Appendix details the competency requirements for the nominated postholders responsible under paragraph 119.55(a).

### **A.1 Nominated postholder - air transport operations**

| <b>OTAR 121 Operation</b>   |   |
|-----------------------------|---|
| Document required           | Should hold or have held an Airline Transport Pilot Licence       |
| Pilot-in-command experience | Should have 3 years as pilot-in-command under OTAR 121 operations |
| Managerial experience       | Shall have 3 years in an operational control position             |

| <b>OTAR Part 135 Operation</b> |  |   |
|--------------------------------|--|---|
|                                | <b>Multi-crew</b>  | <b>Single pilot</b>   |
| Document required              | Should hold or have held an Airline Transport Pilot Licence  | Should hold or have held a Commercial Pilot Licence, with Instrument Rating if operations include IFR |
| Pilot-in-command experience    | Should have 3 years as pilot-in-command under OTAR Part 121, OTAR Part 125 or OTAR Part 135 operations |   |
| Managerial experience          | Should have 3 years in an operational control position   |   |

### **A.2 Nominated postholder - crew training and competency assessment**

| <b>OTAR Part 121 Operation</b> |  |
|--------------------------------|--|
| Document required              | Airline Transport Pilot Licence with ratings   |
| Currency                       | Current to act as pilot-in-command of one type of operator's aircraft  |
| Experience                     | 3 years as pilot-in-command under OTAR Part 121 or OTAR Part 135 type operations and 2 years experience in the check and training role |

| <b>OTAR Part 135 Operation</b> |  |  |
|--------------------------------|--|--|
|                                | <b>Multi-crew</b>  | <b>Single pilot</b>  |
| Document required              | Airline Transport Pilot Licence with ratings   | Commercial Pilot Licence, with Instrument Rating if operations include IFR |
| Currency                       | Current to act as pilot-in-command of one type of operator's aircraft  |  |
| Experience                     | 3 years as pilot-in-command under OTAR Part 121 or OTAR Part 135 type operations and 2 years experience in the check and training role |  |

## **A.3 Nominated postholder - control and direction of maintenance**

### **A.3.1 OTAR Part 121 Operations**

- (a) The nominated postholder responsible for the control and direction of maintenance in an organisation conducting commercial air transport operations under OTAR Part 121 shall:
  - (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of OTAR Part 121; and
  - (2) meet the requirements of paragraph (b); and
  - (3) undertake any examination or test that the Governor may require to determine the applicant's competency to perform the maintenance planning and control functions required.
- (b) The nominated postholder in paragraph (a):
  - (1) shall:
    - (i) hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Governor, with appropriate ratings; and
    - (ii) have at least five years' experience in the maintenance of aircraft of a similar size and type as that to be operated by the organisation; and
    - (iii) have at least two years' experience in a supervisory position which may be undertaken during the five years' experience required under subparagraph (1)(ii); or
  - (2) shall:
    - (i) be a graduate engineer or equivalent in an aeronautical, mechanical or electrical discipline; and
    - (ii) have at least five years' experience of the maintenance of aircraft, which may be gained while working in a maintenance supervision, maintenance planning, engineering development, or workshop environment; and
    - (iii) have at least six months practical experience in aircraft maintenance tasks which may be undertaken during the five years' experience required under subparagraph (2)(ii); and
    - (iv) have at least two years' experience in a supervisory position which may be undertaken during the five years' experience required under subparagraph (2)(ii).
- (c) The experience requirements in paragraphs (b)(1)(ii) and (b)(2)(ii) may be met through a course of instruction acceptable to the Governor.

### A.3.2 OTAR Part 135 Operations

- (a) The nominated postholder responsible for the control and direction of maintenance in an organisation conducting commercial air transport operations under OTAR Part 135 shall:
  - (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of OTAR Part 135; and
  - (2) meet the requirements of paragraph (b); and
  - (3) undertake any examination or test that the Governor may require to determine the applicant's competency to perform the maintenance planning and control functions required.
- (b) The nominated postholder in paragraph (a):
  - (1) shall meet the requirements of A.3.1; or
  - (2) shall:
    - (i) hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Governor, with appropriate ratings; and
    - (ii) have at least three years' experience of maintenance of aircraft of a similar size and type as that to be operated by the organisation; and
    - (iii) have at least one year's experience of releasing aircraft to service, which may be undertaken during the three years' experience required under subparagraph (2)(ii); or
  - (3) shall have experience acceptable to the Governor including at least five years' experience of the control and direction of maintenance and the continuing airworthiness of aircraft of a similar size and type as that to be operated by the organisation.
- (c) The experience requirements in paragraphs (b)(1)(ii) and (b)(2)(ii) may be met through a course of instruction acceptable to the Governor.

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## Appendix B – Air Operator Certificate

The ICAO format of the Air Operator's Certificate and Operations Specification, from Annex 6 Part I, is shown with notes below:

| AIR OPERATOR CERTIFICATE   |  |   |
|--|--|---|
| 1  | STATE OF THE OPERATOR <sup>2</sup>   | 1   |
|  | ISSUING AUTHORITY <sup>3</sup>   |   |
| AOC # <sup>4</sup> :<br>Expiry date <sup>5</sup> :   | OPERATOR NAME <sup>6</sup><br><br>Dba trading name <sup>7</sup> :<br>Operator address <sup>8</sup> :<br>Telephone <sup>9</sup> :<br>Fax:<br>Email: | OPERATIONAL POINTS OF CONTACT <sup>10</sup><br><br>Contact details, at which operational management can be contacted without undue delay, are listed in _____ <sup>11</sup> . |
| This certificate certifies that _____ <sup>12</sup> is authorized to perform commercial air operations, as defined in the attached operations specifications, in accordance with the operations manual and the _____ <sup>13</sup> . |  |   |
| Date of issue <sup>14</sup> :  | Name and signature <sup>15</sup> :<br>Title:   |   |

**Notes.—**

1. For use of the State of the Operator.
2. Replace by the name of the State of the Operator.
3. Replace by the identification of the issuing authority of the State of the Operator.
4. Unique AOC number, as issued by the State of the Operator.
5. Date after which the AOC ceases to be valid (dd-mm-yy).
6. Replace by the operator's registered name.
7. Operator's trading name, if different. Insert "dba" before the trading name (for "doing business as").
8. Operator's principal place of business address.
9. Operator's principal place of business telephone and fax details, including the country code. Email to be provided if available.
10. The contact details include the telephone and fax numbers, including the country code, and the email address (if available) at which operational management can be contacted without undue delay for issues related to flight operations, airworthiness, flight and cabin crew competency, dangerous goods and other matters, as appropriate.
11. Insert the controlled document, carried on board, in which the contact details are listed, with the appropriate paragraph or page reference, e.g.: "Contact details are listed in the operations manual, Gen/Basic, Chapter 1, 1.1" or "... are listed in the operations specifications, page 1" or "... are listed in an attachment to this document".
12. Operator's registered name.
13. Insertion of reference to the appropriate civil aviation regulations.
14. Issuance date of the AOC (dd-mm-yy).
15. Title, name and signature of the authority representative. In addition, an official stamp may be applied on the AOC.



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| <b>OPERATIONS SPECIFICATIONS</b><br>(subject to the approved conditions in the operations manual)  |                          |                                    |  |  |
|--|--------------------------|------------------------------------|--|--|
| <b>ISSUING AUTHORITY CONTACT DETAILS<sup>1</sup></b>   |                          |                                    |  |  |
| Telephone: _____   |                          | Fax: _____                         |  | Email: _____                               |
| AOC# <sup>2</sup> : _____  |                          | Operator name <sup>3</sup> : _____ |  | Date <sup>4</sup> : _____ Signature: _____ |
| Dba trading name: _____  |                          |                                    |  |  |
| Aircraft model <sup>5</sup> : _____  |                          |                                    |  |  |
| Types of operation: Commercial air transportation <input type="checkbox"/> Passengers <input type="checkbox"/> Cargo <input type="checkbox"/> Other <sup>6</sup> : _____ |                          |                                    |  |  |
| Area(s) of operation <sup>7</sup> : _____  |                          |                                    |  |  |
| Special limitations <sup>8</sup> : _____   |                          |                                    |  |  |
| SPECIFIC APPROVAL  | YES                      | NO                                 | DESCRIPTION <sup>9</sup>   | REMARKS                                    |
| Dangerous goods  | <input type="checkbox"/> | <input type="checkbox"/>           |  |  |
| Low visibility operations  |                          |                                    |  |  |
| Approach and landing   | <input type="checkbox"/> | <input type="checkbox"/>           | CAT <sup>10</sup> : _____ RVR: _____ m DH: _____ ft  |  |
| Take-off   | <input type="checkbox"/> | <input type="checkbox"/>           | RVR <sup>11</sup> : _____ m  |  |
| Operational credit(s)  | <input type="checkbox"/> | <input type="checkbox"/>           | <sup>12</sup>  |  |
| RVSM <sup>13</sup> <input type="checkbox"/> N/A  | <input type="checkbox"/> | <input type="checkbox"/>           |  |  |
| EDTO <sup>14</sup> <input type="checkbox"/> N/A  | <input type="checkbox"/> | <input type="checkbox"/>           | Threshold time <sup>15</sup> : _____ minutes<br>Maximum diversion time <sup>15</sup> : _____ minutes |  |
| AR navigation specifications for PBN operations  | <input type="checkbox"/> | <input type="checkbox"/>           | <sup>16</sup>  |  |
| Continuing airworthiness   | <input type="checkbox"/> | <input type="checkbox"/>           | <sup>17</sup>  |  |
| EFB  | <input type="checkbox"/> | <input type="checkbox"/>           | <sup>18</sup>  |  |
| Other <sup>19</sup>  | <input type="checkbox"/> | <input type="checkbox"/>           |  |  |

**Notes.—**

1. Telephone and fax contact details of the authority, including the country code. Email to be provided if available.
2. Insert the associated AOC number.
3. Insert the operator's registered name and the operator's trading name, if different. Insert "dba" before the trading name (for "doing business as").
4. Issuance date of the operations specifications (dd-mm-yyyy) and signature of the authority representative.
5. Insert the Commercial Aviation Safety Team (CAST)/ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. Boeing-737-3K2 or Boeing-777-232). The CAST/ICAO taxonomy is available at: <http://www.intlaviationstandards.org/>.
6. Other type of transportation to be specified (e.g. emergency medical service).
7. List the geographical area(s) of authorized operation (by geographical coordinates or specific routes, flight information region or national or regional boundaries).
8. List the applicable special limitations (e.g. VFR only, day only).
9. List in this column the most permissive criteria for each approval or the approval type (with appropriate criteria).
10. Insert the applicable precision approach category (CAT II, IIIA, IIIB or IIIC). Insert the minimum RVR in metres and decision height in feet. One line is used per listed approach category.
11. Insert the approved minimum take-off RVR in metres. One line per approval may be used if different approvals are granted.
12. List the airborne capabilities (i.e. automatic landing, HUD, EVS, SVS, CVS) and associated operational credit(s) granted.
13. "Not applicable (N/A)" box may be checked only if the aircraft maximum ceiling is below FL 290.

**END**