



International Civil Aviation Organization

**AFI PLANNING AND IMPLEMENTATION REGIONAL GROUP  
SIXTEENTH MEETING (APIRG/16)  
(Kigali, Rwanda 19-23 November 2007)**

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**Agenda Item 5.0: Air Navigation Safety and Deficiencies**

**5.2: National and Regional efforts to remove identified deficiencies**

**HARMONISATION OF CIVIL AVIATION REGULATIONS IN THE  
EAST AFRICAN COMMUNITY**

*(Presented by Uganda on behalf of the East African Community Partner States<sup>1</sup>)*

**SUMMARY**

This Paper presents the efforts undertaken by the East African Community Partner States in harmonising their civil aviation regulations and developing implementing standardised technical guidance materials.

The harmonisation is a positive initiative in line with Article 12 of the Chicago Convention which requires States to keep their rules and regulations uniform in line with those developed under the Convention. It also forms a framework for the operationalisation of the established regional Civil Aviation Safety and Security Oversight Agency.

Action by the Meeting is at paragraph 6.

**1.0 INTRODUCTION**

- 1.1 The Treaty for the Establishment of East African Community require Partner States to harmonise their civil aviation policies, rules and regulations by implementing the provisions of Chicago Convention to promote the development of safe, reliable, efficient and economically viable industry.
- 1.2 Harmonization of civil aviation regulations and technical guidance materials are two critical elements of a State safety oversight system. The EAC identified these

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<sup>1</sup> Republic of Burundi, Republic of Kenya, Republic of Rwanda, Republic of Uganda and United Republic of Tanzania

two critical elements as important to support the intended establishment of the regional safety and security oversight system.

- 1.3 This Paper details the achievements and the ongoing efforts in the EAC Partner States in the harmonisation of civil aviation regulations and development of operational technical guidance material.

## **2.0 DEVELOPMENT PROCESS**

### **2.1 Safety Regulations**

- 2.1.1 The East African Community Civil Aviation Safety Project designed for the Community by the International Civil Aviation Organisation (ICAO) in 1999 included the harmonisation of legislative and regulatory requirements meeting the ICAO Standards and Recommended Practices.
- 2.1.2 The harmonisation process for the civil aviation regulations in the founder Partner States commenced in 2003 following the discontinuation of the study Project and the successful learning mission to the Central American Civil Aviation Safety Agency (ACSA) in Costa Rica financed by the Department of Transportation of the United States of America.
- 2.1.3 In August 2004 the Heads of Civil Aviation and Airports Authorities established a Team of Experts to harmonise the civil aviation safety regulations. In particular this Team was to review the three founder Partner States regulations to conform with ICAO Annexes 1, 6 and 8 Standards and Recommended Practices (SARPs).
- 2.1.4 The process of the review and harmonisation of civil aviation Safety Regulations included stakeholders' consultations in each Partner States as well as a regional consultation held in Arusha at the EAC headquarters.
- 2.1.5 At the end of the exercise the region Regulations were developed and promulgated in the Partner States between November 2006 and March 2007 and were conforming with the international Standards and Recommended Practices in Annexes 1 (Personnel Licensing), 2 (Rules of the Air), 6 (Operation of Aircraft), 7 (Aircraft Nationality and Registration Marks), 8 (Airworthiness of Aircraft), 16 (Environment Protection) and 18 (the Safe Transport of Dangerous Goods by Air).
- 2.1.6 The most important part of the exercise was to ensure that the Regulations resulting from the exercise is aligned to the legislative system and structure of the Partner States. It was also important to come up with regulations and operational procedures consistent with the aviation environment in East African region.
- 2.1.7 At the conclusion of the exercise, the region civil aviation safety regulations were slightly restructured and issued in sets with each set covering specific area of

speciality. Originally, each Partner State had one set of regulations covering all subjects.

2.1.8 The following Regulations were published:

- a) The Civil Aviation (Personnel Licensing) Regulations;
- b) The Civil Aviation (Aviation Training Organisation) Regulations;
- c) The Civil Aviation (Aircraft Registration and Marking) Regulations;
- d) The Civil Aviation (Airworthiness) Regulations;
- e) The Civil Aviation (Approved Maintenance Organisation) Regulations;
- f) The Civil Aviation (Instruments and Equipment) Regulations;
- g) The Civil Aviation (Operation of Aircraft) Regulations;
- h) The Civil Aviation (Air Operator Certification and Administration) Regulations;
- i) The Civil Aviation (Commercial Air Transport Operations by Foreign Air Carrier in and Out of Kenya/Tanzania/Uganda) Regulations;
- j) The Civil Aviation (Aerial Work) Regulations;
- k) The Civil Aviation (Rules of the Air and Air Traffic Control) Regulations;  
and
- l) The Civil Aviation (Parachute Operations) Regulations.

## **2.2 Aerodrome and Aviation Security Regulations**

2.2.1 The process for harmonisation in the two areas started in April 2006 by establishing a Task Force by the Heads of Civil Aviation and Airport Authorities. The process were similar to the one explained above with built in stakeholders consultations. The developed draft regulations were submitted to Partner States for promulgation which is expected to be completed by the end of this year.

## **3.0 TECHNICAL GUIDANCE MATERIALS**

3.1 In order to support the implementation of the harmonised Regulations and assist the technical staff on how to conduct their functions uniformly, the EAC embarked on the development of technical guidance materials for the harmonised Regulations.

3.2 Similar processes as that for the development of Regulations was used with the formation of the Task Forces. It was utmost urgent to have the technical guidance material in place timely for the implementation of the harmonised regulations.

3.3 The identified technical guidance materials have been developed and now it is available to stakeholders.

#### **4.0 THE CHALLENGES**

- 4.1 Some of the challenges in relation to the development of the harmonised Regulations are:
  - 4.1.1 Re-certification of the personnel and organisations in line with the harmonised Regulations require;
  - 4.1.2 Developing harmonised regulations in other areas of civil aviation, particularly those related to air navigation services (air traffic management, communication, navigation and surveillance and aeronautical information services);
  - 4.1.3 Updating and keeping the harmonised regulations in conformity with the international standards as developed by ICAO;
  - 4.1.4 Developing sufficient technical guidance materials and updating them in line with the regulations.

#### **5.0 CONCLUSION**

- 5.1 Harmonised regulations and standardised technical guidance materials are essential elements in the operationalisation of a regional safety and security oversight system.
- 5.2 The established Safety and Security Oversight Agency (CASSOA) is required to ensure the harmonisation of regulations is maintained and sustained, technical guidance materials are developed and assist Partner States in implementing the regulations.

#### **6.0 ACTION BY APIRG**

- 6.1 The Meeting is invited to:
  - 6.1.1 note this positive initiative by the East African Community Partner States to ensure that the Regional has regulations meeting the international Standards and Recommended Practices in line with Article 12 of the Chicago Convention which calls states to keep their rules and regulations uniform with those established under the Convention; and
  - 6.1.2 support such initiative as a contribution in the enhancement of safety and security of the international civil aviation and efficiency of air transport and in particular reduction of accident rates in Africa which is the objective of the AFI Plan endorsed by the 36<sup>th</sup> Assembly.