

GOVERNMENT NOTICE NO.. published on.....

THE CIVIL AVIATION ACT
(CAP. 80 R.E. 2002)

REGULATIONS

(Made under Section 23)

THE CIVIL AVIATION (AERIAL WORK) REGULATIONS, 2006

ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY PROVISIONS

<i>Regulation</i>	<i>Title</i>
1.	Citation
2.	Interpretation
3.	Application

PART II
EXEMPTION

4.	Requirements for Application.
5.	Substance of the request for exemption.
6.	Initial review by the Authority.
7.	Evaluation of the request.

PART III
AGRICULTURAL AIR OPERATIONS

8.	Certificate required
9.	Application for AAOC
10.	Amendment of certificate.

11. Certification requirement
12. Duration of agricultural air certificate
13. Drug trafficking

Operating rules

14. General
15. Carrying and display of Certificates
16. Limitations on private agricultural aircraft operator
17. Manner of dispensing.
18. Economic poison dispensing
19. Personnel
20. Fastening of safety belts and harnesses.
21. Operations in controlled airspace designated for an airport
22. Non observance of airport traffic pattern.
23. Operation over areas other than congested areas
24. Operation over congested areas: general.
25. Operation over congested areas: pilots and aircraft
26. Business name: commercial agricultural aircraft operator
27. Access for inspection.
28. Records: commercial agricultural aircraft operator.

PART IV
ROTORCRAFT EXTERNAL LOAD OPERATIONS

Certification rules

29. Application
30. Certification
31. Validity and renewal of a rotorcraft external load operator certificate
32. Application for certificate issuance or renewal
33. Issuance of a rotorcraft external-load operator certificate.
34. Rotorcraft.
35. Personnel.
36. Knowledge and skill.
37. Amendment of certificate.
38. Availability, display, and surrender of certificate
39. Emergency operations.
40. Operating rules
41. Carriage of persons

- 42. Crew member training, currency, and testing requirements
- 43. Access for inspection.

Airworthiness Requirements

- 44. Flight characteristics requirements
- 45. Structures and design.
- 46. Operating limitations.
- 47. Rotorcraft-load combination operating manual.
- 48. Markings and placards.

PART V – GLIDER TOWING, PICKING UP AND RAISING OF PERSONS AND ARTICLES

- 49. Towing of gliders
- 50. Glider towing: experience and training requirements.
- 51. Towing, picking up and raising of persons, animals and articles
- 52. Dropping of articles and animals
- 53. Dropping of persons

PART VI
BANNER TOWING

- 54. Authorisation required
- 55. Aircraft requirements
- 56. Experience and training requirements.
- 57. Operating rules.

PART VII
TELEVISION, MOVIE OPERATIONS AND AERIAL
PHOTOGRAPHY AND SURVEY

- 58. Authorisation required
- 59. Aircraft requirements
- 60. Experience and training requirements
- 61. Special authorisation requirements
- 62. Contents of a flight operations manual
- 63. Operating rules

PART VIII
EXHIBITION OF FLYING

64. Exhibition of flying

PART IX
TRAFFIC AND SPORTS REPORTING, FISH SPOTTING
AND GAME VIEWING

65. Traffic reporting
66. Game viewing or tracking operation
67. Competitive motor vehicle operations
68. Fish spotting

PART X
GENERAL PROVISIONS

69. Possession of the licence
70. Drug and alcohol testing and reporting
71. Inspection of licences and certificates.
72. Change of name.
73. Change of address
74. Replacement of documents
75. Certificate Suspension and Revocations.
76. Use and retention of certificates and records.
77. Reports of violation.
78. Enforcement of directions
79. Aeronautical user fees
80. Application of regulations to Government and visiting forces, etc.
81. Extra-territorial application of Regulations

PART XI
OFFENCES AND PENALTIES

82. Contravention of Regulations
83. Penalties

SCHEDULES

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THE CIVIL AVIATION (AERIAL WORK) REGULATIONS, 2006

PART 1
PRELIMINARY PROVISIONS

- Citation 1. These Regulations shall be cited as the Civil Aviation (Aerial Work) Regulations, 2006.
- Interpretation 2. In these Regulations unless the context otherwise requires-
- “acceptable” means the Authority has reviewed the method, procedure, or policy and has neither objected to nor approved its proposed use or implementation;
- “acrobatic flight” means manoeuvres intentionally performed by an aircraft involving an abrupt change in its attitude, an abnormal attitude, or an abnormal variation in speed;
- “aerial work” means an aircraft operation in which an aircraft is used for specialised services including, but not limited to, agriculture, construction, photography, surveying, observation and patrol, search and rescue, and aerial advertisement;

- “aerodrome” means a defined area on land or water (including any buildings, installations and equipment) used or intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft
- “aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;
- “Agricultural Air Operator Certificate” means a certificate authorizing an agricultural operator to carry out specified agricultural operations;
- “agricultural aircraft operation” means the operation of an aircraft for the purpose of-
- (a) dispensing any economic poison; and
 - (b) dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control, or engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects;
- “aircraft” means any machine that can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth’s surface;
- “Air Traffic Control (ATC)” means a service that promotes the safe, orderly, and expeditious flow of air traffic at aerodromes and during the approach, departure, and en route environments;
- “approved by the Authority” means approved by the Authority directly or in accordance with a procedure approved by the Authority;
- “article” means any item, including but not limited to, an aircraft, airframe, aircraft engine, propeller, appliance, accessory, assembly, subassembly, system, subsystem, component, unit, product, or part;
- “ATC facility” means a building holding the persons and equipment responsible for providing ATC services for example, airport tower, approach control, area control;
- “ATPL” means airline transport pilot licence;
- “Authority” means the Tanzania Civil Aviation Authority;
- “banner” means an advertising medium supported by a temporary framework attached externally to the aeroplane and towed behind the aeroplane;

- “certificate of airworthiness” means a certificate of airworthiness issued by the Authority on the basis of satisfactory evidence that the aircraft complies with the design aspects of the appropriate airworthiness requirements;
- “Commercial Agricultural Air Operator Certificate” means a certificate authorizing a person to carry out specified agricultural operations for compensation and hire;
- “CPL” means commercial pilot licence;
- “critical engine” means the engine whose failure would most adversely affect the performance or handling qualities of an aircraft;
- “drug trafficking” means carriage by aircraft of narcotic drugs, marijuana and depressant or stimulant drugs or substances;
- “economic poison” means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living human beings or other animals, which The United Republic of Tanzania shall declare to be a pest, and use as a plant regulator, defoliant or desiccant;
- “exhibition of flying” means any flying activity deliberately performed for the purpose of providing an exhibition or entertainment at an advertisement open to the public;
- “facility” means a physical plant, including land, buildings, and equipment, which provides the means for the performance of maintenance, preventive maintenance, or modifications of any article;
- “flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during flight time;
- “flight time” means-
- (a) for aeroplanes and gliders the total time from the moment an aeroplane or a glider moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight and it is synonymous with the term “block to block” or “chock to chock” time in general usage which is measured from the time an aeroplane first moves for the purpose of taking off until it finally stops at the end of the flight;

- (b) for helicopter the total time from the moment a helicopter rotor blades start turning until the moment a helicopter comes to rest at the end of the flight and the rotor blades are stopped;
- (c) for airships or free balloon the total time from the moment an airship or free balloon first becomes detached from the surface until the moment when it next becomes attached thereto or comes to rest thereon;

“flight training” means training, other than ground training, received from an authorised instructor in flight in an aircraft;

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

“inspection” means the examination of an aircraft or aircraft component to establish conformity with a standard approved by the Authority;

“helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axis;

“night” means the time between fifteen minutes after sunset and fifteen minutes before sunrise, sunrise and sunset being determined at surface level, and includes any time between sunset and sunrise when an unlighted aircraft or other unlighted prominent object cannot clearly be seen at a distance of 4,572 metres;

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

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

“powerplant” means an engine that is used or intended to be used for propelling aircraft including turbo superchargers, appurtenances, and accessories necessary for its functioning, but does not include propellers;

“PPL” means private pilot licence;

“prescribed” means the Authority has issued written policy or methodology which imposes either a mandatory requirement, if the written policy or methodology states “shall,” or a discretionary requirement if the written policy or methodology states “may.”

“Private Agricultural Air Operator Certificate” means a certificate authorizing a person to carry out specified private agricultural operations;

- “propeller” means a device for propelling an aircraft that has blades on a powerplant driven shaft and that, when rotated, produces by its action on the air, a thrust approximately perpendicular to its plane of rotation. It includes control components normally supplied by its manufacturer, but does not include main and auxiliary rotors or rotating airfoils of powerplants;
- “restricted certificate of airworthiness” means a certificate issued to an aircraft which does not qualify for an issue of a certificate of airworthiness;
- “rotorcraft” means a power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors;
- “rotorcraft load combinations” means configurations for external loads carried by rotorcraft-
- (a) Class A - external-load fixed to the rotorcraft, cannot be jettisoned, and does not extend below the landing gear, used to transport cargo;
 - (b) Class B - external-load suspended from the rotorcraft, which can be jettisoned, and is transported free of land or water during rotorcraft operations;
 - (c) Class C - external-load suspended from the rotorcraft, which can be jettisoned, but remains in contact with land or water during rotorcraft operation;
 - (d) Class D - external-load suspended from the rotorcraft for the carriage of persons;
- “special certificate of airworthiness” means a certificate issued to an aircraft which does not qualify for an issue of a standard certificate of airworthiness;
- “standard” means an object, artifact, tool, test equipment, system, or experiment that stores, embodies, or otherwise provides a physical quantity, which serves as the basis for measurement of the quantity. It also includes a document describing the operations and processes that shall be performed in order for a particular end to be achieved;
- “standard certificate of airworthiness” means a certificate of airworthiness issued by the Authority on the basis of satisfactory evidence that the aircraft complies with the design aspects of the appropriate airworthiness requirements;

“State of Design” means the Contracting State which approved the original type certificate and any subsequent supplemental type certificates for an aircraft, or which approved the design of an aircraft component or appliance;

“substance” means alcohol, sedatives, hypnotics, anxiolytics, hallucinogens, opioids, cannabis, inhalants, central nervous system stimulants such as cocaine, amphetamines, and similarly acting sympathomimetics, phencyclidine or similarly acting arylcyclohexylamines, and other psychoactive drugs and chemicals; and

“training programme” means a programme that consists of courses, courseware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It shall include a core curriculum and a specialty curriculum.

Application

3. These Regulations shall, apply to all persons operating or maintaining the following operations within the United Republic of Tanzania -

- (a) agricultural operations and the issue of commercial and private AAOC for those operations;
- (b) rotorcraft external load operations;
- (c) glider and banner towing and dropping of articles; and
- (d) aircraft operations and authorisations for game viewing, vehicle traffic and sports, sight-seeing, television and movie, aerial photography and aerial survey operations;
- (e) exhibition of flying; and
- (b) agricultural operations and the issue of commercial and private AAOC for those operations.

PART II EXEMPTIONS

Requirement for
Application

4.-(1) A person may apply to the Authority for an exemption from any of these Regulations.

(2) An application for an exemption shall be submitted at least sixty days in advance of the proposed effective date, to obtain timely review.

(3) A request for an exemption must contain the applicant's-

- (a) name;
- (b) physical address and mailing address;

- (c) telephone number;
- (d) fax number if available; and
- (e) email address if available.
- (4) The application shall be accompanied by a fee specified by the Authority, for technical evaluation.

Substance of the request for exemption

5.-(1) An application for an exemption must contain the following-

- (a) a citation of the specific requirement from which the applicant seeks exemption;
- (b) an explanation of why the exemption is needed;
- (c) a description of the type of operations to be conducted under the proposed exemption;
- (d) the proposed duration of the exemption;
- (e) an explanation of how the exemption would be in the public interest, that is, benefit the public as a whole;
- (f) a detailed description of the alternative means by which the applicant will ensure a level of safety equivalent to that established by the regulation in question; and
- (g) a review and discussion of any known safety concerns with the requirement, including information about any relevant accidents or incidents of which the applicant is aware.

(2) Where the applicant seeks emergency processing, the application must contain supporting facts and reasons why the application was not timely filed, and the reasons it is an emergency.

(3) The Authority may deny an application if the Authority finds that the applicant has not justified the failure to apply for an exemption in a timely fashion.

Review, Publication and Issue or Denial of the Exemption

Initial review by the Authority

6.-(1) The Authority shall review the application for accuracy and compliance with the requirements of Regulations 4 and 5.

(2) If the application appears on its face to satisfy the provisions of this regulation and the Authority determines that a review of its merits is justified, the Authority will publish a detailed summary of the application either in the United Republic of Tanzania Gazette, aeronautical information circular or one local daily newspaper for comment and specify the date by which comments must be received by the Authority for consideration.

(3) Where the filing requirements of Regulations 4 and 5 have not been met, the Authority will notify the applicant and take no further action until and unless the applicant corrects the application and re-files it in accordance with these Regulations.

(4) If the request is for emergency relief, the Authority shall publish the application or the Authority's decision as soon as possible after processing the application.

Evaluation of the request

7.-(1). After initial review, if the filing requirements have been satisfied, the Authority shall conduct an evaluation of the request to determine-

- (a) whether an exemption would be in the public interest;
- (b) whether the applicant's proposal would provide a level of safety equivalent to that established by the regulation, although where the Authority decides that a technical evaluation of the request would impose a significant burden on the Authority's technical resources, the Authority may deny the exemption on that basis;
- (c) whether a grant of the exemption would contravene the applicable ICAO Standards and Recommended Practices; and
- (d) whether the request should be granted or denied, and of any conditions or limitations that should be part of the exemption.

(2) The Authority shall notify the applicant by letter and publish a detailed summary of its evaluation and decision to grant or deny the request.

(3) The summary referred to in sub-regulation (2) shall specify the duration of the exemption and any conditions or limitations of the exemption.

(4) If the exemption affects a significant population of the aviation community of the United Republic of Tanzania the Authority shall publish the summary in Aeronautical Information Circular.

PART III
AGRICULTURAL AIR OPERATIONS

Certificate
required

8.-(1) Except as provided in sub-regulations (2) and (3), a person shall not conduct agricultural air operations without, or in violation of, an AAOC issued under these Regulations.

(2) An operator that complies with this Part when conducting agricultural air operations using a rotorcraft with external dispensing equipment shall not require a rotorcraft external-load operator certificate issued under Part IV of these Regulations, except when dispensing water on forest fires.

(3) Operations to dispense water on forest fires by rotorcraft external-load means shall be conducted only under Part IV of these Regulations.

Application for
AAOC

9. An applicant for an AAOC shall complete and submit an application form prescribed by the Authority.

Amendment of
certificate

10.-(1) An AAOC may be amended-

- (a) on the Authority's own initiative, under applicable laws and regulations; or
- (b) upon application by the holder of that certificate.

(2) A holder of the certificate shall submit an application to amend an AAOC by completing a form prescribed by the Authority.

(3) An applicant for an amendment under this regulation shall file the application to amend a certificate at least thirty days before the date that it proposes the amendment shall become effective, unless the Authority approves a shorter filing period.

(4) The Authority shall grant a request to amend a certificate if it determines that it is in interest of flight safety or in public interest.

Certification
requirement

11.-(1) Except as provided by sub-regulation (2)-

- (a) the Authority may issue a private AAOC if an applicant meets the requirements of this Part for that certificate;

- (b) the Authority may issue a Commercial AAOC to an applicant if he meets the requirements of this Part for that certificate.
- (2) An applicant for an AAOC with a prohibition against the dispensing of economic poisons is not required to demonstrate knowledge specific to economic poisons.
- (3) A private AAOC applicant shall-
 - (a) hold a current the United Republic of Tanzania PPL, CPL, or ATPL;
 - (b) be properly rated for the aircraft to be used;
 - (c) not conduct operations for hire or reward.
- (3) A commercial AAOC applicant shall-
 - (a) have available the services of at least one pilot who holds a current CPL or ATPL issued by the Authority and who is properly rated for the aircraft to be used;
 - (b) possess an air service licence issued under the Civil Aviation (Licencing of Air Services) Regulations, 2006.
- (4) The applicant for a private or commercial agricultural air operator certificate shall have one or more certified and airworthy aircraft, equipped for agricultural operation.
- (5) The applicant for AAOC shall show that he has satisfactory knowledge and skill of the following agricultural aircraft operations-
 - (a) knowledge-
 - (i) safe handling of economic poisons and the proper disposal of used containers for those poisons;
 - (ii) the general effects of economic poisons and agricultural chemicals on plants, animals, and persons, and the precautions to be observed in using poisons and chemicals;
 - (iii) steps to be taken before starting operations, including a survey of the area to be worked;
 - (iv) primary symptoms of poisoning of persons from economic poisons, the appropriate emergency measures to be taken, and the location of poison control centres;
 - (v) performance capabilities and operating limitations of the aircraft to be used; and

- (vi) safe flight and application procedures.
- (b) skill in the following manoeuvres, demonstrated at the aircraft's maximum certified take-off mass, or the maximum mass established for the special purpose load, whichever is greater-
 - (i) short-field and soft-field takeoffs (aeroplanes and gyroplanes only);
 - (ii) approaches to the working area;
 - (iii) flare-outs;
 - (iv) swath runs pullups and turnarounds;
 - (v) rapid deceleration (quick stops) in helicopters only.

Validity and renewal of agricultural air operator certificate

12.-(1) An AAOC shall be valid for twelve months from the date of issue or renewal, unless-

- (a) a shorter period is specified by the authority;
- (b) the Authority amends, suspends, revokes or otherwise terminates the certificate;
- (c) the AAOC holder surrenders it to the Authority; or
- (d) the AAOC holder suspends operations for more than one hundred eighty continuous days.

(2) The holder of an AAOC that is suspended or revoked shall return it to the Authority.

(3) An application for renewal of an AAOC shall be made on a form prescribed by the Authority at least sixty days before the certificate expires.

(4) Where the request for renewal is made after the expiry of an AAOC, the applicant shall make an initial application.

Drug trafficking

13. Where the holder of a certificate issued under these Regulations permits any aircraft owned or leased by that holder to be engaged in any operation that the certificate holder knows to be in violation of any laws of the United Republic of Tanzania pertaining to drug trafficking, the Authority shall suspend or revoke the certificate.

General

14.-(1) Except as provided in sub-regulation (3), this sub-part prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under these Regulations.

(2) The holder of an agricultural air operator certificate may deviate from the provisions of the Civil Aviation (Air Operator Certification and Administration) and the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations without obtaining an exemption when conducting aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating provisions of this sub-part..

(3) A holder of a CPL engaged by an AAOC need not hold a valid instrument rating whilst conducting aerial work operations related to agriculture, horticulture or forest preservation.

Carrying and display of Certificates.

15.-(1) A person shall not operate an agricultural aircraft unless each of the following documents are carried on that aircraft-

- (a) a copy of AAOC certified by the Authority;
- (b) certificate of registration; and
- (c) certificate of airworthiness.

(2) A holder of an AAOC shall display the certificate at the home base of operations, to the public at all times and shall present it for inspection on the request of the Authority or any person authorised by the Authority.

(3) Where the documents specified in sub-regulation (1) are not carried in the aircraft, they shall be kept available for inspection at the base from which the dispensing operation is conducted.

Limitations on private agricultural aircraft operator

16. A holder of a private AAOC shall not conduct an agricultural air operation-

- (a) for compensation or hire;
- (b) over a congested area; or
- (c) over any property unless the person is the owner or lessee of the property, or has ownership or other property interest in the crop located on that property.

Manner of dispensing.

17. A person shall not dispense, or cause to be dispensed, any material or substance in a manner that creates a hazard to persons or property on the surface.

Economic poison dispensing

18. -(1) Except as provided in sub-regulation (2), a person shall not dispense or cause to be dispensed from an aircraft that is registered in the United Republic of Tanzania, any economic poison under the Pest Control Act-

- (a) for a use other than that for which it is registered;
- (b) contrary to any safety instructions or use limitations on its label; or
- (c) in violation of any laws of the United Republic of Tanzania.

(2) This regulation does not apply to any person dispensing economic poisons for experimental purposes under-

- (a) the supervision of a United Republic of Tanzania agency authorised by law to conduct research in the field of economic poisons; or
- (b) the relevant Authority.

Personnel

19.-(1) A holder of an agricultural air operator certificate shall ensure that each person used in the holder's agricultural aircraft operation is informed of that person's duties and responsibilities for the operation.

(2) A person shall not supervise an agricultural air operation unless the person has met the knowledge and skill requirements specified in these Regulations.

(3) A person shall not act as a PIC of an aircraft operated under these Regulations unless that pilot-

- (a) holds a pilot licence and rating as specified in Regulation 11 as appropriate to the type of operation conducted; and
- (b) has demonstrated to the holder of the agricultural air operator certificate conducting the operation, or to a supervisor designated by that certificate holder, that they possess the knowledge and skill requirements of these Regulations.

Fastening of safety belts and harnesses.

20. A person shall not operate an aircraft under these Regulations without a safety belt and shoulder harness properly secured about that person, except that the shoulder harness need not be fastened if that person would be unable to perform required duties with the shoulder harness fastened.

Operations in controlled airspace designated for an airport

21.-(1) Except for flights to and from a dispensing area, a person shall not operate an aircraft within the lateral boundaries of the surface area of Class D airspace designated for an airport unless authorisation for that operation has been obtained from the ATC unit having jurisdiction over that area.

(2) A person shall not operate an aircraft in weather conditions below VFR minima within the lateral boundaries of a Class E airspace area that extends upward from the surface unless authorisation for that operation has been obtained from the ATC unit having jurisdiction over that area.

Non observance of airport traffic pattern.

22.-(1) The PIC may deviate from an airport traffic pattern when authorized by the control tower concerned.

(2) At an airport without a functioning control tower, the PIC may deviate from the traffic pattern if:
prior coordination is made with the airport management concerned;

- (a) deviations are limited to the agricultural aircraft operation;
- (b) except in an emergency, landing and takeoffs are not made on ramps, taxiways, or other areas of the airport not intended for such use; and
- (c) the aircraft at all times remains clear of, and gives way to, aircraft conforming to the traffic pattern for the airport.

Operation over areas other than congested areas

23. Notwithstanding Regulation 5 of the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, 2006, the holder of an AAOC may conduct dispensing operations, including approaches, departures and turnarounds reasonably necessary for the operation, below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.

Operation over congested areas: general.

24.-(1) A person shall not operate an aircraft over a congested area at altitudes required for the proper accomplishment of the agricultural aircraft operation unless that operation is not conducted-

- (a) with the maximum safety to persons and property on the surface, consistent with the operation; and
- (b) in accordance with the requirements of sub-regulation (2).

(2) A person shall not operate an aircraft over a congested area unless that person-

- (a) has obtained prior written approval from the Authority and other relevant authorities having jurisdiction over that area;
 - (b) has issued notice of the intended operation to the public as specified by the Authority.
- (3) A plan for each complete operation shall be submitted to, and approved by the Authority which shall include consideration of obstructions to flight; emergency landing capabilities of the aircraft to be used; and any necessary coordination with air traffic control.
- (4) No person operating a single engine aircraft-
- (a) except for helicopters, may take off a loaded or make a turnaround over a congested area;
 - (b) over a congested area below the altitudes prescribed in the Civil Aviation (Rules of the Air and air Traffic Control) Regulations, 2006 except during the actual dispensing operation, including approaches and departures necessary for that operation; or
 - (c) over a congested area during the actual dispensing operation, including approaches and departures for that operation, unless it is operated in a pattern and at such an altitude that the aircraft can land, in an emergency, without endangering persons or property on the surface.
- (5) A person operating a multiengine aircraft shall not-
- (a) take-off over a congested area except under conditions that will allow the aircraft to be brought to a safe stop within the effective length of the runway from any point on takeoff up to the time of attaining, with all engines operating at normal takeoff power, 105 percent of the minimum control speed with the critical engine inoperative in the takeoff configuration or 115 percent of the power-off stall speed in the take-off configuration, whichever is greater, as shown by the accelerate stop distance data-

Provided that, the takeoff data is based upon still-air conditions, and no correction is made for any uphill gradient of one percent or less when the percentage is measured as the difference between elevation at the end points of the runway divided by the total length and for uphill gradients greater than one percent, the effective takeoff length of the runway is reduced 20 percent for each one-percent grade.

- (b) operate at a weight greater than the weight that, with the critical engine inoperative, would permit a rate of climb of at least 50 feet per minute at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction with the area to be worked on or at an altitude of 5,000 feet, whichever is higher, provided that the propeller of the inoperative engine is in the minimum drag position; that the wing flaps and landing gear are in the most favourable positions; and that the remaining engine or engines are operating at the maximum continuous power available.
- (c) operate over a congested area below the altitudes prescribed in the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, 2006, except during the actual dispensing operation, including approaches, departures and turnarounds necessary for that operation.

Operation over congested areas: pilots and aircraft

25. A person shall not operate an aircraft over a congested area

unless-

(a) the PIC has at least-

- (i) 25 hours of PIC flight time in the make and basic model of the aircraft, at least 10 hours of which shall have been acquired within the preceding 12 calendar months; and
- (ii) 100 hours of flight experience as PIC in dispensing agricultural materials or chemicals.

(b) if the aircraft is-

- (i) an aircraft not specified in this paragraph, has had within the preceding 100 hours of time in service a 100-hour or annual inspection by a person authorized by the Authority under the requirements of the Civil Aviation (Airworthiness) Regulations, 2006 or have been inspected under a progressive inspection system;
- (ii) a large or turbine-powered multiengine aircraft of the United Republic of Tanzania registry has been inspected in accordance with the applicable inspection programme requirements of Civil Aviation (Airworthiness) Regulations, 2006;

- (iii) not a helicopter, the aircraft shall be equipped with a device capable of jettisoning at least one-half of the aircraft's maximum authorized load of agricultural material within 45 seconds; and
- (iv) equipped with a device for releasing the tank or hopper as a unit, there must be means to prevent inadvertent release by the pilot or other crew member.

Business name:
commercial
agricultural
aircraft operator

26. A person shall not operate under a business name that is not shown on that person's AAOC.

Access for
inspection.

27. An AAOC holder shall for the purpose of inspection to determine compliance with applicable regulations and requirements-

- (a) grant the Authority unrestricted access to any of its organisations, facilities and aircraft; and
- (b) ensure that the Authority is granted unrestricted access to any organisation or facilities that it has contracted for services associated with AAOC operations and maintenance.

Records,
commercial
agricultural and
aircraft operator.

28. A holder of a commercial AAOC shall maintain and keep current, at the home base designated in its application, the following records-

- (a) the name and address of each person for whom agricultural air operator services were provided;
 - (b) the date of the service;
 - (c) the name and quantity of the material dispensed for each operation conducted; and
 - (d) the name, address, and certificate number of each pilot used in agricultural aircraft operations and the date that pilot attained the knowledge and skill requirements of this regulation.
- (2) The records specified by this regulation shall be kept for at least twenty four months and made available for inspection by the Authority upon request.

PART IV
ROTORCRAFT EXTERNAL LOAD OPERATIONS
Certification rules

Application

29. This Part does not apply to-

- (a) a rotorcraft manufacturers when developing external-load attaching means;
- (b) rotorcraft manufacturers demonstrating compliance of equipment utilized under this Part;
- (c) operations conducted by a person demonstrating compliance for the issuance of a certificate or authorisation under this Part; or
- (d) training flights conducted in preparation for the demonstration of compliance with this Part.

Certification

30.-(1) A person shall not conduct rotorcraft external-load operations within the United Republic of Tanzania without or, in violation of the terms of, a rotorcraft external-load operator certificate issued by the Authority.

(2) A person holding a rotorcraft external-load operator certificate shall not conduct rotorcraft external-load operation under a business name that is not shown on that certificate.

Validity and renewal of a rotorcraft external load operator certificate

31.-(1) A rotorcraft external-load operator certificate shall be valid for a period of twelve months from the date of issue or renewal unless it is otherwise surrendered, suspended or revoked.

(2) The holder of a rotorcraft external-load operator certificate that is suspended or revoked shall return it to the Authority within fourteen days of the suspension or revocation.

(3) An application for renewal of a rotorcraft external-load operator certificate shall be made on a form prescribed by the Authority not later than sixty days before the certificate expires.

(4) An applicant for a rotorcraft external-load operator certificate which has expired shall make an initial application.

Application for
certificate
issuance or
renewal

32. Application for issuance or renewal of a certificate under these Regulations shall be made on a form prescribed by the Authority.

Issuance of a
rotorcraft
external-load
operator
certificate

33. The Authority shall issue a rotorcraft external-load operator certificate to an applicant who complies with the requirements of this Part, with an authorization for the applicant to operate specified rotorcraft with those classes of rotorcraft load combinations for which the applicant qualifies.

Rotorcraft

34. An applicant for a rotorcraft external-load operator certificate shall have the exclusive use of at least one rotorcraft that-

- (a) is type certificated and meets the requirements of these Regulations;
- (b) complies with the certification provisions that apply to external load combinations for which authorisation is requested; and
- (c) has a valid certificate of airworthiness.

(2) For the purposes of sub-regulation (1), a person has exclusive use of a rotorcraft if that person has the sole possession, control, and use of it for flight, as owner, or has a written agreement including arrangements for the required maintenance.

Personnel.

35.-(1) An applicant for a rotorcraft external-load operator certificate shall hold, or have available the services of at least one person who holds a current commercial pilot licence or airline transport pilot licence, with a rating appropriate for the rotorcraft to be used, issued by the Authority.

(2) An applicant shall designate one pilot, who may be the applicant, as chief pilot for rotorcraft external-load operations.

(3) An applicant shall designate a qualified pilot as deputy chief pilot to perform the functions of the chief pilot when the chief pilot is not readily available.

(4) The chief pilot and deputy chief pilot shall be acceptable to the Authority and each shall hold a current CPL or ATPL, with a rating appropriate for the rotorcraft to be used.

(5) The holder of a rotorcraft external-load operator certificate shall report any change in designation of chief pilot or deputy chief pilot immediately to the Authority.

(6) A newly designated chief pilot shall comply with the knowledge and skill requirements of this Part within thirty days, or the operator shall not conduct further operations under the rotorcraft external-load operator certificate, unless otherwise authorised by the Authority.

Knowledge and skill.

36.(1) Except as provided in sub-regulation (4), the applicant for a certificate or the chief pilot designated in accordance with regulation 36(2) shall demonstrate to the Authority satisfactory knowledge and skill regarding rotorcraft external-load operations as set out in sub-regulation (2) and (3).

(2) The applicant or a chief pilot referred to in sub-regulation (1) shall take a test of knowledge covering the following subjects-

- (a) steps to be taken before starting operation, including a survey of the flight area;
- (b) proper method of loading, rigging, or attaching the external load;
- (c) performance capabilities, under approved operating procedures and limitations, of the rotorcraft to be used;
- (d) proper instructions of flight crew and ground workers;
- (e) appropriate rotorcraft-load combination flight manual.

(3) A test of skill which requires appropriate manoeuvres for each class requested, and the following appropriate manoeuvres for each load class shall be demonstrated in the rotorcraft referred to in Regulation 35-

- (a) take-offs and landings;
- (b) demonstration of directional control while hovering;
- (c) acceleration from a hover;
- (d) flight at operational airspeeds;
- (e) approaches to landing or working area;
- (f) manoeuvring the external load into the release position; and
- (g) demonstration of winch operation if it is installed to hoist the external load.

(4) Compliance with sub-regulations (2) and (3) need not be shown if the Authority finds, on the basis of the applicant's or his designated chief pilot's previous experience and safety record in rotorcraft external load operations, that his knowledge and skill are adequate.

Amendment of certificate.

37. The holder of a rotorcraft external-load certificate shall apply for an amendment to add or delete a rotorcraft authorisation by submitting to the Authority a new list of rotorcraft, by national and registration marks, with the classes of rotorcraft-load combinations for which authorisation is requested.

Availability, display, and surrender of certificate

38.-(1) A holder of a rotorcraft external-load operator certificate shall display and keep that certificate and a list of authorized rotorcraft at the home base of operations and shall make it available for inspection by the Authority upon request.

(2) A person conducting a rotorcraft external-load operation shall carry a copy of the rotorcraft external-load operator certificate certified by the Authority in each rotorcraft used in the operation.

(3) Where the Authority suspends or revokes a rotorcraft external-load operator certificate, the holder of that certificate shall return it to the Authority within fourteen days of the suspension or revocation days.

(4) Where the certificate holder, for any other reason, discontinues operations under his certificate and does not resume operations within six months, the certificate holder shall return the certificate to the Authority.

Operating Regulations and Related Requirements

Emergency operations.

39.-(1) In an emergency involving the safety of persons or property, the certificate holder may deviate from the provisions of these Regulations to the extent required to meet that emergency.

(2) A person who, in an emergency deviates from the requirements of these Regulations, shall notify the Authority in writing within ten days after the deviation.

(3) Upon the request of the Authority, the person who deviated from the requirement of these Regulations shall provide the Authority with complete report of the aircraft operation involved including a description of the deviation and reasons for it.

Operating rules

40.-(1) A person shall not conduct a rotorcraft external-load operation without, or contrary to, the rotorcraft external-load combination operating manual prescribed in Regulation 48.

(2) A person shall not conduct a rotorcraft external load operation unless;

- (a) the rotorcraft complies with the provisions of Regulation 34;
and
 - (b) the rotorcraft load combination is authorised under the rotorcraft external-load operator certificate.
- (3) Before a person operates a rotorcraft with an external-load configuration that differs substantially from any that person has previously carried with that type of rotorcraft, whether or not the rotorcraft-load combination is of the same class, that person shall conduct, in a manner that shall not endanger persons or property on the surface, such of the following flight operational checks as the Authority determines are appropriate to the rotorcraft-load combination-
- (a) a determination that the weight of the rotorcraft-load combination and the location of its centre of gravity are within approved limits, that the external load is securely fastened, and that the external load does not interfere with devices provided for its emergency release;
 - (b) make an initial lift-off and verify that controllability is satisfactory;
 - (c) while hovering, verify that directional control is adequate;
 - (d) accelerate into forward flight to verify that no attitude, whether of the rotorcraft or of the external load, is encountered in which the rotorcraft is uncontrollable or which is otherwise hazardous;
 - (e) in forward flight, check for hazardous oscillations of the external load, but if the external load is not visible to the pilot, other crew members or ground personnel shall make this check and signal the pilot; and
 - (f) increase the forward airspeed and determine an operational airspeed at which no hazardous oscillation or hazardous aerodynamic turbulence is encountered.
- (4) Notwithstanding the provisions of the Civil Aviation (Operation of Aircraft) Regulations, 2006, the holder of a rotorcraft external-load operator certificate may conduct rotorcraft external-load operations over congested areas if those operations are conducted without hazard to persons or property on the surface and comply with the following-
- (a) the operator shall develop a plan for each complete operation and obtain approval for the operation from the Authority;

- (b) the plan shall include an agreement with the relevant authority in whose jurisdiction the operation shall be conducted, coordination with air traffic control, if necessary, and a detailed chart depicting the flight routes and altitudes;
- (c) a flight shall be conducted at an altitude and on a route that shall allow a jettisonable external load to be released, and the rotorcraft landed, in an emergency without hazard to persons or property on the surface.

(5) Notwithstanding the provisions of the Civil Aviation (Operation of Aircraft) Regulations, 2006, and except as provided in regulation 47(2), the holder of a rotorcraft external-load operator certificate may conduct external load operations, including approaches, departures, and load positioning manoeuvres necessary for the operation, below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.

(6) A person shall not conduct rotorcraft external-load operations under IFR unless specifically approved by the Authority.

(7) A person shall not carry a person as part of the external-load under IFR.

Carriage of
persons

41.-(1) A holder of a rotorcraft external-load certificate shall neither carry nor allow a person to be carried during rotorcraft external load operations unless that person-

- (a) is a flight crew member;
- (b) is a flight crew member trainee;
- (c) performs an essential function in connection with the external load operation; or
- (d) is necessary to accomplish the work activity directly associated with that operation.

(2) The PIC shall ensure that all persons are briefed before take-off on all procedures to be followed, including normal, abnormal and emergency procedures, and equipment to be used during the external load operation.

(3) For the purpose of this Part, a person other than a crew member or a person who is essential and directly connected with the external-load operation shall be carried only in approved Class D rotorcraft-load combinations.

Crew member training, currency, and testing requirements

42.-(1) A holder of a rotorcraft external-load certificate shall not use, nor shall any person serve, as a pilot in helicopter external-load operations unless that person-

- (a) has successfully demonstrated to the Authority the knowledge and skill with respect to the rotorcraft-load combination in accordance with Regulation 37; and
- (b) has in their personal possession, a certificate of competency issued by the operator or an appropriate logbook entry indicating compliance with paragraph (a).

(2) A rotorcraft external-load operator certificate holder shall not use, nor shall any person serve as, a crew member or other operations personnel in Class D operations unless, within the preceding twelve months, that person has successfully completed either an approved initial or a recurrent training programme.

(3) Notwithstanding the provision of sub-regulation (2), a person who has performed a rotorcraft external-load operations of the same class and in an aircraft of the same type within the past twelve calendar months need not undergo recurrent training

Access for inspection.

43. A rotorcraft external-load certificate holder shall for the purpose of inspection to determine compliance with applicable regulations and requirements-

- (a) grant the Authority unrestricted access to any of its organisations, facilities and aircraft; and
- (b) ensure that the Authority is granted unrestricted access to any organisation or facilities that it has contracted for services associated with rotorcraft external-load operations and maintenance.

Airworthiness Requirements

Flight characteristics requirements

44.-(1) An applicant for a certificate under this part shall demonstrate to the Authority, by performing the following operational flight checks, that the rotorcraft-load combination has satisfactory flight characteristics, unless these operational flight checks have been demonstrated previously and the rotorcraft-load combination flight characteristics were satisfactory-

- (a) for Class A rotorcraft-load combinations, the operational flight check shall consist of at least the following manoeuvres-
 - (i) take off and landing;
 - (ii) demonstration of adequate directional control while hovering;
 - (iii) acceleration from a hover; and
 - (iv) horizontal flight at airspeeds up to the maximum airspeed for which authorisation is requested.
 - (b) for Class B and D rotorcraft-load combinations, the operational flight check shall consist of at least the following manoeuvres-
 - (i) pickup of the external load;
 - (ii) demonstration of adequate directional control while hovering;
 - (iii) acceleration from a hover;
 - (iv) horizontal flight at airspeeds up to the maximum airspeed for which authorisation is requested;
 - (v) demonstrating appropriate lifting device operation; and
 - (vi) manoeuvring of the external load into release position and its release, under probable flight operation conditions, by means of each of the quick-release controls installed on the rotorcraft.
 - (c) for Class C rotorcraft-load combinations used in wire-stringing, cable-laying, or similar operations, the operational flight check shall consist of the manoeuvres, as applicable, prescribed in paragraph (b).
- (2) For the purposes of this demonstration, the external-load weight, including the external-load attaching means, is the maximum weight for which authorisation is requested.

Structures and design

45.-(1) An external-load attaching means and a quick release device means of a rotorcraft shall be approved by the Authority.

(2) The total weight of the rotorcraft-load combination shall not exceed the total weight approved for the rotorcraft during its type certification.

(3) The location of the centre of gravity must, for all loading conditions, be within the range established for the rotorcraft during its type certification.

Operating
limitations

(4) For Class C rotorcraft-load combinations, the magnitude and direction of the loading force shall be established at those values for which the effective location of the centre of gravity remains within its established range.

46.-(1) In addition to the operating limitations set out in the approved Rotorcraft Load Combination Operating Manual and to any other limitations that the Authority may prescribe, the operator shall establish at least the following limitations and specify them in the Rotorcraft-Load Combination Operating Manual in which case the limitations for rotorcraft-load combination operations shall-

- (a) be operated only within the weight and centre of gravity limitations established in accordance with this Part;
- (b) not be operated with an external load weight exceeding that used in showing compliance with this Part;
- (c) not be operated at airspeeds greater than those established in accordance with these Regulations;
- (d) be operated only within the weight and centre of gravity limitations established in accordance with this Part;
- (e) be operated only within the weight and centre of gravity limitations established in accordance with this Part;
- (f) not be operated with an external load weight exceeding that used in showing compliance with this Part; and
- (g) not be operated at airspeeds greater than those established in accordance with these Regulations.

(2) A person shall not conduct an external-load operation under these Regulations with a rotorcraft type certified in the restricted category over a densely populated area, in a congested airway, or near a busy airport where commercial air transport operations are conducted.

(3) The rotorcraft-load combination of Class D may be conducted only in accordance with the following conditions-

- (a) the rotorcraft to be used shall have been type-certificated under transport category and provide hover capability with one engine inoperative at that operating weight and altitude;
- (b) the rotorcraft shall be equipped to allow direct radio intercommunication among required crew members;
- (c) the personnel lifting device shall be approved by the Authority; and

- (d) the lifting device shall have an emergency release requiring two distinct actions.

Rotorcraft-load combination operating manual.

47.-(1) An applicant for a rotorcraft external-load operator certificate shall prepare a rotorcraft-load combination operating manual and submit it to the Authority for approval.

- (2) The manual referred to in sub-regulation (1) shall specify-
 - (a) operating limitations, normal and emergency procedures, performance, and other information established under this Part;
 - (b) the class of rotorcraft-load combinations for which the airworthiness of the rotorcraft has been demonstrated in accordance with this Part; and
 - (c) in the information section of the Rotorcraft-Load Combination Operating Manual-
 - (i) information on any peculiarities discovered when operating particular rotorcraft-load combinations;
 - (ii) precautionary advice regarding static electricity discharges for Class B, Class C and Class D rotorcraft-load combinations; and
 - (iii) any other information essential for safe operation with external loads.

(3) The limiting height speed envelope data need not be listed in the Rotorcraft-load combination flight manual.

Markings and placards.

48.-(1) The markings and placards shall be displayed conspicuously on a rotorcraft and shall be such that they cannot be easily erased, disfigured or obscured.

(2) The placard displayed in the cockpit or cabin shall state the class of rotorcraft-load combination and the occupancy limitation for which the rotorcraft has been approved; and

(3) The placard, marking, or instruction displayed next to the external-load attaching means shall state the maximum external load approved.

PART V
GLIDER TOWING, PICKING UP AND RAISING OF
PERSONS AND ARTICLES

Towing of
gliders

49.-(1) A person operating an aircraft in flight shall not tow a glider unless the certificate of airworthiness is valid and includes an express provision that it shall be used for towing a glider of that particular type.

(2) A person operating an aircraft shall not tow a glider unless the PIC of the towing aircraft is qualified under this Part.

(3) A person shall not operate an aircraft that is towing a glider unless the aircraft is equipped with a tow hook and release control system that meets the applicable standards of airworthiness.

(4) The length of the combination of towing aircraft, towrope and glider in flight shall not exceed 150 metres.

(5) The PIC of an aircraft which is about to tow a glider shall satisfy himself, before the towing aircraft takes off that-

- (a) the towline is in good condition and meets the requirements specified in this regulation;
- (b) the combination of the towing aircraft and glider is capable of safely taking off, reaching and maintaining a safe height thereafter, and making a safe landing at the place of intended destination;
- (c) signals have been agreed and communication established with persons suitably stationed so as to enable the glider to take off safely; and
- (d) emergency signals have been agreed between the PIC of the towing aircraft and the PIC of the glider to be used, respectively, by the PIC of the towing aircraft to indicate that the tow should immediately be released by the glider, and by the PIC of the glider to indicate that the tow cannot be released.

(6) The glider shall be attached to the towing aircraft by means of the tow rope before the aircraft takes off.

(7) A person operating an aircraft in flight shall not tow a glider except in accordance with such conditions and requirements as the Authority may have notified.

(8) The PIC shall satisfy himself that-

- (a) the towing aircraft is equipped with a tow hitch of a kind, and installed in a manner that is approved by the Authority;

- (b) the towline used has breaking strength not less than 80 percent of the maximum certificated operating weight of the glider and not more than twice this operating weight, however, the towline used shall have a breaking strength more than twice the maximum certificated operating weight of the glider if-
 - (i) a safety link is installed at the point of attachment of the towline to the glider with a breaking strength not less than 80 percent of the maximum certificated operating weight of the glider and not greater than twice this operating weight;
 - (ii) a safety link is installed at the point of attachment of the towline to the towing aircraft with a breaking strength greater, but not more than 25 percent greater than that of the safety link at the towed glider end of the towline and not greater than twice the maximum certificated operating weight of the glider;
- (c) before conducting any towing operation within the lateral boundaries of the surface areas of Class B, C, D, or E airspace designated for an airport, or before making each towing flight within such controlled airspace if required by ATC, the PIC notifies the control tower;
- (d) if a control tower does not exist, the PIC shall notify the Authority before conducting any towing operations; and
- (e) the pilots of the towing aircraft and the glider have agreed upon a general course of action, including takeoff and release signals, airspeeds, and emergency procedures for each pilot.
- (9) A pilot of an aircraft shall not intentionally release a towline, after release of a glider, in a manner that endangers the life or property of other persons.

Glider towing:
experience and
training
requirements

50. –(1) A person shall not act as PIC for towing a glider unless that person-

- (a) holds at least a PPL with a category rating for powered aircraft and has logged at least 100 hours of PIC time in the same aircraft category, class, and type the pilot is using to tow a glider;
- (b) has a logbook endorsement from an authorized instructor who certifies that the person received ground and flight training in towing gliders and is proficient in-

- (i) the techniques and procedures essential to the safe towing of gliders, including airspeed limitations;
 - (ii) emergency procedures;
 - (iii) signals used; and
 - (iv) maximum angles of bank;
- (c) has logged at least three flights as the sole manipulator of the controls of an aircraft towing a glider or simulating glider-towing flight procedures while accompanied by a pilot who meets the requirements of this regulation;
- (d) has received a logbook endorsement from the pilot, described in paragraph (c), certifying that the person has accomplished at least three flights in an aircraft while towing a glider, or while simulating glider-towing flight procedures; and
- (e) within the preceding twelve months has-
- (i) made at least three actual or simulated glider tows while accompanied by a qualified pilot who meets the requirements of this Part; or
 - (ii) made at least three flights as PIC of a glider towed by an aircraft.
- (2) The pilot, described in sub-regulation (1)(d), who endorses the logbook of a person seeking glider-towing privileges shall have-
- (a) met the requirements of this regulation prior to endorsing the logbook of the person seeking glider-towing privileges; and
 - (b) logged at least 10 flights as PIC of an aircraft while towing a glider.
- (3) If the pilot described in sub-regulation (1)(d) holds only a PPL,, then that pilot shall have-
- (a) logged at least 100 hours of PIC time in aeroplanes, or 200 hours of PIC time in a combination of powered and other than powered aircraft; and
 - (b) performed and logged at least three flights within the twelve calendar months preceding the month that pilot accompanies or endorses the logbook of a person seeking glider-towing privileges-
 - (i) in an aircraft while towing a glider accompanied by another pilot who meets the requirements of this section; or
 - (ii) as PIC of a glider being towed by an aircraft

Towing,
picking up and
raising of
persons,
animals and
articles

51.-(1) A person operating an aircraft in flight shall not, by means external to the aircraft, tow any article other than a glider or banner, tow or pick up, or raise any person, animal or article, unless the certificate of airworthiness is valid and includes an express provision that it shall be used for that purpose.

(2) An aircraft shall not launch or pick up towlines, banners of similar articles other than at an aerodrome.

(3) A person shall not operate an aircraft in flight to tow any article, other than a glider, at night or when flight visibility is less than one mile.

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

(5) A person flying a helicopter shall not fly at any height over a congested area of a city, town or settlement at any time when an article, person or animal is suspended from the helicopter. Nothing in this regulation shall -

- (a) prohibit the towing in a reasonable manner by an aircraft in flight of any radio aerial, or any instrument which is being used for experimental purposes;
- (b) prohibit the picking up or raising of any person, animal or article in an emergency or for the purpose of saving life;
- (c) apply to any aircraft while it is flying in accordance with the provisions of the special flight permit issued under the Civil Aviation (Airworthiness) Regulations, 2006; and
- (d) be taken to permit the towing or picking up of a glider otherwise than in accordance with this Part.

Dropping of
articles and
animals

52.-(1) A person shall not drop or permit to be dropped an article or animal, whether or not attached to a parachute, from an aircraft in flight so as to endanger persons or property.

(2) Sub-regulation (1) shall not apply to the dropping of an article by, or with the authority of the pilot in command of the aircraft in any of the following circumstances, provided that the pilot seeks to avoid endangering persons or property-

- (a) the dropping for the purpose of saving life;
- (b) the jettisoning, in case of emergency, of fuel or other articles in the aircraft;
- (c) the dropping of ballast in the form of fine sand or water;

- (d) the dropping of articles solely for the purpose of navigating the aircraft in accordance with ordinary practice or with the provisions of these Regulations;
 - (e) the dropping at an aerodrome, in accordance with prescribed regulations of towropes, banners, or similar article towed by aircraft;
 - (f) the dropping of articles for the purpose of agriculture, horticulture forestry or public health or as a measure against weather conditions, surface icing or oil pollution, or for training for the dropping of articles for any such purposes, if the articles are dropped with the permission of the Authority and in accordance with any condition subject to which that permission may have been given; and
 - (g) the dropping of wind drift indicators for the purpose of enabling parachute descents to be made if the wind indicators are dropped with the permission of the Authority and in accordance with any conditions subject to which that permission may have been given.
- (3) For the purposes of this regulation “dropping” include projecting and lowering.
- (4) Nothing in this regulation shall prohibit the lowering of any animal or article from a helicopter to the surface, if the certificate of airworthiness is valid and includes an express provision that it may be used for that purpose.

Dropping of persons

53.-(1) A person shall not drop, be dropped or permitted to drop to the surface or jump from an aircraft flying over the United Republic of Tanzania except under and in accordance with the terms of a written authorisation granted by the Authority under the Civil Aviation (Personnel Licensing) Regulations, 2006. The terms of the written authorisation shall specify its duration.

(2) Notwithstanding the grant of an authorisation under sub-regulation (1), a person shall not drop, be dropped or be permitted to drop from an aircraft in flight so as to endanger persons or property.

(3) A person shall not use an aircraft for the purpose of dropping persons unless the certificate of airworthiness and an authorisation granted for that purpose.

(4) Nothing in this regulation shall-

- (a) apply to the descent of persons by parachute from an aircraft in an emergency;

- (b) prohibit the lowering of any person in an emergency or for the purpose of saving life; or
- (c) prohibit the lowering of any person from a helicopter to the surface if the certificate of airworthiness is valid and includes an express provision that it may be used for that purpose.

PART VI
BANNER TOWING

Authorisation
required

54.-(1) Except as provided in sub-regulation (2), a person shall not conduct banner towing operations with an aircraft except in accordance with the terms of an authorisation issued by the Authority.

(2) A helicopter operating under the provisions of external load operations may tow a banner using an external load attaching means without an authorisation only if the operator has a Class B authorisation on the operating certificate.

Aircraft
requirements

55.-(1) A person shall not operate an aircraft that is towing a banner unless the aircraft is equipped with a tow hook and release control system that meet the applicable standards of airworthiness.

(2) A person shall not operate a helicopter that is towing a banner unless the helicopter has a means to prevent the banner from becoming entangled in the helicopter's tail rotor during all phases of flight, including auto-rotations.

Experience
and training
requirements

56.-(1) For non-revenue flights, the pilot of the tow aircraft shall hold at least a valid PPL and have a minimum of 200 hours of PIC time.

(2) When banner tow operations are conducted for compensation or hire, the pilot shall have at least a valid CPL.

(3) All pilots engaged in banner towing operations shall demonstrate competence to the Authority by performing at least one pickup and drop of the maximum number of letters (panels) to be used by the certificate holder.

(4) The demonstration referred to in sub-regulation (3) shall be observed from the ground to allow the inspector to evaluate the competence of any essential ground personnel as well as the flight operation.

Operating
rules

57.-(1) All banner tow operations shall be conducted only-

- (a) in VFR weather conditions; and

- (b) between the hours of official sunrise and sunset.
- (2) A person shall not conduct banner towing operations-
 - (a) over congested areas or open air assemblies of persons at whichever of the following heights is higher-
 - (i) at a height below 1,000 feet above the highest fixed object within 600 metres of the aircraft; or
 - (ii) below such a height as would enable the aircraft to alight clear of the area and without danger to persons or property on the surface, in the event of failure of a power unit.
 - (b) elsewhere not below such height as would enable the aircraft to alight clear of the assembly in the event of the failure of a power unit.
- (2) A holder of an authorisation carrying out banner tow operation shall be required to obtain a written approval of the airport management to conduct such operations.
- (3) A holder of an authorisation carrying out banner tow operation shall be required to obtain a written approval of the airport management to conduct such operations.
- (4) If banner towing operations take place at an airport with ATC, the authorisation holder shall inform the ATC of the time of the operations and obtain clearance.
- (5) The holder of an authorisation shall notify the appropriate airport officials in advance when banner tow operations shall be in close proximity to an unmanned airport.
- (6) Only essential crew members shall be carried when conducting banner tow operations.
- (7) When banner tow operations are conducted around congested areas, the pilot shall exercise due care so that, in the event of emergency release of the banner or towrope, it shall not cause undue hazard to persons or property on the surface.
- (8) A pilot conducting banner operation shall drop the towrope in a pre-designated area at least 500 feet from persons, buildings, parked automobiles, and aircraft.
- (9) If a tow aeroplane lands with the rope attached, due care shall be exercised to avoid trailing the rope and endangering other aircraft in the air, or persons, property or aircraft on the surface.
- (10) A pilot conducting banner-towing operations shall carry on board the aircraft a current copy of the authorisation allowing banner towing operations.

(11) A pilot conducting banner towing operations shall ensure coordination of banner times with other aviation operations at all times; such coordination shall include-

- (a) communications-
 - (i) air to air;
 - (ii) air to ground; and
 - (iii) coordination with ATC
- (b) traffic flow; identification and depiction of traffic patterns for the pilots concerned; and
- (c) airworthiness inspections; all aircraft conducting banner towing operations shall prior to the event undergo an airworthiness safety inspection.

PART VII

TELEVISION, MOVIE OPERATIONS, AERIAL PHOTOGRAPHY AND AERIAL SURVEY

58-(1) A person shall not use an aircraft in motion picture, television filming, aerial photography or aerial survey when those operations are conducted as part of a business enterprise or for compensation or hire unless that person satisfies the requirements of these Regulations.

(2) A person who wishes to carry out operations referred to under sub-regulation (1) shall be required to apply to the Authority for authorisation at least 30 days before the date of the intended operation.

(3) For purposes of this regulation, “motion picture” includes film, videos, and live broadcast in any format, and the preparation and rehearsal for those operations.

Aircraft requirements

59. A person shall not use an aircraft in motion picture, television filming, aerial photography or aerial unless that aircraft has an airworthiness certificate in the aerial work category or a restricted certificate of airworthiness issued for the purpose of exhibition.

Experience and training requirements

60.-(1) A pilot shall not conduct television movie, aerial photography or aerial survey operations unless the pilot has-

- (a) a commercial pilot's licence with type ratings for the aircraft to be used;
- (b) at least 500 hours as pilot-in-command;

- (c) a minimum of 100 hours in the category and class of the aircraft to be used; and
- (d) a minimum of 5 hours in the make and model of the aircraft to be used.

(2) If a pilot for television, movie, aerial photography or aerial survey operations intends to perform acrobatic flights below 1,500 feet above ground level, he shall furnish the Authority with proof of competence to perform the acrobatic manoeuvres in the aircraft to be used.

Special
authorisation
requirements

61.-(1) A person who wishes to conduct operations specified under regulation 59 shall apply for a special authorisation if filming sequences require an aircraft to be flown-

- (a) in acrobatic flights below 1,500 feet above ground level;
- (b) over a congested area; or
- (c) in controlled airspace.

(2) The holder of the special authorisation issued under this regulation shall provide a schedule of events that lists the-

- (a) identification of the aircraft; and
- (b) performers in the sequence of their appearance.

(3) Any manoeuvres added or time changes to the schedule of events shall be approved by the Authority.

(4) The special authorisation holder shall develop and adhere to a motion picture, television, aerial photography or aerial survey flight operations Manual which shall be approved by the Authority.

Contents of a
flight
operations
manual

62. A motion picture, television filming or aerial photography and aerial survey flight operations manual shall contain at least the following-

- (a) business name, address, and telephone number of applicant;
- (b) list of pilots to be used during the filming, aerial photography and survey including their pilot licence numbers, type of licence and date of medical certificate;
- (c) list of aircraft by make and model;
- (d) procedures for revising the manual to ensure that all manuals are kept current;
- (e) procedures to ensure that no persons, except those persons consenting to be involved and necessary for the filming or aerial photography and survey are allowed within 500 feet of the filming production area;

- (f) the area that will be used during the term of the authorisation;
- (g) procedures for the submission, within three days of scheduled filming or aerial photography and survey, a written plan of activities to the Authority containing at least the following-
 - (i) dates and times for all flights;
 - (ii) name and phone number of person responsible for the filming or aerial photography and survey;
 - (iii) make and model of aircraft to be used and type of airworthiness certificate;
 - (iv) name of pilots involved in the filming or aerial photography and survey;
 - (v) a statement that permission has been obtained from property owners or local officials to conduct the filming or aerial photography and survey;
 - (vi) a general outline, or summary, of the production schedule, to include maps or diagrams of the specific filming or aerial photography and survey location;
- (h) requirements and procedures that the special authorisation applicant will use to obtain permission from property owners or local officials like police and fire departments as appropriate for the conduct of all filming or aerial photography and survey;
- (i) method of security that will be used to exclude all persons not directly involved with the operation from the location;
- (j) procedures to brief personnel of the risks involved, emergency procedures, and safeguards to be followed during the filming or aerial photography and survey;
- (k) procedures to ensure that required inspections will be conducted;
- (l) procedures to provide communications capability with all participants during the actual operation and filming or aerial photography and survey; and
- (m) procedures for notification and reporting of incidents and accidents.

Operating
rules

63-(1) An operator shall not conduct motion picture, television filming, aerial photography or aerial survey operations so as to endanger persons or property on the surface or aircraft in flight.

(2) Minimum cloud clearance requirements and minimum altitude requirements of the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, 2006 do not apply to operations where different requirements and minimums are specifically authorised by the Authority under these Regulations.

PART VIII EXHIBITION OF FLYING

Exhibition of
Flying

64.-(1) A person shall not conduct an exhibition of flying unless that person has obtained authorisation from the Authority.

A pilot shall not participate in an exhibition of flying unless that pilot-

- (a) holds a valid PPL, CPL or ATPL;
- (b) is rated on the type of aircraft to be used; and
- (c) can comply with any relevant conditions specified in the authorisation.

(2) A person shall not use an aircraft in exhibition of flying, unless that aircraft has a valid Certificate of Airworthiness

A person shall not be issued with the authorisation referred to in sub regulation (1) unless that person proves to the Authority the ability to safely conduct the exhibition of flying.

(3) The authorisation referred to in sub regulation (1) may be issued subject to such conditions, as the Authority thinks fit and shall, remain in force for the period specified in the authorisation.

(4) A person authorised under this regulation shall not conduct exhibition of flying so as to endanger persons or property on the surface or aircraft in flight.

PART IX TRAFFIC AND SPORTS REPORTING, FISH SPOTTING AND GAME VIEWING

Traffic
reporting

65.-(1) A person shall not conduct any aircraft operations involving the observation of, and reporting on, vehicular traffic conditions on the highways and streets unless that person-

- (a) holds at least a valid PPL;
- (b) uses an aircraft with a certificate of airworthiness; and
- (c) holds an authorisation issued by the Authority.

(2) A person authorised under this regulation shall not conduct operations so as to endanger persons or property on the surface or aircraft in flight.

Game viewing or tracking operation

66.-(1) A person shall not conduct aircraft operations involving the observation of, and reporting on, and participating in game viewing or tracking operations unless that person-

- (a) holds at least a valid PPL;
- (b) uses aircraft with a certificate of airworthiness or restricted certificate of airworthiness; and
- (c) holds an authorisation issued by the Authority.

(2) A person authorised under this regulation shall not conduct operations so as to endanger persons, animals or property on the surface or aircraft in flight.

Competitive motor vehicle operations

67.-(1) A person shall not conduct aircraft operations involving the observation of, and reporting on, and participating in motor vehicle testing and competitive operations unless that person-

- (a) holds at least a valid PPL;
- (b) uses an aircraft with a certificate of airworthiness; and
- (c) holds authorisation issued by the Authority.

(2) A person authorised under this regulation shall not conduct operations so as to endanger persons or property on the surface or aircraft in flight.

Fish spotting

68.-(1) A person shall not conduct aircraft operations involving location, tracking, and reporting on the location of fish and fish schools, as part of a business enterprise or for compensation or hire unless that person obtains authorisation issued by the Authority.

(2) A person authorised under this regulation shall not conduct operations so as to endanger persons or property on the surface or aircraft in flight.

(3) The minimum cloud clearance requirements and minimum altitude requirements of the Civil Aviation (Rules of the Air and Air Traffic Control) Regulations, 2006 do not apply to operations specifically authorised by the Authority under this regulation with different minimas.

PART X GENERAL PROVISIONS

Possession of the licence

69.-(1) A holder of a licence, certificate or authorisation or other document issued by the Authority shall have in his physical possession or at the work site when exercising the privileges of that licence, certificate, authorisation or such other document.

(2) A flight crew of a foreign registered aircraft shall hold a valid licence, certificate or authorisation and have in his physical possession or at the work site when exercising the privileges of that licence, certificate or authorisation.

Drug and alcohol testing and reporting

70.-(1) Any person who performs any function requiring a licence, rating, qualification, or authorisation prescribed by these Regulations directly or by contract under the provisions of these Regulations may be tested for drug or alcohol usage.

(2) Where the Authority or any person authorised by the Authority wishes to test a person referred to in sub regulation (1) for the percentage by weight of alcohol in the blood, or for the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or substances in the body, and that person-

- (a) refuses to submit to the test; or
- (b) having submitted to the test, refuses to authorise the release of the test results, the Authority may suspend or revoke the certificate or authorisation issued by the Authority.

(3) In determining whether to suspend or revoke the certificate or authorisation of the AOC holder, the Authority shall consider all relevant factors, including-

- (a) whether the certificate or authorisation holder had knowledge of the drug or alcohol use;
- (b) whether the certificate or authorisation holder encourage the person to refuse the drug or alcohol test;
- (c) whether the certificate or authorisation holder dismissed the person who failed or refused the drug tests; or
- (d) the position that person held with the certificate or authorisation holder.

(4) The Authority shall require the certificate or authorisation holder to show cause why that person should not be dismissed from the employment of the certificate or authorisation holder.

(5) A person who is convicted, whether in or outside the United Republic of Tanzania, for any offence relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, shall be dismissed from the employment of the certificate or authorisation holder.

(6) The Authority may suspend or revoke the certificate or authorisation of a holder that refuses to dismiss from its employment a person convicted under sub regulation (3).

Inspection of licences and certificates.

71. A person who holds a licence, certificate, authorisation or other document required by these Regulations shall present it for inspection upon a request from the Authority or any person authorised by the Authority.

Change of name.

72.-(1) A holder of certificate, authorisation or other document issued under these Regulations may apply to change the name on a certificate, authorisation or such other document.

(2) The holder shall include with any such request-

(a) the current certificate, authorisation or such other document sought to be amended; and

(b) a court order, or other legal document verifying the name change;

(c) The Authority may change the certificate, authorisation or such other document and issue a replacement thereof.

(3)The Authority shall return to the holder the original documents specified in sub-regulation 2(b) and retain copies thereof and return the replaced certificate or authorisation with the appropriate endorsement.

(4) A certificate, authorisation or such other document issued to a person under these Regulations is not transferable.

Change of address

73.-(1) A holder of a certificate, or authorisation issued under these Regulations shall notify the Authority of the change in the physical and mailing address and shall do so in the case of-
physical address, at least fourteen days in advance; and
mailing address upon the change;

(2) A person who does not notify the Authority of the change in the physical address within the time frame specified in sub-regulation (1) shall not exercise the privileges of the certificate or authorisation.

Replacement of documents

74. A person may apply to the Authority in the prescribed form for replacement of documents issued under these Regulations if such documents are lost or destroyed.

Certificate Suspension and Revocations.

75.-(1) The Authority may, where it considers it to be in the public interest, suspend provisionally, pending further investigation, any certificate, authorisation or such other document issued, granted or having effect under these Regulations.

(2) The Authority may, where it considers it to be in the public interest, prevent any person or aircraft from flying.

(3) A holder or any person having the possession or custody of any certificate, authorisation or such other documents which has been revoked, suspended or varied under these Regulations shall surrender it to the Authority within 14 days from the date of revocation, suspension or variation.

(4) The breach of any condition subject to which any certificate, authorisation or such other document has been granted or issued under these Regulations shall render the document invalid during the continuance of the breach.

Use and retention of certificates and records

76. -(1) A person shall not-
use any certificate, authorisation or such other document issued or required by or under these Regulations which has been forged, altered, revoked, or suspended, or to which he is not entitled; or

- (a) forge or alter any certificate, authorisation or such other document issued or required by or under these Regulations;
- (b) lend any certificate, approval authorisation or such other document issued or required by or under these Regulations to any other person; or

(c) make any false representation for the purpose of procuring for himself or any other person the issue renewal or variation of any such certificate, authorisation or such other document.

(2) During the period for which it is required under these Regulations to be preserved, a person shall not mutilate, alter, render illegible or destroy any records, or any entry made therein, required by or under these Regulations to be maintained, or knowingly make, or procure or assist in the making of, any false entry in any such record, or wilfully omit to make a material entry in such record.

(3) All records required to be maintained by or under these Regulations shall be recorded in a permanent and indelible material.

(4) A person shall not purport to issue any certificate or authorisation, under these Regulations unless he is authorised to do so by the Authority.

(5) A person shall not issue any certificate or authorisation of the kind referred to in sub-regulation (4) unless he has satisfied himself that all statements in the certificate or authorisation are correct and that the applicant is qualified to hold that certificate or authorisation.

Reports of
violation
Cap 80.

77.-(1) Any person who knows of a violation of the Civil Aviation Act or any amendment thereto, or any rule, regulation, or order issued there under, shall report it to the Authority.

(2) The Authority will determine the nature and type of any additional investigation or enforcement action that need be taken.

Enforcement
of directions

78. Any person who fails to comply with any direction given to him by the Authority or by any authorised person under any provision of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision.

Aeronautical
user fees

79.-(1) The Authority may notify the fees to be charged in connection with the application, issue, validation, renewal, extension or variation of any certificate, authorisation or such other document, including the issue of a copy thereof, or the undergoing of any examination, test, inspection or investigation required by, or for the purpose of these Regulations any orders, notices or proclamations made thereunder.

(2) Upon an application being made in connection with which any fee is chargeable, the applicant shall be required, before the application is entertained, to pay the application fee.

(3) If, after that payment has been made, the application is withdrawn by the applicant or otherwise ceases to have effect or is refused, the Authority shall not refund the application fee made.

Application of regulations to Government and visiting forces, etc

80.-(1) These Regulations shall apply to aircraft, not being military aircraft, belonging to or exclusively employed in the service of the government, and for the purposes of such application, the department or other authority for the time being responsible for management of the aircraft shall be deemed to be the operator of the aircraft, and in the case of an aircraft belonging to the Government, to be the owner of the interest of the government in the aircraft.

(2) Except as otherwise expressly provided, the naval, military and air force authorities and member of any visiting force and property held or used for the purpose of such a force shall be exempt from the provision of these regulations to the same extent as if the visiting force formed part of the military force of the United Republic of Tanzania.

Extra-territorial application of Regulations

81. Except where the context otherwise requires, the provisions of these Regulations shall-

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

PART XI OFFENCES AND PENALTIES

Contravention
of Regulations

82. A person who contravenes any provision of these Regulations may have his certificate, approval, authorisation or such other document revoked or suspended.

Penalties

83.-(1) A person who contravenes any provision of these Regulations, orders, notices or proclamations made there under is contravened in relation to an aircraft, the operator of that aircraft and the pilot-in-command, if the operator or, the pilot in command is not the person who contravened that provision he shall, without prejudice to the liability of any other person under these Regulations for that contravention, be deemed for the purposes of the following provisions of this Regulation to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.

(2) If it is proved that an act or omission of any person, which would otherwise have been a contravention by that person of a provision of these Regulations, orders, notices or proclamations made there under was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention by that person of that provision.

(3) Where a person is charged with contravening a provision of these Regulations orders, notices or proclamations made there under by reason of his having been a member of the flight crew of an aircraft on a flight for the purpose of commercial air transport operations, the flight shall be treated, without prejudice to the liability of any other person under these Regulations, as not having been for that purpose if he proves that he neither knew nor had reason to know that the flight was for that purpose.

(4) A person who contravenes any provision of these Regulations, orders, notices or proclamations made thereunder not being a provision referred to in sub-regulation (9) shall, upon conviction, be liable to a fine, and in the case of a continuing contravention, each day of the contravention shall constitute a separate offence.

(5) In case an aircraft is involved in a contravention and the contravention is by the owner or operator of the aircraft, the aircraft shall be subject to a lien for the penalty.

(6) Any aircraft subject to alien for the purpose of sub-regulation (5) may be seized by and placed in the custody of the Authority;

(7) The aircraft shall be released from custody of the Authority upon-

- (a) payment of the penalty or the amount agreed upon in compromise;
- (b) deposit of a bond in such amount as the Authority may prescribe, conditioned upon payment of the penalty or the amount agreed upon in compromise;
- (c) receiving an order of the court to that effect.

(8) The Authority and any person specifically authorised by name by him or any police officer not below the rank of inspector specifically authorised by name by the Minister, may compound offences under Part A of the Schedule to these Regulations by assessing the contravention and requiring the person reasonably suspected of having committed the offence to pay to the Authority a sum equivalent in Tanzanian shillings of one hundred United States dollars and three hundred United States dollars for provisions referred to in sub-part (i) and sub-part (ii) respectively in Part A of the Schedule to these Regulations.

(9) If any person contravenes any provision specified in Part B of the Schedule to these Regulations, upon conviction is liable to a fine not less than the equivalent in Tanzanian Shillings of one thousand United States Dollars or to imprisonment for a term of twelve months or to both.

(10) Where any person is aggrieved by any order made under sub-regulation (8), he may, within twenty one days of such order being made, appeal against the order to a higher court and the provisions of Part X of the Criminal Procedure Act, shall apply mutatis mutandis, to every such appeal as if it were an appeal against a sentence passed by a district court in the exercise of its original jurisdiction.

Cap. 20

FIRST SCHEDULE

REGULATION 83

PENALTIES

REG. NO.	TITLE	PART
8	Certificate required	A
15	Carrying and display of certificate	A
16	Limitations on private agricultural aircraft operator	A
17	Manner of dispensing.	A
18	Economic poison dispensing	A
19	Personnel	A
21	Operations in controlled airspace designated for an airport	A

24	Operation over congested areas: general.	A
25	Operation over congested areas: pilots and aircraft	A
26	Business name: commercial agricultural aircraft operator	A
27	Access for inspection.	A
28	Records: commercial agricultural aircraft operator.	A
30	Certification	A
36	Personnel.	A
38	Availability, display, and surrender of certificate	A

40	Operating rules	A
41	Carriage of persons	A
42	Crew member training, currency, and testing requirements	A
43	Access for inspection	A
45	Structures and design.	A
46	Operating limitations.	A
49	Towing of gliders	A
50	Glider towing: experience and training requirements.	A
51	Towing, picking up and raising of persons, animals and articles	A
52	Dropping of articles and animals	A
53	Dropping of persons	A
54	Authorisation required	A
55	Aircraft requirements	A
56	Experience and training requirements.	A
57	Operating rules.	A
58	Authorisation required	A
59	Aircraft requirements	A
60	Experience and training requirements	A
61	Special authorisation requirements	A
63	Operating rules	A
64	Exhibition of flying	
65	Traffic reporting	A
66	Game viewing or tracking operation	A
67	Competitive motor vehicle operations	A
68	Fish spotting	A
69	Possession of the licence	A
70	Inspection of licences and certificates	A
76	Use and retention of certificates and records.	B

Dar es Salaam,
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