

**THE CIVIL AVIATION ACT
(CAP. 80)
REGULATIONS
(Made under Section 4)**

**THE CIVIL AVIATION (FACILITATION OF AIR TRANSPORT) REGULATIONS,
2022**

ARRANGEMENT OF REGULATIONS

**PART I
PRELIMINARY PROVISIONS**

1. Citation
2. Interpretation
3. Application
4. Objective and general principles of Regulations

**PART II
ENTRY AND DEPARTURE OF AIRCRAFT**

5. General airport control measures
6. Controls for public health reasons
7. Documents and information requirement
8. Submission of documents
9. Stores list
10. Declaration of mail
11. Presentation of documents
12. Correction of documents
13. Disinsection of aircraft
14. Disinfection of aircraft
15. International general aviation and other non-scheduled flights
16. Prior authorisation
17. Advance notification of arrival
18. Construction of term “document”

**PART III
ENTRY AND DEPARTURE OF PERSONS AND THEIR BAGGAGE**

19. Immigrations and customs control measures
20. Certificate of vaccination
21. Inspection of travel documents
22. Departure procedures
23. Entry procedures and responsibilities
24. Transit procedures and requirements
25. Disposition of baggage separated from its owner
26. Identification and entry of aircraft operators’ personnel
27. Civil aviation inspectors

PART IV
ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES

- 28. General
- 29. Information required by the public authorities
- 30. Release and clearance of export cargo
- 31. Release and clearance of import cargo
- 32. Goods imported or exported in connection with international services
- 33. Containers and pallets
- 34. Mail documents and procedures

PART V
INADMISSIBLE PERSONS AND DEPORTEES

- 35. General
- 36. Inadmissible persons
- 37. Deportees
- 38. Replacement travel document

PART VI
INTERNATIONAL AIRPORTS - FACILITIES AND SERVICES FOR TRAFFIC

- 39. General requirements for airport facilities and services
- 40. Common provisions
- 41. Parking and servicing arrangements
- 42. Outbound passengers, crew and baggage
- 43. Inbound passengers, crew and baggage
- 44. Transit and transfer of passengers and crew
- 45. Miscellaneous facilities and services in passenger terminal buildings
- 46. Cargo and mail handling and clearance facilities
- 47. Facilities required for public health, emergency medical relief, and animal and plant quarantine measures
- 48. Facilities for clearance controls and operation
- 49. Monetary exchange facilities
- 50. Unruly passengers

PART VII
LANDING ELSEWHERE THAN AT INTERNATIONAL AIRPORTS

- 51. Clearance and controls response upon landing elsewhere than at international airports
- 52. Short stopover
- 53. No resumption of flight

PART VIII
OTHER FACILITATION PROVISIONS

- 54. Bonds and exemption from requisition or seizure
- 55. Facilitation of search, rescue, accident investigation and salvage
- 56. Relief flights following natural and man-made disasters
- 57. Marine pollution and safety emergency operations

58. Implementation of international health regulations and related provisions
59. Matters related to hygiene at the airport
60. New construction at the airport
61. General facilitation requirements
62. Access to airports
63. Access to air services
64. Assistance to aircraft accident victims and their families

SCHEDULES

THE CIVIL AVIATION ACT
(CAP. 80)

REGULATIONS

(Made under Section 4)

**PART I
PRELIMINARY PROVISIONS**

Citation 1. These Regulations may be cited as the Civil Aviation (Facilitation of Air Transport) Regulations, 2022.

Interpretation 2. In these Regulations, unless the context otherwise requires-
“Act” means the Civil Aviation Act;

“Admission” means permission granted to a person to enter the United Republic by the public authorities in accordance with the applicable laws;

“Advance Passenger Information (API) System” means an electronic communications system whereby required data elements are collected and transmitted to border control agencies prior to flight departure or arrival and made available on the primary line at the airport of entry;

“Airline” means any air transport enterprise offering or operating a scheduled international air service;

“Aircraft equipment” means articles, including first-aid and survival equipment and commissary supplies, but not spare parts or stores, for use on board an aircraft during flight;

“Airport operator” means an individual, organisation or enterprise responsible for administration and management of the airport infrastructures, coordination and control of the activities of the different airport service providers present in the airport or airport system concerned;

“Aircraft operator” means a person, organization or enterprise engaged in or offering to engage in an aircraft operation;

“Aircraft operators’ documents” means air waybills/consignment notes, passenger tickets and boarding passes, bank and agent settlement plan documents, excess baggage tickets, miscellaneous charges orders (M.C.O.), damage and irregularity reports, baggage and cargo labels, timetables, and weight and balance documents, for use by aircraft operators;

“Authorized agent” means a person who represents an aircraft operator and who is authorized by or on behalf of such operator to act on formalities connected with the entry and clearance of the operator’s aircraft, crew, passengers, cargo, mail, baggage or stores and includes, a third party

authorized to handle cargo on the aircraft;

“Baggage” means personal property of passengers or crew carried on an aircraft by agreement with the operator;

“Cargo” means any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage;

“Civil aviation inspector” means an individual, designated by the Director General of the Authority who is charged with the inspection of the safety, security or related aspects of air transport operations as directed by the appropriate authority;

“Clearance of goods” means the accomplishment of the customs formalities necessary to allow goods to enter home use, to be exported or to be placed under another customs procedure;

“Commencement of journey” means the point at which the person began his journey, without taking into account any airport at which he stopped in direct transit, either on a through-flight or a connecting flight, if he did not leave the direct transit area of the airport in question;

“Commissary supplies” means items, either disposable or intended for multiple use, that are used by the aircraft operator for provision of services during flights, in particular for catering, and for the comfort of passengers;

“Crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;

“Declarant” means any person who makes a goods declaration or in whose name such a declaration is made;

“Deportation order” means a written order, issued by the competent authorities of a State and served upon a deportee, directing him to leave that State;

“Deportee” means a person who had legally been admitted to a State by its authorities or who had entered a State illegally, and who at some later time is formally ordered by the competent authorities to leave that State;

“Direct transit area” means a special area established in an international airport, approved by the public authorities concerned and under their direct supervision or control, where passengers can stay during transit or transfer without applying for entry to the immigration authorities;

“Disembarkation” means the leaving from an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight;

“Disinfection” means the procedure whereby health measures are taken to control or kill infectious agents on a human or animal body, in or on affected parts of aircraft, baggage, cargo, goods or containers, as required, by direct exposure to chemical or physical agents;

“Disinsection” means the procedure whereby health measures are taken to control or kill insects present in aircraft, baggage, cargo, containers, goods and mail;

“Embarkation” means the boarding of an aircraft for the purpose of

commencing a flight, except by such crew or passengers as have embarked on a previous stage of the same through-flight;

“Escort” means an individual authorized by a Contracting State or an aircraft operator to accompany inadmissible persons or deportees being removed from that Contracting State;

“Free zone” means a part of the territory of a Contracting State where any goods introduced are generally regarded, insofar as import duties and taxes are concerned, as being outside the customs territory;

“General aviation operation” means an aircraft operation other than a commercial air transport operation or an aerial work operation;

“General Declaration” means a form to be filled by aircraft operator a format of which is as provided in the First Schedule;

“Ground equipment” means articles of a specialized nature for use in the maintenance, repair and servicing of an aircraft on the ground, including testing equipment and cargo- and passenger-handling equipment;

“Ground handling” means the services provided to airport users at airports as described in the Civil Aviation (Ground Handling Services) Regulations;

“Import duties and taxes” means customs duties and all other duties, taxes or charges, which are collected on or in connection with the importation of goods. Not included are any charges which are limited in amount to the approximate cost of services rendered or collected by the customs on behalf of another national authority;

“Improperly documented person” means a person who travels or attempts to travel: (a) with an expired travel document or an invalid visa; (b) with a counterfeit, forged or altered travel document or visa; (c) with someone else’s travel document or visa; (d) without a travel document; or (e) without a visa, if required;

“Inadmissible person” means a person who is or will be refused admission to a State by its authorities;

“International airport” means any airport designated by the Contracting State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out;

“Lading” means the placing of cargo, mail, baggage or stores on board an aircraft to be carried on a flight;

“Mail” means dispatches of correspondence and other items tendered by and intended for delivery to postal services in accordance with the rules of the Universal Postal Union (UPU);

“Minor” means a person who has not attained the age of majority as determined under the law applicable to the person;

“Mishandled baggage” means baggage involuntarily, or inadvertently, separated from passengers or crew;

“Narcotics control” means measures to control the illicit movement of narcotics and psychotropic substances by air;

“Necessary precautions” means verifications carried out by adequately trained staff members of the aircraft operator or the company operating on behalf of the aircraft operator, at the point of embarkation, in order to ensure that every person holds a valid travel document and, where applicable, the visa or residence permit required to enter the State of transit and/or receiving State. These verifications are designed to ensure that irregularities (e.g., obvious document alteration) are detected;

“Passenger Data Single Window” means a facility that allows parties involved in passenger transport by air to lodge standardized passenger information (i.e., Advance Passenger Information, Interactive Advance Passenger Information and/or Passenger Name Record) through a single data entry point to fulfil all regulatory requirements relating to the entry and/or exit of passengers that may be imposed by various agencies of the Contracting State;

“Person with disabilities” means any person whose mobility is reduced due to a physical incapacity (sensory or locomotor), an intellectual deficiency, age, illness or any other cause of disability when using transport and whose situation needs special attention and the adaptation to the person’s needs of the services made available to all passengers;

“Pilot-in-command” means the pilot responsible for the operation and safety of the aircraft during flight time;

“Public authorities” means the agencies or officials of the United Republic responsible for the application and enforcement of the particular laws and regulations;

“Release of goods” means the action by the customs authorities to permit goods undergoing clearance to be placed at the disposal of the persons concerned;

“Relief flights” means flights operated for humanitarian purposes which carry relief personnel and relief supplies such as food, clothing, shelter, medical and other items during or after an emergency and/or disaster and/or are used to evacuate persons from a place where their life or health is threatened by such emergency and/or disaster to a safe haven in the United Republic or another State willing to receive such persons;

“Risk assessment” means an assessment by a deporting State of a deportee’s suitability for escorted or unescorted removal via commercial air services. The assessment should take into account all pertinent factors, including medical, mental and physical fitness for carriage on a commercial flight, willingness or unwillingness to travel, behavioral patterns and any history of violence;

“Risk management” means the systematic application of management procedures and practices which provide border inspection agencies with the necessary information to address movements or consignments which represent a risk;

“Security equipment” means devices of a specialized nature for use,

individually or as part of a system, in the prevention or detection of acts of unlawful interference with civil aviation and its facilities;

“Spare parts” means articles, including engines and propellers, of a repair or replacement nature for incorporation in an aircraft;

“Stores” means goods, whether or not sold, intended for consumption by the passengers and the crew on board aircraft, and goods necessary for the operation and maintenance of aircraft, including fuel and lubricants;

“Stores (Supplies)” means a) Stores (supplies) for consumption; and b) Stores (supplies) to be taken away;

“Stores (Supplies) for consumption” means goods, whether or not sold, intended for consumption by the passengers and the crew on board aircraft, and goods necessary for the operation and maintenance of aircraft, including fuel and lubricants;

“Stores (Supplies) to be taken away” means goods for sale to the passengers and the crew of aircraft with a view to being landed;

“Stores List” means a list of goods, whether or not sold, intended for consumption by the passengers and the crew on board aircraft, and goods necessary for the operation and maintenance of aircraft, including fuel and lubricants;

“Temporary admission” means the customs procedure under which certain goods can be brought into a customs territory conditionally relieved totally or partially from payment of import duties and taxes; such goods must be imported for a specific purpose and must be intended for re-exportation within a specified period and without having undergone any change except normal depreciation due to the use made of them;

“Through-flight” means a particular operation of aircraft, identified by the operator by the use throughout of the same symbol, from point of origin via any intermediate points to point of destination;

“Travel document” means a passport or other official document of identity issued by a State or organization, which may be used by the rightful holder for international travel;

“Unaccompanied baggage” means baggage that is transported as cargo and may or may not be carried on the same aircraft with the person to whom it belongs;

“Unlading” means the removal of cargo, mail, baggage or stores from an aircraft after a landing; and

“Visitor” means any person who disembarks and enters the territory of a Contracting State other than that in which that person normally resides; remains there lawfully as prescribed by that Contracting State for legitimate non-immigrant purposes, such as touring, recreation, sports, health, family reasons, religious pilgrimages, or business; and does not take up any gainful occupation during his stay in the territory visited.

Application

3. These Regulations shall apply -
- (a) to any airport located in the territory of the United Republic; and
 - (b) with respect to all categories of aircraft operations except where a particular provision refers specifically to only one type of operation.

Objective and general principles of Regulations

4.-(1) The primary objective of these Regulations is to facilitate smooth, safe, secure, expeditious and efficient airport clearance procedures to be adopted by the Authority in collaboration with public authorities mandated as such.

(2) Without prejudice to any written laws and any other prescribed procedures for which these Regulations provide shall be implemented in the manner set out in these Regulations.

(3) The Authority, in collaboration with public authorities and operators, shall take necessary measures to ensure that-

- (a) the time required for the accomplishment of border controls in respect of persons and aircraft and for the release or clearance of goods is kept to the minimum;
- (b) minimum inconvenience is caused by the application of administrative and control requirements;
- (c) exchange of relevant information between the United Republic and other Contracting States, public authorities, operators and airports is fostered and promoted to the greatest possible extent; and
- (d) optimal levels of security and compliance with the Act and other written laws are attained.

(4) The Authority, in collaboration with public authorities and operators, shall use risk management in the application of border control procedures for the release or clearance of goods.

(5) Subject to any written laws, the Authority, in collaboration with public authorities and operators, shall develop effective information technology to increase the efficiency and effectiveness of their procedures at airports.

(6) The provisions of these Regulations shall not be construed to preclude the use of any written laws with regard to aviation security measures or other necessary control.

PART II ENTRY AND DEPARTURE OF AIRCRAFT

General airport control measures

5.-(1) The relevant authorities shall take appropriate measures to:

- (a) clear aircraft arriving from or departing to another destination so as to prevent unnecessary delays; and
- (b) ensure application of aviation security control measures, narcotics control measures or any other necessary controls at airports.

(2) The Authority shall-

- (a) develop procedures aimed at implementing the requirements of sub regulation (1) (a); or
- (b) for the purpose of better implementation of sub regulations (1) (a) and 1 (b), coordinate the smooth implementation of undertakings

by relevant authorities.

Controls for public health reasons

6.-(1) The Authority shall not, for public health reasons, restrict air transport service operations, whether within, into or out of the United Republic.

(2) Notwithstanding subregulation (1), the Authority may, upon consultation with the Ministry responsible for public health matters, restrict or otherwise suspend air transport services operations for any public health reasons.

(3) An aircraft operator may, upon consultation with the Authority, suspend its air transport services for public health reasons.

Documents and information requirement

7.-(1) Save as otherwise provided in any other written law, no document for the entry and departure of aircraft shall be required other than those referred to under these Regulations.

(2) Documents for entry and departure of aircraft shall be communicated in English language.

(3) An oral or written translation of contents of a document may, where required, be made and communicated in Kiswahili language.

(4) Subject to the technological capabilities prevalent in the United Republic, documents for the entry and departure of aircraft shall be accepted when presented:

(a) in electronic form, transmitted to an information system of the public authorities;

(b) in paper form, produced or transmitted electronically; or

(c) in paper form, completed manually in a format prescribed in the Second Schedule to these Regulations.

(5) Information in a particular document may be transmitted or communicated by an operator in electronic or paper form as prescribed in these Regulations.

Submission of documents

8.-(1) An aircraft operator shall submit to the relevant authorities the following documents in respect of an aircraft operated:

(a) General Declaration Form and;

(b) Passenger Manifest; or

(c) Cargo Manifest.

(2) An aircraft operator shall not be required to submit written declaration of stores remaining on board the aircraft.

Stores list

9.-(1) The information required in a Stores List in respect of stores to be loaded or off-loaded from the aircraft shall not exceed:

(a) the information indicated in the Cargo Manifest;

(b) the number of units of each commodity; and

(c) the nature of each commodity.

(2) An aircraft operator shall not be required to present a list of accompanied baggage or mishandled baggage loaded or off-loaded from the

aircraft.

Declaration of mail

10.- An aircraft operator shall submit written declaration of mail in a form prescribed or recognized as such under a written law governing postal mail.

Presentation of documents

11.-(1) An aircraft operator shall, upon entry or departure of its aircraft, present to the responsible public authorities not more than three copies of the documents under this regulation.

(2) No documentation shall be required for an aircraft which is not embarking or disembarking passengers or loading or off-loading cargo, stores or mail, save that, an appropriate notation shall be included in the General Declaration.

Correction of documents

12.-(1) In the event an error is observed in any of the document referred to in regulation 8, the public authority concerned shall accord the aircraft operator or authorized agent an opportunity to correct the error.

(2) An aircraft operator or authorized agent shall not be subjected to penalties if he satisfies the public authorities that an error observed in a document was unintended and made without fraudulent intent or gross negligence.

(3) Where applicable, a penalty for any error in a document shall not be greater than is necessary for the purpose of discouraging unnecessary repetition in documents.

Disinsection of aircraft

13.-(1) A routine requirement for the disinsection of aircraft cabins and flight decks with an aerosol while passengers and crews are on board, shall be limited to same-aircraft operations originating in, or operating via, territories considered to pose a threat to public health, agriculture or environment.

(2) The Ministry responsible for public health shall-

(a) periodically review disinsection of aircraft requirements and modification of those requirements as appropriate in the light of all available evidence within the United Republic relating to the transmission of insects via aircraft;

(b) where disinsection is required, for purposes of obtaining the prescribed method, authorize or accept only those methods, whether chemical or non-chemical or insecticides, which are recommended by the World Health Organization and are considered efficacious in the United Republic;

(c) ensure that procedures for disinsection are not injurious to the health of passengers and crew and cause the minimum discomfort to them;

(d) authorise the use of insecticide or any other substance used for disinsection which do not have a deleterious effect on the structure

of the aircraft or its operating equipment; and

- (e) authorize the use of flammable chemical compounds or solutions which are not likely to damage aircraft structure, such as by corrosion.

(3) The Authority shall, upon request, provide to aircraft operators appropriate information, in plain language, for crew members and passengers, explaining the pertinent national disinsection requirements, the reasons for the requirement and the safety of properly performed aircraft disinsection.

(4) Where disinsection has been performed in accordance with this regulation, the Authority, in consultation with the Ministry responsible for public health, shall accept a pertinent certification on the General Declaration as set out in the First Schedule or, in the case of residual disinsection, the Certificate of Residual Disinsection in a format set forth in the Second Schedule.

(5) Where disinsection has been performed pursuant to this regulation and a certificate of similar effect as that issued in terms of subregulation (4) is presented or made available by aircraft operator to a public health authority upon arrival into the United Republic, the authority shall accept that certificate and permit passengers and crew to disembark immediately from the aircraft.

Disinfection of
aircraft

14.-(1) The Ministry responsible for control of animal and animal products infections of international concern shall-

- (a) prescribe the types of animals and products of animal origin which, when carried by air, require that the aircraft be disinfected; and

- (b) exempt aircraft from disinfection when such animals or animal products are carried in approved containers accompanied by formal certification issued by the responsible Ministry.

(2) When aircraft disinfection is required-

- (a) the application shall be limited solely to the container or to the compartment of the aircraft in which the traffic was carried;

- (b) the disinfection shall be carried out expeditiously; and

- (c) flammable chemical compounds or solutions likely to damage aircraft structure, such as by corrosion, or chemicals likely to damage the health of passengers and crew members, shall not be employed.

(3) When aircraft disinfection is required for animal health reasons, only those methods and disinfectants approved by the responsible Ministry shall be used.

International
general aviation
and other non-
scheduled flights

15.-(1) The Authority shall publish in the Aeronautical Information Publications (AIP) the requirements concerning advance notices and applications for prior authorization of general aviation and other non-scheduled flights.

(2) The aircraft operators shall submit to the Authority, advance notices for consideration and coordinate responses of intended landing or overflying of a foreign registered aircraft into or across the territory of the

United Republic.

(3) For the purpose of subregulation (1), the Authority shall indicate in the Aeronautical Information Publications its mail address and, where available, the Aeronautical Fixed Telecommunications Network address, fax numbers, electronic mail address, web page and telephone numbers.

(4) The Authority shall be responsible for communication of notification of intended arrivals, departures or transit operations to border inspection agencies.

Prior authorisation

16.-(1) The Authority shall not require that prior authorisation or notification be applied through diplomatic channels unless the flight is diplomatic in nature.

(2) Subject to regulations on licensing of air services, the Authority shall, for the purpose of enabling application for prior authorization by aircraft operators, undertake the following-

- (a) establish procedures whereby the application shall be dealt with promptly;
- (b) make authorisations effective for a specific length of time or number of flights wherever possible; and
- (c) impose such fees, dues or charges for the issuance of authorisations as deemed applicable.

(3) The Authority shall require details on an application for prior authorisation for aircraft operator engaged in carriage of passengers, cargo or mail for remuneration or hire as prescribed by the Authority.

(4) The Authority shall publish in the Aeronautical Information Publications, the minimum amount of time required in advance of the flight for processing the applications referred to in subregulation (3).

(5) For reasons of safety of flight, the Authority shall not require any other information than that contained in a flight plan when an application for prior authorisation is made in case of aircraft either in transit, non-stop or stopping for non-traffic purposes.

Advance notification of arrival

17.-(1) In the case of aircraft in transit non-stopping or stopping for non-traffic purposes, subject to regulations on licensing of air services, the Authority shall not require more advance notice of such operations than required by the air traffic control services.

(2) The procedure under subregulation (1) shall not be construed to prevent the Authority from application of aviation security measures, narcotic control measures or such other necessary controls.

(3) The Authority shall accept the information contained in a flight plan as adequate advance notification of arrival, provided that, such information is received at least two hours in advance of arrival and that the landing occurs at a previously designated international airport.

Construction of term "document"

18. For the purpose of this Part, the term "documents" means-

- (a) passenger manifest whose details are derived from passenger

- ticket;
 - (b) cargo manifest whose details information is obtained from airway bill and mail;
 - (c) General Declaration;
 - (d) log sheet for purposes of flight dispatch,
- and excludes passport control and travel documents;

PART III

ENTRY AND DEPARTURE OF PERSONS AND THEIR BAGGAGE

Immigrations and
customs control
measures

19.-(1) In order to facilitate and expedite the clearance of persons entering or departing by air, any written laws governing immigration and customs control measures in the United Republic shall be applicable.

(2) For the purposes of attaining the collaborative required practices under this Part, the Authority shall, in collaboration with the respective public authorities responsible for national security, immigration and customs control, make arrangements as are necessary for the facilitation of smooth, secure and expedited procedures for entry and departure of persons and their baggage at airports.

(3) Where appropriate, an arrangement referred to in subregulation (2) may be implemented through consultative meetings or memorandum of understanding between the Authority, public authorities and any responsible public office.

Certificate of
vaccination

20. The Ministry responsible for public health, in case where evidence of protection against a quarantinable disease is required, shall accept the International Certificate of Vaccination or Proflaxis form prescribed by the World Health Organization in the International Health Regulations.

Inspection of travel
documents

21.-(1) The authority responsible for immigration matters shall, upon request by the aircraft operators, assist in the evaluation of travel documents presented by passengers, in order to deter fraud and abuse.

(2) Aircraft operators shall take necessary precautions at the point of embarkation to ensure that passengers are in possession of the documents prescribed by the State of transit and destination for control purposes.

Departure
procedures

22.-(1) Responsible public authorities, in cooperation with aircraft operators and airport management, shall endeavour to establish a clearance time period in aggregate for the completion of required departure formalities for all passengers requiring not more than normal processing, calculated from the time of the passenger's presenting himself at the first processing point at the airport, and includes the following processing points-

- (a) airline check-in;
- (b) outbound border control measures and other security control measures required depending on arrangements at the individual

airport; and

(c) the collection of airport charges and other levies.

(2) Departing passengers that are required for inspection by the public authorities of their travel documents shall be streamed using applicable technology as prescribed by the public authority in order to expedite such inspections.

23.-(1) Responsible public authorities, in collaboration with aircraft operators and airport operators, shall endeavour to establish as a cumulative goal the clearance within 45 minutes of disembarkation from the aircraft of all passengers requiring not more than the normal inspection, regardless of aircraft size and scheduled arrival time.

(2) Arriving passengers that are required for inspection by the public authorities of their travel documents shall be streamed using applicable technology as prescribed by the public authority in order to expedite inspections at international airports where the volume of passenger traffic justifies such measures.

(3) Except under special circumstances as prescribed by a public authority, travel documents or other identity documents shall not be required to be collected from passengers or crew before they arrive at the passport control points.

(4) The public authorities concerned shall, using the prescribed procedure, expeditiously accept passengers and crew for examination as to their admissibility into the United Republic.

(5) The aircraft operator shall be responsible for the custody and care of disembarking passengers and crew members from the time they leave the aircraft until they are accepted for examination as provided in sub-regulation (4).

(6) At the point of acceptance of passengers as referred to in subregulation (4), the public authorities concerned shall be responsible for the custody and care of passenger and crew member until they are admitted or found inadmissible.

(7) The responsibility of an aircraft operator for custody and care of passenger and crew member shall terminate from the moment such person has been admitted into the United Republic.

(8) The public authorities shall, in the manner prescribed under a written law, seize fraudulent, falsified or counterfeit travel documents and include seizure of the travel documents of a person impersonating the rightful holder of the travel document.

(9) Subject to such prescribed measures used and in order to expedite clearance of passengers by the public authority responsible for immigration matters, a system of advance passenger information which involves-

(a) the capture of certain passport or visa details prior to departure;

(b) the transmission of the details by electronic means to public authorities; and

(c) the analysis of such data for risk management purposes prior to arrival in order to expedite clearance,

may be used by the public authority.

(10) For the purpose of expediting passenger clearance requirements, the Authority in collaboration with public authorities shall reduce passenger manifest in paper form into passenger data submission electronically using an Advance Passenger Information system.

(11) Where no dutiable or restricted goods are being carried by passenger, the responsible public authority shall endeavour to provide services without requiring written declaration of baggage from passenger and crew.

(12) The Authority, airport operator and responsible public authorities shall collaborate to provide multi-channel system or other selective process for customs and quarantine inspection based on risk management, as appropriate to the conditions and traffic volumes at the airport concerned.

Transit procedures
and requirements

24.-(1) Where airport facilities permit, airport operator shall provide means of direct transit areas or other arrangements, whereby crew, passenger and their baggage, arriving from one State and continuing their journey to a third State on the same flight or another flight from the same airport may remain temporarily within the airport of arrival without undergoing border control formalities.

(2) Subject to the prescribed clearance formalities, in-transit passengers who are unexpectedly delayed due to a flight cancellation or delay may be allowed to leave the airport for the purpose of taking accommodations.

(3) The Authority shall make arrangement that restrict passengers to remain at an international airport for a period of over twenty-four hours.

Disposition of
baggage separated
from its owner

25.-(1) Airport operator, or as the case may be, the responsible public authority, shall permit an aircraft operator to forward mishandled baggage to the location of its owner and the aircraft operators shall not be held liable for penalties, fines, import duties and taxes, on the basis that the baggage was mishandled.

(2) The authority responsible for customs matters shall, except for reasons of aviation security or other necessary controls, permit the direct transfer of mishandled baggage between international flights at the same airport without the need for examination.

(3) Where direct transfer cannot be effected, authority responsible for customs matters shall ensure that arrangements are made for the temporary custody of such baggage under secure supervision at an appropriate location.

(4) Aircraft operators shall be responsible for presenting unidentified, unclaimed or mishandled baggage for clearance at an appropriate destination on behalf of its owners, and to deliver such baggage to its owners.

(5) Clearance of unidentified, unclaimed or mishandled baggage, and its return to the aircraft operator for appropriate disposition shall be expedited.

(6) Subject to any prescribed procedural formalities, an aircraft operator may be permitted to open an unidentified, unclaimed or mishandled baggage if necessary to ascertain its owner.

(7) An aircraft operator shall not be under any obligation-

(a) to safeguard baggage not yet cleared by the public authorities; and

(b) to pay import duties and taxes chargeable on such baggage, when it is taken into charge by customs and is under their sole control.

Identification and
entry of aircraft
operators'
personnel

26.-(1) Airport operators in collaboration with aircraft operators shall establish measures to expedite the inspection of crew members and their baggage, as required at departure and upon arrival.

(2) For the purpose of expediting clearance of crew members, relevant authorities shall provide means under which an aircraft operator based in the United Republic can apply for Crew Member Certificates for the aircraft operator's crew members.

(3) A Crew Member Certificate issued under subregulation (2) shall be-

(a) issued in the format as set out in Third Schedule to these Regulations; or

(b) in accordance with the specifications in ICAO-Doc 9303 Machine Readable Travel Documents.

(4) The Authority shall, before issuing a Crew Member Certificates and other official crew identity documents, take adequate control measure to prevent fraud, and includes-

(a) background check and certification of employment status of an applicant prior to issuance;

(b) controls on blank card stock; and

(c) accountability requirements for issuing personnel.

(5) An aircraft operator shall put in place procedures to allow crew member to examine and review the validity of the data held in the Crew Member Certificates, and to provide for correction if necessary.

(6) The airport operator shall ensure that a record of each Crew Member's Certificate and other official identity document issued, suspended or withdrawn, is stored in an electronic database, secure from interference and unauthorized access.

(7) All information stored in the electronic database referred to in subregulation (6) and Crew Member Certificate issued in terms of subregulation (2) shall be restricted to details which are essential for the purpose of verifying a crew member's identity.

Civil aviation
inspectors

27.-(1) Public authorities shall afford the same clearance measures to civil aviation inspectors of another Contracting State who are engaged on inspection duties as crew members when proceeding through departure or arrival formalities.

(2) The civil aviation inspectors shall carry their identity document issued in terms of prescribed civil aviation regulations, a copy of the inspector's itinerary issued by the State that employs the inspector, and a valid passport.

PART IV
ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES

General

28.-(1) Save as otherwise provided in any written law governing custom clearance, in order to facilitate and expedite the release and clearance of goods carried by air, airport operators and other responsible public authorities shall adopt procedures appropriate to air cargo operations and shall apply them in such a manner as to prevent unnecessary delays.

(2) With respect to cargo moving by both air and surface transport under an air waybill, customs shall apply the same procedures and in the same manner as they are applied to cargo moving solely by air.

(3) Public authorities shall collaborate in taking necessary steps to ensure that consignment that is subject of clearance by multiple public authorities is cleared through a coordinated and, if possible, simultaneously and with minimum delay.

(4) Customs shall not normally require the physical examination of cargo to be imported or exported and shall use risk management to determine which goods shall be examined and the extent of that examination.

(5) Where practicable, in order to improve efficiency, airport operators and public authorities shall use modern screening or examination techniques to facilitate the physical examination of goods to be imported or exported.

(6) In connection with international airports, airport operators and Customs shall establish and either develop and operate themselves, or permit other parties to develop and operate, free zones or customs warehouses, and shall publish detailed procedures as to the types of operations which may or may not be performed therein.

(7) In all cases where free-zone facilities or customs warehouses are not provided in connection with an international airport but have been provided elsewhere in the same general vicinity, an airport operator shall make arrangements so that air transport can utilize these facilities on the same basis as other means of transport.

Information
required by the
public authorities

29.-(1) The authority responsible for customs matters shall;

(a) limit their data requirements to only those particulars which are deemed necessary by the public authorities to release or clear imported goods or goods intended for exportation.

(b) provide for the collection of statistical data at such times and under such arrangements so that the release of imported goods or those intended for exportation is not delayed thereby.

(2) Save as provided in any written law governing customs clearance, and subject to the technological capabilities prevalent at airport authorities, documents for the importation or exportation of goods, including the Cargo Manifest or air waybills, shall be accepted when presented in electronic form transmitted to an information system of the public authorities.

(4) The production and presentation of the Cargo Manifest and the air waybill for clearance of cargo shall be the responsibility of the aircraft operator or his authorized agent.

(5) The production and presentation of the other documents required for the clearance of the goods shall be the responsibility of the declarant.

(6) An aircraft operator shall not be held responsible, fined or otherwise penalized for inaccuracies or omissions of facts shown on clearance particulars including commercial invoices, declaration forms, import licences and the like, unless he is the declarant himself or is acting on the declarant's behalf.

Release and
clearance of export
cargo

30. Where public authorities require goods to be examined, but those goods have already been loaded on a departing aircraft, the aircraft operator or, where appropriate, the operator's authorized agent, shall provide security to the customs for the return of the goods rather than delay the departure of the aircraft.

Release and
clearance of import
cargo

31.-(1) When scheduling examinations, public authorities shall give priority to the examination of live animals and perishable goods and to other goods which the public authorities accept to be urgently required.

(2) Consignments declared and determined as personal effects and transported as unaccompanied baggage shall be cleared by the public authority under simplified arrangements as prescribed in the applicable written law governing customs clearance.

(3) Airport operator in collaboration with public authorities shall, with respect to an authorized importers who meet specified criteria, including an appropriate record of compliance with official requirements and a satisfactory system for managing their commercial records, establish special procedures, based on the advance supply of information, which provide for the immediate release of goods on arrival.

(4) Subject to compliance with prescribed requirements and customs clearances, relevant authorities, aircraft operators and importers or their authorized agents shall-

(a) in the case of clearance of goods that do not fall within the requirement of subregulation (3); and

(b) for goods that are not subject of any examination, collaborate to release goods within seventy two hours of their arrival and the submission of the correct documentation.

(5) Subject to customs procedure governing transfer of goods, customs authority shall allow goods that have been offloaded from an aircraft at an international airport to be transferred to any designated customs office in the United Republic for clearance.

(6) Where, due to error, emergency or inaccessibility upon arrival, goods are not offloaded at their intended destination, public authorities or such other responsible entity or agent shall not impose penalty, fine or other similar charges, provided:

(a) the aircraft operator or his authorized agent notifies the customs of this fact, within any time limit laid down;

(b) a valid reason, acceptable to the customs authorities, is given for the failure to unload the goods; and

(c) the Cargo Manifest is duly amended.

(7) Where, due to error or handling problems, goods are offloaded at an airport without being listed on the Cargo Manifest, public authorities or such other responsible entity or agent shall not impose penalty, fine or other similar charges, provided:

- (a) the aircraft operator or his authorized agent notifies the customs of this fact, within any time limit laid down;
- (b) a valid reason, acceptable to the customs, is given for the non-reporting of the goods;
- (c) the manifest is duly amended; and
- (d) the goods are placed under the appropriate customs arrangements.

(8) Subject to the compliance with the prescribed procedural requirements, a relevant public authorities shall, where applicable, facilitate the forwarding of the goods referred to in subregulations (6) and (7) to their correct destination.

(9) Subject to any written law, where goods are consigned to a destination in the United Republic, but have not been released for use in the United Republic and subsequently are required to be returned to the point of origin or to be redirected to another destination, the responsible public authority shall allow the goods to be re-forwarded.

(10) An aircraft operator or, where appropriate, his authorized agent, shall be exonerated from liability for import duties and taxes when the goods are placed in the custody of the public authorities or, with the latter's agreement, transferred into the possession of a third party who has furnished adequate security to the customs authority.

Goods imported or
exported
in connection with
international
services

32.-(1) Stores and commissary supplies imported into the United Republic for use on board aircraft in international service shall be relieved from import duties and taxes, subject to compliance with the customs regulations of the United Republic.

(2) The responsible public authority shall not require supporting documentation, including certificates of origin or consular or specialized invoices, in connection with the importation of stores and commissary supplies.

(3) The responsible public authority shall, upon completion of simplified documentary procedures by the aircraft operator or his authorized agent, grant prompt release or clearance of aircraft equipment and spare parts that are granted relief from import duties, taxes and other charges under East African Customs Management Act.

(4) The relevant authority shall provide for the importation, free of import duties and taxes, of aircraft operators' documents as defined in sub-regulation 3 of these Regulations, to be used in connection with international air services.

Act No. 1 of 2005

Containers and
pallets

33.-(1) Subject to compliance with relevant regulations and procedures, customs authority shall grant the aircraft operators of other Contracting States temporary admission of containers and pallets, whether or not owned by the aircraft operator of the aircraft on which they arrive provided that, the containers and pallets shall be used on an outbound

international service or otherwise re-exported.

(2) The customs authority shall require a temporary admission document for containers and pallets only when they consider it essential for the purposes of customs control.

(3) Where proof of the re-exportation of containers and pallets is required, the customs authority may accept the appropriate usage records of the aircraft operator or his authorized agent as evidence thereof.

(4) Aircraft operators, under supervision of the public authorities concerned, shall be allowed to unload transit cargo arriving in containers and pallets, and includes sorting and reassembling shipments for onward carriage without having to undergo clearance for home use.

(5) Containers and pallets imported into the United Republic under subregulation (1) shall be allowed to leave the boundaries of the international airport for the release or clearance of imported loads, or for export lading, under simplified documentation and control arrangements.

(6) Where circumstances so require, the airport operator shall allow the storage of temporarily admitted containers and pallets at off-airport locations.

(7) The airport operator shall allow temporarily admitted containers and pallets to be re-exported through any designated customs office.

(8) The airport operator shall allow the temporary admission of replacement parts when they are needed for the repair of containers and pallets imported under the provisions of subregulation (1).

Mail documents
and procedures

Cap No. 306

34. The handling, forwarding and clearance of mail documents shall be in accordance with the manner prescribed under the Electronic and Postal Communications Act.

PART V INADMISSIBLE PERSONS AND DEPORTEES

General

35.-(1) In order to minimize disruptions to the orderly operations of international civil aviation, aircraft operator shall collaborate with immigration and other public authorities to promptly resolve any differences arising in the course of implementing the provisions of this Part.

(2) Responsible public authorities shall facilitate the transit of persons being removed from another State pursuant to the provisions of this Part, and extend necessary cooperation to the aircraft operator and escort carrying out such removal.

Inadmissible
persons

36.-(1) The authority responsible for immigration matters shall:

(a) without delay notify the aircraft operator, confirming as soon as possible in writing, when a person is found inadmissible, pursuant to regulation 23(6); and

(b) consult the aircraft operator on the time-frame for removal of the person found inadmissible, in order to allow the aircraft operator a reasonable amount of time during which to effect the person's removal via its own services or to make alternative removal

arrangements.

(2) If the authority responsible for immigration matters has reason to believe that an inadmissible person might offer resistance to his removal shall inform the aircraft operator concerned in advance of scheduled departure so that the aircraft operator can take precautions to ensure the security of the flight.

(3) The aircraft operator shall be responsible for the cost of custody and care of an improperly documented person from the moment that person is found inadmissible and returned to the aircraft operator for removal from the United Republic.

(4) When a person is found inadmissible and is returned to the aircraft operator for transport away from the United Republic, the aircraft operator shall not be precluded from recovering from such person any transportation costs involved in his removal.

(6) The aircraft operator shall without undue delay remove the inadmissible person to-

- (a) the point where he commenced his journey; or
- (b) to any place where he is admissible.

Deportees

37.-(1) Subject to the prescribed procedures, the authority responsible for immigration matters, when making arrangements with an aircraft operator for the removal of a deportee, make available the following information as soon as possible, but in any case not later than 24 hours before the scheduled time of departure of the flight:

- (a) a copy of the deportation order;
 - (b) a risk assessment or any other pertinent information that would help the aircraft operator assess the risk to the security of the flight;
 - (c) the names and nationalities of any escorts.
- (2) The authority responsible for immigration matters shall-
- (a) in making arrangements for the removal of a deportee to a destination State, use direct non-stop flights whenever practicable;
 - (b) collaborate with other relevant public authorities to ensure that, when presenting a deportee for removal, all official travel documentation required by any transit or destination State is provided to the aircraft operator; and
 - (c) when determining that a deportee shall be escorted and the itinerary involves a transit stop in an intermediate State, ensure that the escort remains with the deportee to his final destination, unless suitable alternative arrangements are agreed, in advance of arrival, by the authorities and the aircraft operator involved at the transit location.

Replacement
travel document

38.-(1) When a replacement travel document is to be obtained in order to facilitate removal and acceptance of an inadmissible person at his destination, public authorities shall provide as much assistance as practicable in obtaining that document.

(2) Public authority shall, when requested to provide travel

documents to facilitate the return of one of the nationals, respond within a reasonable period of time and not more than 30 days after such a request was made either by issuing a travel document or by satisfying the requesting State that the person concerned is not a Tanzanian citizen.

(3) Public authorities shall not refuse to issue a travel document to or otherwise thwart the return of one of Tanzanian nationals by rendering that person stateless.

PART VI

INTERNATIONAL AIRPORTS – FACILITIES AND SERVICES FOR TRAFFIC

(A) General provisions

General requirements for airport facilities and services

39.-(1) The Authority shall, in the manner prescribed under the respective civil aviation regulations, ensure that the design, development and maintenance of facilities at airports provide efficient and effective flow arrangements.

(2) Aircraft operators and airport operators shall cooperate in ensuring that satisfactory facilities and services are provided for rapid handling and clearance of passengers, crew, baggage, cargo and mail at airports.

(3) The facilities and services referred to in subregulation (2) shall be flexible and capable of expansion to meet anticipated growth in traffic volume, or increased security measures during higher threat situations, while permitting appropriate aviation security measures, narcotics control measures and any other control measures.

(4) Airport operator on the one hand and aircraft operators, public authorities and appropriate bodies representing other airport users on the other hand shall, at the earliest stage, collaborate to plan new or substantially modify their terminal buildings, work stations or facilities, including changes of layout within existing facilities at airports.

(5) Airport operators shall, for airports that experience traffic peaking problems, in accordance with appropriate procedures for coordination of schedules at airports, indicate to the appropriate airlines operating scheduled and non-scheduled flights, well in advance of the recognized traffic seasons, any restrictions that may apply in order to match the traffic and the airport capacity.

(6) Where a passenger service charge is levied at an airport, the same shall be expended to ensure improvement of services at the airport for smooth and timely movements of passengers, cargo and mails.

(7) Subject to such prescribed procedure governing mode of payment of government dues, whenever possible, the use of credit cards shall be acceptable as a means of payment for services rendered, including duties and taxes at airports.

(b) Airport traffic flow arrangements

Common provisions

40.-(1) Airport operators shall ensure the provision of adequate facilities at all times at airports and that appropriate measures are adopted to permit embarkation and disembarkation of passengers without delay.

(2) Airport operators, aircraft operators and public authorities should exchange, in a timely manner, all relevant operational information, in order to provide for a smooth and expeditious passenger flow.

(3) Airport and aircraft operators, where appropriate and after consultation, shall implement automated facilities for passenger and baggage processing.

(4) Airport operators shall ensure that signage used at airports is based on Doc 9636, International Signs to Provide Guidance to Persons at Airports.

(5) Relevant authorities, in consultation with airport and aircraft operators, shall notify travellers, via signage, leaflets, video, audio, Internet websites or other media, of the penalties for breaching regulations with regard to entry and departure and attempting to import or export any banned or restricted item.

(6) Airport operators or terminal building operators may, when walking distances and the traffic volume within terminal buildings so warrant, install mechanical people-moving devices.

(7) Airport or aircraft operator, as appropriate, shall install flight information systems capable of providing accurate, adequate and up-to-the-minute information on departures, arrivals, cancellations, delays, and terminal/gate allocations.

(8) Airport operator or aircraft operator, as appropriate, shall maintain a flight information system, and follows the standard layout recommended in Doc 9249, Dynamic Flight-Related Public Information Displays.

(9) Airport operators of international airports shall ensure provision of car parking facilities for long- and short-term usage by passengers, visitors, crew and staff.

Parking and
servicing
arrangements

41.-(1) An airport operator shall take adequate measures to ensure that there is convenient parking and servicing of aircraft of all types and categories including regular, non-scheduled and general aviation aircraft in order to expedite clearance and operations on the apron and to reduce aircraft ground stop time.

(2) For the purpose of subregulation (1), airport operator shall-

(a) make arrangements for optimum allocation of aircraft parking spaces as close as possible to the terminal building for rapid loading and unloading;

(b) provide adequate parking spaces, away from the terminal building, for aircraft when either loading or unloading, so as to avoid obstruction to the flow of traffic on the apron, and make adequate arrangements for their optimum use;

(c) equip the parking spaces with the necessary means for rapid, convenient and safe performance of all aircraft servicing operations, including equipment for secure tie-downs;

(d) give particular importance to measures for assistance to aircraft during embarkation and disembarkation operations;

(e) provide facilities for fuelling of aircraft;

(f) provide transportation between remote parking positions and the terminal building when distance and safety so require as a result of

- optimum use of the parking area available; and
- (g) provide, when necessary, parking space for international flights where inspection of aircraft, passengers, crew and baggage can be performed.

Outbound
passengers, crew
and baggage

42.-(1) An airport operator shall ensure the availability of easy and frequent transportation between airport terminal buildings as well as between designated remote parking facilities and airport terminal buildings.

(2) An airport operator, in collaboration with aircraft operators and airport handling operators, where traffic justifies, shall ensure consideration of the provision of the following areas with clear marking and appropriate signs-

(a) child care rooms of suitable dimensions and with necessary child care facilities, in the departure and transit lounges of passenger terminals; and

(b) special areas for infants accompanied by parent or guardian.

(3) An airport operator shall collaborate with the aircraft operator and the authority responsible for immigration matters to ensure that crew member check-in and operations facilities are readily accessible and within close proximity of each other.

(4) An airport operator and aircraft operator shall make an arrangement for the provision of off-airport check-in facilities:

Provided that, all necessary security measures and other control requirements are met.

(5) In order to facilitate aircraft departure, public authorities, in examining passengers as a security measure, or for purposes of narcotics control as appropriate, shall, to the extent feasible, utilize specialized equipment in conducting such examinations so as to reduce materially, the number of persons to be searched by other means.

(6) Public authorities responsible for boarder controls shall, in order to facilitate aircraft departure, use efficient screening and examination techniques in examining passengers and their baggage.

(7) Airport operator, in collaboration with responsible public authorities shall ensure sufficient number of control channels so that clearance of outbound passengers and crew may be obtained with the least possible delay.

Inbound
passengers, crew
and baggage

43.-(1) The airport operator shall-

(a) ensure the availability of a sufficient number of control channels so that clearance of inbound passengers and crew may be obtained with the least possible delay;

(b) ensure where circumstances permit, the availability of additional channels to which complicated cases may be directed without delaying the main flow of passengers;

(c) for the purpose of obviating any delay to passengers, provide adequate space in the baggage claim area permitting easy identification and speedy reclaim by each passenger of his checked baggage;

- (d) ensure that mechanized baggage delivery systems are in place to facilitate the movement of passenger baggage subject to any other written law; and
- (e) ensure that passengers obtain assistance in the carriage of baggage to points as close as possible to areas where surface transportation from the airport or between airport terminals is provided.

Transit and transfer of passengers and crew

44.-(1) Airport operator shall -

- (a) ensure that physical facilities at airports are provided, where the volume and nature of the traffic so require, whereby crew and passengers in direct transit on the same aircraft, or transferring to other flights, may remain temporarily without being subject to inspection formalities, except for aviation security measures, or in special circumstances:

Provided that, the requirement for inspection formalities shall be applicable as appropriate for narcotics control measures; and

- (b) provide for sufficient space for handling counters in direct transit areas, in accordance with traffic volumes.

(2) For the purpose of subregulation (1)(b), the space requirements and operating hours shall be agreed between the airport operator and aircraft operators.

Miscellaneous facilities and services in passenger terminal buildings

45.-(1) Facilities provided for the use of transit passengers shall contain all necessary arrangements for their convenience.

(2) Storage facilities shall be provided for baggage left by their owners at airports for later pick-up.

(3) The airport operator shall ensure that airports are equipped with functional secure storage facilities where unclaimed, unidentified and mishandled baggage shall be kept available for clearance until forwarded, claimed or disposed of in accordance with relevant regulations and procedures.

(4) Aircraft operator personnel shall have access to the baggage at least throughout the hours of airport operation.

(5) Airport operator and security organs shall, to the extent that the non-travelling public are admitted to terminal buildings, make appropriate arrangements so that they do not interfere with the flow of inbound and outbound traffic.

(6) Airport operator shall make provisions to locate facilities for group or tour operators in public or uncontrolled areas in the arrival or departure areas in order to minimize congestion in the terminal buildings.

(7) When duty-free or other goods are offered for sale in terminal buildings, whether to outbound passengers only or to both outbound and inbound passengers, provisions shall be made for convenient locations of the stores to avoid congestion and interference with the main streams of outbound and inbound passenger traffic.

- 46.-(1)** Airport operator shall make arrangements whereby-
- (a) all-cargo aircraft and their loads shall be entered and cleared at the cargo terminal area;
 - (b) easy and speedy access is provided to airport cargo terminals, taking into account the space requirements of extra-large trucks on access roads and in front of terminals for manoeuvring into position;
 - (c) each cargo terminal is provided with delivery or receiving positions adaptable to truck-bed heights;
 - (d) mechanized and automated facilities for loading and unloading, conveyance and storage of cargo be used, where justified;
 - (e) adequate space is available in cargo terminals for storage and handling of air cargo, including building up and breaking down of pallet and container loads, located next to the customs area and easily accessible to authorized persons and vehicles from both the apron and the landside road, taking into account aviation security and appropriate narcotics control measures;
 - (f) adequate space and facilities is provided at international airports, or at convenient off-airport locations, for the temporary storage of empty containers;
 - (g) cargo terminals are equipped with storage facilities as appropriate for special cargo including valuable goods, perishable shipments, human remains, radioactive and other dangerous goods, as well as live animals, and the areas of cargo terminals in which general and special cargo and mail are stored prior to shipment by air are protected against access by unauthorized persons at all times;
 - (h) parking spaces are available at cargo terminals for handling equipment when not in use, located so as to avoid interference with the flow of inbound and outbound cargo;
 - (i) where high-capacity aircraft with mixed passenger and cargo loads are positioned next to the passenger terminal, all necessary facilities are provided for swift loading, unloading and conveyance between the aircraft and the cargo terminal of large volumes of air cargo, to this end, flow routes shall be designed so as to avoid interference with those for passengers and baggage;
 - (j) facilities are provided, where necessary, for the direct removal of bulky or heavy consignments by approved transport, from the airport such removal being subject to customs approval and any conditions attached to that approval;
 - (k) taking into account aviation security and appropriate narcotics control measures, sufficient and convenient areas are provided at airports, where, under customs supervision, trans-shipment cargo can be broken down, sorted and reassembled for immediate or later onward transmission;
 - (l) at airports whose cargo handling capacity is insufficient and whose expansion is limited or unfeasible, off-airport bonded warehouses are allowed, and the procedures for moving cargo between them and the airport shall be minimal in order to accelerate clearance and reduce congestion in airport warehouses; and

- (m) taking into account aviation security and appropriate narcotics control measures, where the volume of airmail so warrants and where it may expedite the onward transmission of the mail, in the opinion of the postal authorities, adequate space and facilities are provided at airports for the reworking, sorting and onward transmission of airmail.

Facilities required for public health, emergency medical relief, and animal and plant quarantine measures

47.-(1) Ministries responsible for public health, animal and plant health shall, in cooperation with airport operator, ensure the maintenance of public health, including human, animal and plant quarantine at international airports.

(2) Subject to uner subregulation (1), Ministries shall provide, at or near all their major airports, facilities and services for vaccination or revaccination, and for the delivery of the corresponding certificates.

(3) Airport operator shall ensure that airports have available adequate facilities for administration of public health and animal and plant quarantine measures applicable to aircraft, crew, passengers, baggage, cargo, mail and stores.

(4) The responsible Ministries, in collaboration with airport operator shall provide arrangements whereby passengers and crew in transit can remain in premises free from any danger of infection and insect vectors of diseases and, when necessary, facilities shall be provided for the transfer of passengers and crew to another terminal or airport nearby without exposure to any health hazard.

(5) The requirements in subregulation (3) and (4) shall have similar effect to arrangement and facilities in respect of animals.

(6) Relevant authorities shall take all steps to ensure that the procurement, preparation, handling, storage and service of food and water supplies intended for consumption both at airports and on board aircraft are hygienically carried out in accordance with-

- (a) any written laws governing food health and hygiene;
- (b) recommendations and standards of the World Health Organization; and
- (c) the patinent recommendations of the Food and Agriculture Organization of the United Nations.

(7) Public health authorities shall ensure compliance with subregulation (6) and provide an evidence to the Authority as may be required

(8) Relevant authorities shall ensure that an effective system is instituted for the safe removal and safe disposal of excrement, refuse, waste water, waste, unused and condemned food and other matter dangerous to the health of persons, animals or plants in accordance with:

- (a) the applicable written laws governing food health and hygiene;
- (b) recommendations of the World Health Organization; and
- (c) recommendations of the Food and Agriculture Organization of the United Nations.

(9) Airport operator and aircraft operators shall cooperate with the Ministry responsible for public health to maintain at international airports an organized, immediately responsive staff with facilities for first aid attendance on site and appropriate arrangements shall be available for expeditious

referral of the occasional more serious case to prearranged competent medical attention.

Facilities for clearance controls and operation

48.-(1) Airport operators shall, as far as practicable, provide free of charge, space, and facilities for public authorities responsible for clearance and controls.

(2) Where the space and facilities referred to in sub-regulation (1) can not be provided free of charge, airport operators at the airport in question shall ensure that such space and facilities are provided at a cost not more than the cost for the service provided.

(3) Public authorities concerned shall provide sufficient services in such manner in responding to real needs and flow of traffic during working hours established by those authorities.

Monetary exchange facilities

49.-(1) Financial institutions designated to provide exchange of funds of other States against the rates applicable by the United Republic shall, subject to the prescribed requirements governing forex bureaux, display at their respective airports regulations governing the exchange of funds.

(2) Airport operator shall provide, adequate facilities at their respective airports for the legal exchange of funds of other States through governmental agencies or private agencies in the manner set out under the prescribed requirements.

(3) The facilities referred to in subregulation (2) shall be available to arriving and departing passengers.

(4) In giving effect to sub-regulation (2) and subject to prescribed requirements, airport operator shall consider the use of vending machines at their respective airports.

Unruly passengers

50.-(1) Aircraft operators and airport operators shall cooperate in taking necessary steps to increase passenger awareness of the unacceptability and consequences of unruly or disruptive behaviour in aviation facilities and on board aircraft.

(2) Aircraft operators and airport operators shall provide to its staff and crew members who are in contact with passengers, training in-

- (a) noting, anticipating, and handling of irate or unruly passenger behaviour;
- (b) recognition of potentially escalating situations; and
- (c) crisis containment and related issues.

PART VII LANDING ELSEWHERE THAN AT INTERNATIONAL AIRPORTS

Clearance and controls response upon landing elsewhere than at international airports

51.-(1) Public authorities responsible for clearance and control shall take necessary steps to ensure that all possible assistance is rendered to an aircraft which, for reasons beyond the control of the pilot-in-command, has landed elsewhere than at one of its international airports and, to this end, shall

keep control formalities and procedures, in such cases, to a minimum.

(2) For the purpose of effective implementation of the requirements of subregulation (1), the aircraft operator shall ensure that the pilot-in-command or the next senior crew member available causes the landing to be reported as soon as practicable to the airport operator who shall immediately relay the information to public authorities concerned.

Short stopover

52. Where it is apparent that the aircraft can resume its flight within a relatively short time of arrival, the following procedure shall apply:

- (a) control measures to be limited to ensure that the aircraft departs with the same load that was on board at the time of arrival, and in case the load or part thereof cannot, for operational or other reasons, continue on that flight, the public authorities shall expedite clearance formalities and cooperate in speedy onward transportation for that load to its destination; and
- (b) the airport operator shall designate, if necessary, an adequate area under its general supervision where passengers and crew can move about during their stopover.

No resumption of flight

53.-(1) Where it is apparent that the aircraft is substantially delayed or unable to continue its flight, the following provisions shall apply:

- (a) the pilot-in-command shall, while awaiting the instructions of the public authorities concerned or if he or his crew is unable to get in touch with them, be entitled to take such emergency measures as he deems necessary for the health and safety of passengers and crew and for avoiding or minimizing loss or destruction to the aircraft itself and its load;
- (b) passengers and crew shall be permitted to secure suitable accommodation pending completion of the necessary formalities if such formalities cannot be promptly carried out;
- (c) cargo, stores and unaccompanied baggage, if required to be removed from the aircraft for safety reasons, shall be deposited in a nearby area and remain there pending completion of the necessary formalities; and
- (d) mail shall be disposed of as is required pursuant to the Acts in force of the Universal Postal Union or written law governing postal mail in the United Republic.

PART VIII OTHER FACILITATION PROVISIONS

Bonds and exemption from requisition or seizure

54.-(1) Where, pursuant to the requirement prescribed under any written law, as the case may be, require bonds of an aircraft operator to cover its liabilities, the relevant public authority shall permit the use of a single comprehensive bond whenever possible.

(2) Except for circumstances warranting the right of seizure for breach of the laws of the United Republic, an aircraft ground equipment, security equipment, spare parts and technical supplies belonging to an aircraft operator

located in the United Republic for use in the operation of an international air service within the United Republic shall be exempt from application of laws of the United Republic authorizing the requisition or seizure of aircraft, equipment, parts or supplies for public use.

Facilitation of search, rescue, accident investigation and salvage
GN No. 51 of 2017 and GN No. 58 of 2017

55.-(1) Subject to any conditions imposed under the Civil Aviation (Search and Rescue) Regulations and the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, the Authority and other public authorities and airport operators shall make arrangements to ensure entry without delay into the United Republic on a temporary basis of qualified personnel required for search, rescue, accident investigation, repair or salvage in connection with a lost or damaged aircraft.

(2) In arranging for the entry without delay of the personnel referred to in sub regulation (1), when such a document is necessary, the immigration prescribed procedures and formalities for this purpose shall apply.

(3) The Authority shall ensure that public authorities are adequately informed of the provisions of the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations and these Regulations relating to the facilitation of aircraft accident and incident investigations.

(4) The Authority and such other relevant authorities shall facilitate the temporary entry into the United Republic of all aircraft, tools, spare parts and equipment required in the search, rescue, accident investigation, repair or salvage of the damaged aircraft of another State.

(5) The requirement of this regulation shall not preclude the application of public health and animal and plant quarantine measures, if required.

(6) The Authority and other relevant authorities shall facilitate the removal from the United Republic of both the damaged and any assisting aircraft, together with tools, spare parts and equipment that may have been brought in for search, rescue, accident investigation, repair or salvage purposes.

(7) Damaged aircraft or parts thereof, and any stores or cargo contained therein, together with any aircraft, tools, spare parts or equipment brought in for temporary use in search, rescue, accident investigation, repair or salvage, which are not removed from the United Republic within a length of time to be specified by customs, shall be subject to the requirements of the laws.

Relief flights following natural and man-made disasters

56. - (1) The Authority in collaboration with relevant public authorities and airport operators shall-

(a) facilitate the entry into, departure from and transit through of aircraft engaged in relief flights performed by or on behalf of international organizations recognized by the United Nations or by or on behalf of the United Republic or such other Contracting States;

(b) take all possible measures to ensure the safe operation of relief flight referred to under paragraph (a):

Provided that, such relief flights shall be those undertaken in response

to natural and man-made disasters which seriously endanger human health or the environment, as well as similar emergency situations where United Nation assistance is required.

(2) Operations of relief flight referred to under this regulation shall be commenced as quickly as possible after obtaining agreement with the responsible public authority within the United Republic.

(3) The responsible public authority shall ensure that personnel and articles arriving on relief flights are cleared without delay.

Marine pollution
and safety
emergency
operations

57.-(1) Public authorities shall, in cases of emergency, cooperate to facilitate the entry, transit and departure of aircraft engaged in the combatting or prevention of marine pollution, or other operations necessary to ensure maritime safety, safety of the population or protection of the marine environment.

(2) In cases of emergency, public authority shall, to the greatest extent possible and subject to any written laws governing the same, facilitate the entry, transit and departure of persons, cargo, material and equipment required to deal with the marine pollution and safety operations referred to in subregulation (1).

Implementation of
international
health
regulations and
related provisions

58.-(1) The health measures applicable for entry, departure and transit of passengers and their baggage, cargo and other articles at airports shall be governed in the manner prescribed by the Ministry responsible for public health and International Health Regulations of the World Health Organization.

(2) The procedure and requirement for vaccination and revaccination conforming to the International Health Regulations shall be as prescribed by Ministry responsible for Public Health.

(3) The Authority in consultation with the Ministry responsible for public health shall make arrangements to enable all aircraft operators and agencies concerned to make available to passengers, sufficiently in advance of departure, information concerning the vaccination requirements of the countries of destination, as well as vaccination or revaccination procedure and requirements referred to in subregulation (2).

(4) Aircraft operator shall ensure compliance with any prescribed requirement of the United Republic whereby illness, other than suspected airsickness, on an aircraft is to be reported promptly by radio to health authorities in the United Republic for which the aircraft is destined, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for medical assistance and health procedures on arrival.

Matters related to
hygiene at the
airport

59.-(1) Airport operator and other relevant authorities shall at all times ensure hygienic standard at the terminal buildings, toilets and the general environment.

(2) Airport operator shall ensure availability of portable water, food and resting places within terminal building and at the landside areas.

(3) Public health authority shall-

- (a) inspect and recommend corrective measures to be instituted by the airport operator in case of any environmental defect or unhealthy condition; and
- (b) undertake inspection in relation to environment, employees health and quality of the food prepared by the inflight caterers regardless of whether or not food preparing area is at the airport vicinity or outside the airport.
- (4) Report of subregulation (3) shall be copied to the airport operator and a particular operator which a report is related, and the copy be kept for reference by the Authority when needed.

New construction
at the airport

60. Airport operator shall ensure awareness of the new construction and share architectural drawings to all relevant stakeholders for their comments prior to project construction stage.

General facilitation
requirements

61.- (1) Airport operators, public authorities, aircraft operators and such other operators and service providers shall-

- (a) collaborate to provide travellers with disabilities special assistance in order to ensure that they receive services customarily available to the general public, and include the offering of information and directions in media that can be understood by travellers with cognitive or sensory disabilities; and
- (b) cooperate with a view to taking the necessary measures to make accessible to persons with disabilities all the elements of the chain of the person's journey, from beginning to end.

(2) The Authority shall take the necessary steps with aircraft operators, airports and ground handling operators to establish minimum uniform standards of accessibility with respect to transportation services for persons with disabilities, from arrival at the airport of departure to leaving the airport of destination.

(3) Aircraft operators, airport operators, ground handling operators and travel agencies shall ensure that persons with disabilities are given the information they need, and should take the necessary steps to ensure that they are in a position to give those passengers the assistance necessary for them, depending on their needs, to help them in their travel.

(4) The Authority shall take all necessary steps to ensure the cooperation of aircraft operators, airport operators and ground handling operators in order to establish and coordinate training programmes to ensure that trained personnel are available to assist persons with disabilities.

Access to airports

62.-(1) The Airport operator shall ensure that-

- (a) airport facilities and services are adapted to the needs of persons with disabilities;
- (b) lifting systems or any other appropriate devices are made available in order to facilitate the movement of elderly and disabled passengers between the aircraft and the terminal on both arrival and departure as required where telescopic passageways are not

- used;
 - (c) the hearing and vision impaired are able to obtain flight information;
 - (d) for elderly and disabled persons being set down or picked up at a terminal building, reserved points are located as close as possible to main entrances;
 - (e) facilitation of movements to the various areas of the airport and access routes are free of obstacles;
 - (f) where access to public services is limited, every effort is made to provide accessible and reasonably priced ground transportation services by adapting current and planned public transit systems or by providing special transport services for people with mobility needs: and
 - (g) adequate parking facilities is provided for people with mobility needs and appropriate measures taken to facilitate their movement between parking areas and the terminal buildings.
- (2) where necessary and possible, whenever this is warranted by deadlines in making connecting flights or by other circumstances, direct transfer from one aircraft to another of passengers, particularly elderly and disabled passengers, shall be enabled.

Access to air services

63.-(1) Airport operators and aircraft operators shall take the necessary steps to ensure that person with disabilities have adequate access to air services.

(2) Aircraft operators shall ensure that-

- (a) aircraft coming newly into service or after major refurbishment shall conform to minimum uniform standards of accessibility with respect to equipment onboard aircraft which would include movable armrests, onboard wheelchairs, lavatories and suitable lighting and signs;
- (b) wheelchairs, special apparatus and equipment required by persons with disabilities are carried free of charge in the cabin where, in the view of the aircraft operator, space and safety requirements permit or is designated as priority baggage;
- (c) service animals accompanying passengers with disabilities are carried free of charge in the cabin, subject to the application of any relevant written law or aircraft operator regulations; and
- (d) person with disabilities are permitted to determine whether or not they need an escort and to travel without the requirement for a medical clearance.

(3) Aircraft operators shall only be permitted to require -

- (a) passengers with disabilities to obtain a medical clearance in cases of medical condition where it is clear that their safety or well-being or that of other passengers cannot be guaranteed.
- (b) an escort when it is clear that a person with disabilities is not self-reliant and, as such, the safety or well-being of that person or that of another passenger cannot be guaranteed.

64.-(1) The public authorities shall make arrangements to facilitate the entry into the United Republic on a temporary basis of family members of victims of an aircraft accident.

(2) The public authorities of the United Republic and adjacent State shall make arrangements to facilitate the entry into the United Republic or the adjacent State, on a temporary basis, of authorized representatives of the operator whose aircraft has been involved in the accident, or of the operator's alliance partner, in order to enable them to provide assistance to survivors and the family members of victims of the accident.

(3) In arranging for the entry of the person referred to in subregulation (1), the United Republic or adjacent State shall not require any other travel document than a passport, or an emergency travel document issued specifically to such persons, to enable them to travel to the United Republic.

(4) The authority responsible for immigration matters, shall make arrangements to issue emergency travel documents, if required, to their nationals who have survived the accident.

(5) The authority responsible for immigration matters in collaboration with other public authorities shall extend all necessary assistance, such as arranging transport and customs clearance, in the repatriation of human remains to their countries of origin, upon request by family members of the deceased or the operator whose aircraft has been involved in the accident.

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SCHEDULES
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FIRST SCHEDULE

GENERAL DECLARATION FORM
(Made under regulation 2)

GENERAL DECLARATION (Outward/Inward)		
Operator		
Marks of Nationality and Registration..... Flight No. Date		
Departure from Arrival at		
(Place) (Place)		
FLIGHT ROUTING (“Place” Column always to list origin, every en-route stop and destination)		
PLACE	NAMES OF CREW*	NUMBER OF PASSENGERS ON THIS STAGE**
		<i>Departure Place:</i>
		Embarking
		Through on same flight
		<i>Arrival Place:</i>
		Disembarking
		Through on same flight
Declaration of Health Name and seat number or function of persons on board with illnesses other than airsickness or the effects of accidents, who may be suffering from a communicable disease (a fever — temperature 38°C/100°F or greater — associated with one or more of the following signs or symptoms, e.g., appearing obviously unwell; persistent coughing; impaired breathing; persistent diarrhoea; persistent vomiting; skin rash; bruising or bleeding without previous injury; or confusion of recent onset, increases the likelihood that the person is suffering a communicable disease) as well as such cases of illness disembarked during a previous stop		For official use only
Details of each disinsecting or sanitary treatment (place, date, time, method) during the flight. If no disinsecting has been carried out during the flight, give details of most recent disinsecting.....		
Signed, if required, with time and date _____ <div style="text-align: right;">Crew member concerned</div>		
I declare that all statements and particulars contained in this General Declaration, and in any supplementary forms required to be presented with this General Declaration, are complete, exact and true to the best of my knowledge and that all through passengers will continue/have continued on the flight.		
SIGNATURE _____ Authorized Agent or Pilot-in-command		

SECOND SCHEDULE

CERTIFICATE OF RESIDUAL DISINSECTION

(Made under regulation 13(4))

GOVERNMENT OF

CERTIFICATE OF RESIDUAL DISINSECTION

Interior surfaces, including cargo space, of this aircraftwere treated with an approved residual
(aircraft registration)

disinsection product on in accordance with the World Health Organization recommendations (WHO Weekly
(date)

Epidemiological Record No. 7, 1985, p. 47; No. 12, 1985, p. 90; No. 45, 1985, pp. 345-346; and No. 44, 1987, pp. 335-336)
and any amendments thereto.

The treatment must be renewed if cleaning or other operations remove a significant amount of the residual disinsection
product, and in any case within 8 weeks of the above date.

Expiry date:

Signed:

Designation:

Date:

THIRD SCHEDULE

CREW MEMBER CERTIFICATE (CMC)

(Made under regulation 26(2)(A))

Issuing State Competent issuing authority		CREW MEMBER CERTIFICATE	
Photograph of holder of Certificate	<i>Surname/Nom</i>		<i>Given name/ Prénom</i>
	<i>Sex/ Sexe</i>	<i>Nationality/ Nationalité</i>	<i>Date of Birth/ Date de Naissance</i>
	<i>Employed by/ Employeur</i>		<i>Occupation/ Profession</i>
	<i>Doc No/No du Doc</i>		<i>Date of Expiry/ Date d'expiration</i>
	(Signature of holder)		

Front of CMC

Issuing State	
The holder may, at all times, re-enter upon production of this certificate, within the period of validity.	
Issued at/Émis à (Place of issue)	(Signature) Issuing Authority/ Autorité d'émission
Machine Readable Zone (To be left blank when non-machine readable certificate issued)	

Back of CMC